



2015 City Council Minutes

Regular Meetings

January 8, 2015

January 22, 2015

February 12, 2015

February 26, 2015

March 12, 2015

March 26, 2015

April 16, 2015

April 30, 2015

May 14, 2015

May 28, 2015

June 11, 2015

June 25, 2015

July 6, 2015

July 9, 2015

August 10, 2015

August 13, 2015

September 21, 2015

September 24, 2015

October 19, 2015

October 22, 2015

November 16, 2015

November 19, 2015

December 7, 2015

December 10, 2015

**Special Meetings are listed on the next
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Special Meetings

February 6, 2015 Liquor License

February 12, 2015 Micro Retreat - PD Strategic Plan

February 26, 2015 Budget Connect

March 9, 2015 City Manager Recruitment

March 12, 2015 City Manager Recruitment

March 12, 2015 Budget Workshop

March 23, 2015 Public Safety

April 13, 2015 Innovations Incubator

April 27, 2015 Water Allocation Policy

May 1, 2015 Budget Briefing

May 14, 2015 Budget Amendments

June 11, 2015 Budget

September 1, 2015 Canvass

October 19, 2015 Financial Reserve Policy/PSPRS

November 19, 2015 Airport

December 7, 2015 VA Pilot Program

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, January 8, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
*Rick Heumann	Vice-Mayor
Nora Ellen	Councilmember
Kevin Hartke	Councilmember
Jeff Weninger	Councilmember
Trinity Donovan	Councilmember
*Jack Sellers	Councilmember

*Vice Mayor Heumann and Councilmember Sellers participated by phone.

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Mike Sproul from Tri-City Baptist Church.

SPECIAL MUSIC: Chandler Fire Department Pipe and Drum Corps

POSTING OF COLORS: Chandler Police Department

PLEDGE OF ALLEGIANCE: Councilmembers Weninger and Donovan

SONG: America the Beautiful – sung by Victor Hardy

SCHEDULED/UNSCHEDULED PUBLIC APPEARANCES: None.

CONSENT:

MOVED BY WENINGER, SECONDED BY COUNCILMEMBER DONOVAN TO APPROVE THE CONSENT AGENDA AS PRESENTED.

Vice Mayor Heumann and Councilmember Hartke voted nay on item A7.

MOTION CARRIED UNANIMOUSLY (7-0) with the exceptions noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- A1a. Special Meeting (Airport) of August 11, 2014.
- A1b. Special Meeting (Transportation) of January 6, 2014.
- A1c. Budget Workshop of February 10, 2014.
- A1d. Budget Briefing of May 2, 2014.
- A1e. Special Meeting (South AZ Ave.) of August 14, 2014.
- A1f. Study Session of November 17, 2014.
- A1g. Special Meeting (Exec Session) of December 8, 2014.
- A1h. Regular Meeting of December 8, 2014.
- A1i. Study Session of December 8, 2014.
- A1j. Regular Meeting of December 11, 2014.

A2. CITY INITIAL ZONING: SWC of Ocotillo Rd. and the Union Pacific RR

ADOPTED Ordinance No. 4591, DVR14-0037 southwest corner of Ocotillo Road and the Union Pacific Railroad, the establishment of initial City zoning of Agricultural (AG-1) on a City-owned parcel of approximately 3,920 square feet located at the SWC of Ocotillo Road and the Union Pacific Railroad.

A3. REZONING: Avilla Homes

ADOPTED Ordinance No. 4593, DVR14-0020 Avilla Homes, rezoning from Regional Commercial (C-3) zoning to Planned Area Development (PAD) for High Density Residential for site layout and building design on property located at the NEC of Warner Road and Grace Boulevard, west of Arizona Avenue.

A4. REZONING: Juan Diego Catholic Church

ADOPTED Ordinance No. 4594, DVR14-0024 ST. JUAN DIEGO CATHOLIC CHURCH, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a church for site layout and building design on property located at the NWC of Cooper Road and Markwood Drive, south of Queen Creek Road.

A5. REZONING: ELEMENT HOTEL

ADOPTED Ordinance No. 4596, DVR14-0026 Element Hotel, rezoning from Planned Industrial (I-1) to Planned Area Development for a hotel and commercial uses for site layout and building architecture, along with Mid-Rise Overlay for building height exceeding forty-five feet on 3.4 acres site is located south of the SWC of Chandler Boulevard and Chandler Village Drive.

A6. REZONING: DC Heights

ADOPTED Ordinance No. 4597, DVR14-0032 DC Heights, rezoning from Multi-Family (MF-2) to Planned Area Development for a mixed-use residential and commercial development for site layout and building architecture, along with Mid-Rise Overlay for building heights exceeding forty-five feet on 5.3 acres located at the SWC of Commonwealth Avenue and California Street.

A7. REZONING: Modern Storage

Vice Mayor Heumann and Councilmember Hartke voted nay on this item.

ADOPTED (5-2) Ordinance No. 4598, DVR14-0035 Modern Storage, rezoning from Planned Area Development (PAD) for Community Commercial District (C-2) uses to PAD for C-2 uses and Self-Storage/Mini-Warehouse for a self-storage facility located at the SEC of Arizona Avenue and Germann Road.

PRESENTATION OF RESOLUTIONS AND GIFTS TO OUTGOING COUNCILMEMBERS

MAYOR TIBSHRAENY was joined by outgoing Councilmembers Donovan and Weninger as he read honorary resolutions recognizing both individuals for their service.

Mayor Tibshraeny highlighted Councilmember Donovan's extensive service to the community through her work with the Not-For-Profit organizations over the past 15 years. She has been involved in many community coalitions involved with financial stability, homelessness, domestic violence, early childhood and youth development. She will continue to serve Chandler and the community with her dedication, passion and professionalism as the CEO of Chandler Christian Community Center.

Mayor Tibshraeny stated that Councilmember Weninger has been a passionate advocate for Chandler. His service in the community dates back to 1997 coaching youth soccer, serving on the Board of Directors for the Chandler Compadre Branch of the Boys and Girls Club of the East Valley, and the Board of Directors of the Chandler Symphony Orchestra.

The Mayor presented Councilmembers Donovan and Weninger each with a large concaved square mosaic plate from Di Sciacca.

Councilmember Sellers had gifts for Councilmember Donovan and Weninger.

Councilmembers' Announcements:

COUNCILMEMBER WENINGER introduced his family, his business partner and friends that were in attendance. He said serving in this capacity requires a considerable amount of time and thanked his wife and family for all the support they gave him, and the extra work they did in his absence. He thanked his business partner for undertaking the added management it took to keep their five restaurants up and running smoothly. He then thanked the other Councilmembers for all

the help and support they gave him when he first joined the Council. It was this wealth of resources he could draw upon with its different perspectives on issues he was less familiar with.

Of the many events, functions, and people he affiliated with over his 8 years, he stated the most memorable and amazing for him, was to introduce Colonel Edward Shames. Col. Shames was portrayed in the HBO miniseries Band of Brothers. The miniseries portrayed Easy Company, the 2nd Battalion, 506th Parachute Infantry Regiment in the 101st Airborne Division of the United States Army during the Second World War. He introduced Col. Shames at a Holocaust remembrance event the Chandler Jewish Community Center hosted.

He is proud to be part of an organization like Chandler that has such continuity among staff and with Council. This continuity preserved the Price Corridor and the sound financial policies which kept Chandler from severe cutbacks during the housing and economic crash.

Councilmember Weninger stated of the many items brought to Council, those he is most proud of are: cementing the Chandler Culture, wise financial decisions with the tax payers money, establishing the Domestic Violence Court with Councilmember Donovan, the advancement of neighborhood parks, working with various HOAs to switch to reclaimed water for watering their open spaces and the loan program to help them achieve this.

He has enjoyed helping people on a day to day business, continues to support transparency in government, working with the Not-For-Profits, and bringing development to Chandler. The East Valley is expanding with more entrepreneurs than ever before, and as a new State Representative he will be working at preserving small businesses.

He recognized and thanked his family, friends and staff for all their support throughout the years.

He presented tall blue swirled vases to the Mayor and Council from di Sciacca glassware Co.

COUNCILMEMBER ELLEN thanked his support and perspective from one business owner to another. She greatly appreciated his support and fund raising efforts when she started Operation Welcome Home. She wished him all the best in his new role as a State Representative.

COUNCILMEMBER HARTKE thanked him for his help over the years. The camaraderie they have shared will be long remembered. He looks forward to working with him for the benefit of Chandler as he is now a new State Representative for the East Valley area. His commitment and generosity to the youth in Chandler has been unwavering.

COUNCILMEMBER DONOVAN stated she has enjoyed the journey they shared on the Council. She appreciated his commitment and passion to helping the community, the youth of Chandler and the Not-For-Profits in the community. She stated he is an unsung hero in this commitment, so many times helping out yet remain so humble and with little recognition.

VICE MAYOR HEUMANN stated he enjoyed working with him on Council. He appreciated all the work he did and he was a great asset to the Council. He wished him all the best in his new role as an Arizona Representative.

COUNCILMEMEBER SELLERS thanked Councilmember Weninger for all his help during his first campaign for the City Council. He wished him all the best in his new position as a State Representative.

MAYOR TIBSHRAENY said he has enjoyed working with him over the years and getting to know his family. He appreciates his leadership and looks forward to seeing that as he serves in his new role as a State Representative and wished him the best.

COUNCILMEMBER DONOVAN introduced her grandparents, in-laws, other family friends, and members from the Chandler Christian Community Center in attendance. She recognized those family members, friends and colleagues who were not able to attend.

She thanked the voters for their support especially since she was such a young candidate for Council and thanked Chandler City Staff for all their help and support over the years.

She stated that of the many goals councilmembers have, Chandler has done an amazing job at staying focused and on track. These goals consisted of job creation, improved quality of life, sound financial foundation and fiscal responsibility and to keep focus on small and large businesses which bring a diverse mix to the City.

She noted Chandler holds the highest bond rating possible, is very fiscally responsible and maintains a high level of service and activities for its residents while keeping staffing requirements at a minimum. She is extremely proud of the Domestic Violence Court program she and Councilmember Weninger started and thanked the City Council for all their support in moving forward with the program.

She congratulated the new Councilmembers, René Lopez and Terry Roe, and Councilmember Hartke on being re-elected.

Councilmember Donovan then presented gifts to the Mayor and Council. The gifts were handcrafted glass business card holders with the City logo on the front and an inspirational quote from Helen Keller. The quote epitomizes the work achieved by a unified Council. She thanked each of them for their unique accomplishments while serving on Council, their help, support, and diverse perspective.

COUNCILMEMBER WENINGER said he enjoyed working with Councilmember Donovan and looks forward to working with her in the future.

COUNCILMEMBER SELLERS stated Councilmember Donovan has been a real asset to the Council. He appreciated all her hard work and what she and the Council have been able to accomplish over the years.

VICE MAYOR HEUMANN said he appreciated everything she has done not only on council, but so much for the community. He had enjoyed serving with her and she will be missed.

COUNCILMEMBER HARTKE stated he had known Trinity when she was in Jr. High School as they worked on an initiative. He has truly enjoyed working with her, watching her grow as a leader and all her work with the Not-For-Profit and considers her a wonderful friend. He told her will miss her, but knows her work in the community will not end, and wished her all the best.

COUNCILMEMBER ELLEN stated she enjoyed working with Councilmember Donovan. She thanked Councilmember Donovan for her dedication and passion in serving the community, her goals for economic development, and for establishing the Domestic Violence Court program with Councilmember Weninger. She will miss her, but wished her all the best.

MAYOR TIBSHRAENY stated it had been a great pleasure to work with her and to get to know her and her family. He has seen so many changes in her life, her wedding, and new baby, and enjoyed watching those new chapters in her life.

He announced Councilmember Donovan had graduated from Stanford and was thankful she came back to Chandler to serve and give back so much to the community. He will miss her, but will be watching her work as it continues as she serves as CEO for Chandler Christian Community Center.

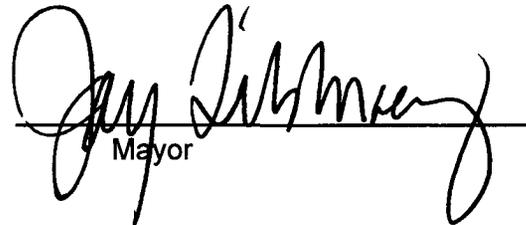
REMARKS:

Adjournment: The meeting was adjourned at approximately 8:21 p.m.

ATTEST:



City Clerk



Mayor

Approved: January 22, 2015

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 8th day of January 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26 day of January 2015.



City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street on Thursday, January 8, 2015 at 7:30 p.m.

OATHS OF OFFICE:

1. OATH of Office for Councilmember Kevin Hartke

Kevin Hartke was joined by his family and given the Oath of Office by Presiding City Magistrate Michael Traynor

2. OATH of Office for Councilmember René Lopez

René Lopez was joined by his family and given the Oath of Office by Presiding City Magistrate Michael Traynor.

3. OATH of Office for Mayor Jay Tibshraeny

Jay Tibshraeny was joined by his family and given the Oath of Office by Presiding City Magistrate Michael Traynor.

4. OATH of Office for Councilmember Terry Roe

Terry Roe was joined by his family and given the Oath of Office by Presiding City Magistrate Michael Traynor.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 8:29 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	*Rick Heumann	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	*Jack Sellers	Councilmember

*Vice Mayor Heumann and Councilmember Sellers participated by phone.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Mike Sproul, Tri-City Baptist Church

ACTION:

B1. ELECTION OF Vice Mayor for a one-year term from January 8, 2015 through January 14, 2016.

MOTION MADE BY MAYOR TIBSHRAENY, SECONDED BY COUNCILMEMBER ELLEN TO NOMINATE KEVIN HARTKE TO FILL THE TERM.

MOTION CARRIED UNANIMOUSLY (7-0) ON A ROLL CALL VOTE.

INTRODUCTION OF GUESTS AND COMMENTS BY MAYOR AND COUNCIL:

VICE MAYOR HARTKE introduced his family that was in attendance, recognized family friends, his mentor John McHatton who works in Congressman Matt Salmon's office, members from his delegation, and thanked them for all their support.

COUNCILMEMBER RENÉ LOPEZ introduced his extended family and many friends who were present. He thanked his mentor Jerry Brooks, and all the support he has received throughout his campaign. He stated he looks forward to working with Staff in keeping the path and vision Chandler is on.

COUNCILMEMBER TERRY ROW thanked Trinity Donovan and Jeff Weninger for their years of service to the City of Chandler, and he looks forward to working with them in the future. He introduced his family and friends that were able to attend the ceremony, and thanked everyone who supported him during his campaign.

COUNCILMEMBER NORA ELLEN introduced family and friends in attendance. She recognized Councilmember Eddy Cook from the Town of Gilbert who was present earlier, her son and his new wife, and others who were not able to make the evenings ceremony. She welcomed the new Councilmembers and stated she looks forward to the upcoming year.

COUNCILMEMBER JACK SELLERS stated he was sorry he could not be present for the evening's installation.

COUNCILMEMBER HEUMANN welcomed the new Councilmembers and congratulated Kevin Hartke on becoming Vice Mayor.

MAYOR TIBSHRAENY introduced his family, elected officials that were in attendance, John McHatton and Cesar Ibarra from Congressman Matt Salmon's office, Vice Mayor Eddie Cook from the Town of Gilbert, City of Mesa Mayor John Giles, State Representative J.D. Mesnard, Maricopa County Supervisor Denny Barney and former Mayor Jerry Brooks.

Mayor Tibshraeny thanked the people of Chandler for their faith and confidence to elect him to another term as their Mayor. He stated the last two years have been a busy time for the community.

He addressed some of the areas the City has focused on. These being: Neighborhoods, Economic Development, Chandler downtown, greater transparency and a making a healthier community.

He commented on many of the initiatives he brought forward over the last two years. These included:

- The Mayor's Teen Leadership Academy that will kick off in March
- The Mayor's Listening Tour – Meetings are held throughout Chandler, sitting down with residents to talk through neighborhood challenges. In the past four years, we worked to resolve several hundred neighborhood issues stemming from these meetings
- Approximately one year ago, Arizona State University opened the Chandler Innovation Center. This 33,000 Square-Foot space brings hundreds of students to downtown Chandler, day and night.
- The Tech Shop also operating there, engaging the Maker Movement with Chandler at its epicenter. This is an exciting partnership among the City, ASU and Tech Shop.

Areas the City Council will be focusing on over the next few years are the vacant storefronts, shifting traffic patterns, new trends in retail, and aging infrastructure and neighborhoods to name just a few as the City begins work on the General Plan update.

He mentioned new projects on the horizon including the Alta Steelyard Lofts, DC Heights luxury apartments, and the proposed theater development.

SONG: God Bless America – sung by Victor Hardy

Adjournment: The meeting was adjourned at approximately 8:50 p.m.

ATTEST: Muel Pradell
City Clerk

Jay Liebman
Mayor

Approved: January 22, 2015

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 8th day of January 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26 day of January, 2015.

Muel Pradell
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, January 22, 2015 at 7:02 p.m.

THE MEETING WAS CALLED TO ORDER BY VICE MAYOR KEVIN HARTKE AT 7:02 P.M.

The following members answered roll call:	Kevin Hartke	Vice-Mayor
	*Nora Ellen	Councilmember
	*Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Jack Sellers	Councilmember

*Councilmembers Ellen and Heumann participated by phone.

*Mayor Tibshraeny was absent and excused.

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was given by Rabbi Mendy Dietsch – Chabad of the East Valley

PLEDGE OF ALLEGIANCE: Members from Scout Troops 988, 588 and 885 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER ROE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (6-0) VIA A ROLL CALL VOTE.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. (Former) Regular meeting of January 8, 2015.
- 1b. (New) Regular meeting of January 8, 2015.

2. CONTINUED ANNEXATION: Southwest Corner of Queen Creek Road and Union Pacific Railroad Ord. #4590

CONTINUED TO FEBRUARY 26, 2015, final adoption of Ordinance No. 4590, Annexation – Southwest Corner of Queen Creek Road and Union Pacific Railroad, annexation of approximately

18.75 acres located at the SWC of Queen Creek Road and the Union Pacific Railroad to coincide with the timing of the rezoning case.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: Kindred Chandler Physical Rehabilitation Ord. #4599

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4599, DEV14-0033 Kindred Chandler Physical Rehabilitation, rezoning from Planned Area Development (PAD) to PAD for healthcare/physical therapy including a Mid-Rise Overlay for buildings up to 60 feet in height. (Applicant: Casey Carlton, Ascension Group Architects.) APPROVED a Preliminary Development Plan (PDP) for site design and building architecture on approximately 3.7 acres located at the SWC of Chandler Boulevard and Arrowhead Drive.

BACKGROUND

The approximately 3.7-acre subject site is located at the southwest corner of Chandler Boulevard and Arrowhead Drive. The Armored mini-storage facility abuts the site to the west and south. Office and medical uses are east across Arrowhead Drive. Christ Community Church and commercial retail uses are north of the site across Chandler Boulevard.

The subject site is part of the Maggio Ranch Planned Area Development (PAD) that received zoning approval for commercial retail uses in 1983. In 1995, the property was part of a rezoning for a mixed-use development that allowed the mini-storage facility and included a conceptual site plan for commercial retail uses on the subject site.

SITE DESIGN

The site has one main entry from Chandler Boulevard and a secondary entry on Arrowhead Drive identified for deliveries, ambulance access and other ancillary services such as trash collection. A patient drop-off area is adjacent to the main entrance to allow direct access into the physical therapy facility. Parking wraps around the rectangular building utilizing a looped driveway. One hundred ninety-two (192) parking spaces are provided which is twelve spaces above the 180 required spaces. The applicant indicates this type of healthcare facility has additional parking needs due to the outpatient operation.

Two minor waivers are requested including a minor setback encroachment at the intersection of Arrowhead Drive and Chandler Boulevard to allow adequate parking spaces and to allow chain-link fencing on two sides of the bulk oxygen enclosure. Planning Staff supports the requested waivers. The 20-ft. wide landscape setback utilizes a desert plant palette designed in a linear fashion along both frontages. The outdoor bulk oxygen enclosure requires adequate ventilation through use of chain link fencing on the two elevations located out of public view.

ARCHITECTURE

The request includes a Mid-rise Overlay for buildings up to 60 ft. in height. Although the exhibits indicate a maximum building height of approximately 57 ft. to the top of the rooftop mechanical screen wall, the requested maximum of 60 ft. is intended to account for any unforeseen parapet height changes due to the mechanical equipment screening.

The three-story physical therapy rehabilitation facility contains approximately 65,000 sq. ft. of gross floor area. The top two floors contain 50 inpatient rooms with a physical therapy room on each floor. The ground floor includes administrative offices, an outpatient rehabilitation gym, kitchen/dining area and other ancillary uses. Amenities include an outdoor therapy garden with an ambulatory track and an outdoor seating area with tables for dining or employee breaks.

Building architecture is contemporary in style, utilizing geometric shaped elements. Materials include an Exterior Insulation and Finish System (EIFS), aluminum storefronts with high performance glazing, aluminum window shades and dry stacked stone veneer. The color palette utilizes natural earth tones accented with a deep sun dried red. South facing windows include a shade element as well as canopied sidewalks along the ground level. The roofline and wall planes modulate to break up the building mass and linear nature of the building. The placement of the design elements along with the colors and materials create articulation, diversity and a high quality design. Additional details can be found in the Development Booklet.

SIGNAGE

The request includes building mounted signage, freestanding monument signs and directional signs. Building-mounted signage includes stud-mounted ¼ inch aluminum logo and lettering. The freestanding monument signage utilizes the same materials and colors as those used on the building to further create cohesiveness.

DISCUSSION

Planning Staff supports the request finding it to represent a quality healthcare development and a compatible addition to the surrounding area. The site design and building architecture are sensitive to the nearby developments through building location, access and scale.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with two neighborhood meetings being held. The first was held on October 15, 2014, and there were no attendees. The second meeting was held on October 22, 2014, and was attended by two residents from one household. Their concerns related to traffic volume and turning movements onto Chandler Boulevard from Arrowhead Drive and the need for a traffic signal at this intersection. Planning Staff relayed this concern to the City Traffic Engineer who conducted a traffic signal warrant study and accident study. The results of the analysis indicate that a traffic signal is not warranted and revealed an average of two accidents per year. This is typical of most stop-controlled intersections throughout the City.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

The Planning Commission recommended an additional stipulation, listed as Condition No. 7 to the Preliminary Development Plan (PDP) conditions, for the applicant to modify the south elevation's color palette.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "KINDRED CHANDLER PHYSICAL REHABILITATION", kept on file in the City of Chandler Planning Division in File No. DVR14-0033 except as modified by conditions herein.
 2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
 3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
 4. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner.
 5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
 6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
 7. The applicant shall work with Planning Staff to modify the color palette for the south elevation.
4. REZONING/PRELIMINARY DEVELOPMENT PLAN: Cornerstone Christian Fellowship
Ord. #4601

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4601, DVR14-0039, Cornerstone Christian Fellowship, rezoning from Agricultural (AG-1) to Planned Area Development for church uses. (Applicant: Michael Bonnette; Larson Engineering, Inc.)

APPROVED a Preliminary Development Plan (PDP) for site layout on a remnant 0.22-acre site located east of the NEC of Alma School Road and Maplewood Street, along the Maplewood Street frontage.

BACKGROUND

The request is for rezoning from AG-1 to PAD for church uses, along with PDP approval for site layout. The 0.22-acre (9,600 sq. ft.) site is located east of the northeast corner of Alma School Road and Maplewood Street along the Maplewood Street frontage. For all intents and purposes, the site is part of the Cornerstone Christian Fellowship campus and due to its proximity to Maplewood Street, will function as a portion of the landscape buffer for the parking lot upon development.

The site is part of the street frontage and through the rezoning process, approximately 3,600 sq. ft. of the site will be dedicated to the City of Chandler for the completion of Maplewood Street. The site currently houses an inoperable well pump that has not been used in years. While Cornerstone has tried numerous times to acquire the site, the previous owner kept the site in its current state to ensure that well rights are maintained in the area. Cornerstone recently acquired the property and requests the rezoning to ensure that the campus maintains clear zoning entitlements. A master plan for the entire church campus will be forthcoming at which the subject site is incorporated into the landscape buffer for the parking lot. Cornerstone is currently in the process of improving the parking lots on the east side of the campus.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the nature of the request, a neighborhood meeting was not held; however, a notification letter, including details of the request, was sent to all property owners and neighborhood organizations within the required notification area.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

5. ZONING EXTENSION: Chandler Airpark Business Center

APPROVED a three-year zoning extension for DVR14-0034, Chandler Airpark Business Center, for the existing PAD zoning designation for a business park development with aviation-related uses on approximately 20 acres located at the NWC of Cooper and Queen Creek roads. (Applicant: Brennan Ray; Burch & Cracchiolo, PA.)

EXTENSION OF THE TIMING CONDITION

In 2008, the site was rezoned from AG-1 to PAD for an 18-lot business park with aviation-related uses. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date. This is the second zoning time extension requested for the property. The current application requests a three-year time extension; the timing condition expired on October 25, 2014. The three-year time extension would be in effect until October 25, 2017, as the time limit is calculated from the previous zoning approval's expiration.

BACKGROUND

The subject site is bordered to the south by Queen Creek Road. South of Queen Creek Road is a retail and office commercial development. West of the commercial development is Twin Acres, an existing rural-residential subdivision. The Chandler Municipal Airport borders the subject site's northwest side. Cooper Road abuts the property's east side with vacant land zoned AG-1 east of Cooper Road.

Chandler Airpark Business Center represents one of the first through-the-fence taxiway-access developments for the Chandler Municipal Airport. The proposed development will include industrial, office and retail showroom/warehouse land uses including aviation-related uses. Permitted uses for the business park will include all light industrial uses permitted in the Light Industrial District (I-1), office uses including medical and dental and retail showroom uses where the display area is generally limited to 30% of the floor area. Additionally, permitted aviation

related uses include uses such as charter operations, pilot training, aircraft sales and leasing, aircraft hangar sub-leasing and other aeronautical activity uses. Prohibited aviation-related uses include uses such as flying clubs, aircraft sightseeing, crop dusting, aerial advertising and aircraft repair and maintenance businesses.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 13, 2014. Two neighboring property owners were in attendance.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission and Planning Staff recommend approval of a three-year extension with all of the conditions in the original approval remaining in effect.

6. **INTERGOVERNMENTAL AGREEMENT:** Maricopa County Res. #4821

ADOPTED Resolution No. 4821 authorizing the execution of an Intergovernmental Agreement (IGA) with Maricopa County for the abandonment and annexation of portions of Willis Road and McQueen Road.

BACKGROUND/DISCUSSION

Council previously approved the Willis Gated Community (Ordinance No. 4545 and DVR14-0004) located east of the southeast corner of McQueen and Willis roads. In conformance with the zoning approval, a median break is recommended at the intersection of McQueen and Willis roads to allow westbound left turns from Willis Road onto McQueen Road. This intersection is currently under ADOT (Arizona Department of Transportation) control and they have agreed to abandon the portion of rights-of-way needed (Parcel A) on condition that the City (and County) waive the Four-Year Advance Notice of Abandonment and Pavement Quality Report, in accordance with Arizona Revised Statutes Section 28-7209.

The IGA identifies and defines the County's and City's responsibilities for the abandonment and annexation of Parcel A. The Council will accept ADOT's abandonment, so Parcel A becomes part of their jurisdiction. Once Parcel A is under the County's jurisdiction, the City will proceed with the transfer (annexation) of this right-of-way by resolution at a future City Council meeting.

7. **LICENSE ACCEPTANCE:** Salt River Project Res. #4831

ADOPTED Resolution No. 4831 accepting a license from Salt River Project (SRP), acting on behalf of the United States of America, for a bus bay located on the north side of Chandler Boulevard approximately half a mile east of Cooper Road and authorizing payment of the annual license fee.

BACKGROUND/DISCUSSION

The original license was approved by Council in Resolution No. 3896. The new license is for a four (4) year period. The initial annual license fee of \$683.40 is subject to annual adjustments based upon the Consumer Price Index.

Staff has determined that the legal description for the license agreement is correct and recommends City Council accept the license and approve the payment amount.

8. EASEMENT ACCEPTANCE: Roosevelt Water Conservation District Res. #4832

ADOPTED Resolution No. 4832 authorizing the acceptance of a no-cost Roadway and Utility Easement from the Roosevelt Water Conservation District (RWCD) over portions of Appleby Road at Rincon Drive.

BACKGROUND/DISCUSSION

City Council approved the zoning for Layton Lakes at its March 5, 2001, meeting. Various portions of Layton Lakes have been developed over time and now parcels along Appleby Road and Rincon Drive are being developed. RWCD owns a strip of land used for an irrigation facility that runs through the Layton Lakes development. RWCD is granting a Roadway and Utility Easement to the City, at no cost, for the areas where Appleby Road and Rincon Drive cross the RWCD property.

Staff has determined that the legal descriptions on the Roadway and Utility Easement are correct and recommend City Council accept the easement.

9. INFILL INCENTIVE PROGRAM AGREEMENT: East Valley Mall Res. #4833

WITHDRAWN BY STAFF - Resolution No. 4833 authorizing an Infill Incentive Program Agreement for a portion of the East Valley Mall, west of the NWC of Arizona Avenue and Warner Road (former Food for Less/Swapsmart and current Spot Free Carwash).

10. PRELIMINARY DEVELOPMENT PLAN: Landings Credit Union

APPROVED Preliminary Development Plan PDP14-0006, Landings Credit Union, to amend the comprehensive sign package for a freestanding monument sign on property located at 4850 W. Chandler Boulevard, NEC of Chandler Boulevard and Rural Road. (Applicant: Giovann Melendez, Blue Media.)

BACKGROUND

The business is located within the Biagio (Village at Wildtree) mixed-use development located at 4850 W. Chandler Boulevard.

In 2003, Council approved a PDP amendment that included a change from apartments to condominiums, modifying the site plan, site features and adding monument signs for the office component. The condominiums were built in 2005. The corner pharmacy, retail and office-related commercial buildings have yet to be constructed and are not anticipated to be built in the near future. Landings Credit Union, formerly the Tempe Schools Credit Union, is the only office-related commercial building constructed in the development.

The request is for Preliminary Development Plan (PDP) approval to amend the comprehensive sign package for a freestanding monument sign. The approved comprehensive sign package included site entry, commercial tenant signs and building mounted signage. Site entry signs,

'Biagio', are located on Chandler Boulevard and Rural Road. Wall mounted signage for the credit union is installed, however, landscape screens visibility to the wall mounted signage. There are no monument signs identifying this business on either arterial street frontage.

The proposed freestanding monument sign would be located on Chandler Boulevard at the eastern portion of the subject property. The overall sign height is 5 ft. 6 inches. The materials include a stone veneer base with an aluminum cabinet. The Biagio site entry signs are capped with stone. Planning Staff recommends the aluminum cap is modified to a decorative stone cap to match the site entry signs. Lettering is acrylic push through and internal illumination with LED modules. The color scheme complements the building design and existing site entry signs.

DISCUSSION

Planning Staff supports the request for one freestanding monument sign. The height, design and location of the monument sign complement the building and are architecturally compatible with the Tuscan theme of the mixed-use development.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood notice letter was sent in lieu of a neighborhood meeting. Planning Staff has not received any correspondence since the letters were sent.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case PDP14-0006 LANDINGS CREDIT UNION, except as modified by conditions herein.
2. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
3. A decorative stone cap shall be provided to match the site entry stone cap.

11. PRELIMINARY DEVELOPMENT PLAN: Portico Place II

APPROVED Preliminary Development Plan PDP14-0013 Portico Place II, to amend the comprehensive sign package for a freestanding monument sign on property located at 2195 W. Chandler Boulevard, SWC of Chandler Boulevard and Dobson Road. (Applicant: Gretchen Cherrill, Airpark Signs & Graphics.)

BACKGROUND

In 2007, Council approved the rezoning and PDP for commercial, retail and office uses along with a comprehensive sign package. Portico Place currently contains two multi-tenant office and retail

buildings and a pharmacy. A new two story multi-tenant office building will be constructed on the western lot of the development.

The approved comprehensive sign package included one 14 ft. tall and three 6 ft. tall freestanding multi-tenant monument signs as well as one intersection corner feature. Two freestanding multi-tenant signs exist on each arterial street frontage.

The proposed freestanding multi-tenant sign would be the third freestanding monument sign located on Chandler Boulevard. Two sign location options are proposed within the lot; either the east or west driveway, however, only one sign would be constructed. Overall sign height is 8 ft. with four tenant panels of equal size on the two opposing elevations. The tenant panels will be aluminum with routed out 3/4 inch push-through acrylic backed lettering. Opaque vinyl is applied to the face of the clear acrylic to simulate reverse pan channel letters. Sign design and architectural elements are similar to the balance of existing freestanding multi-tenant signs, including materials, color and illumination.

DISCUSSION

Planning Staff supports the request for an 8 ft. tall freestanding monument signs. The height, design and number of tenant panels are appropriate to identify the future tenants of the new office building proposed within Portico Place.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. A neighborhood notice letter was sent in lieu of a neighborhood meeting. Planning Staff has not received any correspondence since the letters were sent out.

Planning staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case PDP14-0013 PORTICO PLACE II, except as modified by conditions herein.
2. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

12. CLAIMS REPORT

APPROVED the Claims Report for the quarter ended December 31, 2014.

13. CONTINGENCY TRANSFER: City Clerk Department

APPROVED a contingency transfer in the amount of \$32,000.00 from the General Fund Non-Departmental Contingency appropriation to the City Clerk Department for excess 2014 election expenses and increased recording activity.

BACKGROUND

The City Clerk's Office received \$175,000.00 in the Fiscal Year 2014-15 budget for election expenses related to the August 2014 Primary Election and the November 2014 General Election. Based on past history, this amount is sufficient to cover the cost of a voting pamphlet and other costs related to the elections. However, the 2014 elections had City Propositions on both the Primary Election ballot (Home Rule) and on the General Election ballot (Charter Amendment). This required the printing of two Voter Information Pamphlets, which has brought the total election expenses to date to \$198,901.00. A temporary transfer of \$15,000.00 from salary appropriation was made in December in order to pay the most recent invoice from Maricopa County, but this salary appropriation needs to be restored before fiscal year end.

Other critical City Clerk expenditure accounts such as legal notices and recording fees will have no funding for the rest of the year without approval of this transfer. In addition, the activity of document recording has increased with the new process of recording plats and CC&R's in-house. Payments for the recording of tax liens and code enforcement actions are also made from this account. The Recording Fee account was funded at \$5,500.00 and currently has a balance of \$500.00.

FINANCIAL IMPLICATIONS

The transfer of \$32,000.00 from the General Fund Non-Departmental Contingency Fund account to the City Clerk Department Cost Center, Election Supplies account in the amount of \$24,000.00 and a transfer of \$8,000.00 to the Recording Fee account will allow the City Clerk to restore \$15,000.00 to Salary Appropriation and allow normal operations for the remainder of the year.

14. MEMBERSHIP AGREEMENT: 1Government Procurement Alliance

APPROVED a membership agreement with 1Government Procurement Alliance (1GPA) to be a participating member of the cooperative organization.

Staff recently became aware of 1Government Procurement Alliance (1GPA), an Arizona-based national governmental purchasing cooperative that competitively solicits and awards contracts for cooperative use by public, educational and non-profit agencies. Agencies with an executed Participating Agreement with 1GPA may purchase needed items under the terms, conditions and pricing of the 1GPA contracts.

To be eligible to exercise the option to make use of these cooperative contracts, 1GPA requires that each agency enter into a Participating Agreement. The agreement term commences upon execution and remains in effect until terminated by either party. The agreement is the vehicle allowing the City of Chandler to purchase from 1GPA's cooperative contracts should the use be the best value for the City. The agreement does not commit the City of Chandler to any cooperative use of 1GPA's contracts.

The City has benefited in the past from the value that can be offered through the appropriate use of cooperative contracts. Staff reviews the City's requirements on a case-by-case basis and makes a recommendation whether or not to use a cooperative contract based on market research, historical information, compatibility of scope, lead time and customer needs. An

expedited procurement process, the ability to standardize products and services and the realization of savings based on total volume of purchase are a few examples of potential benefits.

15. AGREEMENT: Titan Machinery, Inc.

APPROVED Agreement No. ST5-755-3424 with Titan Machinery, Inc., for the purchase of a Bomag 1300 Asphalt Cold Milling Machine in the amount of \$353,061.00.

16. AGREEMENT: Freightliner Sterling Western Star of Arizona

APPROVED Agreement No. ST5-072-3470 with Freightliner Sterling Western Star of Arizona for the purchase of a 10-wheel dump truck in the amount of \$129,596.20.

17. AGREEMENT: Ammunition

APPROVED Agreement No. PD5-680-3472 with San Diego Police Equipment Co., Inc., International Cartridge Corporation, Proforce Law Enforcement, Miwall Corporation and Lawmen's & Shooters Supply, Inc., for the purchase of ammunition in a combined total amount of \$125,378.98.

18. AGREEMENT AMENDMENT: Shannon S. Martin Company

APPROVED Agreement No. MU0-910-2850, Amendment No. 4, with Shannon S. Martin Company for janitorial services, increasing the agreement amount by an additional \$55,000.00 for a period of five months until a new contract is bid and awarded, for a total revised amount of \$111,580.00.

19. AGREEMENT: Municipal Emergency Services, Inc.

APPROVED Agreement No. FD5-340-3454 with Municipal Emergency Services, Inc. (MES), for the purchase of self-contained breathing apparatus in the amount of \$1,364,235.84.

This request is for funding to replace the Fire Department's Self-Contained Breathing Apparatus (SCBA's). This equipment is essential because it allows firefighters to breathe while working in the toxic atmospheres created by fires and hazardous materials incidents. Safety standards for SCBA's are set by the National Fire Protection Association (NFPA).

New standards became effective in 2013. Replacing existing SCBA's is necessary in order to meet these new standards and, due to the age of current SCBA's, most of the Department's SCBA are more than ten years old and have reached the end of their operational life. The new NFPA standards required manufacturers to subject the SCBA's to rigorous testing to provide greater assurances that the equipment will function properly after repeated exposure to heat, water and rapid movements. The Department's current SCBA's met the NFPA standards that existed when the SCBA's were manufactured, but now need to be replaced to meet the new standards.

20. AGREEMENT AMENDMENT: Peoria Pest Control, Inc.

APPROVED Agreement No. MU3-914-3165, Amendment No. 1, with Peoria Pest Control, Inc., for manhole insecticide painting services for two years in a total amount not to exceed \$144,000.00. This is the final optional two-year extension.

21. AGREEMENT AMENDMENT: Thatcher Company of Arizona

APPROVED Agreement No. MU4-885-3350, Amendment No. 1, with Thatcher Company of Arizona for water/wastewater treatment and pool chemicals in a total amount not to exceed \$648,725.00.

After construction of the new Ocotillo Water Reclamation Facility (OWRF)/Airport Water Reclamation Facility (AWRF) lift station, there were odor complaints from the Ocotillo community businesses and residents. An odor reduction study found that Trioxyn (Calcium Nitrate Tetrahydrate) was the choice chemical to reduce odor. Trioxyn will be added at the Pecos Road diversion structure to allow time for reduction in odors at the OWRF/AWRF lift station.

22. AGREEMENT: Balar Equipment Corporation

APPROVED Agreement No. MU5-929-3458 with Balar Equipment Corporation for the purchase of Wachs valve equipment in an amount not to exceed \$122,279.87.

23. PROJECT AGREEMENT: Ritoch-Powell & Associates

APPROVED Project Agreement No. ST1305-451 with Ritoch-Powell & Associates for construction management services for Old Price Road / Queen Creek Road Intersection Improvements, pursuant to On-Call Civil Engineering Services Contract No. EN1506-101, in an amount not to exceed \$121,023.00.

24. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WW1508.101 with Carollo Engineers, Inc., for sewer assessment project management services, pursuant to On-Call Water/Wastewater Services Contract No. EN1508.101, in an amount not to exceed \$311,600.00.

25. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WW1506.201 with Carollo Engineers, Inc., for water-wastewater infrastructure design services for Downtown Sites 3, 4, 5, 6 and 7, pursuant to On-Call Water/Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$346,740.00.

26. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WA1412.451 with Carollo Engineers, Inc., for construction management services for water/wastewater plant control system upgrades, pursuant to On-Call Water/Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$209,786.00.

27. PROJECT AGREEMENT: Perlman Architects

APPROVED Project Agreement No. FI1503.201 with Perlman Architects for design services for the Fire Training Center Burn Building Expansion, pursuant to On-Call Architectural Services Contract No. EN1504.101, in an amount not to exceed \$38,000.00.

This contract is for updating the architectural design services for the Fire Training Center Burn Building to be located at the Fire Training Center on South Dobson Road. The original design drawings for the Burn Building were done by Perlman Architects in 2009. This set of drawings went all the way through to the permit-ready stage. The drawings were never submitted because the project was stopped when the economy took a downturn. Now this building is part of the new Fire/Police Joint Training Facility Project and will be submitted for construction in the FY 2015/16 CIP budget. The plans need to be updated to the 2012 building codes and civil requirements.

28. CONTRACT: Combs Construction Company, Inc.

APPROVED Contract No. ST1305.401 with Combs Construction Company, Inc., for construction for Old Price Road/Queen Creek Road Intersection Improvements in an amount not to exceed \$1,539,298.97.

29. CONSTRUCTION CONTRACT: Low Mountain Construction, Inc.

APPROVED Construction Contract No. CS1405.401 to Low Mountain Construction, Inc., for the Aquatic Facilities Slide Stair Structural Improvements at Desert Oasis Aquatic Center and Hamilton Aquatic Center in an amount not to exceed \$139,627.20.

30. CONSTRUCTION MANAGER AT RISK CONTRACT: Felix Construction Company

APPROVED Construction Manager at Risk Contract No. WA1412.401 with Felix Construction Company for water/wastewater plant control system upgrades in an amount not to exceed \$1,233,244.79.

31. PURCHASE: Vehicles

APPROVED the purchase of one vehicle from Midway Chevrolet in the amount of \$26,382.55 and ten vehicles from Sanderson Ford, utilizing the State of Arizona contract, in the amount of \$298,662.91 for a total amount of \$325,045.46.

To reduce delivery time, the requested vehicles have been recommended for purchase or replacement by the Fleet Advisory Committee, through the State of Arizona contract. The Committee reviews mileage, years of service, reliability, maintenance history and forecasted ability to meet service requirements.

The Airport Water Reclamation Facility (AWRF) is requesting three new vehicles for positions appropriated in the FY 2014-15 Adopted Budget. Due to industrial growth, these positions were added as part of the seven million gallons per day expansion to the AWRF.

In addition to these new vehicles, a heavy duty utility truck purchased in 1994 was an active reserve vehicle and repurposed. As an active reserve vehicle, it was removed from the Vehicle Replacement Program. Fleet Services Staff determined this vehicle was unsafe to drive and parts could no longer be obtained to repair it. It has been placed on the auction line and needs to be replaced.

On July 1, 2015, City Staff will commence operations of the Ocotillo Water Reclamation Facility. In order to prepare for operations at this facility, seven new vehicles need to be purchased.

32. PURCHASE INCREASE: 3M Library Systems

APPROVED the purchase increase of \$150,000.00 to \$300,000.00 from 3M Library Systems, sole source, for electronic library materials.

In October 2014, the Chandler Public Library transitioned to the 3M Cloud Library for the provision of electronic books and audio books. The 3M Cloud Library allows staff to select materials expressly for Chandler cardholders and reduce the wait time for popular titles. Customers can recommend titles for purchase and download materials directly from the library catalog with the items checked out reflected in their accounts. Because of the popularity of this new service, requests for e-formats have dramatically increased and are creating a shift in circulation patterns. As a result, funds that would have been dedicated to hard copy materials need to be re-allocated to electronic materials.

The 3M Cloud Library is the only eBook platform that is fully integrated with the Polaris PowerPac software. All digital checkouts, via the library's catalog or the 3M Cloud Library application, can be accessed through one customer library account without having to go to a separate website or use a separate account name and password.

33. PURCHASE: Motorola Solutions

APPROVED the purchase of radio equipment from Motorola Solutions, utilizing State of Arizona Contract No. ADSP013-036880, in an amount not to exceed \$240,000.00.

Radio communication is critical to safe and successful emergency incident mitigation. Future narrow banding of frequencies and interoperability mandates from the Federal Communications Commission (FCC) and the Arizona Regional Wireless Cooperative (RWC) make it necessary for the Fire Department to replace its existing portable radios and several mobile radios. The entire radio inventory of the Department's XTS3000 and XTS5000 radios are not capable of being narrow banded. Additionally, these radios are no longer supported or no longer in production with a limited support timeframe.

The Department is requesting to purchase 27 dual band portable radios, three mobile radios and associated accessories. This initial purchase will place the dual band radio capability in the hands of all of the on-duty Captains and Chief Officers assuring their ability to communicate on emergency scenes. These Captains and Chief Officers are the Incident Commanders and sector officers on all types of emergency incidents and must have the capability to have seamless communication on both the VHF and 800 Mhz bands. An additional 79 radios will need to be purchased by the end of 2017. The Department intends to try for grant funding for these additional radios.

A regional communication committee, of which Chandler was a member, has evaluated and worked with radio manufacturers to produce a dual system radio that is certified for use in explosive, flammable and combustible atmospheres. The Motorola APX radios are the only radios available that meet these requirements. The State contract allows for a 25% discount off of list price.

34. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of annual maintenance and support of Citywide Cisco network equipment from Nexus IS, Inc., utilizing the State of Arizona contract #ADSP012-024622, in an amount not to exceed \$109,799.00.

This purchase will provide Cisco Smartnet Services for support and maintenance of the City's Cisco network infrastructure software and equipment. This equipment includes switches, routers and connectivity equipment. These are annual recurring costs that cover hardware technical support, repair or replacement in the event of failure. In addition to the hardware maintenance and repair/replacement, the vendor also provides software patches and upgrades for the City's network hardware. The equipment must be kept up to date with these patches in order for the City's network to remain secure and reliable. This agreement also allows for access to technical support resources to escalate issues and obtain resolution to technical problems with the Cisco network equipment. The State contract allows for a 20% discount off of list price.

35. PURCHASE: Midway Chevrolet

APPROVED the purchase of three DUI Patrol vehicles from Midway Chevrolet, utilizing State of Arizona Contract No. ADSP013-038803, in the amount of \$138,819.47.

The Police Department received a grant from the Governor's Office of Highway Safety (GOHS) for the purchase of three new Police Patrol Tahoes to be used by the Chandler Police DUI Enforcement Team. These Tahoes will replace the motorcycles currently used by the officers and will improve both safety and efficiency. The Fleet Advisory Committee (FAC) recommends the use of this grant money to purchase these vehicles. City Council approved the acceptance of the grant at its December 11, 2014, meeting.

36. USE PERMIT: Bay Leaf Cafe

APPROVED Use Permit LUP14-0017 Bay Leaf Café, Series 12 Restaurant License, to sell and serve liquor as permitted for on-site consumption indoors and on an outside patio at an existing restaurant located at 955 W. Chandler Heights Road, Suites 1 and 2, SEC of Alma School and Chandler Heights roads. (Applicant: Satyendra Singh.)

BACKGROUND

This restaurant is located within The Summit at Chandler Heights commercial center and occupies a tenant space in an inline shops building. In 2012, a Liquor Use Permit for a Series 12 was approved for Bay Leaf Café in Suite 1 which is approximately 1,450 square feet. The adjacent Suite 2 is owned by the restaurant and was previously their yogurt shop. The yogurt shop had direct access from the restaurant. The yogurt shop has since closed and the restaurant expanded into Suite 2 providing additional dining and large group space, thus the request for a new Series 12 Liquor Use Permit. Business hours are typically Tuesday through Saturday 11 a.m. to 9:30 p.m. and Sundays 11 a.m. to 8:30 p.m., closed Mondays. The request includes live music/entertainment for only Suite 2 including background dining room music and live music. The live music may be an occasional disc jockey a customer brings in for a group party or a karaoke system. The entertainment is based on group event bookings and typically no more than two days a week on a weekend in the evening. A one-year time limit condition is recommended for the live music/entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 6, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning 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 Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. Music shall occur indoors only.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

37. USE PERMIT: Nabers Music Bar & Eats

APPROVED Use Permit LUP14-0022 Nabers Music Bar & Eats, Series 6 Bar License, to continue to sell and serve liquor as permitted for on-premise consumption indoors and within an outdoor patio and continue live music indoors at 825 N. 54th Street, NEC of Harrison and 54th streets in the Chandler Pavilions. (Applicant: Denise Holliday.)

BACKGROUND

Nabers Music Bar & Eats is an existing restaurant and bar located at 825 N. 54th Street, northeast corner of Harrison and 54th streets within the Chandler Pavilions commercial shopping center. Nabers Music Bar & Eats opened for business in 2013. A 65-unit condominium development is east and other retail, restaurant and commercial uses surround the site.

The restaurant and bar received Liquor Use Permit approval in July 2013, with a time condition of one year. The current request is for an extension of the Liquor Use Permit without any further time condition.

The restaurant and bar is open seven days a week. Live music occurs three or four days a week and indoors only. There is no live, amplified or acoustic music in the outdoor patio.

DISCUSSION

Planning Staff supports the request finding that the restaurant and bar with live music indoors is appropriate at this location if the live music continues to be controlled so as to not unreasonably disturb the surrounding businesses and residents. There have been no complaints filed with the Police Department or opposition during the neighborhood notification and public notification processes. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 23, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. The Use Permit granted is for a Series 6 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live entertainment occurring indoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. The site shall be maintained in a clean and orderly manner.
7. The patio shall be maintained in a clean and orderly manner.

38. USE PERMIT: Sonrise Faith Community Church

APPROVED Use Permit ZUP13-0024 Sonrise Faith Community Church, to allow a time extension for continued use of a modular building located at 800 W. Galveston Street, east of Alma School Road on the north side of Galveston Street. (Applicant: Hyung Joon Kim.)

BACKGROUND

The request is for Use Permit approval of a time extension for continued use of a modular building by Sonrise Faith Community Church. The modular building is located at the northeast corner of the property. The Sunnycrest single-family residential subdivision is north and east and Tyson Manor single-family residential subdivision is south of the property.

In 1994, the first Use Permit for the modular building was approved. Four Use Permit time extensions were approved for two previous churches; Tempe Korean Presbyterian and First Christian. The modular building was utilized as classrooms and other church related activities and will continue to function with similar uses. The most recent Use Permit expired in September 2012. This request is for a time extension of an additional five years.

The approximate 1,391 sq. ft. modular building is used for educational and instructional purposes as it contains three classrooms. Each classroom accommodates approximately 15 people. Activities and classes are held seven days a week at varied hours and include child care, bible study and training workshops. Long term, the applicant anticipates that the modular building would be removed and replaced by a permanent building; however, no timeframe is known currently.

DISCUSSION

Planning Staff supports the continued use of the modular classroom building for an additional five years. The church has an ongoing need to use the modular building for classes and ancillary activities and does not have funding currently available to construct a permanent building. The educational and instructional activities are compatible with the church's operation and with the single family residences.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 20, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approved passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. The Use Permit shall be extended for a period of five (5) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. The site shall be maintained in a clean and orderly manner.

39. USE PERMIT: Verizon Wireless – McClintock and Ray

APPROVED Use Permit, ZUP14-0011 Verizon Wireless – McClintock and Ray, to install a monopalm wireless communication facility at 3875 W. Ray Road, SEC of McClintock Drive and Ray Road. (Applicant: Rob Jones, Wavelength Management.)

The request was continued from the November 20, 2014, City Council meeting to allow the applicant time to address neighborhood concerns. Planning Staff met with the applicant to discuss the proposed monopalm distance from residential properties and aesthetics. The applicant consequently worked with the property owner of the subject parcel to select a new location for the monopalm in order to provide greater distances to the single family residences to the east and south.

BACKGROUND

The proposed monopalm is 50 ft. in height, measured to the top of antennas. The monopalm would be placed in a parking island within the parking lot. The equipment enclosure would be in a separate location from the monopalm. The enclosure would be located between two of the commercial retail buildings in an outdoor seating area.

The nearest residential development is the Golden Keys single family subdivision, approximately 327 ft. south and approximately 159 ft. southeast of the monopalm. These distances from the residentially zoned properties increased due to the new location in the parking lot located north of the commercial retail building. In addition to the increased distance from the residences, the approximate 23 ft. tall building provides both a visual buffer and physical barrier to the proposed monopalm.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, and the antennas would be painted to match the fronds. Palm trees are located in the shopping center and surrounding area. The equipment enclosure would be eight feet high and constructed of concrete masonry units painted to match the color of the adjacent building. A state approved pre-fabricated equipment shelter and a back-up generator would be contained within the enclosure. A solid metal gate would allow access for routine maintenance. Existing landscape would be removed and relocated to the south side of the enclosure including additional landscape.

An inventory of existing facilities, vertical towers and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations. Within the immediate area, no other suitable alternative for co-location of the wireless communication facility on existing poles or towers was found.

DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility. The new location appears to be the least visually intrusive to the single family residential subdivision. The separation from the single family residential properties is consistent with recently approved wireless communication facilities which are located approximately 160 ft. from residentially zoned properties.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 29, 2014. There were three property owners in attendance expressing concerns related to the distance of the monopalm to their properties, visual impact and screening.

Planning Staff received numerous phone calls and a signed letter from property owners stating opposition to this request at the original location which was about 99 ft. from the residences. Concerns expressed related to: decreased property values, health concerns, do not want to see from my home or from my backyard and lack of screening. Following the continuance, the applicant relocated the monopalm further distance from the homes to address these concerns. Additionally, the applicant and Staff conducted further neighborhood outreach to those concerned property owners to provide an update of the new location and distances from the homes. From discussions with these property owners, the concerns and opposition is minimized or eliminated.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

40. USE PERMIT: Arizona Corporate Plaza

APPROVED Use Permit ZUP14-0025 Arizona Corporate Plaza, for the operation of a hair salon within Suite 1-2 of Building 1 at Arizona Corporate Plaza located at the SEC of Arizona Avenue and Comstock Drive, south of Elliot Road. (Applicant: Heather Dill, Shear Organic Hair Studio.)

BACKGROUND

The subject Suite 1-2 is located within Building 1 of the Arizona Corporate Plaza mixed-use business park. The site is surrounded by Arizona Avenue to the west and vacant land zoned for commercial uses to the north. South is vacant land, part of the Westech Corporate Center, and east are other light industrial buildings/uses as part of the business park.

The business park's zoning history dates back to 1981 when the property was zoned Planned Industrial District (I-1) with a Planned Area Development (PAD) Overlay. Over the years, a series of Use Permits were granted for uses such as a custom motorcycle business, an automotive customization business, a furniture business, an Arizona Children's Association office, a church, and a daycare. These uses naturally located along the business park's western end along the Arizona Avenue frontage.

The request is for Use Permit approval for the operation of a hair salon within a portion of Site 1-2 of Building 1. The balance of Suite 1-2 is occupied by ExtrusionBot, a personal filament extruder device manufacturer, owned and operated by the applicant's husband. Other uses in Building 1 include a car audio business, Chandler Custom Cycles and an insurance office. Shear Organic Hair operates on an appointment-only basis; there is no walk-in traffic. The applicant, Heather Dill, is the only employee. Hours of operation are Tuesday, Thursday and Friday 9 a.m. to 6 p.m. and Saturday 9 a.m. to 4:30 p.m. The average number of clients per day is 4-7 persons. Although the proposed hair salon is within a portion of Suite 1-2, the hair salon has its own separate entrance. Sufficient parking is provided directly adjacent to the proposed use.

DISCUSSION

Planning Staff supports the request. While historically, service-retail uses such as the proposed hair salon are not supported in Planned Industrial business parks, Building 1 of the Arizona Corporate Plaza has proven to command a quasi-retail nature due to the Arizona Avenue exposure as evidenced by the existing and previous tenant mix. The appointment-only business style of Shear Organic Hair will maintain a lower intensity that can prove compatible with the balance of Arizona Corporate Plaza. Finally, it is a unique circumstance that the remaining portion of Suite 1-2 is occupied by the applicant's husband. Planning Staff is recommending a 2-year timing condition to provide sufficient time to evaluate the anticipated compatibility.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was sent out in lieu of a neighborhood meeting. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The Use Permit shall remain in effect for two (2) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

41. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Travis Tritt Fundraiser Concert on January 25, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

42. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Social Painting Event on January 31, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

43. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for The Midtown Men Concert, February 7, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

44. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Even Liquor License for the Chandler Cultural Foundation for the Flamenco Vivo Carlota Santana Event, February 14, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

45. No item.

46. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival Kick-Off on March 12, 2015, at Thorobred Chevrolet, 2121 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

47. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival, March 13, 14 and 15, 2015, at Tumbleweed Park, 2220 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

48. SPECIAL EVENT LIQUOR LICENSE: The Boot Campaign, Inc.

APPROVED a Special Event Liquor License for The Boot Campaign, Inc., for The Great American BBQ & Beer Festival, March 21, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

49. PERMANENT EXTENSION OF PREMISES LIQUOR LICENSE: D'Vine Wine Bar & Bistro

APPROVED a Permanent Extension of Premises for a Series 12 Restaurant License (Chandler #140185L12) held by the Arizona-For Better Business Association LLC, dba D'Vine Wine Bar & Bistro, 3990 S. Alma School Road. A recommendation for approval of a Permanent Extension of Premises for State Liquor License #12079067 will be forwarded to the State Department of Liquor Licenses and Control.

The Arizona-For Better Business Association LLC, dba D'Vine Wine Bar & Bistro, has requested a permanent extension of their alcohol serving area to include outside seating. This business was approved for a Series 12 Restaurant Bar Liquor License on February 27, 2012.

The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

50. TEMPORARY EXTENSION OF PREMISES LIQUOR LICENSE: Murphy's Law Irish Pub and Ale House

APPROVED a Temporary Extension of Premises for a Series 18 Liquor License (Chandler #120887L18) held by Murphy's Law 58 LLC, dba Murphy's Law Irish Pub and Ale House, 58 S.

San Marcos Place for a St. Patrick's Day Party, March 17, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #06070685 will be forwarded to the State Department of Liquor Licenses and Control.

The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

51. TEMPORARY EXTENSION OF PREMISES LIQUOR LICENSE: The Perch

CONTINUED to a Special Council meeting on February 6, 2015.

Temporary Extension of Premises or a Series 18 Liquor License (Chandler #145511L18) held by The Perch LLC, dba The Perch, 232 S. Wall Street for a 1st Annual Anniversary Party, February 15, 2015.

52. LIQUOR LICENSE: AZ Market

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #155963L10) for Natalia Lisa Mihilli, Agent, AZ Market LLC, dba AZ Market, 731 S. Arizona Avenue. A recommendation or approval of State Liquor License #10076617 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Arizona Carniceria LLC, dba Arizona Carniceria.

53. LIQUOR LICENSE: Holiday Inn at Ocotillo

APPROVED a Series 11 Hotel/Motel Liquor License (Chandler #155027L11) for Kevin Bierl, Agent, Ocotillo Hospitality LLC, dba Holiday Inn at Ocotillo, 1200 W. Ocotillo Road. A recommendation for approval of State Liquor License #11077048 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Northface Investments LLC, dba Holiday Inn at Ocotillo.

54. LIQUOR LICENSE: Duke's Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #156300L12) for Lauren Kay Merrett, Agent, The Pink Gardenia LLC, dba Duke's Grill, 980 E. Pecos Road, Suite 5. A recommendation for approval of State Liquor License #1207A112 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Svheldt LLC, dba Duke's Grill.

55. FINAL PLAT: Siena at Ocotillo

APPROVED Final Plat, FPT14-0011 Siena At Ocotillo, for a 76-unit townhome development located at the SEC of Dobson Road and Market Place. (Applicant: Michael Sexton; Cardno, Inc.)

BACKGROUND

This Final Plat is for a 76-unit townhome development located at the southeast corner of Dobson Road and Market Place that was approved by Council in April 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

PUBLIC HEARINGS

PH1. ANNEXATION of three parcels totaling approximately 9.53 acres located south of the SEC of Chandler Heights and Cooper roads.

VICE MAYOR HARTKE opened the public hearing at 7:08 p.m.

Memo Background:

The subject site consists of three rural residential properties currently zoned RU-43 in the County. Two of the properties have existing single family homes and ancillary structures and the third is undeveloped. The site is bordered by rural residential properties to the north, east and west and abuts the Circle G at Riggs Homestead Ranch neighborhood to the south.

On March 28, 2013, the City approved the annexation of 25 acres abutting the north and east sides of the subject site. The applicant intends to develop a low-density residential neighborhood on the subject properties together with the previously annexed 25 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forthcoming to Mayor and Council. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

Existing municipal water service and waste water service are located in Chandler Heights Road. The developer will be required to extend a 12" reclaimed water line in Chandler Heights Road to serve the property.

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action. No action is required of Council at this time.

DISCUSSION:

David De La Torre, City Planner, briefly summarized the Staff memo addressing the three properties, the 25 acres abutting the north and east sides of the subject site, and how the developer intends to develop the site.

There were no questions from the City Council or the public.

THE VICE MAYOR CLOSED THE PUBLIC HEARING AT 7:10 p.m.

PH2. ANNEXATION of approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads.

THE VICE MAYOR OPENED THE PUBLIC HEARING AT 7:10 P.M.

Memo Background:

The subject site is an approximately 5-acre parcel and adjacent right-of-way adjoining the north side of the Roosevelt Water Conservation District's reservoir that wraps around the Basha's shopping center at the northwest corner of Chandler Heights and Gilbert roads. The site, currently zoned RU-43 in the County, is bordered by the Eastern Canal on the west, an undeveloped and unincorporated parcel on the north, and Gilbert Road on the east.

The applicant would like to develop a self-storage facility on the site and intends to follow the annexation with a request for rezoning and preliminary development plan approval. The Chandler Land Use Element of the General Plan designates the site as Residential, for which self-storage facilities can be considered to serve the needs of residential areas.

Existing municipal water service, waste water service and reclaimed water are located in Gilbert Road to serve future development on the property.

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action. No action is required of Council at this time.

DISCUSSION:

David De La Torre, City Planner, briefly summarized the Staff memo addressing the 5 acre parcel, and how the developer intends to develop the site.

There were no questions from the City Council or the public.

THE VICE MAYOR CLOSED THE PUBLIC HEARING AT 7:11 p.m.

Ph3. ANNEXATION of approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads.

THE VICE MAYOR OPENED THE PUBLIC HEARING AT 7:11 p.m.

Memo Background:

The subject site is currently zoned RU-43 within the County. It contains a mobile home with ancillary buildings used for agriculture. The site is bordered by County land zoned RU-43 to the west and north with McQueen Village Square commercial plaza north of the County land. McQueen Road is located to the east, and south of the property is the subdivision Estates at McQueen. The Chandler Land Use Element of the General Plan designates the site as Residential and the southeast Chandler Area Plan designates a more specific land use category

of Rural / Agrarian Character. The property owner will submit a rezoning application and preliminary development plans to allow the development of a church on the subject site.

Existing municipal water service, wastewater service and reclaimed water are available in McQueen Road.

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action. No action is required of Council at this time.

DISCUSSION:

Lauren Schumann, City Planner, briefly summarized the Staff memo addressing the 4.18 acre parcel. The property owner has submitted a rezoning application that is currently under review by Staff.

There were no questions from the City Council or the public.

THE VICE MAYOR CLOSED THE PUBLIC HEARING AT 7:13 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

B. Councilmembers' Announcements

Vice Mayor Hartke announced the following:

Chandler will be kicking off the 2015 Listening Tour on February 10th with a Mini HOA Summit. This is a popular event covering new legislation being discussed relating to HOA's. The event is free and begins at 7 p.m. at Tumbleweed Recreation Center. Register is required and information is available on the City's Website at www.chandleraz.gov

The Annual Chandler Sports Hall of Fame Induction will be held on February 7th. This event recognizes those Chandler athletes that have excelled in their fields. The event will be held at the Chandler Center for the Arts starting at 11 a.m.

A Naturalization Ceremony was held in Chandler on Saturday, January 17th. Mayor Tibshraeny spoke at the event and Councilmember Sellers and he was also in attendance. More than 200 people became citizens of the United States that morning.

He thanked everyone who came out to the Multicultural Festival.

The State of the City address will be held on February 19th starting at 6:00 p.m. in the Council Chambers.

Councilmember Roe mentioned he attended the television simulcast of a program discussing the growing heroin problem in Arizona. He thanked the Chandler Coalition on Youth Substance Abuse for their efforts and encouraged residents, especially retirees, to get involved in their community.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:19 p.m.

ATTEST: Marel Padua
City Clerk

Jim Limmy
Mayor

Approved: February 12, 2015

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 22nd day of January 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of February, 2015.

Marel Padua
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Friday, February 6, 2015 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 8:30 a.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Rene Lopez	Councilmember
Terry Roe	Councilmember
*Nora Ellen	Councilmember
Jack Sellers	Councilmember
Rick Heumann	Councilmember

*arrived after roll call

Staff present: Marla Paddock, City Clerk; Rich Dlugas, City Manager; Marsha Reed, Asst. City Manager; Nachie Marquez, Asst. City Manager.

TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE: The Perch

APPROVED a Special Events Liquor License for the 1st Annual Anniversary Party on Sunday, February 15, 2015 from 11:00 a.m. until midnight at 232 S. Wall Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event. The Police Department reports no objections to the issuance of this license and the applicant has applied for a Temporary Sales and Promotional Event Permit.

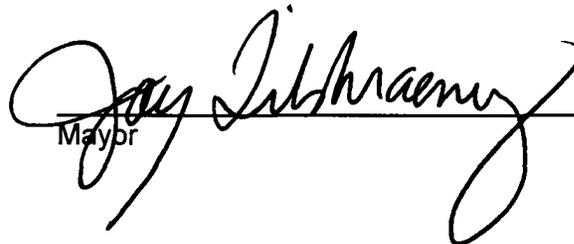
MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THIS ITEM. MOTION CARRIED UNANIMOUSLY (7-0)

Adjournment: The Mayor adjourned the meeting at 8:32 a.m.

ATTEST:



City Clerk



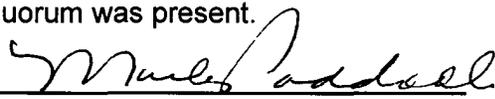
Mayor

Approval Date of Minutes: February 26, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on February 6, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 27 day of February 2015



City Clerk

MINUTES OF SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Thursday, February 12, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 6: p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Rick Heumann	Councilmember
	Nora Ellen	Councilmember
	René Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance: Rich Dlugas, City Manager; Marsha Reed, Assistant City Manager; Nachie Marquez, Assistant City Manager; Kay Bigelow, City Attorney; Marla Paddock, City Clerk

POLICE CHIEF SEAN DUGGAN thanked the Council members for the opportunity to discuss the Strategic Plan. He stated upon his arrival last January, one of the top priorities was to ensure to have in a place a road map in place to allow a vision for the future and to embrace the challenges of 21st century policing.

He stated the rate of change has never been greater. The types of crime in existence now, did not exist just a few years ago yet alone 5, 10 or 20 years ago. The web based/Internet based crime, human smuggling and sexual exploitation are a few of those emerging crimes.

He said technology is changing the way policing occurs. The way information is received, processed and disseminated has changed with the introduction of cell phones, tablets, and body cameras, as a few examples. He argued the community also has changed. The demand for transparency, accountability, and immediate information is greater now.

He noted the increase in retirements in the police department. Within 28 months of his arrival, the department has experienced a 25% changeover in the entire rank of sergeants, lieutenants, commanders, and assistant chiefs. He noted this was an incredible transition in leadership. He reiterated the need to have a roadmap in place to address these changes is critical.

Chief Duggan explained a group of stakeholders from the department consisting of 40 – 45 sworn and civilian, all across ranks, was convened on July 30 to review the 2010 plan. The groups met to review and identify the Mission Statement, Vision Statement, Operational Goals, and then the Action Items. Facilitators were available from the Tempe Police Department.

The next crucial element was community input. A community forum was convened in October, 2014 and 25 people from the community were invited to review and give input. Input from the labor organization was also solicited to help incorporate another guiding document - the RBO (relationship by objective) document.

Chief Duggan reviewed the Mission Statement and Vision Statement. He also highlighted the 5 Operational Goals: (1) Prevent Crime, (2) Provide Effective Police Services, (3) Develop, Strengthen and Sustain Partnerships, (4) Develop Personnel, (5) Enhance Infrastructure.

Chief Duggan reviewed the objectives under each goal. He highlighted several objectives and noted the Enhanced 911- coming online in the Valley that gives the ability to text messages, videos and pictures to the 911 communications. He announced Chandler will soon roll out, and might be the first city in the valley, the ability to send text messages to the non-emergency line. He noted that there are 323 police officers in Chandler and a population of 250,000 to police. He stressed it is not a job we can do by ourselves. The cooperation of the community is needed.

The Chief commented that Chandler is very competitive in the market. A recent recruitment had 968 people apply. There are approximately 300 in the process and that is before the oral boards. He stated Chandler's pay and benefits is very competitive and it is important to working on our brand and reputation as all valley departments are hiring.

COUNCILMEMBER ROE asked how many people will be hired. Chief said if there are approximately 120 people identified as the "pool" of applicants, then they will identify around the top 60 and do oral boards from the top 60. If there are 10-15 remaining that would be good. Those would still need to take the polygraph, psychological and background.

Chief Duggan referred to the goal of Enhancing Infrastructure, and stated that technology and policing smarter might not be adding police officers, but instead leveraging technology to help.

Chief Duggan in the booklet there are about 90 action items. This is the 5 year plan. A 5 year calendar was created with a timeline of accomplishments. Commanders and civilian managers have been assigned to these action items to work with their teams. There will be a monthly review and once a year to hold a mini retreat to address relevancy or additions to the document.

COUNCILMEMBER SELLERS asked if there was a team evaluating technology. Chief Duggan replied there is an initiative to create a technology strategic plan to identify relevant technology and gaps.

COUNCILMEMBER HEUMANN asked about Internet connectivity in mobile units. The Chief replied that was close to being rolled out. He is working with the Information and Technology Division on a couple of options. He estimates shortly to have the plan in place and once decided the implementation 60-90 days after that. He felt most certainly comfortable by the beginning of summer having that capability out in all cars. There are 6 vehicles testing now. Once this connectivity is made, he will be secure in saying that Chandler will have one of the most advanced technology in our vehicles.

CHIEF DUGGAN announced that while the preliminary results from the 2014 crime numbers are not complete, it is trending to have a 5 or 5.5% reduction in crime over 2013. He stated this is very significant as 2013 was our lowest crime rate since submitting numbers to the FBI in the 1970's. The crime rate is the number of Part 1 crimes, which is the 8 major crime categories (e.g. burglary, arson, rape, murder, assault, aggravated assault, auto theft). He stated 28 Part 1 crimes per 1,000 residents. This year it preliminary looks like it will be close to 25 per 1,000.

He stated while he is hesitant to put that out, but it is close. Last year was also significant because the crime index – the volume of part 1 crimes – was about 6500. Prior to 2013, the last

time the city had 6500 crimes was in 1991. The City has changed since 1991, but yet seeing the same crime numbers. In 2002 the crime rate was 55 crimes per 1000. And we have cut that in half. He noted this is just one measure of performance.

He reiterated there is new emerging crime and there are new crimes that are not being measured such as web based crime. He stated it is draining resources and it is very difficult to stay ahead of that. While they are doing well in Part 1 crimes, there are still emerging issues that need addressing.

The MAYOR asked what the "Code 20" is. The Chief said it would identify what are the systems in place to identify where an officer was if there was an incident and no contact was able to be made. The officers locations are tracked through GPS that is tied to the hand radio and the vehicle.

Mayor asked about the development of call sign designators. The Chief responded that the patrol allocation study might necessitate a change in that.

The Mayor asked about the enhanced forensics capability. Chief Duggan explained there is a crime lab at the main building – 32 people work out of that. Three primary disciplines are provided: blood analysis, controlled substance, alcohol, and latent print analysis. DNA goes to DPS lab. Ballistics and trace analysis also go there. Phoenix, Mesa, DPS and Scottsdale have a full service lab. By creating our own full service lab, the DNA will be used more along with the ability to identify quicker.

In response to a question, Chief Duggan said there is no capability to expand in the current facility. On Pecos Road, by the current property and evidence building, there is a large footprint for expansion and a perfect co-location. This will also help with manpower with chain of custody.

Mr. Dlugas reminded the Council the Chief would review his Master Plan with Council in March.

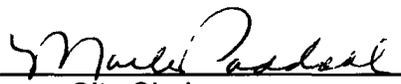
COUNCILMEMBER HEUMANN asked if there was promotion ability to fill command staff needs. The Chief said he is confident that will happen. He noted within the last 12 months he has had the privilege in promoting 20 leaders in the organization both sworn and civilian.

MAYOR TIBSHRAENY asked about the development of a 2nd bike team. Chief Duggan said there is one bike team that is a citywide team, but spends majority time downtown. Having a dedicated team downtown would be very advantageous. The second team would augment for use citywide and during special events.

In response to a question from the Mayor, Chief Duggan explained they have an Intelligence Unit and a detective that is imbedded in a task force for homeland security issues. There is a statewide program called the TLO Program which provides enhanced training to a cadre of officers that can be called upon when needed. It's not a full time duty, but he would like a TLO trained on each team like there is for enhanced drug training on the drug team. He said the idea would be to use them as a "go to" person. He stated there are less than 12,000 FBI agents and about 900,000 police officers. We are embedded in all of their task forces around the country. The reality is, its going to be the beat officer that is there first to make the observation.

COUNCILMEMBER ELLEN asked how Internet crime is reported. Chief Duggan said they are inundated with victims and glean a lot of intelligence from the Internet. It is truly a multi-jurisdictional effort.

Adjournment: The meeting was adjourned at approximately 7:00 p.m.

ATTEST: 
City Clerk


Mayor

Approved: March 12, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 12th day of February, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of March 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 12, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Kishan Raja – Chandler Bahá’i Community

PLEDGE OF ALLEGIANCE: Mason Davis Boy Scout with Troop 172 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER ROE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the minutes of the Chandler City Council Regular Meeting of January 22, 2015.

2. REZONING: Kindred Chandler Physical Rehabilitation Ord. #4599

ADOPTED Ordinance No. 4599, DVR14-0033 Kindred Chandler Physical Rehabilitation, rezoning from Planned Area Development (PAD) to PAD for healthcare/physical therapy including a Mid-Rise Overlay for buildings up to 60 feet in height on approximately 3.7 acres located at the SWC of Chandler Boulevard and Arrowhead Drive.

3. REZONING: Cornerstone Christian Fellowship Ord. #4601

ADOPTED Ordinance No. 4601, DVR14-0039, Cornerstone Christian Fellowship, rezoning from Agricultural (AG-1) to Planned Area Development for church uses on a remnant 0.22-acre site

located east of the NEC of Alma School Road and Maplewood Street, along the Maplewood Street frontage.

4. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4592

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4592 granting a no-cost power distribution easement to Salt River Project (SRP) for the Hatch Hangar project located at the Chandler Municipal Airport on the east side of Airport Boulevard between Germann and Queen Creek roads.

5. CITY CODE AMENDMENT: Chapter 10 Ord. #4602

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4602 amending Chapter 10, Section 10-12, of the Chandler City Code relating to property and firearms obtained by the Police Department.

BACKGROUND/DISCUSSION

In 2012, Senate Bill 1241 amended A.R.S. §12-945, Sales of Property, and A.R.S. §13-3105, Forfeiture of Weapons and Explosives, to provide for the sale of firearms. In 2013, House Bill 2455 amended A.R.S. §12-940 through 12-945 relating to unclaimed property in the possession of governmental agencies. Chandler City Council adopted changes to Chapter 10, Section 10-12, of the Chandler City Code in August 2013 to conform with the changes to state law. Further review of Chandler's policies and practices, by both Police and Court Staff, requires additional changes to the Chandler City Code.

The proposed changes include:

- 1). Allowing an owner to authorize a third party to take possession of firearm(s) and/or ammunition, if the owner cannot take possession of these items.
- 2). Identifying the limitations that prevent an owner from authorizing a third party to take possession of the firearm(s) and/or ammunition.
- 3). Clarifying the process of determining ownership of property, firearms and/or ammunition when any of these items are claimed by more than one person.

These changes will codify the current departmental policy and current practices in regards to releasing firearms to an owner or authorized third party and how an individual(s) may file for a hearing should releasing their property be disputed.

6. FORMATION OF CITIZEN'S ADVISORY COMMITTEE: General Plan Ord. #4603

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4603 forming a Citizen's Advisory Committee to guide Planning Staff and consultants in updating the Chandler General Plan.

BACKGROUND

The Charter of the City of Chandler establishes that Council has the exclusive power, by ordinance, to create boards, commissions or citizens' committees that in the judgment of Council, are necessary. The Citizen Advisory Committee will guide the update to the City's General Plan and will play a very important role in the Public Participation Plan, a larger strategic effort to encourage citizen engagement in the General Plan update process. Should Council adopt the

formation of the Committee, all Committee meetings will be subject to the Arizona Open Meeting Law and will be conducted accordingly.

The Committee will meet as needed to provide continual guidance to the General Plan update.

7. On Action Agenda

8. ANNEXATION: Chandler Heights and Cooper Roads Ord. #4605

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4605, the annexation of three parcels totaling approximately 9.53 acres located south of the SEC of Chandler Heights and Cooper roads. (Applicant: Michael Cronin, Terra West Communities.)

BACKGROUND

The subject site consists of three rural residential properties currently zoned RU-43 in the County. Two of the properties have existing single family homes and ancillary structures and the third is undeveloped. The site is bordered by rural residential properties to the north, east and west, and abuts the Circle G at Riggs Homestead Ranch neighborhood to the south.

On March 28, 2013, the City approved the annexation of 25 acres adjoining the north and east sides of the subject site. The applicant intends to develop a low-density residential neighborhood on the subject properties together with the previously annexed 25 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forth coming to Mayor and Council. The Chandler Land Use Element of the General Plan designates the site as Residential and the southeast Chandler Area Plan designates the more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

Council held a public hearing for this annexation on January 22, 2015. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

RECOMMENDATION

Planning Staff recommends approval.

9. ANNEXATION: Gilbert and Brooks Farm roads Ord. #4606

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4606, the annexation of approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads. (Applicant: Stephen C. Earl; Earl, Curley & Lagarde, P.C.)

BACKGROUND

The subject site is an approximately 5-acre undeveloped parcel and adjacent right-of-way adjoining the north side of the Roosevelt Water Conservation District's reservoir that wraps around the Basha's shopping center at the northwest corner of Chandler Heights and Gilbert roads. The site, currently zoned RU-43 in the County, is bordered by the Eastern Canal on the west, an undeveloped and unincorporated parcel on the north and Gilbert Road on the east.

The property owner would like to develop a self-storage facility on the site and intends to follow the annexation with a request for rezoning and preliminary development plan approval. The

Chandler Land Use Element of the General Plan designates the site as Residential, for which self-storage facilities can be considered to serve the needs of residential areas.

Council held a public hearing for this annexation on January 22, 2015. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

RECOMMENDATION

Planning Staff recommends approval.

10. ANNEXATION: McQueen and Ocotillo roads Ord. #4607

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4607, the annexation of approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads. (Applicant: Tim Klontz, Family Bible Church.)

BACKGROUND

The subject site is currently zoned RU-43 within the County. It contains a mobile home with ancillary buildings used for agriculture. The site is bordered by County land zoned RU-43 to the west and north with McQueen Village Square commercial plaza north of the County land. McQueen Road is located to the east, and south of the property is the subdivision Estates at McQueen. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character. The property owner has submitted a rezoning application and preliminary development plans to allow the development of a church on the subject site.

UTILITY SERVICES

Existing municipal water service, waste water service and reclaimed water are available in McQueen Road.

STAFF COMMENTS

A public hearing for this annexation was held at the January 22, 2015, City Council meeting. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

RECOMMENDATION

Planning Staff recommends approval.

11. GROUND LEASE: Chandler Municipal airport Ord. #4609

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4609 authorizing a ground lease at the Chandler Municipal Airport with WingSpan Business Investments LLC; and authorizing the Mayor to sign the lease and City Manager to sign all related documents.

BACKGROUND/DISCUSSION

Airport Staff have long identified a key factor in economic development on the airport is available building space for which to locate companies interested in expanding or relocating to the

Chandler Municipal Airport. As part of this business strategy, Staff focused on attracting a developer who would construct speculative commercial space, as currently none exists. On October 29, 2014, a direct lease application package was submitted by WingSpan Business Investments, LLC, to construct such a development on the remaining available land on the north side of the airport.

This 16-acre master planned development will be constructed in phases and is projected to total more than 250,000 square feet of space. WingSpan executives estimate the total capital investment will exceed \$40 million. Phase 1, depicted as Area 4 in the submittals, will consist of approximately 80,000 square feet of hangar/office space built on 4.79 acres. The timing for subsequent phases is contingent upon the construction of the North Terminal Area taxilane. Currently, these parcels are of no value to aeronautical users due to the lack of connectivity to the runway environment. The taxilane is a grant-eligible project that is anticipated in the five-year Airport Capital Improvement Program (ACIP); however, Arizona Department of Transportation or Federal Aviation Administration funds have yet to be allocated. Staff will continue to work with granting agencies to ensure the taxilane is prioritized.

KEY POINTS

- Lease Payments for Area 4 (209,028 SF or 4.79 acres) will commence upon Certificate of Occupancy and construction must start within 9 months of lease start date;
- Lease Payments for Area 3 (approximately 487,000 SF or approximately 11 acres) will begin payment upon completion of the future taxilane and construction must start within 9 months of taxilane completion;
- Initial lease term: Due to the unprecedented level of capital investment and the uncertainty of grant funding for the future taxilane, Staff is comfortable with 50-year initial term, with two(2) options to extend for additional 10-year terms;
- Lease rates: \$0.29/SF, subject to Annual CPI adjustments;
- Activities: Hangar/office complex will house aviation-related businesses and corporate aviation activities only.

AIRPORT COMMISSION

The Airport Commission met on December 10, 2014, and voted unanimously (7-0) to recommend approval.

12. DEVELOPMENT AGREEMENT: SWVP Ocotillo Land LLC Res. #4810

ADOPTED Resolution No. 4810 authorizing the execution of a Development Agreement with SWVP Ocotillo Land LLC for Continuum Phase 2 for property located at the NWC of Queen Creek and Dobson roads.

BACKGROUND/DISCUSSION

Southwest Value Partners (SWVP) is in the process of developing an expansion to the Continuum Science and Technology Park located at the northwest corner of Queen Creek and Dobson roads. The existing portion of Continuum is covered by a companion Development Agreement as part of that project's development entitlements. Since the Continuum project is being expanded, this Development Agreement duplicates a portion of the original project's Development Agreement provisions in order to have the two parcels operate under the same development entitlements.

The Development Agreement has no monetary provisions as a part of the agreement. The City obligations under the Development Agreement include the cooperation, but not an obligation, to possibly help cause the project to be designated as part of the Foreign Trade Zone as a means of attracting businesses to the project. Additionally, the Development Agreement includes a provision for an expedited Plan Review process and not requiring any additional dedications or exactions not otherwise a part of the property's PAD zoning. Lastly, the Development Agreement reinforces the planned good faith mutual work efforts to ensure, if it were to occur, the review of all State of Arizona Enterprise Zone applications related to the property.

13. INFILL INCENTIVE PROGRAM AGREEMENT: NexMetro Development LLC Res. #4833

ADOPTED Resolution No. 4833 authorizing an Infill Incentive Program Agreement with NexMetro Development, LLC, for a portion of the East Valley Mall located west of the NWC of Arizona Avenue and Warner Road (former Food for Less/SwapSmart and current Spot Free Carwash), in an amount not to exceed \$182,242.00.

BACKGROUND

This resolution authorizes the Mayor to execute an Infill Incentive Plan Agreement between the City of Chandler and NexMetro Development, LLC, to provide financial assistance for the demolition of commercial buildings and other existing infrastructure in preparation for a multi-family housing development. The subject site is a portion of the East Valley Mall located west of the northwest corner of Arizona Avenue and Warner Road. This funding will assist the Developer in removing 66,000 square feet from the commercial market.

This item was originally agendized for consideration at the January 22, 2015, City Council meeting but ultimately withdrawn at the request of NexMetro. The concerns necessitating withdrawal have been resolved.

DISCUSSION

The Infill Incentive Plan was implemented in 2009 to encourage private redevelopment or reinvestment in older existing retail centers within designated areas of the City that exhibit high vacancy rates and/or are facilities that were constructed at least 15 years ago.

The subject commercial site has struggled in recent years, largely due to the opening of the Loop 101 Price Freeway and the Loop 202 Santan Freeway, which have changed traffic patterns in the area. Also contributing to the issues in this area, were the relocation of national tenants to Chandler Fashion Center and its surrounding power centers as well as the development of additional power centers along the freeways. Together, these issues have resulted in a supply of commercial space that exceeds what is currently viable in the area resulting in high vacancy rates at existing shopping centers.

The subject site currently consists of a former Food for Less/SwapSmart building and a self-service car wash. This "big box" building has been vacant for several years with few options for commercial reuse due to both its size and the amount of available space in this area. This building does not fit well with the typical footprint of existing grocers or new smaller format stores. Also, because the Wal-Mart one mile west of this site expanded to add groceries several years ago, it is unlikely to be reused for this purpose. In addition, the availability of office space, particularly along the City's freeway corridors, has limited the ability of owners to reuse the space for call center-type operations as has happened with other "big boxes". There is limited potential for an educational use of the building as there is an existing charter school in the center as well

as another one mile west of the site. The former Target store that was located at this center, closed in February 2014, leaving another "big box" building of over 100,000 square feet vacant.

The proposed demolition and redevelopment of the property is consistent with the intent of the Infill Incentive Plan. The proposed project will eliminate over 66,000 square feet from the market, bring 194 new multi-family housing units to the identified Infill Incentive Plan area, and provide additional residents that will help support retail users and additional densities along a rapid transit corridor. The demolition work is expected to commence in late February or early March after the Developer closes on the property.

NexMetro Development's total investment in the project is estimated to be approximately \$30.8 million, including the purchase of the land and existing buildings, demolition of the existing structures and infrastructure and the redevelopment of the site as a multi-family project. The total cost of the demolition is estimated to be \$364,485.00 and the City's maximum participation in the project will be \$182,242.00, representing half of these costs.

The basic terms of this Agreement provide funding to assist NexMetro bring the subject site to a state where it can be redeveloped into a multi-family project including:

- demolishing the existing structures, including the former Food for Less/SwapSmart and the Spot Free Carwash,
- removing parking lot asphalt and concrete, landscaping and screen walls,
- abandoning the existing drywells,
- removing the private street (Mariposa Street) at the northwest portion of the site, which is no longer necessary for access to this development or the adjacent housing development, and
- eliminating the existing Warner Road driveway to the site, as the primary access to this development will be at two entrances on Grace Boulevard.

The anticipated benefits to the City of Chandler by participating in this project include:

- increasing the long-term viability of the surrounding commercial properties and businesses due to the introduction of approximately 290 and 390 new residents (1.5 to 2.0 residents per unit). Actual data from the Developer's previous projects in the Phoenix and Tucson areas have shown average annual household incomes to be in the \$75,000 - \$85,000 range.
- bringing additional residential density along a present and potentially expanding rapid transit corridor,
- removing a significant amount of underperforming commercial space from the market, which may increase demand for remaining buildings of a similar size,
- providing a dramatic improvement to the property and streetscape, which may spur further reinvestment to the surrounding commercial properties.

FINANCIAL IMPLICATIONS

The City of Chandler will contribute \$177,067.00 for demolition costs and \$5,175.00 for development fees for a total of \$182,242.00. Funding is available in the FY 14-15 Economic Development Division Capital Budget for the proposed amount.

14. HOME FUNDS APPLICATION: Newtown Community Development Corporation
Res. #4834

ADOPTED Resolution No. 4834 certifying compliance with the Consolidated Plan and administrative commitment in support of an application for Federal HOME funds by Newtown Community Development Corporation, an Arizona Non-Profit Corporation, to the Maricopa HOME Consortium.

BACKGROUND

The City of Chandler, along with seven other local municipalities and Maricopa County, formed the Maricopa HOME Consortium for purposes of administering the federal HOME Investment Partnerships Program (HOME). The HOME Program is funded by the U.S. Department of Housing and Urban Development (HUD). Of the total funds allocated to the Consortium under the HOME Program, 15% must be reserved for specific types of nonprofit organizations known as Community Housing Development Organizations (CHDOs). CHDO funds may be used to provide incentives to develop and support affordable rental housing and homeownership opportunities through activities such as acquisition, construction, reconstruction, rehabilitation, and/or various housing subsidies.

DISCUSSION

Newtown Community Development Corporation is a nonprofit that provides first time homebuyer programs to individuals and families in Tempe, Scottsdale, Glendale and Chandler. Newtown first began providing its Community Land Trust (CLT) program in Chandler in 2009 when it received its first allocation of HUD Neighborhood Stabilization Program (NSP) funds. Since that time, the City has awarded an additional allocation of NSP funds, as well as City of Chandler HOME funds, to Newtown. Currently, Newtown has assisted a total of 46 first time homebuyers in Chandler.

This request is seeking support of Newtown's application to the Maricopa HOME Consortium for HOME CHDO funding. If Newtown is awarded funding from the County, Newtown will acquire and rehabilitate four additional single family scattered site homes in the City of Chandler. These homes will be made available to low to moderate income first time homebuyers. Newtown's application to the Maricopa County Consortium is for \$400,000.00 or 40% of the total projected development costs for the project. Other resources that will support the project include conventional loan sources, Federal Home Loan Bank funds and Individual Development Account (IDA) funds. All properties acquired and rehabilitated with HOME funds will be placed in the Newtown Community Land Trust Program.

As part of their application, Newtown must submit a resolution of support from the governmental jurisdiction where the project is to be located. Approval of this resolution would meet that requirement and certify compliance with the City of Chandler's Consolidated Plan. The City of Chandler is willing to administer the contract in support of Newtown's application for federal HOME funds to the Maricopa County Consortium, if the application is funded.

FINANCIAL IMPLICATIONS

All costs associated with the HOME program will be paid by HUD and do not require repayment on the part of the City of Chandler.

15. ESTABLISHING WRITTEN PROCEDURES: General Plan Update Res. #4837

ADOPTED Resolution No. 4837 establishing written procedures for public participation in the Chandler General Plan update process.

BACKGROUND

On December 11, 2014, the Mayor and Council approved a contract with Partners for Strategic Action, Inc., to assist Planning Staff in updating the General Plan. One of the first steps in the updating process, is for Council to “adopt written procedures to provide effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality” as required by Arizona Revised Statutes (A.R.S.) §9-461.06.C.1. According to the A.R.S., the procedures shall provide for:

- The broad dissemination of proposals and alternatives,
- The opportunity for written comments,
- Public hearings after effective notice,
- Open discussions, communications programs and information services, and
- Consideration of public comments.

The Public Participation Plan not only complies with these requirements, but goes beyond the requirements by offering a variety of additional opportunities and methods for input such as a Planning Lab, multi-event Chandler VisionFest, online feedback and communication through a number of social media platforms including Facebook, Twitter and Pinterest. A City webpage for the General Plan update is currently being prepared that will provide all of the information such as a general overview describing what the General Plan is and why it is important; links to documents such as drafts, committee meeting minutes and survey results; upcoming events and other ways to get involved; and contact information. Staff is also exploring creating short videos that will generate interest and lead viewers to more information about the General Plan update.

The Public Participation Plan is intentionally broad to allow flexibility in determining details such as specific dates and locations at the appropriate times. The Schedule by Phase/Task (last page) provides a general timeline for when the events will occur. The schedule is not exclusive, meaning that additional events such as presentations to civic organizations or the Chamber of Commerce may be added to the schedule as needed.

The Public Participation Plan was discussed with the Planning/Transportation and Development/Municipal Utilities Department City Council Subcommittee at their meeting held on January 28, 2015.

16. MEMORANDUM OF AGREEMENT & CONTINGENCY TRANSFER: The U.S. Census Bureau Res. #4838

ADOPTED Resolution No. 4838 authorizing a Memorandum of Agreement with The U.S. Census Bureau to participate in the 2015 Special Census.

APPROVED a Contingency transfer in the amount of \$4,068,800.00 from General Fund Non-Departmental Contingency to the General Fund Non-Departmental Operating Budget for expenses relating to the 2015 Special Census.

BACKGROUND

The State of Arizona distributes shared revenues in proportion with each city's population size according to the most recent decennial census. State statutes allow cities to conduct a Special Census, mid-decade, to update the population used for state shared revenue distribution. Because there is a finite amount of funds available for the distribution of state shared revenue, if one city's population increases, the amount of shared revenue decreases proportionally for all the

other cities. Staff is aware of a handful of cities that will be conducting a Special Census in 2015, or are likely to conduct a Special Census, based on information received from the Maricopa Association of Governments (MAG).

COST BENEFIT ANALYSIS

Planning Staff prepared an analysis by revising a spreadsheet that was prepared by MAG using 2013 population estimates. MAG's spreadsheet assumes that all of the cities in the MAG region will update their populations for state shared revenue purposes. Planning Staff revised the spreadsheet into four scenarios. The first scenario assumes only five cities will update their populations; Gilbert, Buckeye, Goodyear, Maricopa and Queen Creek. According to information received from MAG and from contacting these cities directly, Gilbert, Goodyear and Queen Creek have approved the agreements with the U.S. Census Bureau to conduct a special census. Buckeye and Maricopa have submitted requests for cost estimates and are very likely to participate in a special census according to these sources. The second scenario expands the list of participating cities to a total of nine. The expanded list is based on information received from MAG that those cities have expressed interest and might be considering participating in a special census. Staff believes that the number of cities participating in a special census is more likely to be smaller as shown in scenario 1. The third and fourth scenarios are the same as the first two except that scenarios 1 & 2 assume that the City of Chandler will not participate in updating its population for state shared revenue distribution and scenarios 3 & 4 assume that the City of Chandler will.

The cost benefit analysis summary finds that it would be financially beneficial for Chandler to update its population by participating in the 2015 mid-decade Special Census. In scenarios 1 & 2, which assume that Chandler does not update its population, Chandler would lose \$2.8 - \$6.2 million over a period of 5 years. Scenarios 3 & 4 show that Chandler could gain \$3.9 - \$7.5 million over a 5-year period by conducting a Special Census in 2015.

Planning Staff received a cost estimate of just over \$4 million from the U.S. Census Bureau for conducting a Special Census in 2015. The four scenarios in the cost benefit analysis take this cost into account.

If approved, the entire process is anticipated to take 7 months. If the Census Bureau receives the payment and signed Memorandum of Agreement from the City by February 26th, the 3-month preparation for the Special Census is expected to begin in April, with a target of mailing census surveys to residents in July. Data processing is expected to take another 3 months and the final population count should be provided to the City by September of this year. In order to be used for state shared revenue distribution, the final population count must be delivered to the state by March 2016.

It is also worth noting that the U.S. Census Bureau will separately be conducting a census test beginning in March of this year and will be conducted in Chandler's City limits located south of Pecos Road, and the area located north of Pecos Road and east of Cooper Road. The test, which will use new technology, could last until August, depending on how responsive residents are to the test. Thus, there could be an overlap between the Special Census mailings and the Census test mailings. If approved, Staff will work with the Census Bureau to inform residents about the two different census efforts through the City's Web page, and social media among other avenues, to encourage participation and help avoid confusion.

FINANCIAL IMPLICATIONS

Since this is an opportunity that was not planned for in the FY 2014-15 budget, Council approval is needed to transfer \$4,068,800.00 from the General Fund Non-Departmental Cost Center, Contingency account to the Non-Departmental Cost Center, Other Expense account for payment to the U.S. Census Bureau and for payment of local persons who work on the Special Census.

17. GENERAL PLAN CITIZEN'S ADVISORY COMMITTEE APPOINTMENTS

APPROVED the following appointments to the General Plan Citizen's Advisory Committee:

Trinity Donovan, Chair	Garry Hays
Dr. Matthew Strom	Bob Brocks
Robert Sharman	Ken Frisard
Rebecca Turnblade	Sherry Koshiol
Michael Flanders	Rob Sty
Carol Elias	Gary Davis
Jeff Edgett	Terri Kimble
Sky McCorkle	Dale Steiner
Lloyd Harrell	Tim Bricker
Michelle Chang	Greg Rodriguez
Eshe Pickett	Spike Lawrence
Carlos Contreras	

18. PAYMENT: City of Phoenix

APPROVED payment of operations and maintenance costs, system upgrade agreement and narrow banding for FY 2014-15 to the City of Phoenix for participation in the Regional Wireless Cooperative in the amount of \$997,751.73.

On October 22, 2009, City Council approved an agreement with the City of Phoenix and Motorola Solutions, Inc., for the City's participation in the Regional Wireless Cooperative (RWC) Governance. This regionally based radio network provides seamless interoperable radio communications for multiple public safety and government agencies operating within the greater Phoenix metropolitan area.

The agreement provides for an annual operations and maintenance (O&M) fee for the maintenance of approximately 1,000 City of Chandler portable and vehicle radios used by Police; Fire, Health and Medical and other City departments. Quarterly payments in the amount of \$105,680.40 will be made to the City of Phoenix for a total annual amount of \$422,721.60. Quarterly payments fiscal year to date were delayed pending resolution of an audit conducted by the City of Phoenix. With the audit now complete, Staff is requesting approval for the payment.

Additionally, this agreement also includes an annual system upgrade assessment (SUA) of \$134,940.13 to provide ongoing software updates to ensure system compatibility. The total for O&M and SUA is \$557,661.73.

In addition, the Federal Communications Commission (FCC) has mandated a reduction in the amount of spectrum "space" utilized by public safety radio communications by December 31, 2016. This narrow banding mandate requires a change in communications technology that includes radios and infrastructure by the RWC. The expense of converting the RWC system to meet this requirement is spread out over a four-year plan. This is the second year of payments and Chandler's assessed portion of the payment is \$440,090.00.

19. MATCHING GRANT: Haciendas Improvement Homeowners Association

APPROVED a matching grant in an amount not to exceed \$3,225.00 to Haciendas Improvement Homeowners Association for tree maintenance and removal.

BACKGROUND

The Hacienda Improvement HOA is located south of Galveston Street, west of Pleasant Street, east of Alma School Road and north of Chandler Boulevard. The community is applying for grant funds to remove six trees and trim 16 trees along the perimeter and entrance of their community to enhance the public appearance.

The Hacienda Improvement HOA is a 43-year old community. Currently, the community has 22 aging trees along the perimeter of their property. Six trees are diseased and need to be removed. The remaining 16 trees need trimming due to their height. The residents are requesting grant funds to alleviate future concerns of damage caused by falling tree limbs and to enhance the area of their community that is visible to the public.

STANDARD CONDITIONS

Applicants for the HOA Matching Grant must meet four required conditions of the grant. The conditions address neighborhood safety, outreach, education and a final presentation to the Neighborhood Advisory Committee (NAC). The Hacienda Improvement HOA residents have agreed to implement several community activities to address the grant requirements.

1. **Neighborhood Safety:** To address neighborhood safety, the community held a neighborhood Block Watch presentation in September. Since then, residents have volunteered to research how the community can participate in 2015 GAIN. The Board also implemented the use of Nextdoor as a way to enhance their newly formed Block Watch and keep residents informed.
2. **Neighborhood Outreach:** The Hacienda Improvement HOA Board has agreed to implement a newsletter to keep residents informed on events and important HOA issues. Additionally, the community has traditionally held an annual "Neighborhood Cook-Out" and is looking to continue the tradition while integrating GAIN in 2015. Additionally, this past fall, the HOA held a successful neighborhood cleanup. The Board takes pride in engaging their residents and will continue to explore and support activities designed to bring neighbors together.
3. **Neighborhood Education:** The Hacienda Improvement HOA is self-managed and obtaining HOA education is important to the Board members. Board members have attended many of the City's HOA Academies and they plan to continue attending through 2015. In addition, the Board members, as well as residents, have attended the Mayor's Listening Tour and plan to attend the upcoming HOA Summit and the State of the City Address.
4. **Final Presentation to the NAC:** The Hacienda Improvement HOA residents fully intend to provide the NAC with a final presentation upon completion of the grant and its requirements.

NEIGHBORHOOD ADVISORY COMMITTEE VOTE

The motion to approve passed 5 – 0 with two committee members absent.

FINANCIAL IMPLICATIONS

The overall goal of the Hacienda Improvement HOA is to address the visual and safety issues the trees along the perimeter of their community are causing. The grant funds will allow the community the ability to also enhance the trees within the interior of their community.

In 2015, the Board implemented an increase of \$10.00 in their monthly dues as permitted by State law. These additional funds will be dedicated solely to a reserve fund to cover the ongoing maintenance of trees and common walls.

The Hacienda Improvement HOA has provided three bids and estimated the total project cost to be approximately \$5,375.00. The HOA is requesting City of Chandler grant funds in the amount of \$2,688.00. The HOA will be contributing approximately \$2,688.00 to complete the project. Additionally, Staff is providing a 20% contingency to cover unforeseen costs related to the project. The HOA provided two-year financial information for the Grant Committee to review and establish the need for the grant.

The HOA Matching Grant Funds have been budgeted in the Neighborhood Resources operating budget and are available to fund the Hacienda Improvement HOA grant request.

20. PROJECT AGREEMENT: Dibble Engineering

APPROVED Project Agreement No. A11401-201 with Dibble Engineering for the design of Airport Drainage Improvements, pursuant to Annual Engineering Services Contract No. EN1005-101, in an amount not to exceed \$249,511.00.

Following significant precipitation events, standing water persists beyond 36 hours at Chandler Municipal Airport's west retention basin. The standing water attracts wildlife (i.e. birds), which present hazards to flight operations at CHD. The Airport intends to install infrastructure across Queen Creek Road to drain storm water to the regional retention basin and permanently mitigate the wildlife attractant caused by poor drainage. As part of the 2005 Airport Drainage Master Plan and the recently completed 2013 Drainage Study, several options were explored to drain the standing water in the airport's west retention basin. Alternatives included adding numerous dry wells, changing the drainage pattern by pumping water to the north basin and adding dry wells, or by pumping the water to the north basin and adding dry wells. These alternatives were significantly higher in capital cost and would require ongoing maintenance. The preferred alternative of the 2005 Airport Storm Drain Master Plan was to grade the west basin to a culvert that is to be constructed under Queen Creek Road and gravity flow the water to a City-owned basin that currently exists on the south side of the road. This alternative was validated in the 2013 Drainage Study.

21. No item.

22. AGREEMENT: Cholla Pavement Maintenance, Inc.

APPROVED Agreement No. ST5-745-3477 with Cholla Pavement Maintenance, Inc., for tire rubber modified surface seal, in an amount not to exceed \$268,840.00, for one year with the option of four additional one-year extensions.

Recycled Tire Rubber Modified Surface Seal (TRMSS) is a surface treatment that is used to maintain City streets. The City of Chandler and neighboring cities have used TRMSS with excellent results and success. By utilizing discarded tires in the asphalt sealant, the streets retain their appearance and longevity. By recycling this rubber material, the City is maintaining its

streets using a "green" technology. Informational door hangers were used to notify citizens and businesses when work is to be completed. City streets will not be closed as only half a street will be sealed at a time.

23. AGREEMENT: M.R. Tanner Development & Construction, Inc.

APPROVED Agreement No. ST5-745-3478 with M.R. Tanner Development & Construction, Inc., for street replacement asphalt mill and inlay services in an amount not to exceed \$5,278,000.00 for one year with the option of four additional one-year extensions.

24. AGREEMENT AMENDMENT: Cutler Repaving, Inc.

APPROVED Agreement No. ST4-745-3339, Amendment No. 1, with Cutler Repaving, Inc., for hot-in-place asphalt recycling, in an amount not to exceed \$620,000.00. This is the first of 3 one-year optional extensions.

25. AGREEMENT AMENDMENT: Univar USA, Inc.

APPROVED Agreement No. MU4-885-3350, Amendment No. 1, with Univar USA, Inc., for water/wastewater treatment and pool chemicals in a total amount not to exceed \$237,325.75.

The City of Chandler's Ocotillo Brine Reduction Facility (OBRF) uses lime softening as one of their processes. Lime is a mined product that is baked at high temperatures to eliminate carbon dioxide and is then crushed. The process requires lime purity of greater than 96% calcium hydroxide, free of any grit or foreign materials that could clog pumps or lines. Only two lime sources have this high grade of lime: Mississippi Lime and Lhoist Lime.

Mississippi Lime was originally used at the OBRF. In July 2014, chemicals went out to bid and Lhoist Lime was chosen due to Lhoist Lime stating they could meet all the criteria for purity and grit, at approximately half the cost.

After initial use of Lhoist Lime, pumps and pipes began clogging due to the impurity and grit in the lime product. Staff removed the lime, cleaned the silo, batch tank and slurry tank. The same problems occurred with the next Lhoist Lime delivery. It was determined by the contractor, engineering firm and lime feed equipment maker that Lhoist Lime would not be acceptable for the OBRF. Intel is requesting that the City return to using the original Mississippi Lime product.

On June 26, 2014, City Council approved an agreement for Water/Wastewater Treatment and Pool Chemicals for 12 firms with one being Univar USA, Inc., for the purchase of lime in an amount not to exceed \$126,139.00.

Univar was the only bidder for Mississippi Lime in response to the Request for Proposal. Staff is recommending that the agreement be amended to change the product to Mississippi Lime for an additional amount of \$111,186.75 amending their total contract amount to \$237,325.75.

26. AGREEMENT AMENDMENT: Polydyne, Inc.

APPROVED Agreement No. MU4-885-3350, Amendment No. 1, with Polydyne, Inc., for water/wastewater treatment and pool chemicals in a total amount not to exceed \$209,428.00.

On June 26, 2014, City Council approved an agreement for water/wastewater treatment and pool chemicals with 12 firms in a total amount not to exceed \$7,164,000.00. One of the 12 agreements was awarded to another contractor for the purchase of the particular polymer that is necessary for the operation at the AWRF. The product from this vendor, however, caused operational problems for Staff. The only other bidder that offers the necessary polymer for the AWRF is Polydyne, Inc., which has a current agreement in place with the City that was awarded in the amount of \$59,728.00.

As a result of the operational problems with the prior vendor, Staff is recommending that the City's current agreement with Polydyne, Inc., be amended to include the polymer necessary for the AWRF, for an additional amount of \$149,700.00, amending their total contract amount to \$209,428.00.

27. AGREEMENT AMENDMENT: Laboratory Testing Services

APPROVED Agreement No. MU3-962-3169, Amendment No. 1, with TestAmerica Laboratories, Inc., Trans West Analytical Services, LLC, dba Xenco Laboratories, Legend Technical Services of Arizona, Inc., and Eurofins Eaton Analytical, Inc., for laboratory testing services for a one-year term in a total amount not to exceed \$379,000.00. This is the first of 4 optional one-year extensions.

28. AGREEMENT: Diamond Services

APPROVED Agreement No. MU5-830-3493 with Diamond Services for repair and recoating of hypochlorite tanks at the Pecos Surface Water Treatment Plan, 1475 E. Pecos Road, in an amount not to exceed \$76,087.00.

29. SUBORDINATION: San Tan Tech Center

APPROVED Subordination, Non-Disturbance and Attornment Agreement for the property located at the San Tan Tech Center, 145 S. 79th Street.

BACKGROUND

In April 2010, the City entered into a 10-year lease for 38,146 square feet of space with CCI-B Chandler I, LLC. In April 2012, the City entered into a 12-year lease for an additional 25,297 square feet of space with CCI-B Chandler I, LLC, and amended the Phase I lease to terminate on the same date as the Phase II lease in 2024. In December 2013, CCI-B Chandler I, LLC, sold the property to CCMVMP San Tan Tech, LLC.

CCMVMP San Tan Tech, LLC, has requested new financing with Western Alliance Bank.

Per the terms of the lease, in order for the owners to acquire new financing, the City is required to approve and execute a Subordination, Non-disturbance and Attornment Agreement.

FINANCIAL IMPLICATIONS

There are no financial implications for the City. The terms of the lease, as approved by City Council, are still in effect and do not change with this Agreement.

30. PERFORMANCE GUARANTEE AGREEMENT AMENDMENT AND SOLAR SERVICES AGREEMENT AMENDMENT: City Hall Parking Garage

APPROVED a Performance Guarantee Agreement Amendment and Solar Services Agreement Amendment for the City Hall parking garage.

BACKGROUND

In November 2012, Council approved the Performance Guarantee Agreement and Solar Service Agreement for the solar array at the City Hall parking garage. The Agreements detail the size of the solar array, the detailed components to be utilized in the array, the amount of solar that is guaranteed to be produced by the solar array, the cost per kilowatt hour (kWh) of power produced, as well as general terms and conditions of the contract.

In the original agreement, the City agreed to purchase the solar power upfront for the specified cost of \$0.039283 per kWh, which is less than the average APS charge of \$0.051 per kWh. By purchasing the solar power up front, the City locked in the cost per kWh. The Agreement also guaranteed that the array would produce 7,537,625 kWh during the duration of the 20-year agreement. This total kWh is broken out for each of the 20 years since there is a slight reduction in production over time. According to the agreement, if the solar array does not produce the designated guarantee, SolarCity will reimburse the City for the amount of kWh that was not produced.

Since construction has been completed, SolarCity has presented these Amendments to the Performance Guarantee and Solar Services Agreements. These amendments are based on the actual installed solar array. The as-built solar array will produce 6,621,537 kWh over the 20-year agreement. This reduction in expected solar production will result in an initial refund to the City of \$35,987.00. Over the 20-year agreement, the projected savings to the City for the overall cost of electric services will remain virtually unchanged. It should be noted that if the solar production is over the guaranteed minimum, there is no additional cost to the City.

FINANCIAL IMPLICATIONS

These amendments will result in a refund to the City of \$35,987.00. All other terms of the lease, as approved by City Council, are still in effect and do not change with this Amendment.

31. PERFORMANCE GUARANTEE AGREEMENT AMENDMENT AND SOLAR SERVICES AGREEMENT AMENDMENT: Downtown Chandler Library

APPROVED a Performance Guarantee Agreement Amendment and Solar Services Agreement Amendment for the Downtown Chandler Library.

BACKGROUND

In April 2014, Council approved the Performance Guarantee Agreement and Solar Service Agreement for the solar array at the Downtown Chandler Library.

The Agreements detail the size of the solar array, the detailed components to be utilized in the array, the amount of solar that is guaranteed to be produced by the solar array, the cost per kilowatt hour (kWh) of power produced, as well as general terms and conditions of the contract.

In the original agreement, the City agreed to purchase the solar power upfront for the specified cost of \$0.035 per kWh, which is less than the average APS charge of \$0.051 per kWh. By purchasing the solar power up front, the City locked in the cost per kWh. The Agreement also guaranteed that the array would produce 12,110,679 kWh during the duration of the 20-year agreement. This total kWh is broken out for each of the 20 years since there is a slight reduction in production over time. According to the agreement, if the solar array does not produce the

designated guarantee, SolarCity will reimburse the City for the amount of kWh that was not produced.

During construction, SolarCity adjusted the expected solar output and invoiced the City based on the reduced output. This resulted in a reduced payment of \$9,177.70. Since construction has been completed, SolarCity has presented these Amendments to the Performance Guarantee and Solar Services Agreements. The as-built solar array will produce 11,526,695 kWh over the 20-year agreement. This additional reduction in expected solar production will result in an initial refund to the City of \$6,454.98. Over the 20-year agreement, the projected savings to the City for the overall cost of electric services will remain virtually unchanged. It should be noted that if the solar production is over the guaranteed minimum, there is no additional cost to the City.

FINANCIAL IMPLICATIONS

These amendments will result in a refund to the City of \$6,454.98. All other terms of the lease, as approved by City Council, are still in effect and do not change with this Amendment.

32. PERFORMANCE GUARANTEE AGREEMENT AMENDMENT AND SOLAR SERVICES AGREEMENT AMENDMENT: Police Property and Evidence Building

APPROVED a Performance Guarantee Agreement Amendment and Solar Services Agreement Amendment for the Police Property and Evidence Building.

BACKGROUND

In March 2014, Council approved the Performance Guarantee Agreement and Solar Service Agreement for the solar array at the Police Property and Evidence Building. The Agreements detail the size of the solar array, the detailed components to be utilized in the array, the amount of solar that is guaranteed to be produced by the solar array, the cost per kilowatt hour (kWh) of power produced, as well as general terms and conditions of the contract.

In the original agreement, the City agreed to purchase the solar power upfront for the specified cost of \$0.03434 per kWh, which is less than the average APS charge of \$0.051 per kWh. By purchasing the solar power up front, the City locked in the cost per kWh. The Agreement also guaranteed that the array would produce 6,322,505 kWh during the duration of the 20-year agreement. This total kWh is broken out for each of the 20 years since there is a slight reduction in production over time. According to the agreement, if the solar array does not produce the designated guarantee, SolarCity will reimburse the City for the amount of kWh that was not produced.

Since construction has been completed, SolarCity has presented these Amendments to the Performance Guarantee and Solar Services Agreements.

These amendments are based on the actual installed solar array. The as-built solar array will produce 5,951,048 kWh over the 20-year agreement. This reduction in expected solar production will result in an initial refund to the City of \$12,842.46. Over the 20-year agreement, the projected savings to the City for the overall cost of electric services will remain virtually unchanged. It should be noted that if the solar production is over the guaranteed minimum, there is no additional cost to the City.

FINANCIAL IMPLICATIONS

These amendments will result in a refund to the City of \$12,842.46. All other terms of the lease, as approved by City Council, are still in effect and do not change with this Amendment.

33. CONSTRUCTION CONTRACT: DNG Construction, LLC

APPROVED Construction Contract No. PR1408.401 with DNG Construction, LLC, for Folley Park Improvements, in an amount not to exceed \$857,463.42.

34. PURCHASE: Printer Cartridges

APPROVED the purchase of laser and inkjet printer cartridges, OEM and remanufactured, utilizing State of Arizona Contract No. ADSPO14-0003441, with Vision Business Products and Wist Office Products, in a total amount not to exceed \$70,000.00.

35. USE PERMIT: America's Taco Shop

APPROVED Use Permit LUP14-0020 America's Taco Shop, Series 12 Restaurant License, to continue to sell and serve liquor s permitted for on-premise consumption indoors and within the patio and continue live music indoors and within the patio at an existing restaurant located at 3235 W. Ray Road, Suite 1, SWC of Ray Road and the Loop 101. (Applicant: Michael Moore.)

BACKGROUND

America's Taco Shop is an existing restaurant located at 3235 W. Ray Road, Suite 1, at the southwest corner of Ray Road and the Loop 101 within The Park at San Tan. The Park at San Tan includes Alliance Bank, several restaurants, a salon and office buildings. D'Arcy Ranch single family subdivision is located west and Parkside East single family subdivision is northwest, across Ray Road.

The request is for Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within the patio and continue occasional live music indoors and within the patio. The restaurant received Liquor Use Permit approval in September 2013, with a time condition of one year. The current request is for an extension of the Liquor Use Permit without any further time condition.

The restaurant's operational plan remains the same. The restaurant is open from 9 a.m. until 8 p.m., seven days a week. Acoustic music may occasionally occur from 4 p.m. until closing on Thursdays, Fridays, Saturdays and major holidays.

DISCUSSION

Planning Staff supports the request finding that the restaurant with occasional live music indoors and within the patio is appropriate at this location if the live acoustic music continues to be controlled so as to not unreasonably disturb the surrounding businesses and residents.

There have been no complaints filed with the Police Department or opposition during the neighborhood notification and public notification processes. Planning Staff is not recommending a time condition on the Liquor Use Permit due to the success of the business's operation.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 23, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4-0 with Commissioners Baron, Donaldson and Foley absent.

RECOMMENDED ACTION

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

1. The Liquor Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
 2. The Liquor Use Permit is non-transferable to any other location.
 3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
 4. The patio shall be maintained in a clean and orderly manner.
 5. Live music within the outdoor patio area shall not occur past 8 p.m. and shall be limited to acoustic music without amplification.
 6. The house speaker system shall not be utilized to amplify live music.
 7. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
 8. No noise shall be emitted from the live music occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
 9. The site shall be maintained in a clean and orderly manner.
 10. The establishment shall provide a contact phone number of a responsible person (owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
36. USE PERMIT: Verizon Wireless – Alma School and Germann

APPROVED Use Permit ZUP14-0020 Verizon Wireless – Alma School and Germann, to install a 60-foot monopalm wireless communication facility at 964 W. Germann Road, east of the NEC of Alma School and Germann roads. (Applicant: Rob Jones, Wavelength Management.)

BACKGROUND

The request is for Use Permit approval to install a monopalm wireless communication facility at 964 W. Germann Road, east of the northeast corner of Alma School and Germann roads. The proposed monopalm is 60 ft. in height, measured to the top of antennas and placed within the north section of the agricultural property. Agricultural properties containing single family residences are a minimum of 540 ft. from the proposed monopalm. Chandler Christian Church campus is to the north and east. Greulichs Auto and other commercial retail businesses are to the west.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm design resembles a Mexican Fan Palm having a minimum of 65 fronds, with the antennas painted to match the fronds.

A 10 ft. tall, state approved pre-fabricated equipment shelter containing a back-up generator would be constructed adjacent to the monopalm. A new 16 ft. wide gravel access driveway is proposed along the west edge of the property. The existing iron rolling gate at the front of the property is replaced with a 24-hour access gate. Several palms exist in proximity to the site. Two 30 ft. live palm trees would be planted adjacent to the facility to create a palm grove effect.

An inventory of existing facilities, vertical towers and structures located within an approximate one mile radius was prepared by the applicant to assess alternative locations. Within the immediate area, no other suitable alternative for co-location of the wireless communication facility on existing poles or towers was found.

Photographic simulations of the wireless communication facility illustrating existing views and proposed views were provided by the applicant. The simulations depict the equipment shelter and monopalm viewed from several locations.

DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility in the form of a 60 ft. monopalm, measured to the top of antennas. The monopalm design is appropriate at this location given the presence of palms in the area and the addition of two 30 ft. live palm trees. The separation from the single family homes on agricultural properties is greater than the 160 ft. distance of recently approved wireless communication facilities. Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 17, 2014. There were 3 property owners in attendance with concerns regarding radiation. Planning Staff received one phone call from one of the property owners who attended the neighborhood meeting inquiring about the Use Permit process. Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Baron, Cunningham and Foley absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The two live palms shall be maintained at a level consistent with or better than at the time of planting.

37. SPECIAL EVENT LIQUOR LICENSE: American Service Animal Society

APPROVED a Special Event Liquor License for the American Service Animal Society for the 12th Annual Chandler Classic Car & Hot Rod Show, February 28, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

ACTION:

7. **REZONING/PRELIMINARY DEVELOPMENT PLAN:** First Electronics Ord. #4604

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4604, DVR14-0023, First Electronics, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for office/industrial. (Applicant: Andy Pulsipher, Andy Pulsipher Architects.)

APPROVED a PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building design for an electronics manufacturer on approximately 3.5 acres located north of the NWC of Price and Willis roads.

MEMO BACKGROUND

The approximately 3.5-acre subject site is located north of the northwest corner of Price and Willis roads. The property is surrounded by the Gila River Indian Community to the west, Chandler Echelon with PayPal/eBay to the north, The Castle at Ashley Manor to the south and undeveloped land to the east within Allred Park Place.

The request is to rezone the site from Agricultural (AG-1) to Planned Area Development (PAD) for office/industrial along with Preliminary Development Plan (PDP) for site layout and building design for an electronics manufacturer. First Electronics specializes in the assembly of printed circuit board, cable and wire harnesses, and electromechanical box builds. Services include the automated and manual insertion of surface-mount and thru-hole components.

The development includes approximately 34,341 square feet of building area which includes 29,941 square feet of light industrial space for a circuit board assembly facility and a second floor of 4,400 square feet with support general office. The building height ranges from approximately 30 to 36 feet.

The building is designed to accommodate a light industrial facility that has a production area for receiving, shipping, assembly and testing as well as administrative office space. The building's front elevation along Price Road features a rounded two-story glass wall capped with a cedar plank ceiling. The entrance canopy's corner is supported by an accent wall with brushed stainless steel. The building incorporates four-sided architecture with a multi-level painted metal trellis element with stucco-veneered columns. The building walls are stucco finish with split-face block as a wainscot.

The landscape frontage includes a 100-foot deep landscape area characteristic of properties along Price Road. The west side of the property has a landscape/retention area which can be converted for future development. Vehicular access is provided off of Price Road. The site has appropriate parking at 80 spaces. One freestanding monument sign is proposed along Price Road which is architecturally designed to match the building.

At the northwest corner of the subject site, lies a narrow, rectangular parcel approximately 0.10 acres. This parcel is separately owned and not a part of the proposed development. The development will provide a 20-foot wide vehicular access from the parcel to Price Road. This parcel will have access to water and sewer services.

DESIGN REVIEW COMMITTEE

Planning Staff forwarded the request to the Design Review Committee (DRC) prior to the Planning Commission hearing. The DRC reviewed the project's architectural design elements

and was complimentary of the building design. There was one minor change requested regarding the seam joints/grid design to change from 8-feet by 8-feet to 4-feet by 4-feet which will better show the block's texture grid design.

GENERAL PLAN CONFORMANCE BACKGROUND

The General Plan designates this property as Employment. The Employment category targets knowledge-intensive industries like high technology and information technology such as First Electronics. Additionally, the General Plan identifies the subject site as adjacent to, but not a part of, the South Price Road Employment Corridor (SPREC). Visually, the corridor starts at the southern edge of the Loop 101/202 freeway interchange; however, historically, the City has recognized Willis Road as the northern border as the majority of property located north of Willis Road received zoning approval prior to the General Plan's SPREC designation. The subject property is located north of Willis Road, therefore, not subject to the corridor guidelines.

Planning Staff finds the office/industrial use as compatible land use adjacent to existing and planned Employment businesses including general offices, event facility and hotels. The site and building design is consistent with the design quality expectations along Price Road including a prominent front entrance element. While the subject property does not fall within the area generally accepted as the start of the SPREC corridor, it is a compatible land use appropriate amongst property within the SPREC vicinity.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 22, 2014. There were no neighbors in attendance. Planning Staff is aware of concerns from the landowner immediately north of the proposed development. Staff received a letter of opposition from the 0.10-acre adjacent parcel owner abutting the northwest corner of the subject site.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Baron, Donaldson and Foley absent.

The Planning Commission asked if the relocation of the building from the north to the south side was due to a request from the northern property owner. The applicant responded that a concern was expressed by that owner thus he decided to go ahead and flip the building which also aided in providing required site standards. The Planning Commission asked if the future second phase development requires a PDP. Planning Staff responded that a new PDP case would be required. A zoning condition has been added regarding the separate PDP for phase two. The legal representative for the property north of the site spoke stating his client's concerns are with the use and the amount of utilization of the parcel.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "FIRST ELECTRONICS", kept on file in the City of Chandler Planning Division in File No. DVR14-0023, except as modified by condition herein.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

DISCUSSION:

MS. JODIE NOVAK, SENIOR PLANNER recapitulated the rezoning request. The property is approximately 3.5-acres, and the preliminary planned development includes approximately 34,341 square feet of building area which includes 29,941 square feet of light industrial space for a circuit board assembly facility and a second floor of 4,400 square feet with support general office. The building height ranges from approximately 30 to 36 feet.

She stated there was a neighborhood meeting held, however there were no attendees at that meeting. Staff is aware of the concerns brought forward by neighboring properties and a filing of a legal protest of the adjacent property owner. Staff is in receipt another letter of opposition from another property owner holding a .10 acre parcel on the immediate northwest corner, however; it does not trigger a legal protest. She said today an e-mail was received by a tenant of the Bella Rose facility that is two parcels south of the subject site. This opposition is also outside of the legal protest area.

The case had been heard by the Design Review Committee and the Planning and Zoning Commission; both recommended approval. The recommended approval was based on the projects conformance with the City's General Plan and the area plan for both the rezoning request and the Plan Development Proposal for design and layout.

VICE MAYOR HARTKE asked the wages that would come with this type of manufacturing facility, not as a zoning issue, but as an element of the high tech corridor. Ms. Novak said she did not have that information.

COUNCILMEMBER HEUMANN asked how many jobs this would produce. Ms. Novak stated the proposed project has approximately 35 employees with an intent to expand to 70 or more.

Councilmember Heumann asked what the normal density is for other businesses in the Price corridor compared to this business. Ms. Novak replied while she does not have specific statistics on the businesses in the Corridor; however there are several businesses in the area that are light industrial, that have very few employees while other businesses like call centers which employ hundreds to thousands of people. There is a wide swing among the various businesses when looking at the number of its employees.

Councilmember Heumann asked what the current percentage of lot coverage is compared to others in the area. Ms. Novak responded of the 3.5 acres, the building cover roughly 21%, City Code could allow approximately 50-55%, and possible more depending on site standards.

COUNCILMEMBER SELLERS mentioned the Price Corridor Study the City had done a few years back, to help with the City's vision of what the Price Corridor would embody as far as the type of employment and number of jobs those businesses would bring in that area.

Ms. Novak stated the study does talk about high density and high density employment. But the definition of high density could be a large business on large acreage, 15 acres or more, which usually has a higher density of individuals per acre. However; at the same time there are data centers in the area which are very large structures, but only have a few people working due to the nature of that business. Another way to look at high density is to look at the mass of the building and use that is occurring at the facility. The current proposal is in an area that has been fragmented for many years. It has been agricultural land with many small parcels with several individual owners.

COUNCILMEMBER ELLEN asked if this was the only location this particular business could locate. Ms. Novak said there could be other areas, however this parcel is linear and allows the applicant a longer assembly type manufacturing and testing facility. Other parcels may not allow the same shape or sized building.

ROD JARVIS, 2575 E. Camelback Rd, Attorney for applicant, stated the current number of employees is 56, up from last year by four. The median salary is \$14.00 - \$15.00 per hour. In review of the rezoning request there are three key points to recommend approval of the request.

1. The General Plan calls for employment in the corridor, which has not changed since the land was purchased in 2004 by his client.
2. The Staff report after all the reviews and hearings is in support of the request.
3. The Planning and Zoning Commission report is also in approval of the rezoning request.
4. The final legal check is when the item is brought before the City Council.

The City Council received three different recommendations for approval of the project, along with letters of opposition. Mr. Jarvis addressed the issues.

1. A letter from Mr. Irish who owns a 1/10 acre parcel purchased at a tax sale. In Mr. Jarvis's expertise in planning, this parcel has no discernible use and his opposition bears the appearance of manipulation to the rezoning request.
2. A letter the Council received today from Ms. Beard. She is a tenant of a parcel south of this rezoning request. She sent her letter to Mr. Hays, the opposing Counsel who forwarded it to Staff this morning. Mr. Jarvis stated he had tried to call Ms. Beard, but was only able to leave a message she call him back, he has not heard from her.
3. Last letter received by Council is from Mr. Deutsch through his attorney Mr. Hays. Mr. Deutsch's parcel is much larger, housing PayPal and eBay. Efforts to discuss the proposal and options that would make Ms. Cho's rezoning request more palatable to Mr. Deutsch have yielded no meetings, since Mr. Deutsch's position is that he objects to the employment use of the property and his position is firm.

Mr. Jarvis stated the legal process and recommending bodies have all recommended approval of the proposed use and rezoning of the property. Mr. Jarvis then introduced Ms. Cho and provided a brief narrative of Ms. Cho's immigrant working history and business ideas which led her to purchasing the parcel along Price Road. Mr. Jarvis argued that Ms. Cho relied on the vision of the City when purchasing this property. She bought the site before Mr. Deutsch's property was

developed. Ms. Cho selected this location for its proximity to her customers and to her employees.

He urged Council to concur with the procedural process and findings and support the rezoning case.

Mr. Garry Hays, 1702 E. Highland, Phoenix, AZ Attorney for Delta Echelon LLC., owner of the eBay/PayPal building. His client is opposed to the rezoning request and use of the parcel. They had concerns regarding the request throughout the process, but it was not until after the Planning Commission's meeting did they hear from the tenants of the building and they expressed their opposition to the proposed use of the parcel. They do not want industrial next door. He then discussed the use of the property and the vision Chandler has for the Price Corridor which is captured in the Price Road Corridor Study conducted in 2014. The request to rezone to industrial is not conducive next to a \$50 million office complex, with one of the Valley's premier employers.

Mr. Hays reported the City has spent millions of dollars over the years to secure the Price Corridor as a premier stretch for high end employers. There is enhanced infrastructure and road widening projects specific for the vision of the Price Road Corridor. The land and use for the proposed rezoning is underutilized. The 3.5 acre parcel with an employment possibility of 35-75 employees, and right next door is a 12 acre parcel with 2000 jobs. This correlates to 166 jobs per acre.

He stated there has been a lot of discussion regarding the General Plan. The General Plan is a guideline, and each case is heard on its own standing on a case by case basis.

MR. JARVIS stated the General Plan is a guideline. Mr. Hays referenced the Price Road Corridor Study, which he believes this rezoning request meets those vision plans for the corridor. The General Plan states the guidelines as well, and is the same now, as it was when his client bought the property in 2004. There are different types of industrial, and Ms. Cho's business is light industrial, assembling computer components. They do have plans to grow, it may not be the 2000 employees as the neighboring property accommodates, but the use and location is a reasonable use and location for her business.

COUNCILMEMBER HEUMANN stated the Council has worked very hard over the years to keep the vision for the Price Road Corridor. He noted the number of employees and average salary of this business compared to the totality of what was occurring in the entire corridor, he has concerns. He mentioned the Airport area plan where this business might better be suited for. To him, the use being proposed does not meet what the Council has worked so hard for over the years for the Price Road Corridor.

COUNCILMEMBER LOPEZ also agreed that the proposed use is not the best fit for the Corridor considering the investment in infrastructure that has been put in place along the Corridor to support the high density vision Chandler has for that area.

VICE MAYOR HARTKE stated he too has an issue with the proposed use. The City spent considerable time and money to create the vision and direction of businesses along the Price Road Corridor and it is a sound plan. It would not be wise to deviate so much from the plan, which this proposal is requesting.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR HARTKE, TO DENY DVR14-0023, FIRST ELECTRONICS, REZONING FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR OFFICE/INDUSTRIAL.

COUNCILMEMBER ROE stated he understood and appreciated the tough decisions the City Council has to make on the various issues brought before it, but he was disappointed that Ms. Cho went through the entire process, spent significant time and money, only to come to this point and be denied.

COUNCILMEMBER ELLEN stated she made a commitment to protect the vision of the Price Corridor, and this will be one of the most difficult decisions she will make in all her years on Council. The vision for the corridor is high density land use, high density employment, and high salaries.

THE MOTION TO DENY CARRIED BY MAJORITY (6-1) WITH COUNCILMEMBER ROE VOTING NAY.

UNSCHEDULED PUBLIC APPEARANCES:

Elaine Morris, 1182 N. Bogle Avenue, stated she lives across from Bell Steel. She stated the company starts very early in the morning and operates till around 7:30 p.m. The noise generated from that business disrupts the entire neighborhood and is unbearable. She was in her front yard on the phone with her daughter, and her daughter even commented about the loud noise she could hear in the background. There is screeching of steel as it is unloaded, or dropped in some cases is nerve wracking.

The long bed trucks loaded with steel beams in from Knox or Hamilton Roads, have to make a very hard turn to enter or exit the facility causing a safety issue. The lot that borders Hamilton used to have a chain link fence so they have ingress and egress but this is not paved, and the dirt that is disturbed is like a dust storm and there is dirt all along the roadway. Baylor Hudson used to come and blow the dirt off the street, but she has not seen them in months.

The steel is being stacked extremely high, she stated she would like to see a wall built to hide it, and keep all the dust the company creates contained within their premises.

Her last concerns deal with the garbage truck that services American Mini Storage, it cannot turn around on the premises, but has to back out into traffic, and there is a personal training facility in that area, and while they have installed several no parking signs, they do not deter people from parking on the street.

CURRENT EVENTS:

A. Mayor's Announcements

• **Free tax assistance**

- Chandler's free tax assistance sites are now open
- Chandler area working families have claimed more than \$10 million in tax refunds over the past 11 years thanks to Chandler's Volunteer Income Assistance – or VITA --program

- Those earning less than \$53,000 last year qualify for free tax preparation services at one of the seven Chandler VITA sites
- To learn more, visit www.chandleraz.gov/vita
- **The State of the City Address is Thursday, Feb. 19th**
 - 6 p.m. in the Council Chambers
 - He will announce the annual Neighborhood Excellence Awards Winners
- **Budget Connect**
 - Chandler's annual online budget discussion will take place on Thursday, February 26th before the Council meeting at 7:00 p.m.
 - Residents can log onto the website at www.chandleraz.gov to join the conversation
 - Residents can also post questions on Twitter and Facebook
 - Send comments in via email

B. Councilmembers' Announcements

Vice Mayor Hartke noted President's Day on Monday, February 16th. He said it is a good time to reflect on our Nation, and all the people that have served our Country and worked to make it what it is today.

Councilmember Heumann announced the Sci-tech event on February 20th and Saturday the 21st.

Salt River Project and Gila River Indian Community have finalized the 202 Freeway alignment. It has been an issue of contention for many years.

Councilmember Ellen announced "Operation Welcome Home". This event will take place Monday February 23rd at 6:00 p.m. This event honors Veterans who have been away from home serving their Country, and those that will be deployed. The City gives these members of the armed services gift cards, and asked the public to continue with the tradition if they can and bring some gift cards, or give donations to the city website www.chandleraz.gov/patriotism.

Councilmember Roe stated there are a tremendous amount of great events happening in Chandler and urged people to come out and participate in them. He encouraged people to volunteer in the community.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:01 p.m.

ATTEST:
City Clerk

Mayor

Approved: February 26, 2015

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 12th day of February 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of February 2015.


City Clerk

MINUTES OF THE SPECIAL MEETING (Budget Connect) OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago St., on Thursday, February 26, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:00 P.M.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Rick Heumann	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember
	René Lopez	Councilmember
	Nora Ellen	Councilmember

Mayor Tibshraeny explained the budget process is a year-round process and this year, from mid-December to mid-January, residents had access to an online budget survey. This year approximately 450 responses have been received.

Mayor Tibshraeny read a question received as part of the online budget survey. "I often see sports fields that are not in use. Why does the City feel it needs to add more parks?" Mayor asked Director of Neighborhood and Community Services Jennifer Morrison to address this comment.

MS. MORRISON stated that while someone may see a ball field not in use, the City actually had over 4,000 reservations in 2014 for these fields. Over the last couple of years the City has received many calls regarding the less than desired condition of several fields. She explained the city has a very specific "rest and recovery" program in place for these fields, and it may be during this time, the rest and recovery period, that this comment refers to. As far as why Chandler has so many parks, parks improve the quality of life in a community. It is a highly sought after and considered element of the City when people are looking to move into an area. The City has a goal of providing a neighborhood park of 10 acres for every square mile of development.

MAYOR TIBSHRAENY read another comment/suggestion from the survey. "I feel as though crime has increased in Chandler over the last few years. We need to focus more on police patrols and reducing crime." Mayor asked Police Chief Duggan to address this.

POLICE CHIEF DUGGAN stated there was a 5.3% reduction in crime last year from the 2013 year. It is significant as 2013 is one of the lowest crime years in 30 years. He noted leveraging and utilizing new technologies, advancement in forensic science and data driven policing have helped reduce that number. One of the other components that played a key role is the level of partnership and engagement with the community. He gave an example of using social media to help connect a large volume of citizens in helping to identify and report leads.

MAYOR TIBSHRAENY thanked the Chief and announced that residents can now text Chandler PD as another tool for access.

VICE MAYOR HARTKE said that social media can also affect the perception about crime occurring. Chief Duggan said crime prevention officers are established in each precinct as a direct conduit to the community and their respective geographical areas.

BUDGET SURVEY RESULTS:

BUDGET MANAGER GREG WESTRUM said the annual citizen budget survey was recently conducted with over 450 responses received. The survey covered many topics. One of the purposes of the survey is to find out how the city is performing. He stated 98% respondents said the city is performing "excellent, very good or satisfactory". He noted 97% respondents say the quality of life in Chandler is either "excellent or very good". While 86% believe they get a good return on their various tax dollars.

He explained the second section of the survey asked the respondents to rate some of the various services the city performs. He said a sampling includes fire emergency, police patrol, transportation, street maintenance and traffic management, leisure, cultural and youth activities and library.

The final section of the survey allowed the citizens to comment on issues or priorities that were of particular interest to them and those responses have been distributed. The entire survey and results are online at the city's website.

MAYOR read a message received from a Twitter account. The message reads, "Parking garages in downtown Chandler. Revamp the business district to draw more pedestrian traffic."

KIM MOYERS, Downtown Redevelopment Manager said there are currently 3 parking garages on the east side of Arizona Avenue. With those, in addition to the surface parking, there are about 3800 spaces available in the downtown area. A study was performed by Carl Walker to study the parking needs. The study suggested there is adequate parking, but it is not distributed properly. One recommendation is to work on an improved pedestrian flow with improved signage.

COUNCILMEMBER HEUMANN said he isn't sure that people are aware that parking is free. Ms. Moyers said the signage needs to be improved to get the message out.

Ms. Moyers explained regarding entertainment, Downtown Chandler was designated as an Entertainment District in the Fall of 2014. There have been a few successes with Improv Mania on Arizona, and Burst of Butterflies on Boston Street. On city-owned property at the corner of Arizona Avenue and Chandler Boulevard there is a proposal being worked to bring a cinema and restaurants downtown.

MAYOR read a Facebook submittal that asked "With all of our recent growth, how does it affect our water supplies." MUNICIPAL UTILITIES DIRECTOR DAVE SIEGEL explained the Department of Water Resources requires Chandler to have a 100 year assured water supply. In 2010, Chandler was rededicated with our 100 year. Part of the calculation is projected water demand for build out. Staff constantly monitors and in 2012 the projected build out was updated. It has again recently been completed. Work is done closely with both the Planning and Economic Development which helps to monitor future demand.

MAYOR read another comment "It would be cool to someday see light rail in downtown Chandler". TRANSPORTATION AND DEVELOPMENT DIRECTOR R.J. ZEDER responded that the Council recently approved an intergovernmental agreement with Valley Metro and the City of Mesa in working on the Fiesta Downtown Chandler Corridor Study. The goal is to work jointly with these entities. Other options besides light rail will also be looked at. The study will take 18 months to 2 years with the goal of connecting to the east/west line that runs through Mesa.

MANAGEMENT SERVICES DIRECTOR DAWN LANG explained there are several ways the city solicits feedback through survey, Budget Connect, Council's budget briefing. Public hearings will be held May 28 and June 11 and the property tax levy will be adopted on June 25. Throughout the process, staff receives direction from the City Council through two budget workshops.

Ms. Lang displayed 7 years of budget history for both capital and operating. Beginning in 2008-09, Chandler had a \$1 billion budget. From 2009-10 through 2011-12, there were dramatic reductions due to the Great Recession. Chandler is now in a phase of slow, moderate growth as the economy stabilizes.

She stated it is important to keep the budget structurally balanced and monitor and address legislative impacts. During the last legislative process, a bill was passed that requires the State to take over the collection of sales tax. This will be a very large change and could have a financial impact. She said during this session, HB2254 is very concerning to the city relating to sales tax collection on residential rental. This could have a big impact on the ongoing revenue streams and service levels into the future. Ms. Lang explained the various sources of revenues and the various services it supports.

Ms. Lang discussed the property tax bill allocation. She stated that 10 cents for each dollar paid on the property tax is for the City. The other portion is supporting school districts, college districts and other districts. She noted last year Chandler's portion was 13 cents for each dollar.

MR. GREG WESTRUM reviewed the Capital Improvement Program (CIP) and the process. He stated the Capital Improvement Program is a 10 year outlook. The challenges for the CIP are: some monies have reduced as growth has slowed down, less availability of federal grants, and reduction in bond capacity as assessed value drops. Mr. Westrum noted that the biggest category in the current year is the capital maintenance and highlighted a few new projects being accomplished.

MAYOR read a question received via Facebook. "With all this focus on high paying STEM jobs for example, what is our city's commitment to a variety of jobs with diverse pay scales and working hours so that all types of our population can benefit."

ECONOMIC DEVELOPMENT DIRECTOR MICAH MIRANDA said the focus on STEM jobs is a strategic commitment on behalf of the city to the overall economy. For every one STEM job created, there are approximately four indirect jobs that are created as a result. He stated it is a more appropriate use of resources to focus on those industries that provide the highest and best long term overall benefit to the economy.

The MAYOR read the next question: "A stronger focus needs to be placed on a healthy community. Walkability, bike-ability are critical. We need improved access to recreational amenities."

PLANNING MANAGER JEFF KURTZ said the General Plan Citizens Oversight Committee will meet next week. There will be many opportunities for citizen engagement as an opportunity for residents to provide input on items such as these. Mr. Kurtz said while it's not a required element by name of the plan, these types of uses are invasive throughout the document. In response to a question from the Mayor, Mr. Kurtz said there will be a community planning lab, although the General Plan website will be the primary way to communicate the process.

MAYOR read the next question: "Can Arrowhead Pool or Desert Oasis Aquatic Center be opened up to year round lap swim?" MS. JENNIFER MORRISON replied that the cost to heat a pool such as those mentioned is \$60,000 - \$90,000 program. Ms. Morrison said a budget request would be placed for the 2016-17 budget year.

COUNCILMEMBER HEUMANN noted there is one pool open for year round lap swim at Hamilton.

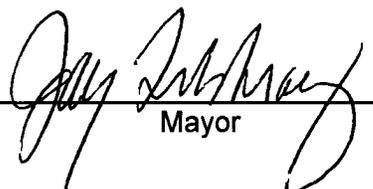
The MAYOR read a comment that expressed appreciation for the budget survey and asked for more information about the various projects being considered. COMMUNICATION AND PUBLIC AFFAIRS DIRECTOR MATT BURDICK responded the "newsroom" and "e-mail subscription service" are just two ways to keep informed and those two options are available through the city's website.

The MAYOR expressed his appreciation for the participation. He stated comments may continue to be submitted through the city's website through next week.

COUNCILMEMBER SELLERS said he appreciates that we continuously look for ways to improve processes and services to the residents. He congratulated the Mayor for encouraging additional feedback and inclusion in the budget process.

VICE MAYOR HARTKE expressed his appreciation for the input from the citizenry. He reiterated the concern with the rental tax bill that will reduce the money available to the cities. He encouraged residents to talk to their legislators about HB2254 and encourage them to vote no.

Adjournment: The meeting was adjourned at approximately 6:47 p.m.

ATTEST:  City Clerk  Mayor

Approved: March 12, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 26th day of February 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of March, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 26, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m..

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Sean Eddy – Chandler Bible Church

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

CONSENT:

COUNCILMEMBER HEUMANN stated earlier in the day the Council had received a letter from a resident on item No. 15, Preliminary Development Plan PDP14-0011 Cornerstone Church – Campus Expansion, asking the Council to consider adding a left-hand turn signal at Willis and Alma School. TRANSPORTATION AND DEVELOPMENT DIRECTOR R.J. ZEDER replied that staff is aware of the concern expressed by the neighbor and staff will review the issue for resolution.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VICE MAYOR HARTKE commented that three years ago the City Council voted on a Use Permit request for the Wee Blessings Preschool and Academy located next to the Chandler Airport and he voted in opposition at that time. He stated while he likes to remain consistent with his vote, they have become great neighbors for the area with no concerns. He stated he is in favor of item No. 15.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting of February 6, 2015
- 1b. Study Session of February 9, 2015
- 1c. Special Meeting of February 12, 2015
- 1d. Regular Meeting of February 12, 2015

2. ANNEXATION: Southwest Corner of Queen Creek Road and Union Pacific Railroad Ord. #4590

ADOPTED Ordinance No. 4590, Annexation – Southwest Corner of Queen Creek Road and Union Pacific Railroad, annexation of approximately 18.75 acres located at the SWC of Queen Creek Road and the Union Pacific Railroad.

3. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4592

ADOPTED Ordinance No. 4592 granting a no-cost power distribution easement to Salt River Project (SRP) for the Hatch Hangar project located at the Chandler Municipal Airport on the east side of Airport Boulevard between Germann and Queen Creek roads.

4. CITY CODE AMENDMENT: Chapter 10 Ord. #4602

ADOPTED Ordinance No. 4602 amending Chapter 10, Section 10-12, of the Chandler City Code relating to property and firearms obtained by the Police Department.

5. FORMATION OF CITIZEN'S ADVISORY COMMITTEE: General Plan Ord. #4603

ADOPTED Ordinance No. 4603 forming a Citizen's Advisory Committee to guide Planning Staff and consultants in updating the Chandler General Plan.

6. ANNEXATION: Chandler Heights and Cooper Roads Ord. #4605

ADOPTED Ordinance No. 4605, the annexation of three parcels totaling approximately 9.53 acres located south of the SEC of Chandler Heights and Cooper roads.

7. ANNEXATION: Gilbert and Brooks Farm roads Ord. #4606

ADOPTED Ordinance No. 4606, the annexation of approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads

8. ANNEXATION: McQueen and Ocotillo roads Ord. #4607

ADOPTED Ordinance No. 4607, the annexation of approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads.

9. GROUND LEASE: Chandler Municipal airport Ord. #4609

ADOPTED Ordinance No. 4609 authorizing a ground lease at the Chandler Municipal Airport with WingSpan Business Investments LLC; and authorizing the Mayor to sign the lease and City Manager to sign all related documents.

10. DEDICATION FEE: Price Road and Boston Street Alignment

Ord. #4520

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4520 authorizing the Dedication Fee of a portion of City-owned property located on Price Road south of the proposed Boston Street alignment for public roadway purposes.

BACKGROUND

The City of Chandler owns property located at the southeast corner of the proposed Boston Street alignment with Price Road. In order to accommodate the construction of a right-turn lane onto Boston Street from Price Road, it is necessary for the City to dedicate a 27-foot wide portion of this property to the public for roadway purposes.

By way of a separate instrument in the form of a deed, the City will grant to the public, in trust, the required roadway. The document will be in a form approved by the City Attorney.

11. CITY CODE AMENDMENT: Chapter 62

Ord. #4589

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4589 amending Chapter 62 of the Chandler City Code conforming the Chandler City Tax Code and regulations to changes made to the Model City Tax Code, as approved by the Municipal Tax Code Commission, and establishing the effective dates thereof.

BACKGROUND

The Model City Tax Code (MCTC) is a state-wide, uniform set of privilege (sales) tax laws that every city or town that desires to impose a privilege tax must adopt as defined in A.R.S. §42-6051. The City of Chandler adopted the MCTC in February 1987. All amendments to the MCTC are brought before the Municipal Tax Code Commission for approval, and once approved by the Commission, every city or town that has adopted the MCTC is required to adopt the amendments as per A.R.S. §42-6053. Therefore, the proposed changes to the Chandler Tax Code included in this ordinance are necessary for purposes of conformity with the MCTC.

During the most recent legislative session, several bills were signed by the Governor requiring conforming changes to the MCTC. Specifically, changes were made to the Arizona Revised Statutes (A.R.S. §42-5005) regarding tax licensing for both the Department of Revenue and cities and town, with an effective date of January 1, 2015. The changes were adopted to simplify the numerous individual variations in tax licensing codes and administrative policies among the various cities and towns, and were intended to create uniform tax licensing rules and improve taxpayer understanding and compliance.

The following are highlights of the changes:

- Eliminates all application fees (approximately \$65,000 reduction in revenue) and the ability to apply for temporary licenses;
- Clarifies that the City cannot withhold the issuance of the tax license for failure to comply with all statutes, ordinances, regulations, or other requirements by repealing 62-305(d);
- Reaffirms a single license fee of \$50 for most taxable classifications, and adds a new model option #16 to allow the City to continue licensing residential rental properties on a \$2 per-unit basis with a maximum license total of \$50;

- Clarifies licensing real property rentals, including clarification for those that use property managers;
- Creates uniform penalties and allows for standardized waiver procedures;
- Removes the ability to prorate license fees based on application date (approximate revenue increase of \$80,000).

Additionally, there are numerous other changes to the MCTC, as approved by the Municipal Tax Code Commission, from the years 2011 through 2014. These changes incorporate various requirements of Arizona Revised Statutes, as well as aligning formatting and other approved changes with the most current version of the MCTC.

12. INITIAL CITY ZONING: SWC Queen Creek Road and Union Pacific Railroad Ord. #4610

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4610, DVR15-0003 Southwest Corner of Queen Creek Road and the Union Pacific Railroad, establishment of initial City zoning of agriculture (AG-1) on approximately 18.75 acres. (Applicant: City Initiative.)

BACKGROUND

The site is an undeveloped parcel that is currently used for agricultural purposes and is bordered by an unincorporated rural residential property to the west, Queen Creek Road to the north, the Union Pacific Railroad to the east and undeveloped property owned by First Baptist Church to the south.

An area plan amendment application and a rezoning and preliminary development plan application have been submitted for the development of a small lot single-family development on the subject site and a 9-acre parcel that adjoins the southwest side of the site. The Chandler Land Use Element of the General Plan designates the site as Employment and refers to the Chandler Airpark Area Plan (CAAP) for more specific land uses. The CAAP designates the subject site as Commercial/Office/Business Park with a Light Rail Corridor Overlay.

Planning Staff does not support the land use that is requested with the pending development applications, but does not oppose the annexation and establishment of initial City zoning of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

In accordance with state statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. A.R.S. §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

13. AMENDED CITY OF CHANDLER WORKERS' COMPENSATION AND EMPLOYER LIABILITY TRUST AGREEMENT Res. #4835

ADOPTED Resolution No. 4835 authorizing the amended and restated City of Chandler Workers' Compensation and Employer Liability Trust Agreement (Trust Agreement) which amends quorum requirements, adds provisions to allow telephonic attendance and voting, clarifies termination of office, and provides for an extinction of the timeframe for the Workers' Compensation and Employer Liability Trust Board to provide for an extension of the timeframe for the Workers' Compensation program.

BACKGROUND/DISCUSSION

The City of Chandler established a Trust for the purposes of management and administration of the City's Worker's Compensation Self-Insured Program on December 13, 2012. The Trust Agreement was adopted on January 24, 2013, to set forth requirements of the program as well as roles and responsibilities of the Board of Trustees.

The proposed amendment and restatement of the Trust Agreement amends Section 3.09 to clarify that in order for a quorum to exist, three Trustees must attend the meeting in person. Section 3.05 refers to City Code §2-6 regarding grounds for removal and forfeiture of office. This change allows for excused absences and does not require removal from office to be automatic. Sections 3.08 and 3.10 allow for attendance and telephonic voting by Trustees unable to attend the meeting in person as long as there is a quorum. Section 5.01 extends the timeframe in which the Board is required to recommend funding needs to City Council from January 1st to March 15th. The extension enables City Staff to examine the needs of the program, provide additional information to the Trust Board for consideration on future expenses, and still adhere to the City's budget time frames.

City Staff met with the Chandler Workers' Compensation and Employer Liability Trust Board on January 29, 2015, and the Board concurred with the recommended changes.

14. DRAINAGE EASEMENT EXTINGUISHMENT: Stonefield Apartments Res. #4836

ADOPTED Resolution No. 4836 authorizing the extinguishment of two temporary drainage easements no longer needed for public use at Stonefield Apartments located at the SEC of Dobson and Germann roads.

BACKGROUND/DISCUSSION

The City obtained two temporary drainage easements on a parcel of land located at the southeast corner of Dobson and Germann roads to accommodate improvements to both roads. Subsequently, the Stonefield II development built and incorporated the required retention provided by these easements into their development. As a result, the drainage easements are no longer required and can be extinguished. The property owner has requested the City extinguish these easements in order to clear up their title. Staff has reviewed the property owner's request and has confirmed that the easements are no longer needed.

15. PRELIMINARY DEVELOPMENT PLAN: Cornerstone Church Campus Expansion

APPROVED Preliminary Development Plan PDP14-0011 Cornerstone Church – Campus Expansion, for site layout and building architecture for the master plan of the 23.9-acre Cornerstone Christian Fellowship campus located at the SEC of Alma School and Willis roads. (Applicant: Craig Goldstone; Todd & Associates, Inc.)

BACKGROUND

The site has street frontages along the north, west and south portions of the site. The recently approved Maplewood Court II single-family residential subdivision is east of the subject site. The Eden Estates and Maplewood Court I single-family residential subdivisions are south of Maplewood Street.

The site has an extensive zoning history with Council recently approving the last outstanding parcel zoned Agricultural that is located along Maplewood Street. The eastern portion of the campus is currently under construction as a permanent parking lot is being provided. The Worship Center, Early Childhood and Student Center are existing buildings on the site that, upon completion of the new buildings, will be renovated and enlarged. Three education buildings are proposed; Elementary, 5th/6th Grade and Adult Education. A maintenance building is part of the Adult Education building and the café/bookstore that is currently in the Worship Center will be removed and recreated in a separate building. Full development of the site is anticipated to be completed by mid-2017.

Design of the campus is predicated on creating an open space system that places emphasis on place-making and pedestrian interaction. The plaza that runs the length of the campus draws inspiration from commercial plazas and outdoor pedestrian gathering areas providing water features, a children's splash pad, fireplaces, children's playground area, shaded seating and useable turf areas.

Each building integrates elements from a material and color palette with the end user in mind. As is evident in the color palette, the Early Childhood and Elementary education buildings have a vibrant color palette consistent with the nature of users. Care has been taken so that the colors are internalized to the site, with minor elements wrapping the side elevations. Furthermore, the elevations are designed so that a variety of plane changes, colors, materials and textured design elements are incorporated so as to prevent monotony. No single architectural theme is provided with the purpose of creating an architectural design pattern and pedestrian environment similar to large-scale commercial centers such as Tempe marketplace.

An extensive sign package is provided addressing everything from signage along the street frontage, to vehicular and pedestrian way-finding signage, and building signage. Of particular note, there are three types of signs that are atypical to church campuses; Tram Stop signs (3), Site Kiosk signs (2), and a single outdoor television mounted on the Worship Center. Illumination of the signs is minimal and they primarily serve the purpose of providing current events and scheduling for upcoming events; the signs have been located so that they are completely screened from the residences to the south by education buildings.

Lastly, a coffee shop/bookstore with drive-thru is provided. The coffee shop is open daily; however, the drive-thru will be closed on Sundays and during service hours.

DISCUSSION

Planning Staff recommends approval of the request finding that the proposal presents a unified campus design. The design team has worked diligently to provide a strong pedestrian atmosphere with a variety of amenities, while also providing unique building elements that allow for each building to represent an individual group and maintain a level of consistency in the plan.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 24, 2014. There were 9 neighbors in attendance with questions regarding current operations, improvements being made to the parking lot and proposed activities occurring on the site.

Planning Staff has been in ongoing correspondence with a couple of neighbors regarding the improvements that will be made. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 - 0.

The Planning Commission supports the request, but expressed some concerns with the vibrancy of the color palette for the monument signs along Alma School Road. The Planning Commission added condition #10 addressing the monument sign colors.

RECOMMENDED ACTION

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

1. Undergrounding of all overhead electric (less than 69kv), communication and television lines and any open irrigation ditches or canals located on the site or within adjacent rights-of-way and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The above ground utility poles, boxes, cabinets or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
2. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details and design manuals.
4. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "CORNERSTONE CHRISTIAN FELLOWSHIP", kept on file in the City of Chandler Planning Division, in File No. PDP14-0011, CORNERSTONE CHURCH – CAMPUS EXPANSION, except as modified by condition herein.
5. Landscaping shall be in compliance with current design standards.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. Sign packages including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
10. The applicant shall work with Planning Staff to modify the colors of the monument signs along Alma School Road.

16. BOARD / COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Economic Development Advisory Board

Todd Hardy

Citizens' Panel for Review of Police Complaints and Use of Force

Aaron Harris

17. AGREEMENT AMENDMENT: Banner Occupational Health Services

APPROVED Agreement No. RM2-948-3059, Amendment No. 1, with Banner Occupational Health Services for occupational health care providers in an amount not to exceed \$125,000.00, for a two-year term of March 1, 2015, through February 28, 2017. This is the first of two optional two-year extensions.

18. AGREEMENT AMENDMENT: Patrick Ibarra, DBA The Mejorando Group

APPROVED Agreement No. 3444, Amendment No. 1, with Patrick Ibarra DBA The Majorando Group for Pilot Program Group 2 of the Professional Development Program pilot in an amount not to exceed \$27,900.00, for a total agreement amount not to exceed \$57,300.00.

With the anticipation of upcoming retirements in key positions over the next five years, City Staff began to research a method for a succession planning process. The City hired Patrick Ibarra of The Mejorando Group who has done work with many public sector organizations in this area. Mr. Ibarra worked with Human Resources to complete a workforce data retirement analysis in order to identify critical positions that would be needed in the upcoming years. Based on that data, the Professional Development Pilot program was developed. Sixty-eight (68) employees applied for this program and City Staff interviewed 48 employees. City Staff requested that the City Manager approve a second pilot because the selection committee was so impressed with the enthusiasm and quality of the applicants. The first pilot group concluded on December 16, 2014, and included a group of 12 managers aspiring for executive level positions. The second pilot group commenced on February 3, 2015, and includes 10 employees aspiring for management positions. Both groups participate in a 360 degree feedback process and customized training programs designed to provide them with the competencies to be better prepared to compete for future promotional opportunities.

Patrick Ibarra, of The Mejorando Group, was selected by Staff to facilitate the Professional Development Program pilot because of his unique experience as the consultant for the City's workforce data retirement analysis. That analysis resulted in the pilot of a professional development program for City employees. The first agreement was entered into in September of 2014 and was approved by the City Manager given it was under the \$30,000.00 threshold required for Council approval. To provide program consistency, Staff recommends that The Mejorando Group facilitate the conclusion of the second pilot program which now requires Council approval.

19. AGREEMENT AMENDMENT: Ryley Carlock & Applewhite

APPROVED Agreement Amendment No. 1 with Ryley Carlock & Applewhite for legal services in an additional amount of \$50,000.00 for completion of legal proceedings in *Austin v. City of Chandler*.

20. AGREEMENT: ESRI

APPROVED Agreement No. 2015ELA60 with ESRI for GIS products in the amount of \$352,000.00 for a three-year period.

The City's Geographic Information System (GIS) is based on ESRI GIS products. Several years ago, the City expanded its use of these products in current and planned City applications. This expansion of GIS services resulted in a need for additional product licenses.

Rather than continue to purchase licenses and maintenance for each application, the City consolidated all GIS software needs citywide into an Enterprise License Agreement (ELA). Through this agreement, the City has incurred a lower cost-per-unit for licensed software. A City GIS Advisory Team recommended this purchase and the Information Technology Oversight Committee approved the recommendation in 2009. The ELA allows City departments to deploy software products from the GIS as needed to support its growth. The GIS Advisory Committee considers each request for additional software installations to determine validity and also monitors software installed to not adversely affect future costs of the ELA. Since the purchase of the ELA, cost savings and use of the product have continually given the City a good return on their investment.

Staff negotiated a three-year ELA with ESRI since they are the sole provider of their GIS products and the City's GIS is based on the ESRI GIS products. The annual cost includes products, annual maintenance and user conference registrations

21. AGREEMENT: Kimley-Horn and Associates, Inc.

APPROVED Agreement No. CM5-918-3464 with Kimley-Horn and Associates, Inc., for Phase 1 of the airport economic impact analysis, in an amount not to exceed \$50,000.00 for Phase 1, with the option to proceed to Phase 2 in an amount not to exceed \$31,500.00 for a total not to exceed amount of \$81,500.00.

City Council was briefed on Chandler Municipal Airport's role in the National Airspace System, Airport operations, and its operating and capital budgets during a micro-retreat in August 2014. At that time, City Council requested Staff devote resources to analyzing the current and future economic output of the Airport.

The Airport is still developing and therefore requires a General Fund subsidy in order to maintain sufficient operating and capital budgets. City Council requested Staff utilize a consultant to determine the economic impact of Chandler Municipal Airport as well as evaluate its ability to achieve self-sufficiency and maintain a growth model that supports the City's overall economic development goals.

Under this project agreement, Kimley-Horn and Associates, in partnership with Arizona State University's W.P. Carey School of Business and L. William Seidman Research Institute, will complete the tasks in phases.

22. AGREEMENT: WESCO Distribution, DBA Brown Wholesale

APPROVED Agreement No. PM5-285-3499 with WESCO Distribution, DBA Brown Wholesale for lighting, poles and lamps for Pecos Ranch Park in the amount of \$64,283.63.

23. AGREEMENT AMENDMENT: Fuel

APPROVED Agreement No. FS9-405-2707, Amendment No. 2, with Western Refining Wholesale, Inc., Senergy Petroleum, LLC, and Supreme Oil Co., for fuel in an amount not to exceed \$2,400,000.00 per year for a total of \$7,200,000.00 for a three-year term. This is the final optional three-year extension.

24. PROFESSIONAL SERVICES CONTRACT: Wilson Engineers, LLC

APPROVED Professional Services Contract No. WW1413.451, with Wilson Engineers, LLC, for construction management services for Phase I of the Ocotillo Water Reclamation Facility (OWRF) Process Improvements in an amount not to exceed \$1,213,500.00.

25. CONSTRUCTION MANAGER AT RISK CONTRACT: Sundt-McCarthy

APPROVED Construction Manager at Risk Contract No. WW1301.401, with Sundt-McCarthy, an Arizona Joint Venture, for Phase I of the Ocotillo Water Reclamation Facility (OWRF) expansion and related facilities, in an amount not to exceed \$12,633,076.00.

The OWRF, located a 3333 S. Old Price Road, has been in operation since 1985. In 2013, the City completed a comprehensive assessment of the OWRF and identified rehabilitation items that will ensure its continued reliable and efficient operation to meet regulatory requirements. In addition, the City will expand the treatment capacity with a new treatment system and supporting areas. However, this construction is not slated until after July 2015. To bridge the time gap, the City needs to rehabilitate selected areas of the OWRF to continue meeting regulatory compliance.

26. PURCHASE: Fleet Fuel Cards

APPROVED the purchase of fleet fuel cards from U S Bank/Voyager Fleet Card Services, utilizing the State of Arizona contract, in an amount not to exceed \$160,000.00 per year for a total of \$640,000.00 for a term ending December 31, 2018.

The primary use of the Voyager Fleet Fuel Card is to fuel Police and Motor Pool vehicles. Police motorcycles require premium grade fuel, which is not provided by other contracted vendors. Police Detective and Motor Pool vehicle operators frequently require fueling outside Chandler city limits. The Voyager Card provides a way to purchase fuel at most retail gas stations that accept credit cards. Voyager forwards a consolidated monthly invoice, which identifies the City employee authorizing the purchase, the retailer's location as well as the purchase date, time, gallons and dollar amount. Voyager's accounting is compatible with the City's financial reporting system. The primary advantage of the US Bank/Voyager Fleet Card Services is in the billing. Purchase amounts are forwarded minus Federal Excise Tax, from which the City is exempt. This eliminates the need to file a quarterly tax return to recover the Federal Excise Tax that is included in the pump price. The requested amount is based on an estimated consumption of 40,000 gallons per year.

The requested service was awarded by Western States Contracting Alliance (WSCA) in January of 2014 and adopted by the State of Arizona Procurement Office in October of 2014. The contract was awarded for a term ending December 31, 2018, and has an option to extend for an additional two years.

27. USE PERMIT: Wee Blessings Preschool & Academy

APPROVED Use Permit ZUP14-0032 Wee Blessings Preschool & Academy, extension for the continued operation of a preschool located at 1751 E. Queen Creek Road, west of the SWC of Queen Creek and Cooper roads. (Applicant: Phil Chavez; Owner/Operator.)

BACKGROUND

The building is part of a partially developed office development that includes financial/tax preparation services, an optometrist, physical therapy, and property management company. The building sits at the northwest corner of the site and is adjacent to Queen Creek Road. To the west are large-lot rural residential properties (Twin Acres); to the north, across Queen Creek Road, is vacant land zoned for industrial and airport-related uses; to the east is vacant land zoned PAD for commercial uses and to the south is vacant land zoned for custom homes.

The larger development of 8.1 acres was zoned PAD in 2006 to allow medical/general office uses. Only four of the development's 12 approved buildings have been constructed, though the drive aisles and parking spaces are all installed. The subject business occupies the entire 5,300 square foot building. Seven classrooms, an office, workroom, restrooms and indoor playroom are provided. An outdoor playground was installed by removing four parking spaces west of the building as well as some landscaping with the approval of the initial Use Permit.

The hours of operation are generally Monday through Friday from 8:30 a.m. to 3 p.m., with occasional after hour programs at 4 p.m. There are occasional special events such as Parent's Night Out that extend the hours of operation into the early evening. Currently, there are 18 employees that include ten teachers, five teacher assistants, and three office staff. Pick-up and drop-off times are staggered throughout the day depending on the program the children are enrolled in.

DISCUSSION

Planning Staff recommends approval of the request, finding that the continued operation of a preschool use fits well in the existing zoning and has not presented land use conflicts with the surrounding uses. With the initial Use Permit, there was strong reservation with the use in proximity to both the airport and adjacent rural properties. Throughout the review process of the original Use Permit, all issues were resolved. The use is adequately buffered from the residential neighbors to the west by distance and landscaping. Also, the use is complementary to the medical office uses in the development and has a lower parking requirement that will free up parking spaces in the long-run. Noise effects from children playing on the outdoor playground are of little concern adjacent to Queen Creek Road and near the airport.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 2, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 3 with Commissioners Cunningham, Donaldson and Pridemore dissenting.

The dissenting Commissioners wanted to maintain consistency with their prior votes on the item and continued to cite concerns with the location of the facility in proximity to the airport.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with the submitted application documents (Narrative, Site plan, Floor Plan) except as modified by condition herein.
2. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

28. LIQUOR LICENSE: Creole Cajun Bistro

APPROVED a Series 12 Restaurant Liquor License (Chandler #156966L12) for Eric D. Rachal, Agent, Creole Cajun Bistro LLC, dba Creole Cajun Bistro, 5070 S. Gilbert Road, Suite 400.

A recommendation for approval of State Liquor License #1207A134 will be forwarded to the State Department of Liquor Licenses and Control. 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. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the locations' previous use as Tomfohr Management LLC, dba The Cove Grill.

29. CONTINUED LIQUOR LICENSE: Chennai Fusion Grill

CONTINUED TO MARCH 26, 2015, a Series 12 Restaurant Liquor License application for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, 4929 W. Chandler Boulevard, Suite 1, to allow the applicant time to complete the requirements for a new Use Permit.

30. TEMPORARY EXTENSION OF PREMISES: American Legion Post 91

APPROVED a Temporary Extension of Premises for a Series 14 Private Club Liquor License (Chandler #42674L14) held by American Legion Post 91, Inc., dba American Legion Post 91, 922 N. Alma School Road, for a St. Patrick's Day Celebration on March 17, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #14073030 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

31. TEMPORARY EXTENSION OF PREMISES: Fibber Magees

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #45077L06) held by T. W. Steves LLC, dba Fibber Magees, 1989 W. Elliot Road, Suite 19, for a St. Patrick's Day Festival on March 17, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #06070661 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

32. FINAL PLAT: Replat Ocotillo Plaza Parcel 4

APPROVED Final Plat FPT14-0016, Replat Ocotillo Plaza Parcel 4, for a restaurant parcel located at the NWC of Alma School and Queen Creek roads, within the Ocotillo Plaza commercial shopping center. (Applicant: Richard Stockman; S & W Land Surveying Services.)

BACKGROUND

The plaza recently went through Preliminary Development Plan review and was approved by Council late last year. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

PUBLIC HEARING:

Ph1. ANNEXATION of a parcel totaling approximately 1.25 acres located north of the NWC of Cedar Place and Riggs Ranch Road.

THE MAYOR opened the public hearing at 7:05 p.m.

Staff Presentation:

City Planner Lauren Schumann provided the staff presentation. The subject site is currently undeveloped, vacant land, which is currently zoned RU-43 in the County. The site is bordered by rural residential properties zoned AG-1 to the west and north. Circle G at Riggs Homestead Ranch subdivision is adjacent to the east and south. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

The requested annexation will be the final remaining property being assembled as part of a larger single-family development. In the past two years, the City approved the annexation of 34.53 acres abutting the north and west sides of the property. The applicant intends to develop a low-density residential neighborhood on the subject property together with the previously annexed 34.53 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forthcoming to Mayor and Council.

Existing municipal water service and wastewater service are located in Chandler Heights Road. The developer will be required to extend a reclaimed water line in Chandler Heights Road to serve the property.

Planning Staff circulated this request among City departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a public hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

There were no questions from the City Council and no comments from the public.

THE MAYOR closed the public hearing at 7:08 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Classic Car and Hot Rod Show – Saturday, February 28th from 10 a.m. to 4 p.m. in downtown Chandler with approximately 250 pre-1980 cars and hot rods registered.

Senior Expo –The Mayor's Committee for the Aging is hosting its 25th Annual Senior Expo on Wednesday, March 11th. He stated more than 60 representatives from a wide variety of health

care agencies, leisure services, and senior-related product firms will be in attendance to share their services with senior adults.

Free tax assistance – The Mayor reminded everyone that Chandler’s free tax assistance sites are available to the residents. Over the past 11 years, Chandler working families have received more than \$10 million in tax refunds. He thanked the Volunteer Income Assistance staff and the VITA program.

The Mayor announced the Arizona State Legislature is currently considering a bill that would have a significant impact on the City of Chandler and other cities in Arizona. The bill, HB2254, would eliminate nearly \$5 million in ongoing funding through the elimination of rental tax to the City of Chandler. The statewide impact of this proposal would be nearly \$90 million annually to Arizona cities and towns. These monies support police and fire protection, economic development, neighborhood programs, parks, recreation and aquatics programs, libraries, museum, performance arts, and transportation. He stated the cities were unified in their opposition to this bill.

B. Councilmembers' Announcements

COUNCILMEMBER SELLERS stated he recently attended the Arizona State Transportation Board meeting in Morenci, AZ and was absent when the Mayor gave the State of the City address. He stated it was nice to be able to tour a copper mine, an industry which played a vital role in the development and grown of Arizona.

VICE MAYOR HARTKE announced the Annual Ostrich Parade which will be on Arizona Avenue March 7th , The Fire and Police departments will be hosting an open house that day as well.

COUNCILMEMBER HEUMANN announced “Read On” week is next week starting March 2nd. He expressed his thanks to Odette Moore and Jane Poston for their work on the SciTech event, held last weekend. He reminded everyone of the Mayor’s Fun Run next week which is part of the Ostrich Festival events.

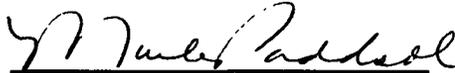
COUNCILMEMBER ELLEN stated Operation Welcome Home was a wonderful event and well attended. She thanked Melanie Sala, Jane Poston and the Chandler Chamber Committee Foundation which is always a tremendous help and she thanked the many sponsors of the event. The next event will be held October 19th.

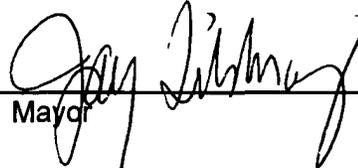
COUNCILMEMBER ROE extended a thank you to City Staff and the employees for their hard work which may not be seen every day by the general public.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:18 p.m.

ATTEST: 
City Clerk


Mayor

Approved: March 12, 2015

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 26th day of February 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of March, 2015.


City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, March 9, 2015 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 6:08 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Terry Roe	Councilmember
René Lopez	Councilmember
Nora Ellen	Councilmember (telephonic)
Jack Sellers	Councilmember
Rick Heumann	Councilmember

Staff present: Marla Paddock, City Clerk; Rich Dlugas, City Manager; Kay Bigelow, City Attorney; Debra Stapleton, Human Resources Director.

Ms. Stapleton said 5 firms were solicited for their interest in submitting proposals for the recruitment of the City Manager. All five responses were before the Council. She believed the recruitment would be under \$30,000. Once a selection is made for the consultant, the recruiter will conduct interviews with identified stakeholders in order to develop a profile for the recruitment and brochure. The brochures are typically posted on the websites and the applicant is directed to the Executive Search firm.

She explained the recruiters often have a database of candidates from previous searches, along with "cold-calling" potential candidates.

The Vice Mayor asked how much overlap of potential candidates the recruiters might each have. Ms. Stapleton gave an example of Murray & Associates that recently did the Tucson recruitment and will likely have a cadre of candidates, but feels the position is a small pool. She noted an advertisement will be done through ICMA.

Ms. Stapleton said a typical application period could be 30 days. The recruiter will then screen the applicants in attempt to come up with a pool of candidates based on the attributes identified. The number of semi-finalists could be anywhere between 5-20, where ever the recruiter feels they can draw the line. She said historically, a pool is between 6-8 "A" list applicants. The recruiter will meet with the Council to review the candidates and then that group can be narrowed down if needed. She said for the last recruitment there was an employee panel, citizen panel and then council interviews. A "meet and greet" can also be arranged. Vice Mayor expressed his interest in holding a Q&A type forum as done with the Assistant Manager recruitment. Mayor commented at this point the process needs to be flexible and those issues can be determined when the final candidates are identified.

Ms. Stapleton provided a spreadsheet listing the expenses and elements of the proposals. She noted "expenses" usually include advertising, consultants travel, mailing, etc. Ms. Stapleton commented that it is preferred to receive a not to exceed amount on expenses. She noted applicant travel is not included in expenses. She discussed the "guarantee" provided in the event the chosen candidate leaves for any reason.

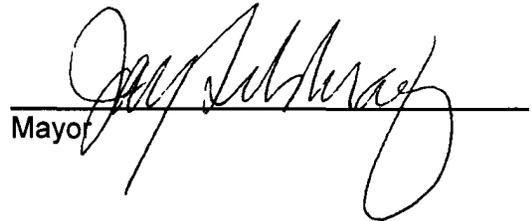
Councilmember Ellen said she particularly like the option of having video interviews. Ms. Stapleton explained two of the proposals offered the video interviews whereby the recruiter would interview the semi-finalists and before they are brought out, they would provide a video interview of the applicants for the benefit of seeing the individual before bringing them out.

The Council expressed their interest in receiving additional information from the firms of CPS Consulting and Bob Murray & Associates. The Mayor reiterated that Council would like to see a final "not to exceed" amount, a 24 month guarantee on a resign or release from Murray & Associates. Councilmember Heumann said he would like to know how many of the candidates placed were internal candidates. The Mayor asked the Council to get any remaining questions to Ms. Stapleton quickly so the Council could meet on Thursday at 5 p.m. to make a final recommendation to staff.

Adjournment: The Mayor adjourned the meeting at 6:55 p.m.

ATTEST:


City Clerk


Mayor

Approval Date of Minutes: March 26, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on March 9, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9 day of ~~March~~ April 2015


City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, March 12, 2015 in the Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 5:00 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Terry Roe	Councilmember
René Lopez	Councilmember
Jack Sellers	Councilmember
Rick Heumann	Councilmember

Absent & Excused: Councilmember Nora Ellen

Human Resources Director Ms. Stapleton made available the answers provided by the two Executive Search Firms - Bob Murray & Associates and CPS HR in response to the additional questions after the last meeting. Ms. Stapleton noted there was one remaining question and response that was not listed regarding the internal vs. external candidate placement. She stated that Bob Murray, in the last five years, conducted 70 city manager searches with 11 of those resulting in internal placement. CPS reported one internal placement for city manager in Arizona and out of the six conducted in California, only one was an internal placement.

Ms. Stapleton noted Murray & Associates finalized a not to exceed on the expenses at \$26,500 and extended the "guarantee" to 24 months.

In response to a question from Councilmember Heumann regarding the video interviews, Ms. Stapleton said it could change the scope if we were asking the recruiter to be responsible for making the video and distributing. She said if we ask the applicant to provide it, she doesn't see where there would be a change in the professional fee for that.

In response to a question from the Vice Mayor, Ms. Stapleton said Bob Murray was the recruiter for the Police Chief recruitment.

Ms. Stapleton explained once the decision is made, the contract will be finalized. As it will be under \$30,000 it will not need Council approval. Next steps will be to identify the stakeholders for the recruiter to interview to identify and define the skills, knowledge and attributes for the candidates.

Ms. Stapleton said the city has used both firms before with success.

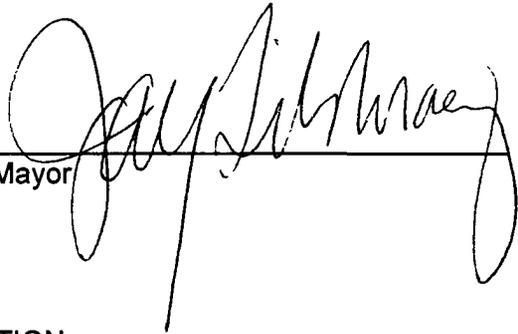
MOVED BY COUNCILMEMBER SELLERS, SECONDED BY RENE LOPEZ TO DIRECT STAFF TO FINALIZE A CONTRACT WITH BOB MURRAY & ASSOCIATES.

Adjournment: The Mayor adjourned the meeting at 5:13 p.m.

ATTEST:



City Clerk



Mayor

Approval Date of Minutes: March 26, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on March 12, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 9 day of ~~March~~ April 2015



City Clerk

MINUTES OF THE SPECIAL BUDGET WORKSHOP MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Thursday, March 12, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 5:15 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Jack Sellers	Councilmember
	Rick Heumann	Councilmember
	Terry Roe	Councilmember
	René Lopez	Councilmember

Absent & Excused: Councilmember Nora Ellen

ASSESSED VALUATION UPDATE:

BUDGET MANAGER GREG WESTRUM reminded the Council, at the last update, staff was using the best estimate for planning assumption and the projection was \$2.35 billion. That would have been a 3.1% increase for the primary value and a 1.3% decrease in secondary value. The final number came in at \$2.38 billion, that is about a 1% difference than projected. Mr. Westrum explained the primary is used for operating budget. The secondary can only be used for debt service for bonds sold or future sales.

MANAGEMENT SERVICES DIRECTOR Ms. Lang noted that in 2015-16 will be the first year for the tax rates will be based on the limited property values. She noted that many cities were not able to accurately project that and now are in the position of cutting capital improvement programs because of the difficulty in projecting. Mr. Westrum stated the projection based on that new number is now a 4.51% increase in primary value which added about \$95,900 to the General Fund budget and a -0.05 decrease in secondary. Mr. Westrum stated the Limited Property Value going forward is projected to increase 4.5% per year and reviewed the assessed valuation history and projection.

PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS)

Ms. Lang explained there are 256 employers that participate in the PSPR system and there have been many changes that have brought the unfunded liability in the plan to light. There have been requirements in the Government Accounting Standards Board that requires disclosure of that number in the city's financial report. She said it is important to show to the bond agencies that we are addressing the unfunded liability.

Ms. Lang said PSPRS is different as it's only pooled for the purpose of investment. Otherwise, it's actuarial analyzed based on the personnel in each city. Every city will be a little different depending on each cities amount of actives and retirees. In Chandler, we are 66.9% funded for Fire and 59.5% funded for Police. She stated the goal is to be closer to the 80-100% range. She reported Chandler is underfunded by \$106 million. This is a debt. No matter what future legislative changes take place, that will not minimize the unfunded liability.

The Mayor asked where our debt compares to other big cities in the valley. Ms. Lang responded Chandler was in the middle.

Ms. Lang noted the growth in the unfunded liability. She explained in 2003-04 the city's contribution was \$2.3 million. In 2015-16, the contribution is over \$12 million. She said there are many factors to this, although the actuaries are more detailed now. She commented the rate is made up of two portions, the normal rate portion, without the unfunded liability, would be 11.84% this year for Fire and 12.10% for Police. Adding on the unfunded liability rate it would be 21.45% this year for Fire and 24.73% for Police. She said the goal is to look at it as debt and attempt to make larger contributions over a shorter amount of time to minimize that debt and help with the ongoing revenue as it is limited on an annual basis. She noted there is a healthy fund balance that could be put toward this.

Ms. Lang explained a PSPRS Task Force was formed in June 2014 in partnership with the League of Arizona Cities and Towns, Az City and Town Management Association, and Government Finance Officers Association. She said the three goals of the task forces were to inform and educate the employers and employees, to create employer recommended practices, and create a "yardstick" of creating characteristics of a well-designed plan. The Mayor interjected that any changes must be referred to the ballot by a legislative referral or an initiative.

Ms. Lang said the Task Force identified the reasons the unfunded liability has increased: Greater number of retirees, investment losses during recession, benefit increases like the Drop Program. She stated the biggest reason for the large unfunded liabilities is the failure of PSPRS to forecast permanent benefit increases (PBI) in the actuary models. They were not including a true number for increased wages and benefits into the future. She noted there are also a few court cases in response to Senate Bill 1609 that happened in 2011 that challenged that action.

Ms. Lang said fiduciary responsibility exists for each city locally. She said the plan changes will only effect future members, not existing. The unfunded liability (debt) must be paid down. The Fields case restored Permanent Benefit increases for retirees and the Hall case pending would restore PBI for actives and reduce employee contributions back to 7.65%. This would also affect the unfunded liability.

The Task Force is providing employer recommended practices and staff is recommending doing all of them. Ms. Lang said the contribution to PSPRS is budgeted annually. Instead of paying it every two weeks, to pay the annual contribution amount to PSPRS every July. If additional investments can earn, then that can be used to offset the unfunded liability. Ms. Lang said the City's financial advisor, Bill Davis, sits on the PSPRS Board as an employer representative.

She said what staff would challenge everyone to do is to think of the contribution differently. The normal rate portion can still be funded with ongoing dollars. Staff would like to transition the unfunded liability portion using one-time general fund balance.

The Mayor asked if staff was proposing to prepay the entire contribution or the unfunded part. Ms. Lang stated the proposal is to prepay the entire amount at the beginning of the fiscal year. The reason is that the City has these monies earning a small percentage and the PSPRS can invest them in an entire different scenario in long term investments with the opportunity to earn more. The additional investment earnings could offset the unfunded liability.

In response to a question, Ms. Lang stated the actuary analysis is done annually. Accounting does a detail report for contributions on every single police officer and fire fighter and that is sent every two weeks. We would prefund that and PSPRS would draw on that. Ms. Lang stated that in FY2014-15 we are contributing \$9.3 million. She added that the recommendation is to "lock in"

and fund the \$9.3 million with on-going monies and any future increases with one-time funds. After the budget is adopted, staff would like to formulate an unfunded liability pay-down plan and reserve policy.

Councilmember Heumann confirmed that the DROP program is no longer in existence.

Preliminary General Fund Forecast

Ms. Lang reviewed the 5-year General Fund Balance Projection. She stated the projection for FY2014-15 was \$145 million and the actual was at \$159 million. She said for the current year, the projection is \$156 million. She reviewed a bar graph included in the packet. She stated the out years also incorporate the PSPRS increases on an annual basis. She commented this was still a healthy position in one time monies and the ongoing monies are managed realistically with a different methodology.

Ms. Lang then reviewed in greater detail the FY 2015-16 projected General Fund Balance. She stated the preliminary total one-time funds available is \$174,753,000. She noted on the expense side, monies are set aside for Strategic Economic Development Reserve and note the items listed which included commitments made previously through development agreements. The Downtown Redevelopment reserve has two project identified with Site 6 and Site 7 for potential parking structure.

Mr. Westrum reviewed the General Fund CIP projects identified to be funded by General Fund one-time monies.

Mrs. Westrum reviewed the Neighborhood and Community Services projects.

Mayor asked what the Fire Station #1 would be converted to. Mr. Westrum replied it will be a police SAU (special assignments unit) facility. Chief Duggan said there will be two members assigned there and training will occur there along with equipment storage.

Mr. Westrum noted the Public Safety Training Facility design will come next year. As of now, there is not enough bond funded dollars for the project at this time.

During the overview of the Transportation and Development projects, Councilmember Heumann asked if Dakota Street is part of the punch through for Sites 4 & 5. Mr. Zeder explained there are two pieces for Dakota. The "punch through" would go through the hotel property from Buffalo to Commonwealth. The second part of Dakota Street would run through Sites 4 & 5.

In response to a question from Councilmember Heumann on the priority of Arizona Avenue, Mr. Zeder explained the option showing is for right of way only for Washington Street, not construction. Mr. Zeder noted this would allow right of way all the way to Pecos and when funding comes available, it would allow the construction of the road and the relocation of Winn Park. Mr. Zeder noted there is some utility work that will be funded that is not shown in the number for Arizona Avenue.

Mr. Westrum commented that this is just the General Fund portion of the projects. There could be other funding associated with them.

Councilmember Heumann asked for the list of the carry forward projects.

Ms. Lang said one time is also used for operating one time needs such as fuel and utility reserves.

She said there are approximately 8 million in one-time decision package requests from departments and the total being granted is \$4,646,795. Councilmember Heumann stated he would like to receive the entire list.

She noted Airport Enterprise fund is a combination of an ongoing deficit as well as capital needs with the majority of the amount being capital needs. If a grant is not received, then the city match rolls back in the general fund, but this allows the appropriation.

Ms. Lang noted in the PSPRS increase toward unfunded liability said nothing has been added to address any potential future rate increases.

She said this brings the ending fund balance to \$99,762,352 if everything was spent. She noted the breakdown for the contingency and reserve allocation for the remaining fund balance.

In response to a question from Councilmember Heumann, Ms. Lang said next year would be the last year for the Infrastructure Maintenance Reserve before returning to use bonds.

In response to a question from the Mayor on the lump sum agreement reserve, Mr. Westrum said that is when a developer would need to make improvements and defer that until a later time when they develop. They would pay the city instead.

The Council concurred the recommendations from staff regarding the approach to PSPRS payments were a good approach.

Preliminary 10-Year CIP

Mr. Westrum said CIP would be approximately \$1.12 billion and that would be the largest ever. There has not been a GO Bond sale for many years; although there may be a fairly small GO Bond sale for street, park and museum. At that same time will be an Excise Tax Revenue Sale for Water/Wastewater capital projects.

He reported the debt service fund is currently about \$12 million. We want to bring that balance down. He reported the secondary property tax will bring in about \$23 million a year and the debt service cost is about \$25 million.

Mr. Westrum noted the Museum project. In FY2015-16 there are design dollars appropriated through the museum bond fund. FY2017-18 would be construction at the Price House.

Councilmember Heumann asked about the Existing Cultural Affairs Facilities Improvements and asked there will be backup data for description of the projects. Staff said that would come out with the proposed budget. Mr. Westrum noted in addition to the \$300,000 of the General Fund, there is also \$1 million in bond fund to potentially buy some land for additional park use at Snedigar. Councilmember Heumann confirmed that by 2020 every neighborhood park will have been built.

Regarding Public Safety Training Facility, Councilmember Heumann confirmed the bonds monies showing are the authorization from the 2007 bond election. Mr. Westrum said there are no plans

to go out for a bond election in the next 10 years. As property has been purchased for a police driving track, the monies used when the land is sold will be returned to the fund.

In regards to Fire, Health and Medical, Mr. Westrum noted the truck purchase in 2016-17 and construction of the Southeast Fire Station in 2017-18 with impact fees, not bonds.

In addition is the expansion for the Burn Tower. Chief Clark explained it will be a multi-faceted building for versatility in training.

Mr. Westrum highlighted several line items for Streets, noting the southeast arterial impact projects that are in the cycle. The largest project is repaving that includes General Fund, HURF and bond funds to provide the level of support needed for the street paving program.

Councilmember Heumann asked if the bus pullouts and stops project was due to the added routes. Mr. Westrum replied yes. Mr. Westrum noted that some of the funding is being reimbursed by Prop 400 funds.

Mr. Westrum noted the largest project in Water is the Joint Water Treatment Plant with the cooperation of the Town of Gilbert. Mr. Siegel noted it will increase capacity from 12 to 24 mgd. Councilmember Heumann asked about the water purchases in years 2018-19. Mr. Siegel said staff will provide a briefing to the Council in the near future.

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Mr. Westrum noted no General Fund dollars are spent on the Water/Wastewater/Solid Waste projects, it is supported by user fees. Ms. Lang said they currently have a water-wastewater rate study occurring and will have council subcommittees scheduled soon.

Mr. Westrum highlighted the Storm water Management Area 2 project which purpose is to get the standing water out of the area that attracts birds.

Councilmember Heumann asked if the T-shades are new. Mr. Westrum replied they are and would require either an ADOT loan or a loan from the City. It is in the plan but final financing is not complete.

Ms. Lang said there will a budget briefing on May 1st, but prior to that the proposed budget will be distributed. The tentative budget is scheduled for adoption on May 25th. In June will be the public hearing for the tax levy.

The Mayor noted the budget recently approved by the legislature includes a \$21 million hit to cities and counties. Ms. Lang said while it was originally thought the hit would be \$400,000 to Chandler, it appears will be \$700,000 on going.

In response to a question from the Mayor, Ms. Lang said staff is recommending the same property tax rate which will be approximately \$100,000 additional to the primary and approximately \$300,000 more in the secondary from estimated to the current.

Adjournment: The meeting was adjourned at approximately 6:43 p.m.

ATTEST: Marilyn Padgett
City Clerk

John L. Linder
Mayor

Approved: March 26, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the City Council of Chandler, Arizona, held on the 12th day of March 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of April, 2015.

Marilyn Padgett
City Clerk

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Adjournment: The meeting was adjourned at approximately 6:43 p.m.

ATTEST: Mindy Padgett
City Clerk

John L. Litschky
Mayor

Approved: March 26, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the City Council of Chandler, Arizona, held on the 12th day of March 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of April, 2015.

Mindy Padgett
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 12, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:06 p.m. Due to audio technical issues, the meeting was not televised or recorded.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Absent & Excused: Councilmember Nora Ellen

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Kelley Hand – Desert Palms Church

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

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting (Retreat/Police) of February 12, 2015.
- 1b. Study Session of February 23, 2015.
- 1c. Special Meeting of February 23, 2015.
- 1d. Special Meeting of February 26, 2015.
- 1e. Budget Connect of February 26, 2015.
- 1f. Regular Meeting of February 26, 2015.

2. DEDICATION FEE: Price Road and Boston Street Alignment

Ord. #4520

ADOPTED Ordinance No. 4520 authorizing the Dedication Fee of a portion of City-owned property located on Price Road south of the proposed Boston Street alignment for public roadway purposes.

3. CITY CODE AMENDMENT: Chapter 62 Ord. #4589

ADOPTED Ordinance No. 4589 amending Chapter 62 of the Chandler City Code conforming the Chandler City Tax Code and regulations to changes made to the Model City Tax Code, as approved by the Municipal Tax Code Commission, and establishing the effective dates thereof.

4. INITIAL CITY ZONING: SWC Queen Creek Road and Union Pacific Railroad Ord. #4610

ADOPTED Ordinance No. 4610, DVR15-0003 Southwest Corner of Queen Creek Road and the Union Pacific Railroad, establishment of initial City zoning of agriculture (AG-1) on approximately 18.75 acres

5. ANNEXATION: McQueen Road and Hunt Highway Ord. #4611

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4611, Annexation of approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway. (Applicant: Ed Bull, Burch and Cracchiolo, PA.)

BACKGROUND

The subject site has one single-family home and a couple of non-residential structures. The parcel abuts the south end of the Fieldstone Estates subdivision on the west side of McQueen Road. South of the subject parcel is an unincorporated rural residential area consisting of twenty homes located on lots that range in size from approximately 1 – 2.5 acres.

The Chandler Land Use Element of the General Plan designates the site as residential and refers to the Southeast Chandler Area Plan (SECAP) for more specific land uses. The SECAP designates the subject site as Traditional Suburban Character. A rezoning and preliminary development plan application has been submitted for the subject parcel to construct a low density residential subdivision, which will be forthcoming following approval of the annexation.

UTILITY SERVICES

Existing municipal water service, waste water service and reclaimed water are available on McQueen Road.

COMMENTS

A public hearing for this annexation was held at the October 23, 2014, City Council meeting. Residents from the County's subdivision to the south attended and expressed concerns about the future development regarding density and their current agrarian lifestyle. Since the public hearing, the developer has worked with the residents to the south. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the annexation.

6. PROJECT SUBMISSION: Arizona's 2016 Highway Safety Plan Res. #4840

ADOPTED Resolution No. 4840 pertaining to the submission of projects for consideration in Arizona's 2016 Highway Safety Plan and authorizing the Chief of Police to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.

DISCUSSION

In the past, the Police Department has experienced success obtaining awards from the Governor's Office of Highway Safety (GOHS), including five awards under the FY 2015 program for DUI Overtime, Occupant Protection (Seatbelt) Overtime, Know Your Limit Education Program, DUI Detection Equipment and DUI Phlebotomy Supplies. The Department anticipates submitting applications for award consideration in the FY 2016 program; however, a City Council approved resolution must be part of the application package.

This year, the following requests will be submitted for consideration:

1. DUI Enforcement Overtime - \$80,000.00
2. Occupant Protection Overtime - \$60,000.00
3. Forensic Blood Alcohol Instruments - \$155,245.00
4. Know Your Limit Education Program - \$31,200.00
5. Motorcycle Safety Education Program - \$14,924.00
6. Speed Measuring Devices LIDAR - \$13,306.00
7. Motorcycle Helmets - \$16,343.00
8. DUI Phlebotomy Supplies - \$2,000.00

GOHS may award all eight requests, break the requests up into smaller awards (i.e. – Seatbelt Enforcement could be broken up into Occupant Protection, Click It or Ticket, Child Safety Week, etc.) or award a program not formally requested such as DUI Training Conference.

FINANCIAL IMPLICATION

There are no matching dollars required for these programs.

7. INTERGOVERNMENTAL AGREEMENTS: School Resource Officers Res. #4841

ADOPTED Resolution No. 4841 authorizing intergovernmental agreements (IGA) with the Chandler Unified School District (CUSD) No. 80, Kyrene School District (KSD) No. 28, and Mesa Unified School District (MUSD) No. 4 for the assignment of School Resource Officers (SRO) to schools located within the Chandler city limits; and authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with said program.

DISCUSSION

The City, through the Police Department, has been supporting the SRO needs for schools located within Chandler's city limits for a number of years. The Department wishes to continue supporting the SRO needs of these school districts as a service to them and a positive example to the youth of the community. New this year to the SRO program is the addition of Summit Academy in the Mesa Unified School District. With the addition of this school, all public middle and high schools within the Chandler city limits are covered with SRO Service.

FINANCIAL IMPLICATIONS

The Safe Schools Program grant that the various school districts currently receive from the state sets funding allocations for each school for the life of the grant. The grant period is generally three years and FY 2014-15 is year one of the current state grant. CUSH and KSD received 12-

month funded grants and MUSD received a 10-month grant. Since MUSD's grant is for 10 months, the assigned officer is recovered for two months and the officer will be deployed for other uses. Of the 10 SRO positions within Chandler city limits, all are grant-funded up to a certain amount per position. This may result in shortfalls between the allocation and total actual officer cost.

In accordance with the CUSD and KSD IGAs, the school district will split the shortfall 50/50 with the City. The MUSD IGA indicates the City will pay 100% of the shortfall due to the ability for the SROs to be fully utilized by the City in the summer months. Actual costs, grant funding, total school payment (including grant funds and split funds) and the City's portion of the shortfalls of SRO salary and benefits are listed below by school district:

<u>School District</u>	<u>Actual Cost</u>	<u>Grant Funding</u>	<u>Total School Payment</u>	<u>City's Portion</u>
CUSD – 7 SROs	\$ 805,753	\$ 804,085	\$ 804,919	\$ 834
KSD – 2 SROs	252,527	249,819	251,173	1,354
MUSD – 1 SRO	<u>123,342</u>	<u>102,725</u>	<u>102,725</u>	<u>20,617</u>
	\$1,181,622	\$1,156,629	\$1,158,817	\$22,805

8. PROJECT AGREEMENT: Maricopa Association of Governments Res. #4843

ADOPTED Resolution No. 4843 authorizing a project agreement with the Maricopa Association of Governments (MAG) for regional reimbursement for design, right-of-way acquisitions and construction for improvements to Cooper Road, south of Queen Creek Road to Chandler Heights Road in the amount of \$5,646,128.00.

BACKGROUND/DISCUSSION

This agreement is for reimbursement of \$5,646,238 in fiscal years 2015 and 2019 of Proposition 400 funds for improvements to Copper Road south of Queen Creek Road to Chandler Heights Road.

Improvements include widening portions of Cooper Road from 2 thru lanes to 4 thru lanes that have not already been completed by adjacent development. Additional improvements include raised landscape median, turn lanes, sidewalk, curb & gutter, traffic signal & interconnect, streetlights, storm drainage, irrigation and wet & dry utilities.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

TRANSPORTATION COMMISSION RECOMMENDATION

The Transportation Commission reviewed the project agreement on March 5, 2015, and recommended approval.

FINANCIAL IMPLICATIONS

Reimbursement is programmed in 2015 and 2019 and will be adjusted annually for inflation in accordance with MAG policies.

9. PROJECT AGREEMENT: Maricopa Association of Governments Res. #4844

ADOPTED Resolution No. 4844 authorizing a project agreement with the Maricopa Association of Governments (MAG) for regional reimbursement for design, right-of-way acquisitions and construction for improvements to Cooper Road, Chandler Heights Road to Riggs Road, in the amount of \$3,775,520.98.

BACKGROUND/DISCUSSION

This Project agreement is for reimbursement of \$3,775,520.98 in fiscal years 2015, 2023, 2024 and 2025 of Proposition 400 funds for improvements to Cooper Road, Chandler Heights Road to Riggs Road.

Improvements include widening portions of Cooper Road from 2 thru lanes to 4 thru lanes that have not already been completed by adjacent development. Additional improvements include raised landscape median, turn lanes, sidewalk, curb & gutter, traffic signal & interconnect, streetlights, storm drainage, irrigation, wet & dry utilities.

The proposed improvements are based on the City's transportation Master Plan Update (April 2010) for a 20-year design life.

TRANSPORTATION COMMISSION RECOMMENDATION

The Transportation Commission reviewed the project agreement on March 5, 2015, and recommended approval.

FINANCIAL IMPLICATIONS

Reimbursement is programmed in 2015, 2023, 2024 and 2025 and will be adjusted annually for inflation in accordance with MAG policies.

10. GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT APPLICATION Res. #4845

ADOPTED Resolution No. 4845 authorizing a Governor's Office of Highway Safety (GOHS) Grant application in the area of Occupant Protection, in the amount of \$45,477.00 and authorizing the Fire Chief to conduct all negotiations and execute and submit all documents in connection with the grant.

BACKGROUND/DISCUSSION

The grant requests funding to continue the Child Safety Seat Clinics program. The program will offer 42 child safety seat (CSS) inspection clinics and distribute 150 convertible and booster seats to families that cannot afford to purchase CSS. Clinics will be held primarily at the Chandler Regional Medical Center and at the Chandler Fire Health & Medical (CFHM) Training Center. CFHM's child passenger safety technicians (CPST) will participate in regional events sponsored by SafeKids, and/or GOHS or in conjunction with community-wide events in Chandler. All CSS inspections and installations will be provided by Chandler firefighters with CPST certification. CFHM will pay the costs of certifying the technicians.

Additionally, the project will include a public education component. Each parent or caregiver will be given hands-on instruction to insure their ability to properly install their children's CSS. Printed materials will be given to families at each clinic. Handouts will cover correct usage of CSS, child safety in and around vehicles, passenger safety for every family member, the "Buckle Up, Baby" hotline and Children Are Priceless Passengers (CAPP). Materials will be available in English and Spanish when possible. Each family will receive a "Ride Safely" DVD (an episode of the children's cable television show Sprinkler's Clubhouse emphasizing vehicle passenger safety).

CFHM will issue press releases advertising the clinics and the importance of buckling up all children on every ride.

A requirement of this grant process is to have the City Council approve a resolution. The grant application requests funds to conduct child car seat safety clinics between October 1, 2015, and September 30, 2016. Grant awards will be made before September 30, 2015.

FINANCIAL IMPLICATIONS

This reimbursable grant does not require matching funds.

11. AGREEMENT: Southwest Slurry Seal, Inc.

APPROVED Agreement No. ST5-745-3500 for slurry seal materials and installation with Southwest Slurry Seal, Inc., in an amount not to exceed \$1,900,000.00 for one year with options to renew for up to four additional one-year periods.

12. AGREEMENT AMENDMENT: W.C. Scoutten, Inc. / EPS Group, Inc.

APPROVED Agreement No. 3359, Amendment No. 2, with W.C. Scoutten, Inc., now EPS Group, Inc., for civil plan review and civil planning services in an amount not to exceed \$50,000.00 for the period March 15, 2015, through March 14, 2016. This is the first of four optional one-year renewal options.

13. DESIGN SERVICES CONTRACT: Salt River Project

APPROVED Design Services Contract No. WW1301.501 with Salt River Project (SRP) for the Ocotillo Water Reclamation Facility expansion in an amount not to exceed \$160,500.00.

14. PURCHASE: Office Supplies

APPROVED the purchase of office supplies utilizing the National IPA Contract with Office Depot/Max and City of Mesa contract with Wist Office Products in a combined total amount not to exceed \$200,000.00.

15. USE PERMIT: Ocotillo Village Health Club & Spa

APPROVED Use Permit LUP15-0002 Ocotillo Village Health Club & Spa, Series 7 Beer and Wine Bar License, to sell and serve liquor for on-site consumption only both indoors and outdoors, located at the SWC of Alma School and Ocotillo roads. (Applicant: Nick Guttilla; Guttilla Murphy and Anderson.)

BACKGROUND

The subject site is located at the southwest corner of Alma School and Ocotillo roads within the Ocotillo Village commercial center approved by Council in 2008. The Village Health Club & Spa is located at the south end of the commercial center. The Village Health Club & Spa is currently under construction with an anticipated opening in April 2015. The Embarcadero, Balboa Point and Windward neighborhoods are located west, southwest and south of the site. Alma School Road is located east of the site; undeveloped commercial buildings, as part of the commercial center, are located north of the subject site.

The health club will be open daily from 5 a.m. to 10 p.m. during weekdays, and 7 a.m. to 8 p.m. on weekends. Consistent with other valley locations, the hours of liquor service will be limited and occur 6:30 a.m. to 7:30 p.m. Monday through Thursday, 6:30 a.m. to 5:30 p.m. Fridays, and 7:30 a.m. to 5:30 p.m. on Saturday and Sunday. The serving area includes the entire facility, which allows for service by the pool and allows for limited special events to occur without requiring additional permitting through the State and City. The intent is to keep the sale of beer and wine limited.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 12, 21015. There were 13 neighbors in attendance in support of the request. Planning Staff has received two emails and a phone call from neighbors within the general vicinity opposed to the request citing concerns with the potential for late hour activities, impaired driving and the potential for children to witness alcohol consumption. Planning Staff has received one voicemail from a neighbor and a petition in support of the request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other facility locations.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.

16. USE PERMIT: North Congregation of Jehovah's Witnesses

APPROVED Use Permit ZUP14-0002 North Congregation of Jehovah's Witnesses, to allow a place of worship/church within Planned Industrial District (I-1) zoning located at the NEC of Chilton Drive and San Marcos Place, west of Arizona Avenue and north of Elliot Road. (Applicant: Barry La Nier.)

BACKGROUND

The property is undeveloped and adjacent to developed and undeveloped property zoned Planned Industrial district (I-1) with light industrial uses.

The proposed single-story church is designed with contemporary architectural features. Building materials include stucco, cultured stone accent and shingle roofing. The building is 11,300 square feet and includes two main auditoriums along with larger and smaller rooms. The church accommodates approximately 442 persons.

The building's front and main entry is along San Marcos Place and backs up to an existing light industrial property to the east. The building is located so that parking occurs around it. Landscaping occurs around the perimeter and adjacent to the building. A new 6-foot masonry block wall will occur on the property's north and east sides. The building includes wall mounted signage and one free-standing monument sign planned along Chilton Drive.

Planning Staff finds the church use to be compatible with the surrounding industrial business park which has a mix of uses. Churches have proven compatible in industrial business parks throughout Chandler whether in a multi-building development or a single parcel. The proposed church occurs on a single parcel with appropriate access and parking.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 12, 2014. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Exhibit A, Narrative; Exhibit B, Site Plan; Exhibit C, Landscape Plan; Exhibit D, Building Elevations; Exhibit E, Floor Plan; Exhibit F, Signage) shall void the Use Permit and require new Use Permit application and approval by the City of Chandler.
 2. The Use Permit is non-transferable to any other property.
 3. The property shall be maintained in a clean and orderly manner.
 4. The landscaping shall be maintained at a level consistent with or better than that at the time of planting in accordance with City approved construction plans.
 5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
17. USE PERMIT: Sprint at Alma School and Elliot

APPROVED Use Permit ZUP14-0028 Sprint at Alma School and Elliot, to replace an existing wireless communication facility with a 42-foot monopole located at 3150 N. Alma School Road, NWC of Alma School and Elliot roads. (Applicant: Jeffrey Quinn, Crown Castle for Sprint.)

BACKGROUND

The site is located within the Paseo del Oro center. Elliot Place condominiums is the nearest residential development located approximately 52 feet to the west. Commercial, office, retail and a preschool are surrounding land uses.

The proposed monopole is 42-feet tall, measured to the top of antennas, and replaces a 55-foot tall 'slim line' monopole in the same location. Existing antennas are concealed within a stealth canister and cannot accommodate the required antenna upgrade from 3G to 4G technology. Reduced height is to create a more natural palm tree to fit in with the surroundings.

The Zoning Code requires a Use Permit for wireless communication facilities in nonindustrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, and the antennas would be painted to match the fronds. No exterior changes to the existing equipment enclosure are proposed. Equipment inside the enclosure is upgraded.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing facilities, vertical towers and structures was prepared by the applicant to assess alternative locations. The applicant determined the current location is the most feasible to continue to serve the area and a replacement of the facility meets the frequency requirements and locational service needs.

Photographic simulations illustrating existing views and proposed views of the wireless communication facility were provided by the applicant. The simulations depict the equipment enclosure and monopalm as viewed from several locations. A pineapple is illustrated in the photo-simulations; however, the elevations do not depict the pineapple. Planning Staff recommends adding the pineapple to the monopalm as a condition of approval.

DISCUSSION

Planning Staff finds the replacement of the monopole with a monopalm appropriate. The monopalm design is appropriate at this location given the presence of palms in the adjacent condominium development. The separation from the condominiums to the west is approximately 52 feet. The proposed monopalm is a replacement as well as a reduction of 13 feet from the existing height. A new 55-foot tall monopalm, within the same center, was approved on November 20, 2014, and located about 80 feet to the southwest of the subject monopalm.

Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 26, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. A pineapple shall be added to the monopalm.
18. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Chandler Jazz Festival to be held on March 27 & March 28, 2015, at Dr. A.J. Chandler Park. 3 S. Arizona Avenue. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

19. LIQUOR LICENSE: Tumi

APPROVED a Series 12 Restaurant Liquor License (Chandler #155916L12) for Jared Michael Repinski, Agent, Tumi Fine Peruvian Cuisine LLC, dba Tumi, 961 W. Ray Road, Suites 3 & 4. A recommendation for approval of State Liquor License #1207A140 will be forwarded to the State Department of Liquor Licenses and Control. 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. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Tacos Y Mariscos La Sirenita.

20. LIQUOR LICENSE: Ruchi Indian Cuisine

APPROVED a Series 12 Restaurant Liquor License (Chandler #15624L12) for Nagappan Mylappen Chettiar, Agent, Udipi Bhavan, Inc., dba Ruchi Indian Cuisine, 2051 W. Warner Road, Suite 7. A recommendation for approval of State Liquor License #1207A150 will be forwarded to the State Department of Liquor Licenses and Control. 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. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Curry House.

21. CONTINUED LIQUOR LICENSE: Crust Simply Italian

CONTINUED TO MARCH 26, 2015, a Series 12 Restaurant Liquor License for Michael Merendino, Agent, Crust Management LLC, dba Crust Simply Italian, 10 N. San Marcos Place, to allow the applicant time to complete the requirements for a new Use Permit.

22. PERMANENT EXTENSION OF PREMISES: Bay Leaf Café India Cuisine

APPROVED a Permanent Extension of Premises to include outside seating for a Series 12 Restaurant Liquor License (Chandler #139167L12) held by Bay Leaf LLC, dba Bay Leaf Café India Cuisine, 955 W. Chandler Heights Road, Suite 1. A recommendation for approval of a permanent extension of premises for State Liquor License #12079191 will be forwarded to the State Department of Liquor Licenses and Control. This business was approved for a Series 12 Restaurant Bar Liquor License on September 27, 2012. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code. The applicant's Use Permit through Transportation and Development was approved on January 22, 2015.

23. TEMPORARY EXTENSION OF PREMISES: Fat Willy's Family Sports Grill

APPROVED a Temporary Extension of Premises for a Series 12 Restaurant Liquor License (Chandler #140076L12) held by Fat Willy's Chandler LLC, dba Fat Willy's Family Sports Grill, 4850 S. Gilbert Road, Suite D-4, for a Fat Willy's Annual St. Patrick's Day Party, March 17 & 18, 2015. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #120079030 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

24. TELE-RACK WAGERING FACILITY SITE LICENSE: The Reef

APPROVED a Tele-Track Wagering Facility Site License within The Reef, 393 W. Warner Road, Suite 123, for TP Racing LLLP, dba Turf Paradise. TP Racing LLLP currently holds one Tele-Track Wagering Facility Site license within the City of Chandler which was issued in 2001. This application represents a request to open a second location at 393 W. Warner Road, Suite 123. The Reef opened at this location in July 2012. The license application has been posted and published for hearing on March 12, 2015. No objections to the issuance of this license have been received from the Police, Fire, Health and Medical or Transportation and Development Departments. The applicant has met all of the requirements of the City Code and all fees have been paid.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

None

B. Councilmembers' Announcements

Councilmember Heumann commented on the tragic loss of 11 military personnel killed while performing training exercises in Florida.

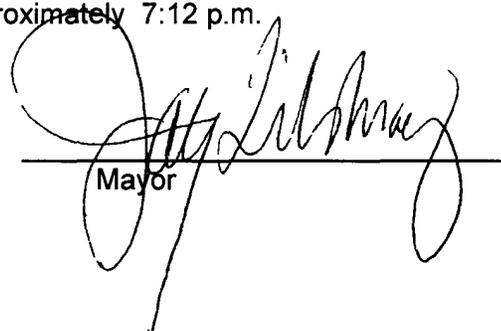
C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:12 p.m.

ATTEST:


City Clerk

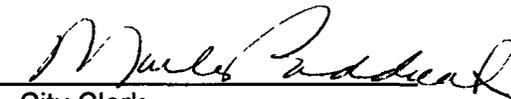

Mayor

Approved: March 26, 2015

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 12th day of March 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of ~~March~~ Apr. 1, 2015.



City Clerk

MINUTES OF SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, March 23, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 5:04 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Rick Heumann	Councilmember
	Nora Ellen	Councilmember
	René Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance: Rich Dlugas, City Manager; Marsha Reed, Assistant City Manager; Nachie Marquez, Assistant City Manager; Kay Bigelow, City Attorney; Marla Paddock, City Clerk; Jeff Clark, Fire Chief; Sean Duggan, Police Chief.

JOINT PUBLIC SAFETY TRAINING CENTER

POLICE CHIEF SEAN DUGGAN said that in October 2013, the City Council authorized the use of about \$250,000 in RICO funds to hire a firm to conduct a space and needs analysis. The analysis identified 12 projects to enhance future capacity. Identified as a top priority is a training facility to consolidate all training functions and staff at one location. He added that presently, the police department does not have a training facility and they are constantly looking for facilities to use.

He explained a challenge is that they will experience about a 38% turnover in all personnel in the next 4.5 years due to attrition. That combined with the changing landscape of policing and the complexities involved in the profession, the need to have this type of facility is important.

FIRE CHIEF CLARK provided the history of the current training center on Dobson Road. He said there were two phases of development planned, but the recession hit and those plans were placed on hold. He stated there is a Burn Building, currently in this year's CIP, that was Phase 2. He said there is currently 5 acres of land, donated by Intel, that sits vacant south of the current property. The existing facility will be combined with those 5 acres for a total of approximately 9 total acres.

He said there is currently a 5-story burn building/tower. There is a Battalion Chief, two Captains, along with a maintenance person and an SCBA technician. He noted it is a regional training facility with many agencies utilizing it. He explained the new burn building would be a multi-faceted building and more suited to the fires seen locally. In addition, a large vehicle storage facility, additional office and classrooms, an indoor auditorium and a tactical village are planned.

Chief Duggan explained the plan was to co-locate police training facility at the Fire Training Center which would provide ability to share a multi-purpose auditorium, classrooms, and offices. He noted the Police Department owns about 18 acres of land at the 202 and McQueen and has been identified as a future location for a driving course. He said while they do need a driving course, they need a training facility much more. There is a possibility to sell the existing land to

help fund some of the new facility. He said they would still put in a request for a driving facility sometime in the future, but it is not a priority today.

Councilmember Heumann asked if they used Bondurant Driving. Chief Duggan said he is not aware if they have ever used it, but they have used the Central Arizona College. Fire Chief Clark said they have explored Bondurant years ago but there was a significant cost. Councilmember Heumann asked that be looked at.

He displayed the existing footprint of the facility now and then with the additional construction.

In response to a question, Chief Duggan said the auditorium would be a minimum of 200 seats.

Chief Duggan reviewed the cost savings realized by combining both projects which is estimated around \$5 million, along with the potential sale of the land on Armstrong Way estimated at \$3.9 million. He said they could utilize some seized RICO money.

COUNCILMEMBER LOPEZ asked if that land was sold and developed and the need arises in the future, what other alternative locations would there be for a driving tract. Chief Duggan said there were some preliminary discussions to use some land at the north end of the Airport runway. The land is owned by the city and has very limited use.

COUNCILMEMBER ELLEN asked the purchase price for the driving track land. Chief Duggan replied just under \$4 million.

COUNCILMEMBER HEUMANN added that there is no rush to sell this parcel in order to get best use in the future.

BODY WORN CAMERAS

Police Chief Duggan showed a short video highlighting the current body worn camera program. He explained that leveraging the technology of body worn cameras will demonstrate they are committed to the best standards of policing but will help in being more effective.

In response to a question from Councilmember Ellen, Chief Duggan said there are about 40 cameras in use.

Chief Duggan reviewed the benefits of the program:

Improved evidence collection not only speed the criminal justice process, but the value it brings to the victims of crime is a huge side benefit.

Reduce use of force: last year Chandler officers used force 61 times, and 41 officers were assaulted during the year.

Improved officer behavior and improved citizen behavior that could reduce lawsuits and complaints. He explained anecdotally cameras will change behavior. Any opportunity that reduces the need to use force is a win.

Expedited resolution of complaints/cases. Having the evidence immediately available for viewing to sustain or unfound the claim. Chief said if a complaint or accusation is made, simply having the ability to review the evidence promptly saves much time, effort and emotion.

Increased transparency and accountability. He noted that people are using cameras extensively and filming what they do. This is an opportunity to give another side of the story and also to show fact.

He said there are also concerns about the use of cameras:

Perceived concerns: citizens privacy and the officers privacy.

Training and policy requirements and the degree of training to become proficient in the use.

Logistical and resource requirements and policy creation.

The awareness it may not capture all elements of an encounter, although it will be a tremendous enhancement.

He explained the expectations include there will be faster resolution to criminal and civil cases and victims of crime, enhanced public trust, decreased "use of force" incidents and complaints, and decreased liability.

He explained a Beta program was started in December 2013 with 3 different camera systems with 8 officers. Now, there are 40 cameras imbedded throughout the department, location and shifts.

Midway through the program the stakeholders were asked to identify and recommend a camera by considering the quality of the image, the downloading method, mounting options, battery life, retention, and storage. After a comprehensive review by the RBO (relationship by objective) Committee, they recommended the Taser AXON Flex and Evidence.com. He noted Taser as they have the unique capability to store the data on the Cloud and it is exceptionally secure. It is used by the CIA and adheres to the FBI and CJIS requirements. Once it's docked, there is no way to erase or manipulate that data. In addition it offers the ability to mount camera on or above the shoulder.

Chief Duggan reported that during the first 6 months of use, there were approximately 10 complaints. Four complaints were cleared as the actions alleged did not occur. There were six phone-in complaints that did not make it to an official complaint as once the complainant was notified this may have been on video and it would be reviewed, the complaints were withdrawn or the caller hung up.

Councilmember Ellen asked if the public knows when the officer arrives on scene if there is a video. Chief Duggan said they do not announce it. Often times it is a very good de-escalation attempt, however officers are not required do it. He cautioned that there may be situations where it will not be advantageous or tactfully sound to tell that person.

Chief Duggan said that during the beta test, there was a complaint lodged against two officers behaviors and upon review of the camera footage, the allegations of unprofessionalism were sustained. In review, Chief Duggan said 8 out of the 10 complaints favored for the officer.

He commented during the scope of the last year, there has been quite a bit of work with the sworn labor groups on crafting policies based on best practices, the International Association of Chiefs of Police, and Police Executive Research Forum guidelines. He stated there is no one model policy. There are thousands of departments nationwide that have camera programs.

Chief Duggan said he would provide the proposed policy to council. He stated he believed this was an outstanding policy and is a product of police administration and labor and looking at the

national trends, best practices, and what is occurring regionally in the Phoenix area. If the program moves forward, a stakeholder group will be formed with all affected partners for the implementation. The Chief expressed his desire is to have an outside body to perform an assessment after 24 months or 3 years of what the value of the program is.

Councilmember Ellen asked what city started this (BWC) first. The Chief said he is not sure what city, but the body cameras have been around for at least five years. Just in the last two years, they have exponentially changed with the Cloud storage, the simplicity of the camera, size and the ease of use. There are about 5,000 departments that have some form of body cameras.

He said the policy also addresses under what circumstances recording is done and noted the ones contained in the presentation. He said the policy can be adjusted as new situations arise.

Councilmember Heumann asked who would have access to edit the recordings. Chief Duggan said there is no possibility to edit the original recording. There is a capability to delete, but that would be authorized at a higher level. Chief Duggan said if the request was made as part of the investigation or the discovery process we would have to release information just as we do now for the courts. If a public records request was made through a Freedom of Information Act (nosey neighbor), we would be compelled to release that upon payment, but the incident would be blurred, although the audio would be intact. That is the response documented in the policy.

The desire is to equip all of the first responders with cameras. In addition, his desire is to equip some detectives.(180 cameras). He reviewed the proposal that allows the purchase using RICO money (seize forfeiture money) and allows entering into a five year one-time contract with a vendor that will pay for the initial cameras, updates to the technology over a two year period, and unlimited storage.

Councilmember Heumann asked about batteries. Lt. Zdilla said that would include full maintenance for one year on the items.

Councilmember Heumann asked about the bid process. Chief Duggan said although they have identified a vendor they believe would be best, they would explore a no bid process. If that is not possible, then they would do a Request for Proposals. Chief Duggan commented they are not at that stage yet. Councilmember Heumann asked for transparency during this process of identifying vendors as he felt it would be important to make that process as transparent as possible.

Chief Duggan said they would also request a full time records clerk position to help with redacting and processing. He said they would review the staffing needs in the out years.

Councilmember Heumann asked how much an average case costs in time if there is a complaint. Chief Duggan said there is no average, it is a laborious process and can be a few weeks before a complaint is adjudicated. Councilmember Heumann noted that a review of a video could save time in that process.

Chief Duggan noted the other partners in this proposal – City Attorney's office, City Prosecutor office.

The Mayor asked about a timeline. Chief Duggan said the earliest would be mid-year (fiscal) around December. Mayor commented about some cases that have received national attention

and how the use of cameras could have impacted those. Chief Duggan agreed that part of the reason they are national cases is because there weren't cameras.

Councilmember Heumann asked about the types of calls the cameras will be used at. Chief Duggan replied that is still the program for the next year. There are different opinions across the country on when the cameras should be on.

Chief Duggan stressed the importance of having an implementation phase to give the officers time to get used to the technology. During the Beta test, officers increased their recording as they became more familiar with the usage of the technology and value received. The policy, as currently written, strongly encourages recording specified scenarios. He noted an integral part of the policy is when to record. Even with mandatory requirements, there is still human error, equipment malfunctions. He would like the groups to review the program after a year and see if policies need to be adjusted.

Councilmember Ellen asked if this would save time. Chief Duggan said the officer could use their smartphone or I-touch and review the recording to assist with report writing and memory of the event. Councilmember Ellen asked if this will add more work. Chief Duggan said at the end of the shift, the officer will be required to download and tag the events on the video.

Councilmember Roe said it is important to be supportive of the Chief. He does have some reservations and asked at the end of the 5 years, if forfeiture funds would be used to purchase cameras and storage for another 5 years. Chief Duggan said at the end of the five years, we would own the cameras but would have to pay for storage. That could be between \$100,000-\$150,000. He said with the pace of technology, it's hard to guess what will be out there.

In response to questions regarding the data after five years and the retention, Chief Duggan said the records retention schedule will be followed. City Attorney Kay Bigelow added that record types have different retention periods so the information will be treated similar to the blood that the lab has to keep.

Councilmember Roe remarked on the low number of complaints received on the Police Department. Chief Duggan noted that most of the complaints are internal. Councilmember Roe commented on the amount of money that is being spent to address a situation that has a low amount of complaints. Chief Duggan replied that it only takes one complaint to spark a huge controversy. The reduction of complaints is one of the by-products of this program. Foremost is the evidentiary value of collecting evidence. This technology will allow the collection of evidence far more effectively and efficiently.

Councilmember Heumann said another change has been the increase of smartphones and people who are always recording and those recordings could be only a partial video of what is happening.

Councilmember Sellers reiterated what was said earlier that one of the advantages is that it de-escalates the confrontational nature of the incident.

Councilmember Roe said that officers will spend time with the videos each day, so there will be continuing expenses. Councilmember Ellen said she does want the officers to have the technology they need. In regards to ongoing expenses, she asked if there was a better idea of the ongoing expenses. Chief Duggan said the actual out of pocket expenses will be the one

time purchase for the all-inclusive 5-year package and the position that will need to be hired (on-going) for the Records Clerk. He agreed there is an expense of time and effort, but noted there is always time taken for training of new technology whether it be for mobile data terminals, report writing or learning new systems.

Chief Duggan remarked that all of the bench mark cities and regional partners either have a program or are moving toward a program.

Councilmember Hartke asked if the officers could do tagging during their shift and not just doing it at the end of the shift. Chief replied they can do it at the end of the event. They need to have access through a smart phone or laptop to review and tag it. At the end of the shift, they are taking the device and putting it in the charger. Lt. Zdilla explained the docking at the end of the shift will take all the data on the device and download. Each officer will be issued an IPOD touch-type device. With that device they can connect directly with that camera by blue tooth. At the end of an interaction, the officer can go back to his/her car and log into the camera, review, tag and index. At the end of the shift, they would not need to go back into the system to tag if they have done that previous. If it has been a busy shift, they can do it later.

In response to comments from Councilmember Ellen, the Chief explained with the Internet access to the cars, the officers would now have a complete mobile office in their vehicle. They wouldn't have to be tethered to the station. He said, arguably Chandler's vehicles will be the most progressive technology equipped vehicles in the valley.

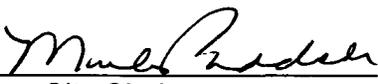
Councilmember Ellen asked if there is another program the officer's want other than the cameras. Chief Duggan, said these are mutually exclusive but on different paths. They have been working full steam for the past year on the Internet connectivity. The camera program is the next priority that will bring true value to the city.

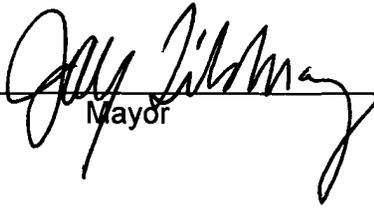
Councilmember Lopez asked if there was an issue we are trying to correct and is there a purpose or savings we are trying to realize with owning the cameras. He said the complaint volume didn't seem to be the driving issue. He said the multi-departmental savings is something he would like to see quantified. He expressed concern with the security and records retention and asked what liability the vendor has if the information is compromised. He also asked if this was priority, and if so, he was supportive.

Councilmember reiterated the Chief's intention to review the program and weigh the value in 5 years. He stated his support for the program.

Mayor Tibshraeny thanked Chief Duggan and his staff for their work in this. He said all council agrees that we have a great police department and part of being good at what you do is also trying to get better, whether it be more accountability or more transparency. There is no price on justice or the truth. He stated even though there were only 60 incidents, you still want to get to the truth of every instance and if this helps to get to that answer quicker and the truth, that is good.

Adjournment: The meeting was adjourned at approximately 6:32 p.m.

ATTEST: 
City Clerk


Mayor

Approved: April 16, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 23rd day of March, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 26, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Chaplain Frankie Broome – American Legion Post 91

PLEDGE OF ALLEGIANCE: Councilmember Terry Roe led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VICE MAYOR DECLARED A CONFLICT OF INTEREST ON ITEM 17 (DEVAU HUMAN RESOURCES).

MOTION CARRIED UNANIMOUSLY (7-0) with the exception noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting (Manager Recruitment) of March 9, 2015.
- 1b. Study Session of March 9, 2015.
- 1c. Special Meeting (Manager Recruitment) of March 12, 2015.
- 1d. Budget Workshop of March 12, 2015.
- 1e. Regular Meeting of March 12, 2015.

2. PRE-ANNEXATION DEVELOPMENT AGREEMENT: YEG Developments Res. #4853

ADOPTED Resolution No. 4853 authorizing the execution of the Pre-Annexation Development Agreement with YEG Developments, Inc., for Mission Estates Lift Station for property located at the NWC of McQueen Road and Sunnydale Drive.

BACKGROUND/DISCUSSION

YEG Developments, Inc., has requested the City annex ten acres located at the northwest corner of McQueen Road and Sunnydale Drive, approximately one quarter mile north of Hunt Highway. Along with the City initial zoning of the parcel, a request for rezoning to PAD for single-family residential is forthcoming. Currently, the City's sewer main in McQueen Road cannot support the development. In order to provide wastewater service to facilitate the development of the property, the design, installation and construction of additional public wastewater transmission facilities are necessary.

The developer has requested a Pre-Annexation Development Agreement to address the wastewater service issues prior to annexation. The developer has agreed to pay the entire cost associated with the design, construction and installation of the wastewater public infrastructure identified as the Mission Estates Lift Station, per the plans, including oversizing the lift station to accommodate future development in the area. Exhibit C states the lift station will serve the project's 26 lots and an additional 245 lots for future development. The developer will convey ownership to the City in land area identified on the wastewater infrastructure plans and a one-time lump sum payment of \$41,805.00, which estimates the City's cost to operate and maintain the infrastructure for three years.

FINANCIAL IMPLICATIONS

In exchange for the Developer's payment, the City shall be responsible for all costs associated with the operation and maintenance of the wastewater infrastructure and releases the Developer from future operation and maintenance.

3. ANNEXATION: McQueen Road and Hunt Highway Ord. #4611

ADOPTED Ordinance No. 4611, annexation of approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway.

4. NO-COST POWER EASEMENT: Salt River Project Ord. #4583

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4583 granting a no-cost power easement to Salt River Project (SRP), for electrical facilities relocation as part of the Ocotillo Road Improvements, from Arizona Avenue to McQueen Road.

BACKGROUND/DISCUSSION

As part of the Ocotillo Road Improvements from Arizona Avenue to McQueen Road, it is necessary to relocate existing SRP electrical facilities. As a result, SRP requires a new easement to cover the relocated power facilities. The easement will be at no cost to SRP as the project requires the relocation of these electrical facilities and Staff confirmed that SRP has prior rights.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Artesian Place Ord. #4618

INTRODUCED AND TENTATIVELY APPROVED ordinance No. 4618, DVR15-0004 Artesian Place, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential. (Applicant: Mike Withey, Withey Morris PLC.)

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product guidelines on approximately 2 acres located south of the SEC of Ocotillo Road and Norman Way, west of Gilbert Road.

BACKGROUND

The approximately 2-acre subject site is an undeveloped property located south of the southeast corner of Ocotillo Road and Norman Way, west of Gilbert Road. This parcel is immediately south of a recently approved commercial shopping center that wraps around the north and east sides. This property was originally intended to be a City utilities treatment facility; however, it has been determined that there are properties more suitable to accommodate this function. Therefore, the City determined this property could be available for sale and, in March 2014, Council authorized the sale of the property for development as a mix of commercial and residential uses.

The property is bordered on the west by a partially developed collector street, Norman Way, and the Fonte Al Sole single-family residential subdivision. South of the property are the Intel Brine Ponds which are part of a groundwater recharge facility. To the east and north is property included in a planned commercial shopping center.

The request is to rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with Preliminary Development Plan (PDP) for subdivision layout and housing product guidelines for a single-family residential subdivision.

PRELIMINARY DEVELOPMENT PLAN

The proposed development is a single-family subdivision which includes 4 lots. The request does not include housing product and instead has development guidelines in the Development Booklet to establish a level of design quality for the future homes. The minimum home size is 2,500 square feet for a one-story and 2,000 ground floor area for a two-story.

The lot sizes range from approximately 17,279 to 18,843 square feet. The minimum building setbacks include a front yard setback of 20 feet to face of garage or 15 feet to livable/side entry garage, side yard setbacks of 10 feet on each side and rear yard setbacks of 20 feet with patios at 10 feet. The maximum lot coverage is 45%.

The Development Booklet represents, and is also included in the zoning conditions, that rear yard covered patios shall occur on all homes, a box-on-box two-story home design is not permitted and a combination one-story and two-story home shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard. Also, the same housing plan and elevation shall not be built side-by-side or across the street from one another, homes shall provide four-sided architecture, window mullion/muntin patterns shall remain consistent on all sides of the homes and window pop-out treatments shall remain consistent on all sides of the homes.

Perimeter block walls will have a maximum of 6.5 feet in the side and rear yards except for the two lots backing up to the commercial center in which the side and rear walls can be up to 8 feet. A subdivision name sign plaque is integrated with the main entrance wall system. Landscaping is required in all front yards in accordance with the landscape standards represented in the

Development Booklet. The subdivision is surrounded by a significant landscape buffer adjacent to the commercial center. There are retention basins and rows of trees provided as part of the commercial center's development.

The Development Booklet includes additional details regarding the development standards and site design. Planning Staff will administratively review the housing plan designs and setbacks for each lot.

DISCUSSION

Planning Staff finds the proposed request to be complimentary to the surrounding area and planned commercial center. The applicant has worked with the adjacent residential neighbors and the Fonte Al Sole Homeowners Association (HOA) for many months to address their concerns and design comments.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting notice and/or notice was waived due to the recently approved commercial center zoning case which had included this residential component and was subsequently not included in that action and conditioned to come back as a separate zoning case. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ARTESIAN PLACE" kept on file in the City of Chandler Planning Division, in File No. DVR15-0004, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details and design manuals.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
5. The covenants, conditions and restrictions (CC&R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Rear yard covered patio required on all homes.
9. A box-on-box two-story home design is not permitted.
10. A combination one-story and two-story home shall have the two-story portion not encompassing more than 75% of the building footprint and located on the lot's interior side yard.
11. The same housing plan and elevation shall not be built side-by-side from one another.
12. Homes shall provide four-sided architecture.
13. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
14. Window pop-out treatments shall remain consistent on all sides of the homes.

6. INITIAL CITY ZONING: SWC McQueen and Ocotillo Roads Ord. # 4619

INTRODUCED AND TENTATIVELY APPROVED Ordinance no. 4619, DVR15-0005, South of the Southwest Corner of McQueen and Ocotillo Roads, establishment of initial City zoning of Agriculture (AG-1) on approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads. (Applicant: City Initiative.)

BACKGROUND

The undeveloped subject parcel is bordered by County land zoned Rural-43 (RU-43) to the west and north. McQueen Road is located to the east and the subdivision Estates at McQueen is located to the south.

The City Council tentatively adopted an ordinance to annex the subject parcel on February 12, 2015, and adopted the second reading of the ordinance on February 26, 2015. Planning Staff has not received any comments from residents or other members of the public regarding the annexation or the establishment of initial City zoning.

A rezoning and preliminary development plan application has been submitted for the development of a church on the subject site. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian character.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. Arizona Revised Statutes §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

Planning Staff supports the land use that is requested with the pending development applications, the annexation, and establishment of initial City zoning of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan abstaining.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

7. **INITIAL CITY ZONING:** NWC of Gilbert and Brooks Farm Roads Ord. #4620

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4620, DVR15-0006, NWC of Gilbert and Brooks Farm Roads, establishment of initial City zoning of Agriculture (AG-1) on approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads. (Applicant: City Initiative.)

BACKGROUND

The subject site is an approximately 5-acre parcel adjoining the north side of the Roosevelt Water Conservation District's reservoir that wraps around the Basha's shopping center at the northwest corner of Chandler Heights and Gilbert roads. The site, currently zoned Rural-43 (RU-43) in the County, is bordered by the Eastern Canal on the west, an undeveloped and unincorporated parcel on the north and Gilbert Road on the east.

The applicant would like to develop a self-storage facility on the site and intends to follow the annexation with a request for rezoning and preliminary development plan approval. The Chandler Land Use Element of the General Plan designates the site as Residential, for which self-storage facilities can be considered to serve the needs of residential areas.

The City Council held a public hearing for the annexation of the subject site on January 22, 2015, and subsequently adopted an ordinance annexing the subject site on February 26, 2015.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. Arizona Revised Statutes §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 7-0.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

8. **ANNEXATION:** NWC of Cedar Place and Riggs Ranch Road Ord. #4621

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4621, Annexation of approximately 1.25 acres located north of the NWC of Cedar Place and Riggs Ranch Road. (Applicant: Michael Cronin, Terra West Communities.)

BACKGROUND

The subject site is currently undeveloped vacant land zoned Rural-43 (RU-43) in the County. The site is bordered by rural residential properties zoned Agricultural District (AG-1) to the west and north. Circle G at Riggs Homestead Ranch subdivision is adjacent to the east and south. The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

The requested annexation will be the final remaining property assembled as part of a larger single-family development. In the past two years, the City approved the annexation of 34.53 acres abutting the north and west sides of the property. The applicant intends to develop a low-density residential neighborhood on the subject property together with the previously annexed 34.53 acres. A rezoning application and preliminary development plans are currently being reviewed and will be forth coming to Mayor and Council.

UTILITY SERVICES

Existing municipal water service and wastewater service are located in Chandler Heights Road. The developer will be required to extend a reclaimed water line in Chandler Heights Road to serve the property.

STAFF COMMENTS

A public hearing for this annexation was held at the February 26, 2015, City Council meeting. Planning Staff has not received any comments from residents or other members of the public regarding this annexation. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

9. On Action

10. DRAINAGE EASEMENT EXTINGUISHMENT: Fire Rock Ranch Res. #4842

ADOPTED Resolution No. 4842 authorizing the extinguishment of a temporary drainage easement no longer needed for public use at the Fire Rock Ranch development located at the NWC of Gilbert Road and Chandler Boulevard.

BACKGROUND/DISCUSSION

The City obtained a temporary drainage easement on a parcel of land located at the northwest corner of Gilbert Road and Chandler Boulevard to accommodate road improvements to Chandler Boulevard. Subsequently, the Fire Rock Ranch development built and incorporated the required retention provided by this easement into their development. As a result, the drainage easement is no longer required and can be extinguished. The property owner has requested that the City extinguish this easement in order to clear up their title.

11. ASSESSMENTS: Downtown Chandler Enhanced Municipal Services Dist. Res. #4846

ADOPTED Resolution No. 4846 authorizing the modification of the assessment diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District; completing the assessment; setting the date for the hearing on the assessment and ordering the giving of notice of such hearing.

BACKGROUND

On May 25, 2006, City Council adopted Resolution No. 3971 creating the Downtown Chandler Enhanced Municipal Services District with the mission to provide marketing, promotion, security,

enhanced beautification and district management. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years. Fiscal Year 2015-16 represents the 10th operating year of the District.

As part of the annual assessment procedures, each year the Assessment Diagram and Assessment Roll needs to be updated due to changes in ownership, plats and land uses. Additionally, a public hearing must be held along with the opportunity for District property owners to file objections.

DISCUSSION

As required by Resolution No. 3971, which created the District, the following documents are submitted with this report: 1) Resolution No. 4846; 2) Notice of Hearing on Assessments; 3) Boundary Map; 4) Statement and Estimate of Expenses for the District; 5) Assessment Roll; and 6) Assessment Diagram.

The purpose of Resolution No. 4846 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2015-16, to set the date for the hearing on the Assessment and to give the Public Notice of the hearing date.

As a result of Resolution No. 4846, the hearing for the setting of the Assessments will be held April 30, 2015, a 7:00 p.m. in the City Council Chambers. DCCP Staff will appropriately notify all property owners within the District boundary and the City will publish the notice of the hearing in a daily newspaper for five days as required by state statute.

Assessments in the District will be based on three weighted factors including assessed value, building square footage and land square footage. All properties will be assessed at the same rate with the exception of the buildings along the Historic Square, which will be assessed double the building square footage rate.

In May, Staff will return with a resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll is sent to the Maricopa County Assessor for inclusion on the fall property tax bills. In June, Staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2015-16, which includes an Operating Plan and District Budget.

FINANCIAL IMPLICATIONS

The total assessments for Fiscal Year 2015-16, including the City's voluntary contribution, are \$263,967.00. This is an increase of \$20,173.00 from the prior year, driven by changes in assessed valuations. Given the success of the DCCP in building profitable events, the FY 2015-16 operating budget for the District may exceed this amount to stay in compliance with the contract reserve policy. The final amount will be presented to the City Council in June as part of the DCCP contract with the City for District management services.

As a public entity, the City is not required to pay into the District assessment, but has done so since the District's inception on a voluntary basis. As the largest single property owner in the Downtown, the City has taken a leadership role in supporting the District both financially and operationally. As in prior years, the City has elected to cap its voluntary contribution at the level contributed in the prior year. This means the City's maximum contribution is \$118,804.00, which represents 45% of the total assessment budget. Funds to provide the City's voluntary

contribution are provided in the Downtown Redevelopment budget request for Fiscal Year 2015-16.

12. AMENDED AND RESTATED PLAN ADOPTION AGREEMENTS Res. #4849

ADOPTED Resolution No. 4849 authorizing the adoption and execution of Amended and Restated Plan Adoption Agreements for the Retirement Health Savings Plan benefit for employees (Plan No. 8011217) and elected officials (Plan No. 8011218) to add a minimum age for retirement benefit eligibility, change the annual limit for mandatory contributions of employees' excess accrued vacation leave and make minor corrections to the plan documents.

BACKGROUND/DISCUSSION

In December 2007, the Chandler City Council approved Resolution No. 4141 which authorized the execution of three Retirement Health Savings (RHS) Plan Adoption Agreements applicable to employees, elected officials and individuals in the former Medical Expense Reimbursement Plan (MERP), respectively. The RHS has proved to be a valuable tool in assisting employees in saving for healthcare costs in retirement.

The proposed amendment adds a minimum age of 50 for retirement benefit eligibility which will apply to those employees or elected officials who are vested in the Plan and separate from City service (without retiring) into one of the Arizona public sector retirement systems. This change is intended to clarify the status of the RHS Plan as a retirement health reimbursement arrangement (HRA) under the Internal Revenue Code and is necessary to be compatible with the Health Savings Accounts (HAS) which was introduced this year as part of the "White Plan" health insurance option.

The amendment also increases the amount of excess vacation leave that may be deposited to an employee's RHS account. As of January 1, 2015, employees who have in excess of 240 hours of vacation as of the last full a period with a pay day in January, are now eligible to deposit up to 60 hours into the Retirement Health Savings Account. The increase from 40 hours to 60 hours was agreed upon as part of last year's negotiations with the bargaining groups.

Additionally, the reference to IRS Revenue Ruling 2006-36 was removed from the Agreements because the current status of the law regarding the individuals eligible to use the funds in an HRA for eligible medical expenses is already reflected in the standard terms of the Agreements.

No changes are required to the Adoption Agreement applicable to the former members of the MERP (Plan No. 801427) because all members of that plan are retirees or the surviving spouses or surviving eligible dependents of retirees.

13. No item.

14. PRELIMINARY DEVELOPMENT PLAN: Layton Lakes Parcel 21

APPROVED Preliminary Development Plan, PDP14-0015 Layton Lakes Parcel 21, for housing product on approximately 33.4 acres located south and west of the SWC of Queen Creek Road and Layton Lakes Boulevard. (Applicant: Brennan Ray, Burch & Cracchiolo, PA.)

BACKGROUND

The approximate 832-acre Layton Lakes Master Planned development received PAD zoning in March 2001. Of the 832 acres, approximately 373 acres are within the City of Chandler with the

majority of Phase I occurring in the Town of Gilbert. In December 2003, a PDP was approved for the 21.6-acre Community Recreation Center as the part of Phase I within the City of Chandler. In February 2004, Council approved a Preliminary Development Plan (PDP) and Preliminary Plat involving the subdivision layout and landscape plans for Phases 2, 3 and 4 of the master planned community; the subject Parcel 21 was part of this PDP approval. Most recently, Parcel 21 was amended to include 114 lots with a standard lot size of 70' x 110' (7,700 square feet), while including Lots 1 & 2 as 50' x 110' (5,500 square feet), intended for model homes for housing product approved elsewhere within Layton Lakes. Each of the 7 residential subdivisions within the Chandler portion of Layton Lakes were required to process future PDP's for the housing product.

The subject Parcel 21 is bordered to the north by a portion of the Layton Lakes lake system and open space, with Parcel 22 located south of the subject site. Layton Lakes Boulevard abuts the site's east side, with additional Layton Lakes open space and the Eastern Canal abutting the site's western side. The Appleby Road alignment borders Parcel 22's south side with existing rural residential properties within Maricopa County located south of the Appleby Road alignment.

The request is for PDP approval of housing product. The proposed housing product by Lennar includes 4 single-story plans ranging in size from 2,856 square feet to 3,173 square feet, as well as 2 two-story plans ranging in size from 3,786 square feet to 4,108 square feet. Three to four distinct architectural styles are offered for each plan.

Included within the housing product series is Lennar's NEXT GEN concept for plans 5582 and 6081. The homes have been designed as a traditional single-family home that can accommodate multi-generational living. The homes have what can be referred to as a 'mother-in-law' suite that comes complete with a second kitchen and secondary exterior entrance yet remains completely connected with the balance of the home. Typically, secondary entrances and kitchens raise concerns for the potential that the 'suite' could be rented out creating a multi-family situation. This concern is mitigated since the entire home remains under one roof, maintains a single street address, has one electric meter and a single water meter. This new housing product series has been developed to meet the needs of many families throughout the country that now have children returning from college to live with their parents or families that now care for elderly family members at home in lieu of traditional retirement communities. From the exterior, the homes look the same as a traditional home, yet provide the interior flexibility to accommodate the evolving needs of today's family. Additional product details can be found within the Development Booklet.

DISCUSSION

Planning Staff supports the request finding the proposed housing product to represent another quality addition to the Layton Lakes community. The homes meet the intent of the Residential Development Standards by providing strong architectural design, while continuing to deliver upon the concept theme of Layton Lakes expanding the diversity of housing product offerings with the addition of the NEXT GEN multi-generational floor plans.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on February 26, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "LAYTON LAKES PARCEL 21" kept on file in the City of Chandler Planning Services Division in File No. PDP14-0015, except as modified by condition herein.
 2. Compliance with the original stipulations adopted by City Council as Ordinance 3250, case DVR00-0025 LAYTON LAKES, except as modified by condition herein.
 3. Compliance with the original stipulations adopted by the City Council as case PDP03-0038 LAYTON LAKES, except as modified by condition herein.
 4. The same elevation shall not be built side-by-side or directly across the street from one another.
 5. Window mullion/muntion patterns shall remain consistent on all sides of the homes.
 6. Corner lots shall be limited to single-story homes only.
 7. Window pop-out treatments shall remain consistent on all sides of the homes.
15. CONTINGENCY TRANSFER: Workers' Comp

APPROVED a contingency transfer of Workers' Compensation Fund Non-Departmental contingency to the Human Resources Workers' Compensation Liability cost center in the amount of \$300,000.00 for expenditures related to Workers' Compensation claims.

BACKGROUND

The City of Chandler Workers' Compensation Fund is responsible for paying claims resulting from job related injuries. The annual budget for claims expenditures is \$1,500,000.00, but claims expenses are more than \$1,400,000.00 as of mid-February. Contingency funds in the amount of \$500,000.00 are budgeted in the Non-Departmental cost center each year for Workers' Compensation claims, but per the annual Budget Resolution, Council approval is required to move the appropriation from contingency to the operating budget.

16. SUBORDINATION: Moderate Rehabilitation Program Lien

APPROVED the subordination of a Moderate Rehabilitation Program Lien on Project No. RH08-0016 located at 5633 W. Butler Drive in the amount of \$58,039.85. (Balken)

BACKGROUND/DISCUSSION

In 2008, the owner of a single-family, owner occupied home located at 5633 W. Butler Drive received a \$48,039.85 loan through the City's Moderate Rehabilitation Program. The City's lien against the property is for \$48,039.85. The City's loan is a 15-year forgivable loan secured by a Deed of Trust recorded as a lien against the home with a balance to be forgiven in 2023

The owner is requesting to refinance the home to lower the interest rate. The new loan of \$83,465.98 reduces the interest rate, lowers the mortgage payment and the owner will receive no cash out as required by the City's refinancing policy. In order to obtain the loan, a subordination of the City's lien is required by the lending institution and the City lien will remain in the same position.

FINANCIAL IMPLICATIONS

The City will not be prejudiced by the refinancing or the subordination. The City's lien is currently in second position and will remain in second position after the refinancing is complete. The City's lien will not be released until the loan term expires in 2023.

17. AGREEMENT AMENDMENT: Devau Human Resources

APPROVED Agreement No. CS4-964-3332, Amendment No. 1, with Devau Human Resources for Temporary Staffing Services in an amount not to exceed \$1,200,000.00 for a one-year term, April 1, 2015 through March 31, 2016.

The City is charged a cost per hour per temporary staff person plus a markup for each temporary staff person used under the contract. The percentage is added to the cost per hour for the total number of hours the temporary staff person works. The markup percentage will vary depending on skill classification, with the client referral markup being 21.9% and the other skill classifications markup being 26.9%. The markup rate covers liabilities, check distribution, application process and federal tax reporting for the temporary staff. Human Resources reviews and approves the hourly wage prior to any temporary staff being used under the contract.

18. AGREEMENT AMENDMENT: Ancon Service Company

APPROVED Agreement No. MU3-962-3146, Amendment No. 1, with Ancon Service Company for hydrovac services, for a two-year term, in a total amount not to exceed \$466,000.00. This is the first and final optional renewal.

19. AGREEMENT AMENDMENT: Pipeline Services, Inc.

APPROVED Agreement No. WD3-910-3144, Amendment No. 1, with Pipeline Services, Inc., for emergency water main stop, for a two-year term, in a total amount not to exceed \$400,000.00. This is the first of two optional two-year extensions.

Staff had intended to replace this contract through the RFP process for a similar contract with additional services. No viable responses were received for the RFP; therefore, Staff is requesting an amendment to the current contract.

20. PROJECT AGREEMENT: Ritoch-Powell and Associates Consulting Engineers

APPROVED Project Agreement No. ST1406.451 with Ritoch-Powell and Associates Consulting Engineers for Civil Engineering Construction Management Services for South Washington Street, pursuant to On-Call Civil Engineering Services Contract No. EN1506.101, in an amount not to exceed \$75,585.00.

21. CONTRACT AMENDMENT: Ritoch-Powell and Associates Consulting Engineers

APPROVED Contract No. EN1506.101, Amendment No. 1, with Ritoch-Powell and Associates Consulting Engineers, increasing the annual limit for Civil Engineering Services by \$200,000.00, for a revised annual limit not to exceed \$500,000.00.

22. CONSTRUCTION CONTRACT: AJP Electric, Inc.

APPROVED Construction Contract No. ST1406.401 with AJP Electric, Inc., for South Washington Street Improvements, in an amount not to exceed \$2,051,294.75.

The recently approved Alta Chandler development, located along Frye Road and east of Washington Street, has brought forward the need to improve the street and utility infrastructure in the vicinity. This project includes streetscape improvements for Washington Street from Frye Road to Elgin Street. Washington Street improvements include wet and dry utility improvements in Washington Street, Frye Road and Elgin Street.

23. CONTRACT: SDB, Inc.

APPROVED Contract No. JOC1201.401, a one-year extension with SDB, Inc., for general construction services, in an amount not to exceed \$1,500,000.00. This is the third of four one-year optional renewals.

24. CONTRACT: Chasse Building Team, Inc.

APPROVED Contract No. JOC1202.401, a one-year extension with Chasse Building Team, Inc., for general construction services, in an amount not to exceed \$250,000.00. This is the third of four one-year optional renewals.

25. CONTRACT CHANGE ORDER: Blucor Contracting, Inc.

APPROVED Contract No. ST0808.401, Change Order No. 2, with Blucor Contracting, Inc., for a construction contract for Ocotillo Road Improvements (Arizona Avenue to McQueen Road), in an amount not to exceed \$171,720.54, for a revised contract amount of \$5,528,071.29.

As the City approaches build-out and open agricultural land is developed, the Municipal Utilities Department (MUD) identified the need for a permanent discharge pipe for an existing water transmission main necessary for routine maintenance or in the event of a main break. Current flushing practice for smaller water mains is to discharge to retention areas, agricultural land or sanitary sewer but these options are becoming limited to flush the large volume of water conveyed by the water main.

The ideal location was identified at SRP's Consolidated Canal along Ocotillo Road. MUD has recently completed negotiations with SRP for a license agreement to allow permanent discharge piping to the Consolidated Canal for potable waterline flushing. This will be the first discharge line of the type that SRP has allowed in their East Valley system. Installation of this flushing discharge pipe will be added to the project to avoid cutting new roadway pavement in the future.

Additionally, several minor unforeseen water and wastewater utility conflicts were identified during construction and will be corrected as part of this Change Order.

26. CONTRACT: Kimley-Horn and Associates, Inc.

APPROVED Contract No. ST1502.201 with Kimley-Horn and Associates, Inc., for Design Consultant Services for Chandler Heights Road, Arizona Avenue to McQueen Road, in an amount not to exceed \$1,183,843.00.

This project is to improve Chandler Heights Road from Arizona Avenue to McQueen Road. Chandler Heights Road will be improved to four traffic lanes. Portions of these roadways have been constructed by private developers. This project will also add or extend public systems to outside the new roadway to provide water, sewer and reclaimed lines to all undeveloped parcels. The project will include coordination with the Union Pacific Railroad and the Arizona Corporation Commission for widening the roadway at the railroad crossing to the ultimate six-lane configuration. This project will also include design and coordination with Salt River Project Irrigation for their Consolidated Canal structure widening to the ultimate six-lane configuration.

27. CONSTRUCTION CONTRACT: RK Sanders, Inc.

APPROVED Construction Contract No. WA1401.401 with RK Sanders, Inc., for the Erie, Hamilton and Price South Well Abandonment in an amount not to exceed \$106,507.00.

There are three well sites no longer in service that need to be abandoned. The well sites are: Erie Well located at the SEC of Erie and Nebraska streets; Hamilton Well located at the SEC of Erie and Hamilton streets; and Price South well located north of Continuum Street, east of Price Road. All equipment will be fully removed at each well site. Newer equipment within the well sites will be salvaged and re-used at other well sites through the City. The Erie and Hamilton well sites will be landscaped and incorporated into the adjacent City parks.

28. USE PERMIT: Verizon at St. Juan Diego Church

APPROVED Use Permit ZUP14-0034 Verizon at St. Juan Diego Church, to install a monopalm wireless communication facility located at 3200 S. Cooper Road, south of the SWC of Cooper and Queen Creek roads. (Applicant: Shaw & Associates, James Gardner.)

BACKGROUND

The proposed monopalm is 60 ft. measured to the top of antennas. The monopalm will be located along the north property line of the proposed Saint Juan Diego Church campus. The nearest residential are agricultural zoned properties, approximately 593 ft. south and Maderas, an undeveloped custom home subdivision, approximately 276 ft. west. The SRP Cooper Electrical Substation and Sienna single family residential subdivision are east, across Cooper Road.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm design resembles a Date Palm, having a minimum of 65 fronds, with antennas painted to match the fronds. A state approved pre-fabricated equipment shelter would be installed adjacent to the monopalm with a 12-ft. high concrete masonry unit wall surrounding all sides. A 12-ft. wide access easement is proposed from Cooper Road that will follow the future driveway alignment of the proposed church. Two 25-ft. tall, live Date Palm trees and other landscape materials would be planted adjacent to the facility to match future landscape within the campus.

An inventory of existing facilities, vertical towers and structures located within an approximate one-mile radius was prepared by the applicant to assess alternative locations. The locations were analyzed to determine the feasibility for collocation on utility poles, street and parking lot lights, monopoles, and other verticalities. None of the locations met the frequency requirements and locational service needs. Within the immediate area, no other suitable alternative for collocation of the wireless communication facility on existing poles or towers was found.

Photographic simulations of the wireless communication facility illustrating existing and proposed views were provided by the applicant.

DISCUSSION

Planning Staff supports the request. The proposed location is appropriate for a wireless communication facility in the form of a 60-ft. monopalm, measured to the top of antennas. The monopalm design is appropriate at this location with the addition of two 25-ft. tall live Date Palm trees. The separation from the single family residential zoned properties is greater than the 160 ft. separation of recently approved wireless communication facilities. Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 29, 2015. There were no neighbors in attendance. Planning Staff received one phone call with general inquiries and concerns about radiation. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7-0.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The two 25-ft. live Date Palms and landscape shall be maintained at a level consistent with or better than at the time of planting.

29. USE PERMIT: Smashburger

APPROVED Use Permit LUP14-0024, Smashburger, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption indoors and within a patio at a new restaurant located at 2925 S. Alma School Road, Suite 8, in Las Tiendas Village. (Applicant: LiquorLicense.com, Cindy Block.)

BACKGROUND

Smashburger is a new restaurant located at 2925 S. Alma School Road, Suite 8, in the Las Tiendas Village shopping center. The tenant space is a portion of the former Ace Hardware. The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within a patio at a new restaurant.

The tenant space and covered patio are undergoing renovation. Total floor area is approximately 2,200 sq. ft. with 64 indoor seats and 24 outdoor patio seats. Staff is estimated at 25 team members including full-time and part-time. Hours of operation will be seven days a week from 10 a.m. until 10 p.m. An indoor house speaker system will provide background music provided by Muzak. There will not be any outdoor music. Liquor consumption within the patio is included as part of the request.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 11, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

RECOMMENDED ACTION

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

1. The Liquor Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
 2. The Liquor Use Permit is non-transferable to any other location.
 3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
 4. The site shall be maintained in a clean and orderly manner.
 5. The patio shall be maintained in a clean and orderly manner.
30. USE PERMIT: Crust Simply Italian

APPROVED Use Permit LUP15-0001 Crust Simply Italian, Series 12 Restaurant License, to allow liquor sales as permitted along with an extension of premises for outdoor patios to sell and serve liquor for on-site consumption indoors and within outside patios and live entertainment at a new restaurant and bar located in downtown Chandler at 10 N. San Marcos Place, west of Arizona Avenue and south of Buffalo Street. (Applicant: David Ross, Ross Design Group LLC.)

BACKGROUND

This restaurant will be located within the inline retail shops space of the Crowne Plaza San Marcos Golf Resort. The shop space is at the resort's southeast corner off of San Marcos Place and Commonwealth Avenue. The restaurant and bar is a two-floor business; restaurant on the ground floor and a bar in the basement. The ground floor is an Italian and pizza restaurant. The restaurant is approximately 4,128 sq. ft. with outdoor dining patios along both street frontages. The basement bar is approximately 2,810 sq. ft. The outdoor dining patios with liquor are part of the City Center District (CCD) zoning extension of premises within the City's right-of-way. The patios have been designed to meet the CCD zoning standards including location, distance from public infrastructure, passing space and fence height. The bar is designed as a speakeasy lounge. The request includes live music/entertainment occurring in the speakeasy or the restaurant. The live music may be a small group, acoustic, non-amplified and singing.

Hours of operation intend to be from 11 a.m. until 1 a.m. Sunday through Thursday; 11 a.m. until 2 a.m. on Friday and Saturday. The restaurant will be open seven days a week. A one-year time limit condition is recommended for the live music/entertainment.

In February 2015, the Architectural Review Committee (ARC) met to review the application for façade renovations. The ARC request was approved and the building is currently undergoing renovations. The restaurant's two patios will include indoor/outdoor seating and counter tops.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed to area property owners and City Registered Neighborhood Organization contacts. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning 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 Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. Music shall occur indoors only.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

31. LIQUOR LICENSE: Crust Simply Italian

APPROVED a Series 12 Restaurant Liquor License (Chandler #157009L12) for Michael Merendino, Agent, Crust Management LLC, dba Crust Simply Italian, 10 N. San Marcos Place. A recommendation for approval of State Liquor License #1207A143 will be forwarded to the State Department of Liquor Licenses and Control. 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.

32. LIQUOR LICENSE: Ocotillo Village Health Club & Spa

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #155384L7) for Carol Ann Nalevanko, Agent, DMB Sports Clubs Limited Partnership, dba Ocotillo Village Health Club & Spa, 4200 N. Alma School Road. A recommendation for approval of State Liquor License #07073506 will be forwarded to the State Department of Liquor Licenses and Control. 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.

33. LIQUOR LICENSE: Carlo & Emilie's Gourmet Deli

APPROVED a Series 12 Restaurant Liquor License (Chandler #155042L12) for Carlo Ventura, Agent, Carlo & Emilie's Cantine LLC, dba Carlo & Emilie's Gourmet Deli, 2040 S. Alma School

Road, Suite 12. A recommendation for approval of State Liquor License #1207A160 will be forwarded to the State Department of Liquor Licenses and Control. 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. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Hope and Brenna LLC, dba Chandler BBQ Company.

34. LIQUOR LICENSE: Si Senior Restaurant

APPROVED a Series 12 Restaurant Liquor License (Chandler #157293L12) for Irene Castillo, Agent, Si Senior Restaurant of Arizona LLC, dba Si Senior Restaurant, 600 N. Alma School Road. A recommendation for approval of State Liquor License #1207A144 will be forwarded to the State Department of Liquor Licenses and Control. 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. Transportation and Development advises a new Use Permit is not required since this will be a continuation of the location's previous use as Si Senior Restaurant LLC, dba Si Senior Restaurant.

35. CONTINUED LIQUOR LICENSE: Chennai Fusion Grill

CONTINUED TO APRIL 16, 2015, Liquor License, Series 12, for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, 4929 W. Chandler Boulevard, Suite 1, to allow the applicant time to complete the requirements for a new Use Permit. This Item was also continued from February 26, 2015, to March 26, 2015.

36. CONTINUED LIQUOR LICENSE: Dirty Blonde Tavern

CONTINUED TO APRIL 30, 2015, Liquor License, Series 6, for Amy S. Nations, Agent, Stapleton Entertainment LLC, dba Dirty Blonde Tavern, 4929 W. Chandler Boulevard, Suite 12, to allow the applicant time to complete the requirements for a new Use Permit.

37. No item.

38. SPECIAL EVENT LIQUOR LICENSE: Chandler Valley Unitarian Universalist Church

APPROVED a Special Event Liquor License for the Chandler Valley Unitarian Universalist Church for the Pacific Southwest District Assembly of Unitarian Universalist Event on April 24, 2015, at the Chandler Valley Unitarian Universalist Church, 6400 W. Del Rio Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

39. PRELIMINARY PLAT: Noria Mixed Use

APPROVED Preliminary Plat PPT13-0022 Noria Mixed Use, for a multi-family residential and commercial mixed-use development located at the SEC of McQueen and Germann roads. (Applicant: David Soltysik; Terrascope Consulting.)

BACKGROUND

This Preliminary Plat is for a multi-family residential and commercial mixed-use development located at the southeast corner of McQueen and Germann roads that was approved by Council in late 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

40. THIRD AMENDMENT: COR Arizona Avenue Company, LLC Res. #4856

ADOPTED Resolution No. 4856 authorizing the Third Amendment to the Restated Development and Disposition Agreement with COR Arizona Avenue Company, LLC, for Site 7 at the NEC of Arizona Avenue & Buffalo Street.

BACKGROUND

In November 2003, The City and Benton-Robb Development Associates, LLP, entered into the Amended and Restated Development and Disposition Agreement (DDA) relating to the development of the Chandler City Center (Site 7) which is comprised of slightly less than two square blocks in downtown Chandler. Among other things, the DDA addressed the timing and phasing of development of the site, the acquisition and disposition of and by the City of certain privately owned properties contemplated for inclusion into the Site 7 development plan and details relating to the developer's eligibility for participation in a government property lease excise tax (GPLET).

In 2004, the First Amendment to the DDA was approved by Council. The First Amendment to the DDA addressed development contingencies relating to the relocation of the QWEST Corporations fiberoptic line located on and within the Site 7 site.

In 2008, COR Arizona Avenue Company, LLC, succeeded to the interest of Benton-Robb under the DDA and an Assignment and Assumption of Rights Under Amended and Restated Development and Disposition Agreement was approved.

In 2010, the Second Amendment to the DDA was approved by Council. Among other issues, the Second Amendment to the DDA extended the time period for the applicability of the GPLET program, provided for the termination of the GPLET program in the event leases were not timely executed and *otherwise detailed the ownership and lease structure as required by the state laws governing GPLET.*

This Third Amendment to the DDA amends the DDA to extend the deadlines for which the developer must enter into the GPLET leases and establishes a revised development schedule that requires vertical construction to commence on Site 7 no later than twenty-one (21) months from the date the Third Amendment is approved by the City Council. Failure to commence

development of the site within the twenty-one (21) month deadline, automatically terminates the DDA. Additionally, the Third Amendment to the DDA amends the DDA to eliminate the requirement of the City to acquire the Jack in the Box site and transfer certain parcels to the developer once the Jack in the Box site had been acquired.

41. LICENSE AGREEMENT: COR Development Company, LLC

APPROVED a license agreement with COR Development Company, LLC, consistent in all material respects with the license agreement.

BACKGROUND

In March 2010, the City Council approved a License Agreement with COR Development Company, LLC, that granted a license to COR to conduct environmental testing of property located at the northeast corner of Buffalo Street and Arizona Avenue owned by the City of Chandler known to have previously been potentially exposed to environmental contaminants by virtue of the site's former use as a gasoline fueling and service station. The 2010 License Agreement expired in 2013 without COR having conducted its environmental site assessment as authorized under the terms of the License Agreement.

The proposed License Agreement is nearly identical in all respects to the March 2010 agreement previously approved by City Council. The License Agreement contemplates the installation of monitoring wells to be located on City property and also provides:

1. Indemnification provisions that cover any liability associated with the monitoring wells, unless such liability arises out of the sole negligence of the City; and
2. Insurance coverage wherein the City is named as an additional insured; and
3. Provisions specifying the limited nature of the license and when activities associated with the well (monitoring, maintenance, etc.) will be conducted; and
4. Provisions relating to the City's ability to terminate the license and require closure of the monitoring well(s); and
5. The requirements of the posting of a bond to satisfy any liens and to ensure adequate funds for the closure of the well(s); and
6. Provisions relating to the City's access to information derived from the sampling of the well(s); and
7. The termination of the License on December 31, 2016.

ACTION

9. CITY FEE SCHEDULE AMENDMENTS

Res. #4839

ADOPTED Resolution No. 4839 amending the City Fee Schedule relating to Airport, Administration and Management Services, Municipal Utilities, Parks and Recreation, Police, Transportation and Development and adding Section 10, Cultural Affairs.

BACKGROUND/DISCUSSION

MANAGEMENT SERVICES DIRECTOR DAWN LANG explained each year, departments review their fees to determine if any updates are necessary that require changing, eliminating or adding a new fee. In 2013, the City Code was amended to add several new requirements to establish or change City fees. The proposed fee changes were posted on the City's web site on January 23, 2015, in accordance with requirements of the City Code and Arizona Revised Statutes, and a

Notice of Intention to Amend the Citywide Fee Schedule has been published in the Arizona Republic as well as through social media to alert the public of the proposed changes. Additionally, the City Code now requires that the resolution to revise the Citywide Fee Schedule be an action item on the date specified on the Notice of Intention to allow for Council discussion and public comment.

COUNCILMEMBER HEUMANN said this is just an example of the transparency led by good government by the city.

The proposed changes to the Citywide Fee Schedule include:

- Revisions to the following Management Services Department Fees to provide for consistency among the specialty licenses and/or reflect Model City Tax Code revisions brought forward due to legislation change in HB2111:
 - Auctioneers and Pawnbrokers Permits Change of Location Fee;
 - Escort and/or Introductory Service Change of Location Permit;
 - Transaction Privilege Tax License Application Fee;
 - Transaction Privilege Tax License Transient Application/License Fee;
 - Transaction Privilege Tax License Wastewater Removal Services;
- Increases to the following Airport fees to adjust for Consumer Price index (CPI) increases:
 - Airport Hangar Large Unit Storage Monthly Fee;
 - Airport T-Hangar Large Unit Monthly Fee;
 - Airport Tie Down Spaces – Single Engine & Helicopter Less Than 2,500 lbs. Unit Monthly Fee;
 - Airport Hangar Small Unit Storage Monthly Fee;
 - Airport T-Hangar Small Unit Storage Monthly Fee;
 - Airport T-Shade Monthly Fee;
 - Airport Tie Down Spaces – Turbine Engine & Helicopter 7,000+ lbs. Monthly Fee;
 - and
 - Airport Tie Down Spaces – Twin Engine & Helicopter 2,500-7,000 lbs. Monthly Fee.
- Increase the Transportation & Development Square Foot Construction Costs per the International Code Council and change the fee schedule to refer to the most recent version of this table rather than reprinting the entire table on the fee schedule.
- Establishment of the following new and revised fees for Community and Neighborhood Services:
 - Establish a Paseo Vista Dog Park Rental Fee;
 - Establish a Downtown East Event Area Fee;
 - Establish a Downtown Library Plaza Fee;
 - Increase the Trash Can Rental fee; and
 - Establish a Nonprofit Group Rate for the Special Recreation Sites Fee.

These fees were recommended for approval by the Parks and Recreation Board at the meeting on March 3, 2015.

In addition, the following administrative edits are being made to the Fee Schedule to capture fees already being charged but not listed in the Fee Schedule or to clarify the description:

- Solid Waste – City Services (adds existing fee to schedule).
- Police – Block Watch Signs (adds existing fee to schedule).
- Police – Extra Duty Fees (eliminates specific dollar amount).
- Transportation and Development – Administration Buy In and Inspection of Breathing Air Replenishment System (adds existing fee to schedule).
- Move Museum Fees currently listed in Section 5, Parks and Recreation, to a new Section 10, Cultural Affairs (no change to any fees).
- Parks and Recreation – Department Registration Based Class, Program and Activity Fees (removes statement regarding the authority of the Community and Neighborhood Services Director, which is already stated in the code).

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR HARTKE TO APPROVE RESOLUTION NO. 4839. THE MOTION CARRIED UNANIMOUSLY (7-0).

42. AIRPARK AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Enclave at Hamilton Ranch Res. #4848 & Ord. #4616

Resolution No. 4848, APL14-0007 Airpark Area Plan Amendment, to the Airpark Area Plan from Neighborhood commercial and Commercial/Office/Business Park with a Light Rail corridor Overlay to Low-Medium Density Residential.

Ordinance No. 4616, DVR14-0019 Enclave at Hamilton Ranch, rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for offices to PAD for Residential.

Preliminary Development Plan for subdivision layout and housing product.

Preliminary Plat PPT14-0012 Enclave at Hamilton Ranch, for a single-family subdivision located south and east of the SEC of Arizona Avenue and Queen Creek Road. (Applicant: Adam Baugh / Mike Withey, Withey Morris PLC)

MEMO BACKGROUND:

PLANNING COMMISSION RECOMMENDATION

Upon finding the Area Plan amendment to be consistent with the General Plan, the Planning Commission recommends approval. Upon finding the Rezoning request to be consistent with the General Plan and Chandler Airpark Area Plan (CAAP), the Planning Commission recommends approval. Therefore, the Planning Commission also recommends approval of the Preliminary Development Plan (PDP) and Preliminary Plat.

PLANNING STAFF RECOMMENDATION

Upon finding the Area Plan amendment to be inconsistent with the General Plan, Planning Staff recommends denial. Upon finding the Rezoning request to be inconsistent with the General Plan and CAAP, Planning Staff recommends denial. Therefore, Planning Staff also recommends denial of the Preliminary Development Plan (PDP) and Preliminary Plat.

The approximately 28-acre site is located south and east of the southeast corner of Arizona Avenue and Queen Creek Road. A portion of the subject site was annexed in February 2015 and given initial City zoning of Agricultural District (AG-1). The balance of the site received PAD zoning for office in 2006 on 9 acres which never commenced. The PAD zoning was extended for an additional 3 years expiring in 2012.

The subject property primarily surrounds an undeveloped 8-acre parcel located at the immediate intersection corner of Arizona Avenue and Queen Creek Road. This parcel is zoned C-3 (General Commercial) and RU-43 (Rural Residential) in the County. East of the site is the Union Pacific Railroad tracks and land zoned PAD for office/warehouse/industrial type uses. To the south is vacant land zoned Neighborhood Commercial (C-1) and developed land zoned PAD for a veterinary office/pet resort and a church along with 30 acres of undeveloped land owned by the church. North of the site is Queen Creek Road. North of Queen Creek Road is land recently zoned PAD for a single-family residential and a multi-family residential development under construction. To the west is Arizona Avenue, vacant land zoned PAD for commercial and a multi-family residential development.

GENERAL PLAN CONFORMANCE / AREA PLAN BACKGROUND

The General Plan designates this property as Employment and a Commercial Node, as within the CAAP and as a Large Tract Growth Area. The General Plan's Employment designation includes light industrial parks, corporate offices, manufacturing, knowledge-intensive employers, and a compatible mix of industrial support uses and residential densities as an integral component of a planned mixed-use development. The Commercial Nodes category denotes intersections appropriate for neighborhood or community commercial retail, office, commercial services and institutional uses, as well as residential or employment where appropriate when allowed by the underlying land use, in this case Employment.

The CAAP denotes the parcel as Commercial/Office/Business Park for major, campus-like employment centers including retail services, research and development, or office/showroom development type uses. In addition, the entire parcel is within the Light Rail Corridor Overlay allowing the development of residential densities of 12.1 to 18.0 dwelling units per acre. The CAAP also identifies Neighborhood Commercial at the intersection corner for neighborhood-based commercial uses such as retail, personal services, restaurants, and the like. The subject site is not part of a larger single-family residential neighborhood. Under the guidelines of the General Plan and CAAP, single-family residential is not a land use recognized in the Employment, Neighborhood Commercial, or Commercial/Office/Business Park categories.

AREA PLAN AMENDMENT

The request is to amend the Chandler Airpark Area Plan from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. The single-family residential use is not part of the current land use categories and is incompatible with planned commercial/office/business park development including industrial uses to the east and planned commercial/office/business park uses to the south.

REZONING

The request is to rezone approximately 28 acres from Agricultural District (AG-1) and Planned Area Development (PAD) for offices to PAD for Residential (Low-Medium Density). The Enclave at Hamilton Ranch zoning case is the first development request for this site. The property has been farmed for many years. Mattamy Homes proposes to develop a single-family residential community that includes 132 single-family residential units at approximately 4.76 du/ac.

SUBDIVISION DIVERSITY

The rezoning request includes PDP approval for a single-family subdivision layout with one- and two-story housing products. The gated development also includes private streets. The subdivision abuts a vacant parcel planned for neighborhood commercial. There is a full-movement entry/exit off of both arterial streets which will be shared with adjacent parcels when developed. The Arizona Avenue entry includes a landscape median and a row of Date Palm

trees leading to the community's gates. A central curvilinear street meanders north connecting to the Queen Creek Road entry/exit gate. The entries are designed with an agrarian accent including gates with decorative metal and faux roughhewn wood accent. The main entry off of Arizona Avenue is further enhanced with a stone veneer pier with lighting and faux wood light poles.

The lots are designed as a traditional subdivision layout for individual detached homes. Lot sizes are a minimum 52'x97' (5,044 sq. ft.) providing minimum front yard setbacks of 18 feet and/or 10 feet, rear yard setbacks of 10 feet, and side yard setbacks of 7 feet and 5 feet. Front yard setbacks will be staggered to enhance the streetscape. It is important to note there is no restriction for corner lots being limited to 1-story homes or a limit on the number of 2-story homes along arterial streets.

Since all of the lots are less than 7,000 sq. ft., all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of subdivision cannot meet all of the subdivision diversity standards due to the parcel's configuration. The conventional lot layout incorporates diversity elements such as curvilinear streets, looped streets, a cul-de-sac, and open spaces. A centralized active open space and playground area includes custom amenities integrated amongst shade trees and ramadas. Unique features are a tree house platform, play stream with bridge, a tunnel, climbing rope ladder and climbing blocks. Perimeter walls for backing up to the arterial streets are staggered. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet.

HOUSING PRODUCT

The housing plans include two 1-story and three 2-story homes ranging in size from 1,916 to 2,827 livable square feet with a variety of architectural styles. Each housing plan includes 3 elevation styles providing a total of 12 housing plan options.

Since all of the lots are less than 7,000 square feet, all of the RDS for architectural diversity would be required as well. However, it is realized that a subdivision of this type cannot meet all of the diversity standards as outlined in the RDS. The lot sizes are not practical for deeper rear yard setbacks and rear yard vehicle access. The homes have forward facing garages both recessed and at livable space. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet.

AIRPORT RECOMMENDATION

The Airport Commission reviewed the Area Plan amendment and Rezoning request in accordance with the Airport Conflicts Evaluation Process. A conflicts evaluation report was issued indicating that the Airport Commission determined the proposed development does constitute a conflict with existing or planned airport uses. Conflicts cited include that the change in land use to single-family residential is incompatible with the City's guiding documents that are designed to preserve the long-term viability of the airport and surrounding area. Additionally, there is great likelihood that residents will be negatively impacted by noise created by over flight or traffic pattern aircraft.

Planning Staff finds the proposed development is not in conformance with the General Plan and Chandler Airpark Area Plan. The single-family residential use is incompatible with planned industrial and commercial surrounding the subject parcel including future industrial and light industrial development to the east as a part of the Airpark Area Plan. Land uses as identified within the CAAP are more appropriate including commercial, office, flex industrial, warehouse,

business park and like uses. These uses are compatible and provide a transition into commercial/office/business park and industrial uses planned for the area. Residential land uses can be considered; however, the CAAP identifies the need for higher density multi-family residential to support the CAAP in addition to commercial, office and business park type uses.

Additionally, the intersection is a designated Commercial Node and currently the northwest and southwest corners are zoned PAD for commercial use, and the northeast corner is zoned and developing with multi-family residential and single-family residential. An evaluation of this intersection and surrounding area from a land use and economic development standpoint considered the potential growth at this intersection and what is sustainable for the future. Planning Staff concluded that the subject site remains viable for neighborhood commercial and commercial/office/business park uses.

While Planning Staff does not support the requested Area Plan amendment and Rezoning, the PDP for subdivision layout and housing product are consistent with the intent of the RDS. The curvilinear street system and unique recreational amenity creates a pedestrian-oriented neighborhood environment amongst 132 homes.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 23, 2014. There were three joint owners of the commercial parcel adjacent to the subject site in attendance. Staff received several emails in support of the project. Planning Staff is not aware of any other opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 2 with Commissioners Cunningham and Donaldson opposed.

The Planning Commission stated support for the proposed residential use finding it compatible with other approved residential in the immediate area. Commission's comments included that the railroad track serves as a boundary from the airpark area, there is a demand to live in this area, and other corners have residential wrapping commercial corners. Furthermore, the Commission commented that this area is developing differently but it works for this area, the development is attractive, and keeping an 8-acre commercial corner is okay since there is a market for offices in this area. The Commission also commented that the commercial corner will not work but finds the residential a good project.

Commissioners opposed stated this residential project would be an island surrounded by industrial and commercial type uses adjacent to a railroad track, it is best to wait for employment/commercial to develop as planned, the City has done a great job planning employment corridors and it is not sensible to build residential when jobs do not exist yet.

The Commission recommended standard zoning conditions for the residential development with an additional condition requiring the total side yard setback between two, two-story homes to be 14 feet.

Planning Staff has included four additional standard PDP zoning case conditions, conditions 7 through 10, to the Planning Commission recommended action that were inadvertently omitted. The conditions are regarding the Development Booklet, landscaping and signage.

PLANNING COMMISSION RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan, the Planning Commission recommends approval.

Rezoning

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission recommends approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission recommends approval subject to the following conditions:

1. The same elevation shall not be built side-by-side or directly across the street from one another.
2. Corner lots shall be limited to single-story homes only.
3. For lots adjacent to an arterial street, two-story homes are limited to every third lot, with no more than two, two-story homes built side-by-side.
4. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
5. Window pop-out treatments shall remain consistent on all sides of the homes.
6. The total side yard setback between two, 2-story homes shall be 14 feet.
7. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "ENCLAVE AT HAMILTON RANCH" kept on file in the City of Chandler Planning Services Division, in File No. APL14-0007/DVR14-0019, except as modified by condition herein.
8. Landscaping shall be maintained at a level consistent with or better than at the time of planting.
9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
10. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscaping plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Plat

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, the Planning Commission recommends approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

DISCUSSION:

MS. JODIE NOVAK, SENIOR PLANNER provided a summary of the case.

MR. ADAM BAUGH, Withey Morris PLC, representing the applicant. Mr. Baugh commented that this area was referred to as the "chaos corridor". He stated in reviewing the area, they looked at what the City Council has approved for the area to see if there was a character or a pattern. He said while there are a few plans – the Airpark Area Plan and the Southeast Chandler Area Plan – that had recommended employment, office and commercial type uses, clearly the pattern established by Council has gone contrary to that vision. He noticed what has happened on the east side of Arizona Avenue is a reflection of what has happened on the west side.

He displayed an exhibit that showed the existing commercial inventory for the corridor from the freeway down to Riggs Road and reported it contained 1.7 million square feet of built commercial. He characterized these centers as large power centers anchored by large anchors and gave a few examples such as Sam's Club, Lowes, Target, etc. He said these large multi-functional stores essentially absorb the necessity of more commercial in this area. He noted the parcels that are vacant but have approved commercial zoning of about 500,000 square feet that lie in the city and the county in the same corridor.

Mr. Baugh then discussed the merits of office use. In the last 30 years, there have been 25,000 – 30,000 square feet of office built in the corridor. He argued there is clearly not a demand or necessity for that type of use in the area. He said the Airpark Area Plan has been directing employment to occur near the airport, near the Price Road Corridor, and near the major transportation corridors. He said there are about 1700 acres of available employment/office in the Airpark Area. There is about 800 acres of land that is approved, with infrastructure in place, also available. He noted a map on the Economic Development page of the City that highlights areas where they want to attract industrial, retail and employment. There also indications of office. The office uses are along the 101/202, Airpark Area and the Price Road Corridor. He commented that large 30 acres sites will locate along these areas.

He also argued against the uses of apartments and industrial. He argued that whether by design or default this council has made the determination that employment and industrial uses are better located on the east side of the train tracks.

Mr. Baugh then displayed a map showing the DNL noise contours for the airport. Your zoning ordinance allows residential to be built within the 55 and some of the 60 areas. Mr. Baugh noted that if the proposed development was 100 feet to the west on the opposite side of Arizona Avenue, this would be appropriate. He reviewed the noise complaints received by the City from 2012-2015 to identify where the complaints were coming from. He explained the complaints have not been from the area of the proposed project, but from the areas affected by the helicopter pattern.

He noted the Queen Creek Commerce Center developing to the east of the proposed project. It is zoned PAD for light industrial but primarily a business park. A large retention area serves as an adequate buffer between the projects. He noted the other surrounding areas uses.

He said the last time the Planning Commission saw this case, they voted against it. This time they supported it. He remarked the Airpark Area Plan is a great plan, but felt the area has changed.

COUNCILMEMBER HEUMANN asked if there was a defined border for the Airpark Area Plan. He also asked why the 8 acres is not integrated into the site.

Mr. Baugh said he believed the boundary line was drawn along the section block, although he said the boundary line in effect has been the railroad. He stated in regards to the corner, they don't own the corner. He noted the common entry drive features that will benefit some surrounding developments.

COUNCILMEMBER ROE asked about the compatibility with the railroad tracks. Mr. Baugh said they have visited with most people in the area and there have not been an outcry of complaints about noise. He said there are disclosures that come with that. There will be noise attenuation to help offset.

COUNCILMEMBER ROE asked if there were any other measures taken for noise abatement issues. Mr. Baugh said a noise study has not been performed. The setup backs, allotting and street configuration is natural construction of the homes.

COUNCILMEMBER SELLERS said his biggest concern was he did not want anything to jeopardize the airport. He said he has been convinced this would not jeopardize the operation of the airport.

COUNCILMEMBER HEUMANN asked if he was aware this was a potential commuter rail line under the MAG study. Mr. Baugh said he was and while there was not a stipulation to that, he would be happy to make that as a stipulation to disclosure.

COUNCILMEMBER HEUMANN asked the Economic Development Director his opinion. Mr. Miranda replied as a guiding principal within economic development, like to preserve as much land use for employment purposes.

MR. SCHUYLER MCCORKLE, 1105 W. Shawnee Drive, Chandler, said he is mostly opposed to the development due to the encroachment on the Airpark and the Airport. He agreed that the General Plan changes over time. The FAA noise study plan is basically obsolete as most of the noise complaints fall outside of the noise decibel level and contour lines. Last month there were 2 or 3 complaints around Arizona Avenue and Queen Creek area. He said there are many metrics that can be used for noise, but it is more the frequency. He gave the opinion the development could be placed somewhere else.

MR. BAUGH responded that if the City had enforced its plan since the day it passed it, he wouldn't be here today. Cases have not been consistently denied along this corridor. He stated this project is appropriate as it is the character of the area. He noted that Council had approved a project approximately 8 months ago to the north, but argued this project was a far superior product and design. He argued this project does not impact the airpark area and would actually allow the other commercial and office sites to succeed as it removes a site that could have actually competed. He urged the council to approve the request.

CONCILMEMBER ELLEN asked if this project could go elsewhere in the city. Ms. Novak said there are other properties in the city where a quality development like this would be appropriate and can locate. This is not the only location for this, although it is unknown if there is an exact 20 acre piece in the city limits, but perhaps the county.

JESSICA PIERCE, 695 W. Hemlock Way, Chandler stated her support for the project. She stated that she lives in Fox Crossing Development and has never heard a plane.

KATHRYN PARKER, 381 W. Hackberry Drive, Chandler stated her support for the project for homes. She expressed her disappointment that two apartment complexes have been built near their home. They have experienced renters come into their community to use their playground amenities and she expressed concern about their behavior.

COUNCILMEMBER LOPEZ said he also wants to ensure the airport is successful, but can see a precedent that has been set in allowing other projects like this.

MOVED BY COUNCILMEMBER SELLERS TO APPROVE RESOLUTION. NO. 4848 AIRPARK AREA PLAN AMENDMENT; ORDINANCE NO. 4616, PRELIMINARY DEVELOPMENT PLAN

AND PRELIMINARY PLAT (ENCLAVE AT HAMILTON RANCH). THE MOTION WAS SECONDED BY COUNCILMEMBER LOPEZ.

COUNCILMEMBER ELLEN said she agrees the project is a nice product; however, she has many concerns with the project. She has concern giving up more employment to residential, with a loss of revenue. She commented on the public report available to homebuyers who often times, she reported, don't read it. She said the residents rely on the Councilmembers, staff and city leaders that would only approve areas that are beneficial and not problematic. She stated her concern about the frequency of flights in the area.

COUNCILMEMBER HARTKE commented he is voting no on the project as he feels that in the long term preserving the economic base and employment corridor is crucial in approaching build-out.

THE MOTION FAILED FOR LACK OF MAJORITY (3-4 Vice Mayor Hartke, Councilmembers Heumann, Ellen and Roe voting nay).

PUBLIC HEARING

PH1. ANNEXATION of three parcels totaling approximately 9.99 acres located north of the NWC of Arizona Avenue and Riggs Road

The Mayor opened the public hearing at 7:58 p.m.

MS. LAUREN SCHUMANN provided the overview for the annexation.

The subject site is currently zoned intermediate (C-2) and general (C-3) commercial within the County. It contains an existing U-Haul self-storage facility. The facility has exterior storage units, covered RV parking, and a warehouse with indoor storage. The site is bordered to the north and west by County land zoned R1-35, which are single-family lots averaging 35,000 square feet. Riggs Road abuts the property's south side with Arizona Avenue adjacent on the east. The immediate northwest corner of the intersection contains a gas station, which is not included in the annexation and will remain in the County. The Chandler Land Use Element of the General Plan designates the site as Residential, as a Commercial Node and within a Large Tract Growth Area. Existing municipal water service is available in Riggs Road. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

COUNCILMEMBER HEUMANN asked if they wanted to access into the city to access the water. Ms. Schumann stated that was correct. COUNCILMEMBER HEUMANN asked if there were plans to redevelop this land. Ms. Schumann stated it would remain a self-storage and they are in the process of adding more and needed water service. He asked if this meets our codes. Mr. Kevin Mayo replied what is built today would have been built under current county standards. Mr. Mayo said there are no streets as part of this project.

The Mayor closed the public hearing at 8:02 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Moe Wakefield, 797 W. Germann Road, Chandler said he is opposed to a rezoning in his neighborhood. He expressed his concern with receiving a notice of a meeting regarding APL14-0009 Carino Estates Area Plan Amendment & DVR14-0029 Serenade development, but questioned how to receive information on what it is. He stated at a neighborhood meeting last year, the developer offered an invitation to see site similar to the proposed project, but Mr. Wakefield said he never was contacted to follow-up. In addition, Mr. Wakefield said he would like to see the noise study or abatement plan completed by the applicant.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the following:

The Chandler Christian Community Center dedication was held prior to the council meeting. He noted this facility has been serving the Chandler Community for 50 years.

Retirement of Mark Eynatten, the City's Community Services director. Mark has served in local government for more than 40 years.

The Jazz Festival will occur in downtown Chandler this weekend.

The family Easter Celebration happens on April 4 at Snedigar Sportsplex.

Nominations for Celebration Plaza honorees are being solicited. Forms are available on the City's website and also available at all Chandler libraries, community centers, recreation facilities, Chandler Museum and City Hall.

Mayor Tibshraeny said the State Legislature did adopt a budget and almost \$21 million from cities and counties was taken in order for the State to balance their budget. He said Chandler's portion will be approximately \$600,000 - \$700,000.

B. Councilmembers' Announcements

VICE MAYOR HARTKE extended his well wishes for those celebrating Passover and Easter. He said on April 7, the East Valley Prayer Breakfast will be held. He announced the Fire Department is looking for volunteers to help handout flyers on water safety, and volunteers are also being sought for "Let's Pull Together" month. Mr. Hartke said he read Maricopa County is the second most growing county in the U.S. In addition, Chandler was rated as one of the top two places for millennials seeking jobs.

COUNCILMEMBER HEUMANN wished all a Happy Easter and Passover. He announced the Desert Cancer Foundation Annual Wine tasting fundraiser on April 19, and on April 25 the City's Bike Ride will happen.

COUNCILMEMBER ELLEN wished all a Happy Easter and Passover. She welcomed the new Airport Administrator Chris Andres.

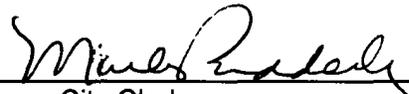
COUNCILMEMBER ROE congratulated Mr. Eynatten on his retirement.

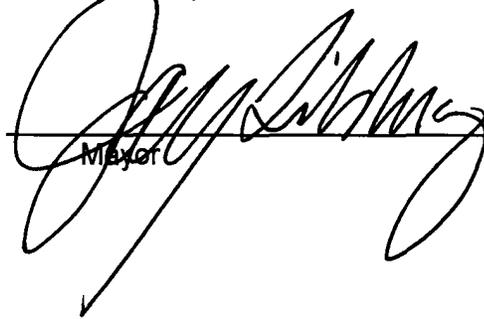
C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:17 p.m.

ATTEST:


City Clerk


Mayor

Approved: April 16, 2015

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 26th day of March 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April, 2015.


City Clerk

MINUTES OF SPECIAL MEETING (MICRORETREAT) OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, April 13, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 5:02 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Rick Heumann	Councilmember
	Nora Ellen	Councilmember
	René Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance: Rich Dlugas, City Manager; Marsha Reed, Assistant City Manager; Nachie Marquez, Assistant City Manager; Kay Bigelow, City Attorney; Marla Paddock, City Clerk; Marian Norris, Asst. to the City Manager; David Bigos, Mayor & City Council Asst.

INNOVATIONS INCUBATOR

MS. MARIAN NORRIS introduced Russ Yelton, Yelton and Associates, LLC hired as the consultant for this project. Mr. Yelton introduced Ken Hunt.

MR. YELTON said a study was conducted in three phases. The first phase was to compare the actual operations of the program to benchmarks using National Business Incubation Association's (NBIA) Principles of Effective Business Incubation; and the NBIA's and Tennessee Valley Authority's rubric for assessing the effectiveness of business incubators in ten different practice domains. They also interviewed potential users and also stakeholders and current users to see what the value was. Additionally, a suggested action moving toward updating the business plan.

Mr. Yelton said the results showed insufficient staffing of the building to provide day to day assistance to the companies to oversee their needs and make sure they were connected into the greater community. The glaring issue was the program was not collecting financial data from the companies to explain the financial impact the companies were having with job creation, assets and the investment they would bring into the community. He noted that is a key metric that every program needs to have. Additionally, investment needed to increase either by the city, the landlord or someone to ensure management was actually there to oversee day to day operations; or the whole scenario needed to change. The business plan needed updating and setting entrance and exit criteria, performance accounting and quarterly benchmark goals for the companies was also lacking. He noted the recommendation of additional documents for affiliate companies that may not be in the space, but need the services.

Mr. Ken Hunt said in Phase 2, face to face interviews were accomplished with the Council. The same survey instrument was given to external stakeholders such as Intel, ASU, UofA. Another survey was given to the current clients to determine specific training needs, level of use for other programs, and space needs.

Mr. Hunt said there was clear support for the continuation of the program from both internal and external stakeholders. He reviewed the findings as outlined in the presentation:

- There is a definite need for additional resources and programming for incubated companies.
- You must define "break even" to determine long-term success
- The current financial model must be redefined and additional funding and opportunities explored.
- The program must have day-to day management
- Incubated companies must agree to routine counseling, benchmarks, regular business plan review, and mandatory reporting of financials. This should be implemented as new leases occur.
- A comprehensive intake process and specific exit criteria must be established.
- An advisory board must be established (recommended 8-12 members), to work with the Executive Director to guide the Program. A selection committee (recommended 4 members and the Director) should be established to perform the intake process and review the clients applying to the program and decide when the companies would graduate.
- A mentor's group should be established.
- An affiliate program should be established.
- The business plan for Innovations should be revised with both full and part-time management scenarios if the City wishes to continue the program.

Mr. Yelton said several scenarios were developed. One is where full time management. Second one is part time management. The third scenario is a virtual program. It does not have a physical building, but would provide services that an incubator does.

Mr. Yelton reviewed:

30-day Operational Plan/Benchmarks:

Address staffing, hold initial company meetings as the companies that came in did not come in with expectations of participation in a program. They could opt in or when their lease ends, graduate them out. This may cause a dip in occupancy but that is a necessary requirement to get everyone participating. During the initial meetings set the requirements for participating companies such as open book accounting, quarterly benchmark reviews, monthly reviews with each client. Begin Advisory Board Development and Selection Committee, and align resources such as Gangplank, Tech Shop and Innovations with City Vision.

60 day Operational Plan/Benchmarks:

Seek external sponsorships (corporate sponsors, Community Reinvestment Act funding), establish a mentor's group (people to establish at least 2 hours a month of pro bono time), begin monthly lunch and learns, launch rebranding, implement Affiliate Program, other external programs, relationships with Institutes of Higher Learning, and finalize Advisory Board and Selection Committee.

90 day operational Plan/Benchmarks:

Report out progress to Council, expand media coverage, begin speaker series, Business Pitch Competition, Tech Demo Day, Begin Shadowing/Executive in Residence program, and perform quarterly benchmark review of incubated companies.

Mr. Yelton said consideration should be given to the following success criteria: The number of tenant clients within the incubator, evaluation of services by incubator clients through a semi-annual survey, growth in the number of applicants, the number of companies that successful graduate (term of about 5 years, especially if any product is FDA related), the number of jobs created on an annual basis within the incubator, the percentage of graduates that stay in the community, (NBIA reports 5% of all incubated companies remain in the community they are incubated in, but the percentage is higher for communities that actual facilitate investment into the companies), calculation of incremental tax revenue, (last report in Flagstaff they invested .5 million a year into the program and the university calculated they received \$620,000 from direct taxes from the companies), have third party come in and validate what is happening. Increasing the level of community support for incubated business, and review the number of patents, revenues and capital.

Benefits of Continuing an Incubation Program:

80% of companies that start in an incubator after 5 years are still in business. Reduced barriers to entry, network and mentoring, increased visibility and stature.

Benefits to the Community: job creation, enhanced image, increased entrepreneurialism, business development, and increased tax revenue

Mr. Yelton displayed information showing best practices of successful incubation programs and how Innovations ranks.

He stated they were asked to look at priorities if a \$125,000 budget allotment was made. He said the priority of staffing of at least a part-time basis, working with the companies, connecting resources, creating programming. He said \$125,000 would probably allow for part-time management. Additionally, a recommendation to seek grant and other types of external funding to increase staffing and menus of services to incubated clients.

He reviewed the Charge to Council: develop a collective definition of "break even" using the financials, benchmarks, and success criteria provided in the plan. Determine what success means to you.

Councilmember Sellers said the input he has had from folks at ACA would suggest that one item very needed in these types of operations is web lab space. Mr. Yelton said there is a fair amount of wet lab space being used now. He noted that one of the things they liked was "shared bench" for those who don't need an entire lab space. It is also actively advertising what Chandler has available.

Mr. Yelton explained "CORE lab" which is shared equipment that companies need access to on a limited basis. He explained they started AZCorelabs.com a few years ago to connect core labs across the state and is also a great way to partner with universities.

Councilmember Heumann asked the time frame for hiring. Mr. Yelton said he would expect the city to issue an Request for Proposals and go through normal city processes. The 30 day window would begin when someone is on board.

Councilmember Heumann asked if the city was receiving the appropriate amount of rent on the wet lab space or just an average. Ms. Norris said it's an average. Mr. Yelton has been involved in programs where that is a graduated rent. That is part of looking at the financials.

In response to a questions from Councilmember Ellen, Mr. Yelton said the Director could be an organization that provides incubation related services, or could be an individual that has incubation experience. He felt it was important for the person to know incubation. He gave the opinion it would be important for the person to get the program started, get the companies engaged, create that environment, streamline the application process, and identify grant availability.

In response to a question from Councilmember Sellers, Mr. Yelton said part time staffing will get a piece of the programming started, but their recommendation to do it correct is full time staffing.

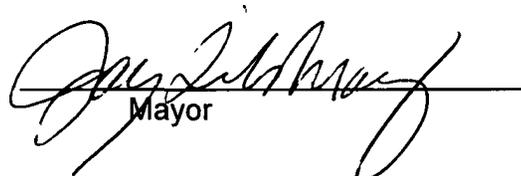
Councilmember Heumann asked what is different in the plan than what Council was updated on. Mr. Yelton said identifying the actions needing to be taken and a progress update. In addition, the day to day management was lost. The city's role has migrated into being a landlord.

Councilmember Heumann asked what oversight measures are in place today, different than 5 or 6 years ago. Mr. Dlugas replied the discussion occurred on what would be needed to have a successfully incubator, but for many reasons it never developed. By putting money in the budget for next year, there would be dedicated staff to oversee and develop the program. The desire would be to work on a Request for Proposal immediately to facilitate staffing in order to provide Council with additional information by next summer to make a determination on the lease for the facility.

Councilmember Ellen asked who would oversee the Innovations management. Mr. Dlugas said he would recommend the person or company report to the Economic Development Director Micah Miranda as he has experience with incubators. Updates to Council would also occur. Mr. Yelton said the city would not realize its full return on investment without full time oversight of this.

Adjournment: The meeting was adjourned at approximately 5:43 p.m.

ATTEST: 
City Clerk


Mayor

Approved: May 14, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 13th day of April, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of May 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, April 16, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Vice Mayor Kevin Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Rick Heumann led the Pledge of Allegiance.

CONSENT:

COUNCILMEMBER HEUMANN thanked Staff for working on the additional screening issue related to item #17; Chandler Express Car Wash.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ROE TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting (Micro Retreat) of March 23, 2015.
- 1b. Study Session of March 23, 2015.
- 1c. Regular Meeting of March 26, 2015.

2. NO-COST POWER EASEMENT: Salt River Project Ord. #4583

ADOPTED Ordinance No. 4583 granting a no-cost power easement to Salt River Project (SRP), for electrical facilities relocation as part of the Ocotillo Road Improvements, from Arizona Avenue to McQueen Road.

3. REZONING: Artesian Place Ord. #4618

ADOPTED Ordinance No. 4618, DVR15-0004 Artesian Place, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential.

4. INITIAL CITY ZONING: SWC McQueen and Ocotillo Roads Ord. # 4619

ADOPTED Ordinance no. 4619, DVR15-0005, South of the Southwest Corner of McQueen and Ocotillo Roads, establishment of initial City zoning of Agriculture (AG-1) on approximately 4.18 acres located south of the SWC of McQueen and Ocotillo roads.

5. INITIAL CITY ZONING: NWC of Gilbert and Brooks Farm Roads Ord. #4620

ADOPTED Ordinance No. 4620, DVR15-0006, NWC of Gilbert and Brooks Farm Roads, establishment of initial City zoning of Agriculture (AG-1) on approximately 5 acres located at the NWC of Gilbert and Brooks Farm roads

6. ANNEXATION: NWC of Cedar Place and Riggs Ranch Road Ord. #4621

ADOPTED Ordinance No. 4621, Annexation of approximately 1.25 acres located north of the NWC of Cedar Place and Riggs Ranch Road.

7. IRRIGATION EASEMENTS: Roosevelt Water Conservation District Ord. #4518

ADOPTED Ordinance No. 4518 authorizing the grant of no-cost irrigation easements to the Roosevelt Water Conservation District (RWCD) in property owned or acquired by the City in connection with the Gilbert Road Improvement Project (Ocotillo Road to Hunt Highway) ST-0809; and declaring an emergency.

BACKGROUND/DISCUSSION

As part of the Gilbert Road Improvement Project (Ocotillo Road to Hunt Highway) ST-0809, the City of Chandler entered into an agreement with the RWCD to allow construction of the Gilbert Road Improvement Project from Ocotillo Road to Hunt Highway over portions of property owned by RWCD. The construction of the project required the relocation of some existing RWCD irrigation facilities. Pursuant to the Agreement, the City is to grant new irrigation easements across portions of Gilbert Road to accommodate relocated RWCD irrigation facilities at Brooks Farm Road, Chandler Heights Road and approximately ½ mile north of Riggs Road.

The easements are being granted at no cost to RWCD as they are necessary for the project and replace prior RWCD easements at these locations.

The irrigation easements have been reviewed and approved by the City Attorney's office. Staff has reviewed and approved the legal descriptions for the requested easements.

Immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health, life and property of the City of Chandler and an emergency is hereby declared to exist. The aforementioned transaction must be completed on or before April 30, 2015, to coincide with the termination of the existing license granted the City by RWCD to enter upon and use a portion of the canal extension property and to ensure that the project is not disrupted; this ordinance must be in full force and effect prior to that date. This ordinance shall be in full force and effect from and after its passage, adoption and approval by the Chandler City

Council and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

8. PROPERTY CONVEYANCE: Roosevelt Water Conservation District Ord. #4600

ADOPTED Ordinance No. 4600 authorizing the conveyance of certain real property located approximately one-quarter mile south of the intersection of Ocotillo Road and Gilbert Road, to the Roosevelt Water Conservation District (RWCD) in exchange for the grant of a public roadway and utility easement from RWCD to the City in a portion of said real property and declaring an emergency.

BACKGROUND/DISCUSSION

At its February 26, 2009, meeting, the Chandler City Council authorized the acquisition of real property required for its Gilbert Road Improvement Project from Ocotillo Road to Hunt Highway. As part of this project, it was necessary to relocate a portion of the RWCD Extension Canal (originally located approximately ¼ mile south of Ocotillo Road) slightly to the south of its previous location. So that construction of the project could proceed over a number of RWCD properties within the project limits, the City entered into a license agreement with RWCD. Pursuant to the terms of the License Agreement and the requirements of the project, the City acquired real property for the canal relocation. Now that the relocation of the canal is completed, the City must transfer title to the new canal parcel to RWCD. In exchange, the City is receiving Roadway and Utility Easements from RWCD for the Gilbert Road right-of-way over a portion of the property.

The Special Warranty Deed and the Roadway and Utility Easements have been reviewed and approved by the City Attorney's Office.

Immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health, life and property of the City of Chandler and an emergency is hereby declared to exist. The aforementioned transaction must be completed on or before April 30, 2015, to coincide with the termination of the existing license granted the City by RWCD to enter upon and use a portion of the canal extension property and to ensure that the project is not disrupted; this ordinance must be in full force and effect prior to that date. This ordinance shall be in full force and effect from and after its passage, adoption and approval by the Chandler City Council and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

9. PROPERTY CONVEYANCE: Roosevelt Water Conservation District Ord. #4612

ADOPTED Ordinance No. 4612 authorizing the conveyance of certain real property consisting of approximately 193 square feet of vacant land located on the north side of Ocotillo Road approximately 551 feet east of Gilbert Road, to the Roosevelt Water Conservation District (RWCD) at no cost; and declaring an emergency.

BACKGROUND/DISCUSSION

As part of the Gilbert Road Improvement Project from Ocotillo Road to Hunt Highway, it was necessary for the City to acquire property to widen Ocotillo Road. Construction of Ocotillo Road impacted an existing RWCD well site and it was necessary to change its size and footprint. In order to provide RWCD with continued access to and within their well site, it is necessary to transfer title to a small parcel of vacant City land to RWCD. The parcel is approximately 9.8 feet wide by 20.0 feet long and contains approximately 193 square feet.

The Special Warranty Deed has been reviewed and approved by the City Attorney's Office.

Immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health, life and property of the City of Chandler and an emergency is hereby declared to exist. The aforementioned transaction must be completed on or before April 30, 2015, to coincide with the termination of the existing license granted the City by RWCD to enter upon and use a portion of the canal extension property and to ensure that the project is not disrupted; this ordinance must be in full force and effect prior to that date. This ordinance shall be in full force and effect from and after its passage, adoption and approval by the Chandler City Council and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

10. INITIAL CITY ZONING: North of the NWC of McQueen Road and Hunt Highway
Ord. #4614

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4614, DVR15-0009 North of the Northwest Corner of McQueen Road and Hunt Highway, establishing the initial City zoning of Agriculture (AG-1) on approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway. (Applicant: City of Chandler.)

BACKGROUND

The subject 10-acre site has one single-family home and a couple of non-residential structures. The parcel abuts the south end of Fieldstone Estates subdivision on the west side of McQueen Road. South of the subject parcel is an unincorporated rural residential area consisting of twenty homes located on lots that range in size from approximately 1-2.5 acres.

The Chandler Land Use Element of the General Plan designates the site as residential and refers to the Southeast Chandler Area Plan (SECAP) for more specific land uses. The SECAP designates the subject site as Traditional Suburban Character. A rezoning and preliminary development plan application has been submitted for the subject parcel to construct a low-density residential subdivision, which will be forthcoming.

The City Council tentatively adopted an ordinance to annex the subject parcel on March 12, 2015, adopting the second reading of the ordinance on March 26, 2015. Planning Staff has not received any comments from residents or other members of the public regarding the annexation nor the establishment of initial City zoning. However, a homeowner from a County property to the south has concerns about the forthcoming project. The developer has been in contact with the resident to resolve any concerns.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous Rural-43 (RU-43) zoning in the County. Arizona Revised Statutes §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

The Planning Commission and Planning Staff support the requested land use with the pending development applications, the annexation and establishment of initial City zoning of the subject property to allow the pending applications to be reviewed by the Planning Commission and City Council.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

11. INITIAL CITY ZONING: Chandler Heights and Cooper Roads Ord. #4615

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4615, DVR15-0007 South of the Southeast Corner of Chandler Heights and Cooper Roads, establishment of the initial City zoning of Agriculture (AG-1) on approximately 10.78 acres located south of the SEC of Chandler Heights and Cooper roads. (Applicant: City of Chandler.)

BACKGROUND

The subject site consists of four rural residential properties. Two of the properties have existing single-family homes with ancillary structures and the other two are undeveloped. The site is bordered by rural residential properties zoned AG-1 to the north and County properties zoned RU-43 to the west. East and south is the Circle G at Riggs Homestead Ranch single-family custom subdivision.

On March 28, 2013, the City approved the annexation of 25 acres adjoining the north and east sides of the subject site. City Council approved the annexation of three of four parcels on February 26, 2015. The remaining parcel will be annexed in April 2015. The applicant intends to develop a low-density residential neighborhood on the subject properties together with the previously annexed 25 acres. A rezoning application and preliminary development plan are currently being reviewed and will be forthcoming to the Mayor and Council.

The Chandler Land Use Element of the General Plan designates the site as Residential and the Southeast Chandler Area Plan designates a more specific land use category of Rural/Agrarian Character, supporting low-density residential development.

In accordance with the following statute, Planning Staff is proposing an initial City zoning of AG-1, which is consistent with the previous Rural-43 (RU-43) zoning in the County. Arizona Revised Statutes §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

Planning Staff supports the land use that is requested with the pending development applications, the annexation and establishment of initial City zoning of the subject property to allow the pending application to be reviewed by the Planning Commission and City Council.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

Upon finding consistency with Arizona Revised Statutes, the Planning Commission and Planning Staff recommend approval.

12. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Mission Estates Ord. #4617

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4617, DVR14/0028/PPT14-0016 Mission Estates, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential. (Applicant: Ed Bull/Brian Greathouse, Burch & Cracchiolo, P.A.)

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing products.
APPROVED a Preliminary Development Plat (PPT) for approximately 10 acres located north of Hunt Highway and west of McQueen Road.

BACKGROUND

The approximate 10-acre subject site is located north of Hunt Highway and west of McQueen Road, just north of Sunnydale Drive. The property is surrounded on the north by an existing single-family residential subdivision, Fieldstone Estates. Along the south side are seven rural residential properties in the County. To the west is a County single-family subdivision, Santan Vista Unit 3. Northeast of the property, east of McQueen Road, is an existing single-family residential subdivision, Springfield. East of the site is McQueen Road and rural residential property in the County.

The subject site is being annexed and given initial City zoning of Agricultural District (AG-1). The request is to rezone the site from AG-1 to Planned Area Development (PAD) for Residential (Low Density). The proposal is a custom/semi-custom home, gated single-family residential community that includes 26 single-family residential units at approximately 2.5 du/ac. The lots are a minimum of 12,000 square feet with an average lot size of 13,000 square feet.

GENERAL PLAN CONFORMANCE/AREA PLAN BACKGROUND

The General Plan designates this property as Residential and within the SECAP. The SECAP identifies this property as Traditional Suburban Character. This designation allows for a residential development density of 2.5 du/ac as the norm, or greater, upon meeting certain amenities. Development within this area should convey a rural/agrarian theme and should be developed with transitions and compatibility.

SUBDIVISION DIVERSITY

This request includes PDP approval for a single-family subdivision layout with one-story custom/semi-custom homes. The gated development includes a private street with ingress/egress off of McQueen Road. An emergency access only is provided off of Sunnydale Drive. The gated entry is integrated with the perimeter wall design utilizing steel framing, steel tube rails, welded steel panels with decorative bolts, and cmu columns with stucco finish. The development includes a single, curvilinear private roadway with a cul-de-sac.

Lot sizes are a minimum 85'x142' (12,070 sq. ft.). Lots 1-13 provide minimum front yard setbacks of 15 feet to side entry garage/livable space and 20 feet to forward facing garage. Lots 14-26 provide minimum front yard setbacks of 20 feet to side entry garage/livable space and forward facing garage. The minimum rear yard setback is 25 feet. Side yard setbacks are a minimum 5

feet with a total of both sides no less than 15 feet. Homes are limited to 25 feet high, one-story. The maximum lot coverage is 45%. Additional building setback standards are provided in the Development Booklet. The development allows for detached accessory buildings/structures such as garages, large storage buildings, recreational rooms, guest houses, and the like in the rear yard area. The maximum building size is 1,000 square feet; minimum building setbacks are 5 feet and a maximum building height of 25 feet and 1-story only.

Although the residential lots are greater than 12,000 square feet in size and Residential Development Standards are not required, the development has incorporated several standards which meet design elements for residential subdivisions. In addition, the development incorporates SECAP standards such as providing on average, a 45-foot wide landscape setback, turf, no lots backing up to the street, break up perimeter fence walls, and a rural character entry feature.

A 6'11" high perimeter wall will be provided along Sunnydale Drive, an existing unpaved roadway easement for County lots, in conjunction with a landscape tract ranging from 8 feet to 6 feet. This provides a streetscape buffer from the front yards of seven County lots to the south.

HOUSING PRODUCT

Housing product design criteria for the custom/semi-custom homes is included with this PDP through development guidelines. These guidelines are further detailed in the Development Booklet. The criteria includes a minimum home size of 3,200 square feet, one-story homes only, basements are permitted, minimum two-car garage and architectural design expectations.

DISCUSSION

Planning Staff finds the proposed single-family residential development compatible with the adjacent existing residential and rural residential areas. The subdivision incorporates the Residential Development Standards and SECAP standards for quality design.

The development is incorporating a sewer lift station at the northeast corner of the subdivision along McQueen Road due to the unavailability to connect directly into the City's public wastewater transmission facilities in McQueen Road. The developer will be responsible for the cost and construction of the sewer lift station. The sewer lift station will be conveyed to the City for ownership.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. The applicant met with County homeowners who own property immediately south of the subject site along Sunnydale Drive on October 27, 2014. The County homeowners conveyed concerns and desires regarding the proposed subdivision. The applicant responded to their comments and continued to work with them.

A neighborhood meeting was held on October 29, 2014. Ten area residents attended. Questions asked included when the annexation process would start, who is the property owner, what infrastructure/improvements are occurring to McQueen Road, what about flood damage to the new homes, location of the storm water retention, building setback, lot sizes and lot coverage. Other questions related to home prices, construction timing and limiting homes to one-story. Following this meeting, the applicant continued working with County homeowners south of the development site.

Planning Staff received phone calls from County homeowners to the south and a resident within Fieldstone Estates to the north. They wanted information on the proposed development and were concerned about two-story homes, lot sizes, lot locations and the number of lots.

A meeting with County residents to the south was held on December 1, 2014. The developer agreed to limit homes to one-story, provide a landscape tract along Sunnydale Drive along the new perimeter wall, and improve Sunnydale Drive with 6-inches of compacted aggregate base course (ABC) within the existing 20-foot roadway easement. Following the December meeting, there were ongoing discussions and an agreement was signed between the developer and County property owners along Sunnydale Drive. Planning Staff received an email on March 5, 2015, from one of the County property owners along Sunnydale Drive conveying their concerns and desires.

Planning Staff received a follow up call from a Fieldstone Estates resident adjacent to the proposed development. Concerns were raised about grading, lot pad height, and existing trees. Staff and the applicant responded advising that any existing trees will be maintained if possible when grading, the property drains westerly into retention basins and the land's height is not being raised to cause homes to be taller than existing homes. The resident's concerns have been addressed and they do not oppose the development.

Planning Staff received a phone call from a representative of a family-owned farm immediately east of the proposed development. A concern was raised about planned improvements and lane configurations on McQueen Road. Staff and the applicant contacted the representative and provided information to address their concern. The representative' concerns have been addressed and they do not oppose the development. Planning Staff is not aware of any opposition to this development.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MISSION ESTATES" kept on file in the City of Chandler Planning Division in File No. DVR14-0028, except as modified by condition herein.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation and Development for arterial street median landscaping.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.

5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The same housing plan and elevation shall not be built side-by-side or directly across the street from one another.
7. All lots within the subdivision shall be limited to single-story homes only.
8. Window mullion/muntin patterns shall remain consistent on all sides of the homes.
9. Window pop-out treatments shall remain consistent on all sides of the homes.

Preliminary Plat

Upon finding consistency with the General Plan and Southeast Chandler Area Plan, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

13. PUBLIC DEDICATION: Palm Lane

Ord. #4622

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4622 authorizing the City of Chandler, as owner, to dedicate to the public for use as such, the streets and easements as shown on a minor land division map of Palm Lane.

BACKGROUND/DISCUSSION

The City of Chandler Housing Division owns one parcel of land that is improved with two single-family residences located at the southeast corner of Elgin Street and Palm Lane. These two residences are part of the City's inventory of affordable public housing that was developed in 1996. Grant funding for public housing projects is obtained through the United States Department of Housing and Urban Development (HUD).

When this grant funded project was developed, time was not available to undergo a minor land division process. This property, and a few other properties, were developed on land that was not fully subdivided. HUD requires that public housing property receiving HUD operating subsidy funding must be encumbered by a Declaration of Trust and Restrictive Covenants which essentially grants an interest in the property to HUD to assure it remains affordable.

A minor land division is being created for the purposes of splitting one lot into two, thus creating a separate lot and parcel number for each residence. This minor land division will afford the City more flexibility in terms of administration and identification of parcels and associated improvements that are to be encumbered by a Declaration of Trust.

14. No item.

15. RIGHT-OF-WAY LICENSE: Salt River Project

Res. #4700

ADOPTED Resolution No. 4700 accepting a no-cost right-of-way license from Salt River Project (SRP) on behalf of the United States of America, for a portion of the west half of Alma School Road, lying north of Pecos Road.

BACKGROUND/DISCUSSION

In reviewing its GIS data base, SRP learned that a portion of Alma School Road was constructed over a parcel of land approximately 20 feet wide and 1,314 feet long that is owned by the United States of America (USA) previously used for its irrigation facilities. In order to allow for Alma School Road to cross over the parcel, SRP is granting a right-of-way license to the City of Chandler, at no cost.

Staff has determined that the legal description on the right-of-way license is correct and recommends that Council accept the license.

16. PRELIMINARY DEVELOPMENT PLAN: Kyrene 202 Business Park

APPROVED Preliminary Development Plan PDP14-0014 Kyrene 202 Business Park, to amend the comprehensive sign package as part of the Kyrene 202 Business Park development located at the NWC of Kyrene and Frye roads. (Applicant: Jeremy Lear; Evolution Design, Inc.)

BACKGROUND

The subject site is located at the northwest corner of Kyrene and Frye roads. The site has three street frontages with Gila Springs Place along the north, Kyrene Road along the east, and the future Frye Road alignment along the south. Along the west side of the site is an SRP canal. The site received PAD zoning and PDP approval from Council in 2013. Uses for the property include light industrial, warehouse, office and support retail uses. At the time of zoning approval, a sign package as included; however, the provisions were minor and did not contemplate warehouse/commercial uses. The request is to modify the sign package bringing the development into greater consistency with similar developments.

The comprehensive sign package only includes building-mounted signage and does not include modifications to the monument signs. Currently, the building-mounted signage allows for black pan or reverse-pan channel lettering only, with limited sign band areas depending upon the number of tenants. The request seeks the ability to provide color lettering, in lieu of the black only, as well as expanding the ability to provide different letter illumination types, combine signage areas (if a single user), and increase the number of sign band areas for multiple building users (allowing for a single sign band on each side of the building). The sign package continues to meet the requirements for signage as outlined in the *Additional Quality Standards* section of the Zoning Code pertaining to signage.

DISCUSSION

Planning Staff supports the comprehensive sign package citing that with the modifications proposed, the sign package presents a quality design that is commensurate with other developments of similar nature and maintains consistency with the necessary quality standards for signage.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on March 16, 2015; there were two neighbors in attendance offering general support.

Planning Staff has received emails from one neighbor within the general vicinity seeking clarification of the request and wanting to ensure that billboard signs were not part of the request. Additionally, Planning Staff received a phone call from a resident on the east side of Kyrene Road expressing concerns with the illumination of the site and whether or not additional landscaping

may be added to the City's retention basin that is along the east side of Kyrene Road. The residents offered no opposition to the request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

One neighbor spoke at the Commission hearing citing concerns with lighting from the development and how residents east of Kyrene Road are concerned with light flooding into their backyards. The developer will be adding light shields for the eastern most parking lot lights. Additionally, Planning Staff is working with the City's Landscaping Coordinator to add additional landscaping in the City's retention basin along the east side of Kyrene Road.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Services Division in File No. PDP14-0014 except as modified by condition herein.
2. Raceway signage shall be prohibited within the development.
3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

17. PRELIMINARY DEVELOPMENT PLAN: Chandler Express Car Wash

APPROVED Preliminary Development Plan PDP14-0018 Chandler Express Car Wash, for site and building design of a new car wash facility located south of the SWC of Arizona Avenue and Germann Road. (Applicant: Jesse Macias, PM Design Group, Inc.)

BACKGROUND

The subject site is an undeveloped property located south of the southwest corner of Arizona Avenue and Germann Road. The property is part of a larger commercial center, Olive Tree Plaza, which has not fully developed. The parcel is just over 1 acre and located south of two existing freestanding pads: Sonic Restaurant and QuikTrip gas and convenience store along Arizona Avenue. The parcel is bordered on the south by an existing multi-family residential development, a restaurant to the north, vacant land to the west and Arizona Avenue to the east.

The request is to allow a third freestanding pad along Arizona Avenue as part of the larger commercial center. The development was approved in accordance with Zoning Code allowing one freestanding pad per arterial street frontage. QuikTrip constitutes the pad along Germann Road and Sonic restaurant is the Arizona Avenue pad. The prior commercial center site plan included an inline retail shops building of approximately 8,125 square feet in the location proposed for the car wash.

In 1999, Olive Tree Plaza was zoned PAD along with a multi-family residential parcel. The commercial center was approved for Community Commercial District (C-2) land uses. The apartments received PDP approval and developed. A PDP was approved in 2004 for a shopping center with approximately 83,700 square feet of retail space and two freestanding pads. In 2005, a rezoning case approved a gas station with convenience store use at the intersection corner

replacing a retail shops pad. In 2009, the gas station pad received a zoning time extension and approval to construct the gas station pad prior to any other development in the commercial center. A second pad in the center was represented as a bank with a single-lane drive-through which did not develop. In 2011, Planning Staff administratively approved this pad for a C-2 use, a Sonic restaurant with a drive-in and drive-through.

The car wash facility provides a car wash tunnel, small administrative office, restroom, small vending area and equipment room. The site includes twenty-seven covered, self-serve vacuum stations. The site is designed with a one-way circulation pattern to access the car wash and vacuum area. Landscaping is in accordance with the center's existing landscape palette.

Building architecture reflects the materials and forms of the adjacent restaurant and convenience store with gas station developments. The car wash building also incorporates modern elements to further enhance the appearance of the commercial corner. There is a main tower in the center of the car wash tunnel with glazing providing customers views from the tunnel. This element is enhanced with steel framework that creates an architectural projection above the main roofline. The proposal includes building mounted signage which will conform to the sign standards set forth in the Olive Tree Plaza zoning case; reverse pan channel, 24-inch letters and Sign Code requirements for PAD zoning.

DISCUSSION

Planning Staff finds the proposed car wash facility to be complementary with existing buildings and providing four-sided architectural design and character in conformance with Commercial Design Standards. The added modern elements and use of materials enhance the streetscape. The addition of a third pad is not unusual for a 10-acre commercial center. The building is setback approximately 70 feet from Arizona Avenue in alignment with the existing Sonic pad. The car wash facility is designed in conjunction with existing PDP entitlements for the remaining undeveloped parcel.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 11, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 - 0 with Commissioners Baron and Wastchak absent.

The Commission requested the addition of Condition 9 to ensure screening of the car wash exit.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "CHANDLER EXPRESS CAR WASH FACILITY", kept on file in the City of Chandler Planning Division in File No. PDP14-0018, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 2980 in case PL98-173 Olive Grove Apartments, except as modified by condition herein.

3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation and Development for arterial street median landscaping.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
5. Landscaping shall be in compliance with current Commercial Design Standards.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
7. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
8. The site shall be maintained in a clean and orderly manner.
9. Increase the screen wall height along Arizona Avenue to screen the car wash exit.

18. CLAIMS REPORT

APPROVED the claims report for the quarter ended March 31, 2015.

19. CITY OF CHANDLER EMERGENCY OPERATIONS PLAN

AUTHORIZED the 2015 City of Chandler Emergency Operations Plan (EOP) and execution of a letter of promulgation and a letter of approval and implementation.

BACKGROUND/DISCUSSION

The EOP is a document which gives direction to City officials during incidents of major significance. The current EOP was released in 2010 and is due for update. The 2015 EOP reflects current incident Command Structure, National Incident Management System and includes Emergency Support Functions which all serve as coordination mechanisms when conducting emergency operations. Moreover, the EOP includes information regarding the staffing and operation of the City's Emergency Operations Center as well as functional annexes that provide direction during specific emergencies.

20. ADMINISTRATIVE SETTLEMENT: Roosevelt Water Conservation District

APPROVED an administrative settlement with the Roosevelt Water Conservation District (RWCD) to acquire portions of properties, either in fee or by easements, required for construction of the Gilbert Road Improvement Project from Queen Creek Road to Hunt Highway for \$241,161.40, plus closing costs, if any.

BACKGROUND/DISCUSSION

At its February 26, 2009, meeting, the Chandler City Council granted the authority to acquire real property for the Gilbert Road Improvement Project ST-809 from Queen Creek Road to Hunt Highway. During the interim, Staff has been working with the RWCD to acquire portions of RWCD's properties required for the project. In order for the project to move forward without delay, the City and RWCD entered into a License Agreement allowing construction to proceed on RWCD's land. The License Agreement also provided that the City would pay for costs and expenses incurred by RWCD resulting from the project. There are fourteen RWCD parcels in all with an original appraised value of \$204,786.00 plus closing costs. In addition, the City's project was going to impact an RWCD well site on the north side of Ocotillo Road just east of Gilbert Road.

Staff estimated the cost to abandon this well site and renovate a different RWCD well would be approximately \$180,000.00. Upon further negotiations between the City and RWCD, and after some project design changes, Staff was able to save the existing well site, thus saving the additional \$180,000.00 estimated cost.

Through continuing negotiations, Staff was able to reduce the cost of the land to be acquired by accepting a fee interest in three parcels and permanent roadway and utility easements in the remaining parcels for a total consideration of \$158,562.00.

In addition, RWCD has provided invoices for other costs associated with the project as follows:

RWCD Attorney's Fees and Costs	\$ 85,574.03
Engineering fees	11,880.00
Salt River Project electrical service	<u>16,192.37</u>
Total	\$113,646.40

The City previously paid \$31,047.00 for engineering and design for a pump-back system. This amount is to be credited back to the City.

Land Value	\$158,562.00
Costs and Expenses	113,646.40
Less previously paid	<u>-31,047.00</u>
Balance	\$241,161.40

21. COST SHARING AGREEMENT AMENDMENT: Downtown Chandler Community Partnership

APPROVED an amendment to the Cost Sharing Agreement with the Downtown Chandler Community Partnership (DCCP) relating to the construction and management of an outdoor stage and authorizing the City Manager, or his designee, to sign the Cost Sharing Agreement and all related documents as approved by the City Attorney, for a revised contribution amount of \$279,906.69.

BACKGROUND/DISCUSSION

On June 12, 2014, the City Council approved the Cost Sharing Agreement with the DCCP relating to the construction and management of an outdoor stage on Commonwealth Street east of Arizona Place and authorized the City Manager, or his designee, to sign the Cost Sharing Agreement and all related documents as approved by the City Attorney, and authorized a not to exceed contribution amount of \$250,000.00.

The stage will be constructed, scheduled and managed by the City, and events will be required to complete an application to the City's Special Events Committee, per the agreement, to ensure that all aspects of the event are covered. Except for City events and DCCP produced events, a rental rate adopted by City Council will be charged for the use of the stage area.

Per the original agreement, the City's contribution was a not to exceed amount of \$250,000.00. DCCP contributed \$100,000.00 for design and construction costs. DCCP's contribution included

a lump sum of \$35,000.00 which was paid in FY 2013-2014 and an additional \$35,000.00 withheld from the City's \$118,804.00 voluntary contribution to the Enhanced Municipal Services District in FY 2014-2015. The balance of the DCCP's contribution would be paid back to the City over a five-year period through future City voluntary contributions to the District. If the total project costs were in excess of the amounts identified in the agreement, the City and the DCCP would work together to review the overall project to identify cost savings to complete the project within the identified budget. If cost savings could not be reached, the DCCP would pay 100% of the costs over the Estimated Cost, with the payback time to the City to be negotiated but not to exceed an additional five years. Further, either party could cancel the agreement if the construction bid costs from the design come back higher than the Estimated Cost with the design costs split 75% to the City and 25% to the DCCP. In return for the DCCP's investment, the City would pay 25% of all stage rental fees back to the DCCP for a period of 10 years. This revenue stream would assist the DCCP in marketing the stage and bringing in new festivals.

Design of the stage, in partnership with the DCCP, has taken place over the past eight months. The project went out to bid in February and closed on March 4th with a total of eight bids. The low bid was S.D. Crane Builders, Inc., in the amount of \$348,691.58 (included on the April 16, 2015, agenda). As of this date, the total expenditures and encumbrances equal \$61,121.11 (design, permit, plan review, valve removal and post design construction) for an estimated total cost of \$409,812.69. This is \$59,812.69 over the budgeted amount of \$350,000.00.

Amendment #1 to the Cost Sharing Agreement allows for a 50-50 split of the overages incurred with the DCCP paying half of their 50% by way of reduction to the EMSD Contract for FY 2015-2016 and the other half being paid by withholding their 25% rental fee reimbursement until paid in full or a balloon payment at the end of five years. The City will pay the remaining 50% of overages. The amendment also states that any additional unexpected overages will be split 50-50.

FINANCIAL IMPLICATIONS

Based on the design and construction costs to date totaling \$409,812.69, the approval of the amendment to the Cost Sharing Agreement will result in the City receiving a total of \$129,906.00 from the DCCP towards the cost of the outdoor stage in downtown Chandler. Of this total, \$84,953.00 will be received during the project, but the remaining \$44,953.00 will be reflected as a receivable to be paid to the City over the next five years. Should additional unexpected project overages occur during construction, 50% of that amount would be added to the DCCP receivable.

22. CONSTRUCTION CONTRACT: Sellers & Sons, Inc.

APPROVED Construction Contract No. PR1501.401 with Sellers & Sons, Inc., for the Snedigar Sportsplex Lighting, Fields 9 and 10, in an amount not to exceed \$267,634.00.

23. CONSTRUCTION CONTRACT/CONTINGENCY TRANSFER: S.D. Crane Builders, Inc.

APPROVED Construction Contract No. PR1405.401 with S.D. Crane Builders, Inc., for the Downtown Stage in an amount not to exceed \$348,691.58.

APPROVED a General Fund Contingency Appropriation Transfer in the amount of \$59,906.00 to the Capital Grants Fund for the Downtown Campus Improvements Project to allow the Downtown Chandler Community Partnership (DCCP) funds to be spent when received.

On June 12, 2014, Council approved a Cost Sharing Agreement with the DCCP regarding the construction and management of an outdoor stage in the downtown area to facilitate both large

and small special events. This construction project will erect a permanent stage and infrastructure to support various events in the area west of the downtown library and north of the Community Center along Commonwealth Avenue. The DCCP Cost Sharing Agreement authorizes a not to exceed contribution from the City of \$250,000.00 and \$100,000.00 from the DCCP for design and construction. Additionally, once the stage is completed and in use, stage rental revenue will be split 75% to the City and 25% to DCCP for a period of 10 years.

The amendment to the DCCP Cost Sharing Agreement, also included on the April 16, 2015, Council agenda, allows for a 50-50 split of the project overages incurred with the DCCP paying half of their 50% through reductions to the City's contribution to the Enhanced Municipal Services District (EMSD) for FY 2015-2016 by withholding their 25% rental fee reimbursement until paid in full or a balloon payment at the end of five years. The City will pay the remaining 50% of project overages. The amendment also states that any additional unexpected project overages will be split 50-50.

24. CONSTRUCTION MANAGER AT RISK CONTRACT: Achen-Gardner Construction, LLC

APPROVED Construction Manager at Risk Contract No. WW1506.251 with Achen-Gardner Construction, LLC, for pre-construction services for Downtown Sites 3, 4, 5, 6 and 7 Water-Wastewater Infrastructure in an amount not to exceed \$200,000.00.

25. CONSTRUCTION CONTRACT: Nickel Contracting, LLC

APPROVED Construction Contract No. PR1410.401 with Nickel Contracting, LLC, for Citrus Vista Park in an amount not to exceed \$1,422,016.48.

The Citrus Vista Park site is a 10.02-acre parcel located in the square mile bordered by Ocotillo, Lindsay, Chandler Heights and Gilbert roads. This park site is being developed as a neighborhood park to serve the residents in this square mile and will include a lighted basketball court, lighted sand volleyball court, shaded playgrounds for children 2 to 5 years of age and 5 to 12 years of age, swings, ramadas, horseshoe and bocce ball, lighted walking paths, landscaping and open turf areas.

As with all park development projects, citizen input on the design and development of this park was very important. On May 28, 2014, Staff facilitated a public meeting to gather input from Chandler citizens regarding the design of the park. Over fifty residents attended the meeting and their feedback was supportive. The conceptual master plan was endorsed by the Parks and Recreation Board at their July 1, 2014 meeting.

26. USE PERMIT: European Motor Studio

APPROVED Use Permit ZUP14-0036 European Motor Studio, to allow online sales of motor vehicles with incidental repairs within a Planned Industrial (I-1) Zoning District located at 501 E. Chicago Circle, Suite A, west of the SWC of Chicago Circle and Hamilton Street. (Applicant: Scott Utter, Business Owner.)

BACKGROUND

The subject site is zoned Planned Industrial District (I-1) as part of an existing industrial area east of downtown Chandler. The property is located within a cul-de-sac with several other light industrial type buildings and uses. Adjacent businesses on the Chicago Circle cul-de-sac include a dairy equipment company, masonry company, soil company and a mining equipment company.

To the south is the Chandler Unified School District bus yard and vacant General Industrial (I-1) property to the west. The adjacent tenant in the same building, Suite C, obtained a Use Permit to allow a motor vehicle customization repair business; Suite B is vacant.

European Motor Studio (EMS) is a business that specializes in the sale of European classic automobiles through an online website. The shop is not open to the public and shoppers may view the inventory on the business's website. The property will be used to store the vehicles within the 10,000-square foot industrial warehouse and will perform light, incidental repairs on inventory within the warehouse. EMS typical hours of operation will be Monday through Friday from 8 a.m. to 5 p.m. and by appointment. The business owner works daily, but may have six assistants when needed.

The business uses Suite A, which is the northern suite on the property. There are two roll-up doors to the warehouse, a door to the front office and a door at the back of the premises. A masonry fence surrounds a yard to the north to allow for screened outdoor storage; however, vehicles will not be stored outside. The property has 23 exterior parking spaces and two parking spaces are marked per the Department of Motor Vehicles' (DMV) requirements. The application does not request any building signage as they do not advertise for "walk-in" customers. If a sign is desired in the future, signage will require a Sign Permit and comply with the Sign Code.

DISCUSSION

Planning Staff finds the proposed use and location compatible with the adjacent properties and surrounding area. Any noise generated from the business is no louder than existing noise created by the adjacent bus yard and noise from the other suites when the warehouse doors are open. Planning Staff recommends a 3-year timing condition to allow for future review of the use.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was sent out to surrounding neighbors. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

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

1. All vehicle work including repair, servicing, engine testing and the like shall occur only within the building. Any overnight storage of vehicles shall occur inside the building. No work or storage of vehicles shall be performed outside of the building.
2. The Use Permit is non-transferable to any other property or other suites/tenant spaces on the subject property.
3. Any substantial change in the floor plan, including but not limited to expansion, addition of uses and the like shall require re-application and approval of a Use Permit.
4. The site shall be maintained in a clean and orderly manner.
5. All building signage or freestanding signage shall be in conformance with the Chandler Sign Code and be issued a City Sign Permit.
6. The Use Permit is effective for a period of three (3) years from the date of City Council approval. Operation of the business beyond the three-year time period shall require re-application and approval by the City of a new Use Permit.

27. USE PERMIT: Verizon Wireless – SWC Riggs and Gilbert

APPROVED Use Permit ZUP14-0037 Verizon Wireless – SWC Riggs and Gilbert, to install a 60-foot monopalm wireless communication facility located at 2945 E. Riggs Road in the Albertson's shopping center. (APPLICANT: Mike Gallagher, Wavelength Management.)

BACKGROUND

The proposed monopalm is 60 ft. tall, measured to the top of antennas. The site is adjacent to an existing AT&T monopalm and located next to a retention basin within the southeast section of the shopping center. The nearest single-family residential subdivisions are Cooper Commons, approximately 305 ft. southwest, and Springfield Lakes approximately 300 ft. southeast, across Gilbert Road. City of Chandler water facilities are east and south.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, with the antennas painted to match the fronds. The existing equipment enclosure would be extended northeast to the same 8 ft. height, utilizing concrete masonry units painted to match the color of the existing enclosure walls. A solid metal gate allows access for routine maintenance of the equipment within the new enclosure.

Two live palm trees were planted at the time when the existing AT&T monopalm was installed. Existing landscape and a light pole would be relocated to accommodate the new wireless communication facility.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing wireless facilities, vertical towers and structures located within an approximate one-mile radius, was prepared by the applicant to assess alternative locations. Each location was analyzed to determine feasibility for collocation on utility poles, street and parking lot lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs.

Photographic simulations illustrating existing views and proposed views of the wireless communication facility were provided by the applicant. The simulations depict the equipment enclosure and monopalm as viewed from several locations.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 60 ft. monopalm measured to the top of antennas. The monopalm design is appropriate at this location given the presence of adjacent palm trees and the existing monopalm. The existing 60 ft. fall AT&T monopalm, located about 62 ft. southwest of the proposed monopalm, was approved on January 14, 2010. The approximate 300 ft. separation from the single-family homes is a positive as the distance is greater than the approximate 160 ft. separation of recently approved wireless communication facilities.

Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on February 10, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Landscape shall be maintained at a level consistent with or better than at the time of planting.

28. **SPECIAL EVENT LIQUOR LICENSE:** 100 Club of Arizona

APPROVED a Special Event Liquor License for the 100 Club of Arizona for the 100 Club Fundraiser on April 25, 2015, at The Yard Cigar Bar, 1981 W. Elliot Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required. The applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

29. **SPECIAL EVENT LIQUOR LICENSE:** Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Craft Spirit Fest on April 25, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

30. **SPECIAL EVENT LIQUOR LICENSE:** Si Se Puede Foundation

APPROVED a Special Event Liquor License for the Si Se Puede Foundation for the Cinco de Mayo Festival and Chihuahua Races on May 2, 2015, at the Library Plaza, 22. S. Delaware Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

31. **LIQUOR LICENSE:** Cold Beers & Cheeseburgers

APPROVED a Series 12 Restaurant Liquor License (Chandler #157694L12) for Randy D. Nations, Agent, CBCB Pecos LLC, dba Cold Beers & Cheeseburgers, 1980 W. Germann Road. A recommendation for approval of State Liquor License #1207A164 will be forwarded to the State Department of Liquor Licenses and Control. The Police Departments 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. Transportation and Development advises a new Use Permit is not required since with will be a continuation of the location's previous use as Uncle Bears @ LLC, dba Uncle Bears Grill and Bar.

32. CONTINUED LIQUOR LICENSE: Chennai Fusion Grill

CONTINUED TO APRIL 30, 2015, Liquor License, Series 12, for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, 4929 W. Chandler Boulevard, Suite 1, to allow the applicant time to complete the requirements for a new Use Permit.

33. SAMPLING PRIVILEGES LIQUOR LICENSE: Albertsons #1021

APPROVED the addition of sampling privileges to an existing Series 9 Liquor License (Chandler #108667L9) held by Nicholas Carl Guttilla, Agent, Albertsons LLC, dba Albertsons #1021, 2935 E. Riggs Road. A recommendation for the addition of sampling privileges to State Liquor License #09070639s will be forwarded to the State Department of Liquor Licenses and Control. The Arizona State Legislature amended A.R.S. Section 4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

34. TEMPORARY EXTENSION OF PREMISES: Majerle's Sports Grill

APPROVED a Temporary Extension of Premises for a Series 12 Restaurant Liquor License (Chandler #116027L12) held by Majerle's 9 LLC, dba Majerle's Sports Grill, 3095 W. Chandler Boulevard for a Mayweather Fight Event, May 2, 2015. A recommendation for approval of an extension of premises for State Liquor License #12077269 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

35. TEMPORARY EXTENSION OF PREMISES: Majerle's Sports Grill

APPROVED a Temporary Extension of Premises for a Series 12 Restaurant Liquor License (Chandler #116027L12) held by Majerle's 9 LLC, dba Majerle's Sports Grill, 3095 W. Chandler Boulevard for a Bike Night Event, May 6, 2015. A recommendation for approval of an extension of premises for State Liquor License #12077269 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

36. CRAFT DISTILLERY/FAIR FESTIVAL LICENSE: Desert Diamond Distillery

APPROVED a Craft Distillery Fair/Festival License for John Patt, Agent, Desert Diamond Distillery, for a Craft Spring Fest on April 25, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval of State Craft Distillery Fair/Festival License #18080000

will be forwarded to the State Department of Liquor Licenses and Control. With a Craft Distillery Fair/Festival License, a licensed in-state craft distillery, within the confines of the event during the designated event periods, can sell one liter bottles of its products and sell such products in original containers for off-premises consumption only.

37. CRAFT DISTILLERY/FAIR FESTIVAL LICENSE: Tombstone Distillery

APPROVED a Craft Distillery Fair/Festival License for Garrison Ellam, Agent, Tombstone Distillery, for a Craft Spring Fest on April 25, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval of State Craft Distillery Fair/Festival License #18020000 will be forwarded to the State Department of Liquor Licenses and Control. With a Craft Distillery Fair/Festival License, a licensed in-state craft distillery, within the confines of the event during the designated event periods, can sell one liter bottles of its products and sell such products in original containers for off-premises consumption only.

PUBLIC HEARINGS

PH1. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY 2015-2019 FIVE-YEAR CONSOLIDATED PLAN, FY 2015-2016 ANNUAL ACTION PLAN

THE MAYOR OPENED THE PUBLIC HEARING AT 7:03 p.m.

STAFF PRESENTATION – Jennifer Morrison, Community and Neighborhood Services Director

As a prerequisite for receiving Community Development Block Grant (CDBG) funding, the City of Chandler is required to prepare and adopt a Five-Year Consolidated Plan (CON Plan) for submittal to the U.S. Department of Housing and Urban Development (HUD) every five years. The plan is utilized as a guide in establishing priorities for future funding decisions that will best meet the needs of Chandler's low and moderate income residents. The proposed Five-Year Plan is for the period beginning July 1, 2015, through June 30, 2019. In addition, the City is required to submit an Annual Action Plan that will guide HUD funded housing, homeless and community development activities in the City of Chandler for the period beginning July 1, 2015, through June 30, 2016. Chandler will receive \$1,227,635.00 in CDBG funds for Fiscal Year 2015-2016.

Staff has been working with a consultant since the fall of 2014 in the development of the plan. Key findings in the plan indicate that Chandler has a healthy mix of households, including children and working adults. It also shows that Chandler residents are well educated with a relatively high median income and that the City has a high homeownership rate and few substandard housing units. Additional information reveals that the homeownership rate in Chandler declined during the Great Recession and that there are over 20,000 low and moderate income households in Chandler. The highest rate of low to moderate income households include at least one person age 62 or older or at least one child less than six years. These households are shown to have a higher incidence of a single income source.

Key Five-Year Plan Goals include:

1. Increase homeownership opportunities for low and moderate income households.
2. Rehabilitate the existing housing stock.
3. Increase the supply of affordable housing.

4. Support services and facilities for homeless people, people with special needs, low income and other needy populations.
5. Participate in a regional Continuum of Care system to effectively transition persons who are homeless to appropriate permanent housing settings.
6. Revitalize Chandler's neighborhoods.
7. Strengthen the coordination and delivery of resources.

To comply with the City of Chandler's Public Participation Plan, the City is currently in a public comment period from Friday, March 20, 2015, to Monday, April 20, 2015, for the Consolidated Plan and the Annual Action Plan. In addition, a Public Hearing on the Consolidated and Annual Action Plan was held on Wednesday, March 25, 2015, at the Housing and Human Services Commission meeting.

The Annual Action Plan defines the one-year activities in relationship to the five-year goals and objectives set forth in the Consolidated Plan. It provides a brief description of the programs and projects of the City of Chandler in Fiscal Year 2015-2016, as well as funding decisions for the City's CDBG program

Non-profit organizations and City Departments applying for Fiscal Year 2015-2016 CDBG funding, submitted applications in November, 2014. A total of 17 applications were received, requesting a total of \$1,642,904.00. The Housing and Human Services Commission (HHSC) reviewed and evaluated the applications and made recommendations for funding, which can be found on page 13 of the Annual Action Plan.

After the close of the 30-day public comment period, the Five-Year Consolidated Plan and the Fiscal Year 2015-2016 Annual Action Plan will be brought to the Mayor and City Council for approval on April 30, 2015. HUD requires submittal of both plans by May 15, 2015.

MS. MORRISON announced there is an increase in areas throughout the City where they can use HUD funds for infrastructure projects. These areas are defined by neighborhoods with a 35% low to moderate income level. This change is due to the new census information.

Ms. Morrison continued through the slide presentation and noted the focus is now on neighborhood stability, reserving land for economic development and urbanizing, reusing and revitalizing the community. She highlighted the goals and improvements planned for the CDBG funds, and stated the final budget with fund allocations will be presented to Council on April 30th for their approval.

She stated the Annual Action Plan for 2015-16 .. entitlement was at \$1.19 million for FYI 2014-15. For FY2015-16 it has increased slightly to \$1.22 million. Fifteen percent (15%) is set aside for public service, up to 20% can be used for administration, and the remaining is available for capital investment. There was approximately \$351,000 in carryforward, which makes the total available of about \$1.5 million. She highlighted the capital projects.

MAYOR TIBSHRAENY asked about the Women's Homeless Shelter and the funding. Ms. Morrison said they have had difficulty getting Chandler women into that program, so based on data the Committee felt they were not serving at the level they would like to see.

COUNCILMEMBER HEUMANN asked Ms. Morrison to address the possibility of "set-aside funds" for future Not-For-Profits. Ms. Morrison stated there is always a hesitancy to fund code enforcement and the HHSC believes that is a city responsibility. CDBG is meant as a city

entitlement program, even on the capital side. She explained that many cities do a set aside for city projects. She said with the different areas opening up now for the use of block grant money, there are many infrastructure and park improvements. She commented there are not a lot of non-profits in Chandler, like Chandler Christian Community Center, that are going to need capital money. She said staff could develop some recommendations for a set aside that would be fair to any non-profits that came in needing capital money and would still keep a good focus on available of CDBG for city funds.

No comments were received from the audience.

THE MAYOR CLOSED THE PUBLIC HEARING AT 7:18 p.m.

PH2. HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FISCAL YEAR 2015-2016 ALLOCATIONS

THE MAYOR OPENED THE PUBLIC HEARING AT 7:19 p.m.

Staff Presentation – Jennifer Morrison, Community and Neighborhood Services Director

The City of Chandler receives federal HOME funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium. A total of \$508,223.00 is available for allocation for Fiscal Year 2015-2016. This amount includes \$273,223.00 in Fiscal Year 2015-2016 HOME funds as well as \$235,000.00 in unexpended funds from previous fiscal years. The unexpended amount of \$235,000.00 was originally allocated to Community Bridges, Inc., for the operation of the housing assistance program for homeless individuals and families. Of the \$508,223.00 available, the City will utilize \$17,076.00 for program administration leaving a balance of \$491,147.00 for allocation to nonprofit housing program providers.

Eligible housing activities for HOME funds include: homeowner rehabilitation, homebuyer activities, rental housing activities and Tenant Based Rental Assistance (TBRA).

As part of the Fiscal Year 2015-2016 allocation process, Staff announced the availability of HOME funding to area nonprofit housing organizations. Three applications for funding were received totaling \$760,000.00. Based on Staff input, a review of the applications and a presentation by each nonprofit, the Housing and Human Services Commission (HHSC) made funding recommendations. These recommendations were finalized and a public hearing was held by the HHSC at their meeting on March 25, 2015.

VICE MAYOR HARTKE inquire why there seems to be more people at intersections who appear homeless and asked how Chandler is reaching out to these individuals.

Ms. Morrison stated the City is actively reaching out to these individuals and supplying them with information to help them. There are many familiar faces in the homeless community and the City of Chandler and the Chandler Community Christian Center is working with them. She suggested that when people see these homeless individuals, they contact Chandler Community and Neighborhood Services at 480-782-2660.

No comments were received from the audience.

THE MAYOR CLOSED THE PUBLIC HEARING AT 7:24 p.m.

PH3. ANNEXATION OF A PARCEL OF APPROXIMATELY 1.85 ACRES LCOATED AT THE SEC OF WILLIS ROAD AND THE CONSOLIDATED CANAL.

THE MAYOR OPENED THE PUBLIC HEARING AT 7:24 p.m.

Staff Presentation – Erik Swanson, Sr. Planner

The subject site is undeveloped land currently zoned Rural-43 (RU-43) within the County. The Salt River Project (SRP) Consolidated Canal borders along the west side of the property. North of the property is one Agricultural (AG-1) residential property and the single-family home subdivision Canyon Oaks Estates borders the east side of the property. The San Tan South 202 Freeway with canals for drainage is located south of the property.

The Chandler Land Use Element of the General Plan designates the site as Residential and the Chandler Airport Area Plan designates a more specific land use category of Low Density Residential (LDR). A rezoning and preliminary development plan application will be forthcoming to request the development of townhomes.

During the anticipated construction of Willis Road, the utilities will be extended across the canal to service the property.

Planning Staff circulated this request among City Departments and no strong reservations from the annexation came about, there have been discussions on the future development.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time. Mr. Swanson said State Statute allows for up to a one year process.

COUNCILMEMBER HEUMANN inquired about the high density proposed for this property and what liability for services will the City have while trying to serve the Paseo as well.

Mr. Swanson stated they have separated the future development from the annexation process. He explained with this case, they received a preliminary technical site plan review submittal for a town home development. He said they are working with SRP and City departments to mitigate the conceptual traffic access concerns this development may cause.

COUNCILMEMBER HEUMANN and Mayor TIBSHRAENY each stated their issues with the conceptual plans and the traffic issues this development would cause with the usages on the Paseo.

No comments were received from the audience.

THE MAYOR CLOSED THE PUBLIC HEARING AT 7:26 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced he and other East Valley Mayors met with Governor Ducey to discuss economic development opportunities available, the overall role cities have in economic development, the State's recently adopted budget and how those fiscal changes affect cities and towns, HURF funds, TPT, the transfer of the city collections over to the State.

The Mayor announced the upcoming Health Connect Expo at Tumbleweed Park.

The Mayor explained the General Plan Update would be presented to the voters in 2016. The process for update the plan is occurring now and he welcomed participation.

Mayor Tibshraeny said the Annual Family Bike Ride will occur on April 25 and is held in conjunction with Valley Bike Month.

B. Councilmembers' Announcements

COUNCILMEMBER SELLERS announced the completion of the "Chandler in Focus" filming on transportation issues with Eric Anderson, Director of Maricopa Association of Governments (MAG) Transportation and Steve Banta, Director of Valley Metro and this is scheduled to start airing on May 1st. He partnered with Matt Burdick, Chandler's Director of Communications and Public Affairs to key on some transportation issues for the nationwide event "Stand Up for Transportation" that was held in downtown Phoenix last week.

Mr. Sellers said he, Councilmember Heumann, and Congressman Matt Salmon attended a meeting with PayPal last week, and yesterday, April 15th, Governor Ducey visited Chandler's Techshop to sign a bill sponsored by former Councilmember Weninger on crowd funding (start-up companies requesting investors).

Mr. Sellers commented he along with Vice Mayor Hartke, and Councilmember Lopez toured the Wells Fargo construction site on Price Road. The facility is doubling in size and will be LEADS certified when completed.

VICE MAYOR HARTKE announced several events:

Health Connect event on Saturday the 18th. He noted the mammogram screenings are courtesy of Desert Cancer Foundation.

Earth Day celebration event Saturday, April 25th at Veterans Oasis Park.

On April 30th a breakfast with Chandler's Corporate businesses to partner with non-profits to help with community issues.

The Relay for Life at Basha High School on May 1.

COUNCILMEMBER HEUMANN provided more information on the Relay for Life event, and the Desert Cancer Foundation fundraising event.

He announced the recent EIMira ribbon cutting event, a multi-housing development.

He note the departure of Jane Poston, Public Information Officer and thanked her for her years of service to the City .

COUNCILMEMBER ELLEN thanked Ms. Poston for her service and the work she has done with Operation Home.

She announced April is the National Financial Literacy month, and commented on the Chandler in Focus show she filmed on this issue.

She announced April 16th is the remembrance day for the Holocaust. She wanted people to remember it and hopes that the worlds never experience anything like it again.

COUNCILMEMBER ROE wished Ms. Poston the best in her departure from the City. He thanked Representative Weninger for his support on the Crowd Funding bill. He thanked the police for their hard work and community relationship building efforts in the community.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:47 p.m.

ATTEST: 
City Clerk


Mayor

Approved: April 30, 2015

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 16th day of April 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 1 day of May, 2015.


City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers Council Conference Room, 88 E. Chicago Street, on Monday, April 27, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 5:00 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Rick Heumann	Councilmember
	Nora Ellen	Councilmember
	Rene Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

1. Proposed Water Allocation Policy

City Manager Rich Dlugas introduced Dave Siegel, Municipal Utilities Director; Doug Toy, Water Regulatory Affairs Manager; and Greg Capps, Water Resource Manager; to present the briefing on the Water Allocation Policy.

Mr. Toy described the current policy as an informal policy by which they manage large volume users. There is also an informal policy on "quality of life" water which was formally known as "economic development water".

Mr. Toy stated staff has been tracking the top 25 water users for a number of years. DLR2121 (data center) is the 7th highest water user. Cyrus 1 (data center) will be the 3rd largest user behind Intel and Freescale. In response to a question from Councilmember Ellen, Mr. Toy said .5 mgd is city water and there is 50,000 mgd of OMG (Ocotillo Management Group) that is delivered to the Continuum site of which they are a part of.

Mr. Toy said in September 2013, the Council had a micro retreat and discussed the desire to have a water allocation policy. In November 2014, a briefing was made to the Municipal Utilities and Transportation & Development Subcommittee regarding the development of a policy. Outreach involving nine meetings with commercial, industrial, multi-family, data center developers, and existing large industrial users occurred. Meetings also occurred separately with stakeholders such as Intel, Basha's, Snell & Wilmer, Grady Gammage, Valley Partnership, and Southwest Value Partners. Discussions also took place among staff from various city departments.

Mr. Toy displayed a slide depicting a graph of the Top 25 water users that have been tracked since the 1990's. In 2008, there weren't any data centers in the Top 25. The graph depicted

the introduction of the data centers in 2009 into the Top 25 Water users. As of last year, there were three data centers in the top 25. Mr. Toy noted this data is from May 2014 when Cyrus One was just coming on line. The use would be considerably higher now.

Mr. Toy explained how the "Quality of Life" water is derived. He explained the Build Out Total Supply of water is 87.7 million gallons a day (mgd); of that 70 mgd is committed (Intel, etc.). The future demands are estimated at 15 mgd. The remaining 2.7 mgd comprises the Quality of Life Water. In order to preserve the quality of life water, future water uses must be managed.

Mr. Toy explained the new policy excludes existing meters and all residential meters (single family residential and multifamily). He noted the reason being is that residential usage has been dropping. There has been a 16% reduction in residential use per home from the years of 1996-2012. There are also other programs to manage residential use through the water conservation office. Mr. Toy said the new policy manages the new large volume users coming on line, multiple water meters on one parcel, and new users greater than Tier 1 water use rates.

Mr. Toy displayed a graph showing multi-family to single family residential comparisons and noted the multifamily use, per dwelling unit, uses less than single family residential. Multifamily per acre usage is higher than single family. The multi-family complexes send relatively more water back into the wastewater system for use as reclaimed water than the single family.

Mr. Toy reviewed the comparison data between Intel (Chandler Blvd), Freescale, and Cyrus One. He noted Cyrus One was still in startup and staff has estimated 12,000 – 23,000 gallons per day, per employee. Intel (Chandler Blvd) is about 150 and Freescale is around 617. Intel (Ocotillo) is estimated about the same as Freescale's range. He noted Intel (Chandler Blvd) is part research & development (R&D) and part manufacturing. Freescale and Intel (Ocotillo) is manufacturing. He emphasized the magnitude in the difference in numbers in the gallons per day / per employee. Mayor Tibshraeny emphasized the data centers use a lot of water with low employment. Councilmember Heumann noted the efforts by Intel to reuse water. Mr. Siegel complimented the current relationship with Intel and the information sharing that occurs.

Councilmember Sellers asked how an existing user would be affected by this policy. Mr. Toy responded that existing users are excluded from the new policy.

Vice Mayor Hartke confirmed this policy would discourage high water/low employee usage.

Mr. Toy explained there are only a handful of new water users that use a lot of water. This targets less than 1% of new water users. This policy aligns city water and land use planning. It reserves water for the last building to be built. There has been some water set aside for residential densification and quality of life opportunities. He noted this policy also protects the existing users.

In response to questions, Ms. Bigelow said if an existing user changes the water use then the new policy could impact them.

Mr. Toy said staff believes there is less than a 1% chance that a mandatory reduction would ever be needed. Mr. Toy said there is a drought plan with 4 stages. He said Chandler is more advanced than other cities in this area.

Mr. Toy explained the mechanics of the proposed allocation policy. Tier 1 is the base allocation and provides sufficient water for most projects. Tier 2 is the water that is needed for demands above Tier 1. The quantity is limited and is allocated based on the Water Resource Management Strategy that identifies the criteria (producing more jobs, revitalizing neighborhoods or downtown areas) for allocating Tier 2 water.

Councilmember Heumann asked if this would be incorporated as part of the General Plan. Mr. Kurtz replied it will.

Mr. Toy said finally the Tier 3 water is available for purchase at market rates and the city would facilitate the purchase with the expense paid for by the company.

Mr. Toy reviewed the graph for the proposed Tier 1 Water Use Rates.

Ms. Bigelow noted that zoning uses will have a stipulation that states there will only be Tier 1 water users available no matter what the PAD guide says. They can't get Tier 2 or Tier 3 unless specifically granted through an agreement.

In discussions regarding the purchase of Tier 3 water, Ms. Bigelow stated the city would not purchase water unless a substantial deposit was made. The user would not get the allocation until it's paid for.

Councilmember Sellers questioned the 356.5 gallons per day per guest room / Hotel use number. Mr. Toy said this number was retrieved from a City of Phoenix study. Mr. Capps said this also includes the landscape water. A few hotels in the city were looked at and while they were lower, the number was not substantially lower. Councilmember Heumann noted the laundry and restaurant uses that are also included in these numbers for hotels.

Mr. Toy recapped and stated staff would like Council to adopt the ordinance accepting the Tier 1 water use rates and allow a periodic review. Establish Tier 2 allocation objectives by accepting the 2015 Water Resource Management Strategy and will allow periodic updates.

Councilmember Lopez asked if we kept with current assumptions for build-out, if we would have enough water to grow to build-out. Mr. Siegel said yes. Councilmember Lopez asked about the use of non-potable water for Cyrus. Mr. Siegel the entire Continuum site is limited to 50,000 gallons of reclaimed water. The development agreement reads the city reclaimed is not allowed in without changing the agreement.

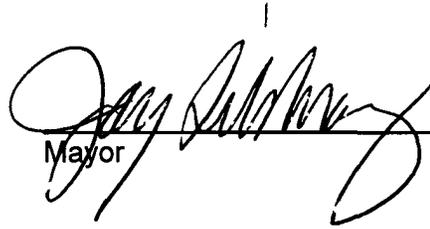
Discussion regarding the use of cooling towers by data centers. Mr. Siegel noted the cooling towers pose another challenge of salt. While cooling towers take half the water out, 100% of salt remains.

Adjournment: The Mayor adjourned the meeting at p.m.

ATTEST:



City Clerk



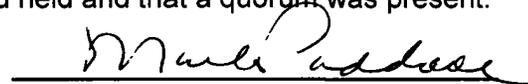
Mayor

Approval Date of Minutes: May 14, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting (Micro retreat) of the City Council of Chandler, Arizona held on April 30, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22 day of May 2015



City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, April 30, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Jack Sellers	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Nachie Marquez	Assistant City Manager
	Marsha Reed	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Michael Collier – Calvary Chapel Church of Chandler

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

Mayor Tibshraeny asked James Smith to address item #23 on the consent agenda.

Mr. Smith addressed the Use Permit request (#23) and stated Chandler's Innovations incubator occupies only half of the building. The building no longer meets the current industrial standards for industrial businesses. The ceiling height is far below the 24-28 feet height industrial businesses are looking for. He mentioned the parking availability is more than adequate to sustain an office type business.

Mr. Smith introduced applicant Shae Rath, of Arvato Bertelsmann, a third party global outsourcing company. These include call centers, Customer Relationship Management (CRM) in business process outsourcing (BPO), supply chain management, and IT services currently employing over 68,000 people globally in 35 countries. They have begun recruitment of employees with 50 currently employed and a goal of 200 by the end of 2015 and approximately 400 by the end of 2016.

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. WITHDRAWN –Minutes of the Chandler City Council Special Meeting (Micro Retreat) of April 13, 2015.
- 1b. MINUTES of the Chandler City Council Special Meeting (Exec Session) of April 13, 2015.
- 1c. MINUTES of the Chandler City Council Study Session of April 13, 2015.
- 1d. MINUTES of the Chandler City Council Regular Meeting of April 16, 2015.

2. INITIAL CITY ZONING: North of the NWC of McQueen Road and Hunt Highway Ord.#4614

ADOPTED ORDINANCE NO. 4614, DVR15-0009 North of the NWC McQueen Road and Hunt Highway, the establishment of initial City zoning of Agriculture (AG-1) on approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway.

3. INITIAL CITY ZONING: South of the SEC Chandler Heights and Cooper Roads Ord.#4615

ADOPTED ORDINANCE NO. 4615, DVR15-0007 South of the SEC of Chandler Heights and Cooper Roads, the establishment of initial City zoning of Agriculture (AG-1) on approximately 10.78 acres located south of the SEC of Chandler Heights and Cooper roads.

4. REZONING: Mission Estates Ord.#4617

ADOPTED Ordinance NO. 4617, DVR14-0028/PPT14-0016 MISSION ESTATES, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential.

5. PUBLIC USE AND STREETS EASEMENT: Palm Lane Ord.# 4622

ADOPTED ORDINANCE No. 4622 authorizing the City of Chandler, as owner, to dedicate to the public, for use as such, the streets and easements as shown on a minor land division map of Palm Lane.

6. NO COST IRRIGATION EASEMENT: SRP Ord#4624

INTRODUCED AND TENTATIVELY APPROVED Ordinance NO. 4624 granting a no-cost irrigation easement to Salt River Project (SRP) to pipe an existing irrigation ditch and accommodate future development of this area.

BACKGROUND/DISCUSSION

Salt River Project (SRP) has requested that the City grant an irrigation easement to allow SRP to pipe an existing irrigation ditch in order to accommodate future development of the area adjacent to Continuum. Providing this easement now will allow SRP to pipe the ditch and eliminate the need to "cut" the roadway for this purpose in the future. The new irrigation easement will be at no cost to SRP as the work will benefit the public.

7. PERSONNEL RULES AMENDMENT Res. #4847

ADOPTED Resolution No. 4847 authorizing the amendment of the Personnel Rules to replace all references in the Personnel Rules to the "Human Resources Manager" with "Human Resources Director", and amend Personnel Rule 1, Section 12, Outside Employment; Personnel Rule 2, Section 5,

Reclassification; Personnel Rule 5, Section 5, Reasons for Disciplinary Action Up to and Including Dismissal; Personnel Rule 7, Requirements for Employment; Personnel Rule 9, Section 3, Medical Examinations; Personnel Rule 10, Section 6, Duration of Registers; Personnel Rule 11, Section 2, Referral of Eligible Candidates; Personnel Rule 12, Section 1, Period of Probation, and Section 3, Probationary Release and Unsuccessful Completion of Promotional Probation; Personnel Rule 15, Section 1, Requesting Leaves of Absence; Section 2, Leave Authorization (Vacation Leave); Section 8, Sick Leave Accrual; Section 9, Use Of Sick Leave; Section 11, Workers' Compensation; and Section 18, Exempt Employee Special Leave.

BACKGROUND

Staff proposes amendments to the Personnel Rules to make substantive and administrative changes as follows:

1. Replacement of "Human Resources Manager" with "Human Resources Director"

The proposed Resolution will globally replace all references in the Personnel Rules to the "Human Resources Manager" with the title "Human Resources Director". This reflects the current usage of the "Director" title. The Resolution makes clear that the Human Resources Director has the same meaning as Personnel Officer under the City Charter. Over the years, the title has been corrected as a matter of housekeeping when individual Rules required other revisions. This has resulted in inconsistencies throughout the Rules. Also, there currently is a job classification of Human Resources Manager that reports to the Human Resources Director. The purpose of this change is to eliminate confusion of the titles and establish consistency throughout the Personnel Rules.

2. Other Amendments

Personnel Rule 1, Section 12: Outside Employment

The proposed change to Section 12.C. adds a provision that gives the Human Resources Director the authority to grant an exception to approve outside employment under certain circumstances if it is determined that the employment is compatible with City service.

The proposed change to Section 12.1. clarifies that eligibility for extra duty work assignments in the Police Department will be suspended while an employee is on continuous medical leave, industrial leave, Family and Medical Leave (FMLA) or Short-Term Disability leave just as approval for other off-duty assignments is suspended under Section 12.H. of the Rule.

Personnel Rule 2, Section 5: Reclassification

The proposed change is housekeeping in nature and eliminates confusing language that has no application to the reclassification process.

Personnel Rule 5, Section 5: Reasons For Disciplinary Actions Up To and Including Dismissal

The proposed change adds the surreptitious recording of conversations of other City employees as a ground for discipline under Personnel Rule 5. The same provision currently exists in the Police Department's General Orders and will ensure that all City employees must comply with the prohibition or be subject to discipline.

Personnel Rule 7, Section 5: Requirements for Employment

The City has a standalone Ordinance 4623 that authorizes fingerprinting for prospective and current employees for the purpose of evaluating fitness for employment by the City of Chandler. This section was added to identify that Ordinance and serve as a more readily accessible reference to the City's procedure regarding fitness for employment.

Personnel Rule 9, Section 3: Medical Examinations

The proposed change eliminates language which states that the City will pay for medical examinations and tests beyond the initial pre-employment medical examination if it deems appropriate. This is not the current practice. The revision requires the City to pay for subsequent tests and examinations only if they are required by the City.

Personnel Rule 10, Section 6.B: Duration of Registers

The change corrects an incomplete sentence in this section.

Personnel Rule 11, Section 2: Referral of Eligible Candidates

The change revises an incorrect reference to a Section in the Rule.

Personnel Rule 12, Section 1: Period of Probation

The proposed change extends the probation for public safety crime scene and forensic employees from 6 months to 12 months. This change was recommended by the Police Department to allow for the extensive training requirements of the positions.

Personnel Rule 12, Section 3.B: Probationary Release and Unsuccessful Completion of Promotional Probation

The proposed change specifies that the layoff rule applies in the event an employee does not complete a promotional probation period and is unable to return to his/her former position.

Personnel Rule 15, Section 1: Requesting Leaves of Absences

The proposed change identifies the circumstances in which an exempt employee could be suspended. This language already existed in the Rule. It was modified to mirror the language of the Fair Labor Standards Act that governs this provision.

Personnel Rule 15, Section 2: Leave Authorization (Vacation)

The proposed change requires that vacation leave of more than two consecutive weeks immediately preceding an employee's retirement date or resignation date will require the approval of the City Manager. This is proposed in order to ensure consistency on a City wide basis.

Personnel Rule 15, Section 8: Sick Leave Accrual

The proposed change amends the maximum period of workers' compensation industrial leave during which sick leave will continue to accrue from the current "one year" to 2,080 hours to be consistent with the current practice. This is discussed in more detail in the discussion of the proposed change to Rule 15, Section 11.B.2.c.

Personnel Rule 15, Section 9: Use of Sick Leave

The proposed change adds language to reflect the current practice of requiring a birth certificate or legal documentation of the placement of an adoptive or foster child to be provided in order to use up to 80 hours of sick leave for such purposes. The amendment also clarifies that medical certification will be required for the employee to use sick leave in excess of 80 hours.

Personnel Rule 15, Section 11.A: Workers' Compensation

The proposed change identifies the individual to whom work-related injury reports are to be submitted as the Workers' Compensation Coordinator instead of the Safety Coordinator as provided in the original provision.

Personnel Rule 15, Section 11.B.2.c: Workers' Compensation

The original rule provided that employees are eligible to receive "12 cumulative months" of paid industrial leave involving the same injury or illness. Given that industrial leave can be used intermittently and for partial day absences (e.g., for doctor's appointments, etc.), the City uses 2,080 hours as the equivalent of 12 months of industrial leave. The change substitutes 2,080 hours for "12 cumulative months" and references the application of rules to calculate the number of hours applicable to employees who are assigned to work more or less than the standard 40-hour workweek. The change is required for consistency with the administration of industrial leave and is considered a housekeeping change.

Personnel Rule 15, Section 11.B.2.d: Workers' Compensation

The proposed change removes the reference to industrial leave without pay to be consistent with the City's existing practice.

Personnel Rule 15, Section 11.B.2.e: Workers' Compensation

The proposed change adds a new section which clarifies that an employee who is unable to return to work following the exhaustion of industrial leave may be resigned from City service in good standing for health reasons. An employee would be considered unable to return to work if the employee is unable to perform the essential functions of his/her job with or without a reasonable accommodation and no other reasonable accommodation, such as a job transfer, is feasible.

Personnel Rule 15, Section 18: Exempt Employee Special Leave

The proposed change removes the current requirement that exempt employee special leave cannot exceed two consecutive days.

This change does not increase the four days allowed in one year. It simply allows those days to be consecutive at the discretion of the Department Director.

8. HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDS APPLICATIONS Res. #4851

ADOPTED Resolution No. 4851 authorizing an application for and use of Fiscal Year 2015-2016 HOME Investment Partnerships Program (HOME) funds from the Cranston-Gonzalez National Affordable Housing Act through the Maricopa County HOME Consortium; and authorizing the City Manager to sign all related documents.

BACKGROUND: The City of Chandler receives federal HOME funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium. A total of \$508,223 is available for allocation for Fiscal Year 2015-2016. This amount includes \$273,223 in Fiscal Year 2015-2016 HOME funds, as well as \$235,000 in unexpended funds from previous fiscal years. The previously unexpended amount of \$235,000 was originally allocated to Community Bridges, Inc., for the operation of the housing assistance program for homeless individuals and families. Of the \$508,223 available, the City will utilize \$17,706 for program administration leaving a balance of \$491,147 for allocation to nonprofit housing program providers.

9. CDBG FIVE YEAR AND ANNUAL ACTION PLAN Res. #4852

ADOPTED Resolution No. 4852 authorizing the City Manager or his designee to execute and submit the Community Development Block Grant Fiscal (CDBG) 2015-2019 Five-Year Consolidated Plan and the 2015-2016 Annual Action Plan to the United States Department of Housing and Urban Development (HUD) and execute all sub-recipient contracts.

BACKGROUND:

Every five years, the City of Chandler is required to prepare and adopt a Five Year Consolidated Plan for submittal to the U.S. Department of Housing and Urban Development (HUD). The plan is utilized as a guide in establishing priorities for future funding decisions that will best meet the needs of Chandler's low and moderate income residents. The proposed Five-Year Plan is for the period beginning July 1, 2015 through June 30, 2019. In addition, the City is required to submit an Annual Action Plan that will guide HUD-funded housing, homeless and community development activities in the City of Chandler for the period beginning July 1, 2015 through June 30, 2016. Chandler will receive \$1,227,635 in CDBG funds for Fiscal Year 2015-2016.

The City's Fiscal Year 2015-2016 Annual Action Plan defines the one-year activities in relationship to the five year goals and objectives set forth in the Consolidated Plan. It provides a brief description of the programs and projects of the City of Chandler in Fiscal Year 2015-2016, as well as funding decisions for the City's CDBG program.

10. WATERLINE EASEMENT EXTINGUISHMENT OF INTEREST TO ROOSEVELT WATER CONSERVATION DISTRICT Res. #4858

APPROVED Resolution No. 4858 authorizing the extinguishment of the City's interest in a waterline easement, no longer needed for public use, located on the east side of Gilbert Road approximately one-quarter mile south of Ocotillo Road to the Roosevelt Water Conservation District (RWCD).

BACKGROUND/DISCUSSION: RWCD granted a waterline easement for a waterline to service the Quail Springs and Old Stone Ranch developments.

During the construction of the Gilbert Road Improvements this waterline was relocated and the easement over the previous location is no longer needed by the Public. Roosevelt Water Conservation District (RWCD) has requested that the City transfer its interest in the easement area back to RWCD. This is being done by a Quit Claim Deed from the City to RWCD.

11. BOARD AND COMMISSION APPOINTMENTS.

APPROVED the following Board and Commission appointments:

Airport Commission: Kelly McMullen (Reappointment) Sherri Koshiol

Architectural Excellence Award Committee:

Matthew Pridemore (Reappointment)

Steve Kovach (Reappointment)

Phillip Ryan (Reappointment)

Architectural Review Committee

Patti Bruno (Reappointment)

Kim Clark (City Employee Member Reappointment)

Arts Commission

Michael Holland (Reappointment)

Laurie Fagen (Reappointment)

Board of Adjustment

Chad Wakefield (Reappointment)

Manuel Ramirez

Board of Appeals

Jalil Ahmad (Reappointment)

Citizen's Panel for Review of Police Complaints and Use of Force

Julie Krause (Reappointment)

Scott Kooiman (Reappointment)

Sandra Woods (Reappointment)

Molly Carroll

Chandler Cultural Foundation Management Board

Julia Marreel (Reappointment)

Patti Serrano (Reappointment)

Marnie Brookins

Nancy Halle

Domestic Violence Commission Susan

Stevens-Clark (Reappointment)

Sophia Campbell (Reappointment)

Economic Development Advisory Board

Ed Hines (Reappointment)
Todd Hardy (Reappointment)
Lloyd Harrell (Reappointment)
Scott Friedman (Reappointment)
David Carroll

Healthcare Benefits Trust Board

Jason Zdilla
Duane Anderson

Housing and Human Services Commission

Louise Moskowitz (Reappointment)
Dylan Raymond (Reappointment)

Human Relations Commission

Michelle "Shen-Yi" Chang (Reappointment)
Sharyn Younger (Reappointment)
Ruben Baldenegro (Reappointment)
Akshay Deolikar (Reappointment)

Industrial Development Authority

Shannon Wilson (Reappointment)
Alana Chavez Langdon
Hunter Pace

Library Board

Maria Munoz (Reappointment)
Nancy Kruse-Kampfe (Reappointment) Tim Johnson
(Reappointment)

Mayor's Committee for the Aging Ann

Moore (Reappointment) Larrestine Trimm
(Reappointment)

Mayor's Committee for People with Disabilities

Marguerite Smith (Reappointment)
Ted Maish (Reappointment)
Janet Rosen (Reappointment)

Mayor's Youth Commission

Rahul Ramesh
Anuj Shah
Momen Abdelkarim
George Gilliam
Anirudh Koka
Ritika Bharati
Tam Monet
Joaquin Lara

Aditya Ashar
Brennan Zhou
Jocelyn Alvar (Reappointment)
Harold Carrigan (Reappointment)
Niharika Karnik (Reappointment)
Isabella Tassinari (Reappointment)

Merit System Board

Lon Miller

Museum Board

Joshua Askey (Reappointment)
Corley Haggarton (Reappointment)

Neighborhood Advisory Committee

Marc Young (Reappointment)
David Rose
Eshe Pickett

Parks and Recreation Board

Paul Rose (Reappointment)
Robert Kampfe

Planning and Zoning Commission

Phillip Ryan (Reappointment)
Andrew Baron (Reappointment)
Kathleen Cunningham (Reappointment)

Transportation Commission

Alex Gernert (Reappointment)
Ron Hardin

Workers' Compensation and Employer Liability Trust Board

Jason Zdilla
Duane Anderson

Planning and Zoning Commission

Phillip Ryan (Reappointment)
Andrew Baron (Reappointment)
Kathleen Cunningham (Reappointment)

Transportation Commission

Alex Gernert (Reappointment)
Ron Hardin

Workers' Compensation and Employer Liability Trust Board

Jason Zdilla
Duane Anderson

12. AGREEMENT: Wesco Distribution, Streetlight Luminaries

APPROVED Agreement No. TD5-285-3494 with Wesco Distribution, for streetlight luminaires, in the amount of \$115,005.00.

BACKGROUND/DISCUSSION: In 2014, the City adopted the use of white LED streetlights as the new City standard, for improved energy efficiency and better color rendition. The City has an on-going program to retrofit the older high pressure sodium (HPS) lights, and have replaced approximately 2,300 or about 8% of the total 27,000 streetlights citywide thus far. This LED purchase will add 243 LED arterial lights to the City along Alma School Road (Ray Road to Pecos Road), Arizona Avenue (Galveston Street to Chandler Boulevard, and Frye Road to Pecos Road), and Chandler Boulevard (Arizona Avenue to McQueen Road), all within the APS area. All installations will be completed by City staff over the next several months as time permits.

FINANCIAL IMPLICATIONS

Cost: \$115,005

Savings: \$9,000 per year in energy costs

13. AGREEMENT: Artistic Land Management, Inc., Landscaping Services

APPROVED Agreement No. ST5-988-3510 with Artistic Land Management, Inc., for Landscaping Maintenance Areas 1, 2, 3, 4 and lots to be acquired by Transportation and Development for future development, in an amount not to exceed \$1,369,509.00, with the option to renew for four additional one-year periods.

BACKGROUND/DISCUSSION: The approximate 400 acres of landscaped areas to be maintained under this agreement are the arterial street rights-of-ways, medians (Transportation & Development Department maintained) and retention basins within the City of Chandler. This agreement also includes trash pickup, weed control, irrigation repair, fertilization, palm trimming, mowing, and pruning/trimming as required in the following areas:

The Price Freeway frontage roads, the Western Canal Pathway, Chandler Mall Transit Center, Airport Terminal area, Bus Rapid Transit stations and a large portion of the McQueen Yard.

New areas within this contract include Arizona Avenue medians from Chandler Heights Road to south of Riggs Road, and additional medians on Gilbert Road south of Queen Creek Road.

14. AGREEMENT: Carollo Engineers, Inc., Pecos-McQueen Lift Station Abandonment

APPROVED Project Agreement No. WW1417.451, with Carollo Engineers, Inc., for construction management services, for the Pecos-McQueen Lift Station Abandonment, pursuant to On-Call Water/Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$52,545.00.

BACKGROUND/DISCUSSION:

The Pecos-McQueen Lift Station, located at 993 East Pecos Road, has been in operation since 1999. With further development of the wastewater collection system, the lift station is no longer required for operations. Removal of the lift station facility will encourage development of the surrounding property. The City will salvage existing equipment for reuse at other wastewater facilities.

The project scope of work consists of construction management services to abandon and remove the existing lift station. The work includes project management services, reviewing requests for information and submittals, site visits, project closeout, and warranty assistance.

15. CONTRACT AMENDMENT: Jeff Martin Consulting

APPROVED Agreement No. 3387, AMENDMENT NO. 1 with Jeff Martin Consulting, LLC, for transportation consulting services, in an amount not to exceed \$53,000.00 for one year.

BACKGROUND/DISCUSSION: The City first entered into a contract with the consultant in 2009 and has continued each year for the purpose of representing the City of Chandler in various regional transportation issues. These issues included the Valley Metro Transit Life Cycle Program (TLCP), reviewing and coordinating the City's Five (5) Year Transit Operating and Capital Budget with the TLCP, representing the City on various transit committees at Valley Metro and the Maricopa Association of Governments (MAG), intergovernmental coordination on transit issues, and other transit functions as assigned by the Transportation & Development Director. The original contract and extensions expired in 2014, and the City entered into a new contract with the consultant on June 12, 2014.

For FY 14/15 an increase in the original contract is needed in the amount of \$8,000, for a total annual award of \$53,000 to cover the time between the expiration of the prior contract and execution of the current contract. Since the expiration of the original contract, Mr. Martin has continued to provide consulting services to the City of Chandler.

For FY 15/16 an amount of \$45,000 is requested for a one (1) year period. The consultant will assist and attend meetings for the City in the following:

- Facilitate further study of the Arizona Avenue corridor as a high capacity transit corridor
- Valley Metro Transit Standards and Performance Measures technical advisory working group
- Southeast Valley Transit System Study project advisory committee
- Other transit issues under consideration at Valley Metro, METRO, and MAG, including collaborating with other cities in the MAG region on such issues

16. CONSTRUCTION CONTRACT: Degan Construction

APPROVED Construction Contract No. WW1417.401, with Degan Construction, LLC, for the Pecos-McQueen Lift Station Abandonment, in an amount not to exceed \$279,960.00.

BACKGROUND/DISCUSSION: The Pecos-McQueen Lift Station, located at 993 East Pecos Road, has been in operation since 1999. With further development of the wastewater collection system, the lift station is no longer required for operations. Removal of the lift station facility will encourage development of the surrounding property. The City will salvage existing equipment for reuse at other wastewater facilities.

The project scope of work consists of demolition and abandonment of the lift station, abandonment of the wastewater feed line to the lift station, flushing of two miles of sewer force main, salvage of specific equipment, and site restoration.

17. DESIGN AND CONSTRUCTION CONTRACT: SRP Enhanced Water Distribution

APPROVED Design and Construction Contract No. WW1301.503, with Salt River Project, for enhanced distribution facilities, for the Ocotillo Water Reclamation Facility Expansion, in an amount not to exceed \$262,576.00.

BACKGROUND/DISCUSSION: To accommodate the Ocotillo Water Reclamation Facility (OWRF) expansion for present and future services, Salt River Project (SRP) will install new electrical facilities for the existing OWRF and Airport Lift Station. The construction will be located on Old Price Road, south of Queen Creek Road.

The project scope of work includes installation of a new electrical service and distribution feeder equipment to provide automated switching between two distribution circuits.

This Contract also includes an Agreement for electric service with the enhanced distribution facility that establishes a 10-year term of monthly facility charges, delivery point, metering point, applicable price plan, supplemental riders, and exhibits.

18. CONTRACT: CSW Contractors

APPROVED Construction Manager at Risk Contract No. WA1504.251, to CSW Contractors, Inc., for pre-construction services, for Large Valve Replacement, in an amount not to exceed \$108,416.42.

BACKGROUND/DISCUSSION: A large valve assessment was recently completed that evaluated the condition of water valves with a diameter of 20-inches and larger. The assessment, performed by Dibble Engineering, identified and prioritized a list of valves designated for replacement near the intersection of McQueen and Pecos Roads, and at the Pecos Surface Water Treatment Plant (SWTP), located at 1475 East Pecos Road.

The project scope of work consists of constructability reviews and preparation of Guaranteed Maximum Price proposal(s). In addition, work includes excavation of the areas where the valves will be installed to determine proper locations and dimensions. This information is critical for ordering materials prior to construction which must occur during the annual Pecos SWTP shutdown in December 2015.

19. CONTRACT: R.K. Sanders

APPROVED Construction Contract No. WA1415.401, with R.K. Sanders, Inc., for the Frye Road Water Production Facility Wall, in an amount not to exceed \$173,055.00.

BACKGROUND/DISCUSSION : The Frye Road Water Production Facility (WPF) , located at 592 West Frye Road, is within a residential community. Construction of an eight-foot wall is proposed on the east side, along Essex Street, and on the south side, along Frye Road, to improve neighborhood aesthetics and site security. This project was coordinated with Economic Development, as well as Community & Neighborhood Services.

The project scope of work includes the construction of an eight-foot wall on the south side of the WPF , consisting of a five-foot masonry wall with a three-foot wrought iron fence on top of it, and an eight-foot concrete masonry wall on the east side of the facility. In addition, landscaping will be installed along the south side of the WPF.

20. PURCHASE: Police Records Furniture

APPROVED the purchase of Police Records furniture and installation from Wist Office Products, utilizing 1GPA Contract No. 14-163S, in the amount of \$52,876.38.

21. PURCHASE: Police Crime Scene Digital LizardQ Camera

APPROVED the purchase of LizardQ, a digital camera crime scene capture system, from Scene Capture, Inc. utilizing City of Mesa Contract No. 2015024, in the amount of \$61,800.00.

22. PURCHASE: Aftermarket Vehicle and Equipment Parts

APPROVED the purchase of aftermarket vehicle and equipment parts from Genuine Parts Co. NAPA, utilizing State of Arizona Contract No. ADSPO 039976, in an amount not to exceed \$85,000.00.

23. USE PERMIT: SAN TAN TECH CENTER

APPROVED Use Permit ZUP15-0004 SAN TAN TECH CENTER, to allow Office uses within a Planned Industrial (I-1) Zoning District for approximately 11.88 acres located at 145 S. 79th Street.

The subject site is located south of the southwest corner of Chandler Boulevard and McClintock Drive, within the Stellar Industrial Park Unit One, east of the runway. The approximate 12-acre site is surrounded by McClintock Drive on the east, Milky Way on the south, and 79th Street on the west. Two light industrial properties border the subject site's north side. East of McClintock Drive is the existing single-family residential subdivision Hearthstone Unit 1.

The subject site is zoned Planned Industrial District (1-1) intended to accommodate light industrial uses such as light manufacturing, research and development, warehousing and distribution. The site developed in 1981 and was occupied by the Intel Corporation until the late 1990's. The site contains an approximate 130,000 square-foot building located at the site's northern portion, with the predominant parking areas located to the south and west. The City of Chandler's technology incubator, Innovations, occupies the building's northern half. The southern half is presently vacant.

The request is for Use Permit approval to allow office uses within the entire building. The request includes office uses such as professional business, administrative, executive, back-office and all other office uses of this kind. Office uses are not permitted by-right within the I-1 District, however are considerable under a Use Permit. The request is due in large part to the existing building's current physical constraints. The building's interior clear height is only 14 feet. This shorter distance is better suited for office, back-office, and research and development as opposed to more traditional warehousing, manufacturing, and distribution uses typically requiring taller interior clear heights.

Office uses typically generate a higher parking demand versus standard industrial uses. This parking demand is often difficult to accommodate on properties developed for traditional 1-1 uses. The subject 130,000 square-foot building would require approximately 516 parking spaces in the event the entire building was used for office purposes. The subject site is unique in that 599 parking spaces exist, far in excess of Code requirements.

DISCUSSION:

Planning Staff supports the request. Historically office uses within the I-1 district have proven compatible upon finding the higher parking ratios can be accommodated. The subject building's shorter interior clear height, in combination with the site's abundant parking supply and multiple street frontages make the requested Use Permit an ideal fit from a compatibility standpoint.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice was sent out in lieu of a neighborhood meeting. Planning Staff has received two phone calls regarding the Use Permit request. The first call came from a local business owner within the Stellar Industrial Park offering support for the request.

- The second call came from a homeowner within Hearthstone Unit 1, siting concerns for any use that would require additional power lines to be necessary to serve the surrounding area. Planning Staff has indicated the proposed use does not require any additional power supply to operate.
- A Hearthstone Unit 1 resident (home backs up to McClintock Drive) met Planning Staff at the front counter to discuss the request. Concerns cited primarily centered around the minimal landscape vegetation along the McClintock Drive frontage.

RECOMMENDED ACTION:

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend approval of ZUP15-0004 SAN TAN TECH CENTER, Use Permit approval to allow Office uses within a Planned Industrial (I-1) zoning district, subject to the following conditions:

- Permitted office uses include professional, business, administrative, executive, back-office and all other office uses except medical offices.
- The site shall be maintained in a clean and orderly manner.

24. USE PERMIT: DIRTY BLONDE TAVERN

APPROVED Use Permit LUP15-0003 DIRTY BLONDE TAVERN, Series 6 Bar License to sell and serve liquor for on-site consumption indoors and within an outside patio, with live entertainment indoors located at 4929 W. Chandler Blvd., Suite 12, SEC of Chandler Blvd.

BACKGROUND:

The application requested approval of a Liquor Use Permit to sell liquor as permitted by a Series 6 Bar License within an existing bar/restaurant and outdoor patio area including live entertainment indoors only. The Series 6 Bar License would allow the sale and service of all spirituous liquors and off-sale "To Go" privileges.

This bar/restaurant is in operation and located within an inline retail shops space at Twelve Oaks Plaza. The 4,000 square foot tenant space has been a bar/restaurant for several years. The previous tenant, Sage Bar & Vietnamese Cuisine, operated with a Series 6 Bar License including live entertainment. The Liquor Use Permit was approved in August 2013 for one year.

Dirty Blonde Tavern has an existing outdoor patio that is approximately 872 square feet. The bar/restaurant intends to operate 7 days a week, 11 a.m. to 11 p.m. Monday through Thursday, 11 a.m. to 2 a.m. Friday and Saturday, and 11 a.m. to 10 p.m. Sunday. The business wants to maintain approval for live entertainment indoors only. Zoning conditions are recommended, as per the prior Liquor Use Permit case, regarding live entertainment and associated noise.

DISCUSSION:

Planning Staff finds the request for a Series 6 Bar License and live entertainment appropriate with conditions to mitigate noise to surrounding property. Staff recommends a one-year timing condition because of new ownership and the continuation of live entertainment.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on April 7, 2015. No one attended other than the applicant. As of the writing of this memo, Planning Staff is not aware of concerns from surrounding property owners or businesses.

RECOMMENDATION:

Planning Commission and Planning Staff, upon finding the Liquor Use Permit request to be consistent with the General Plan, 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 Liquor Use Permit and require new Liquor Use Permit re- application and approval.
2. The Liquor Use Permit is granted for a Series 6 (Bar License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall occur indoors only.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

25. **LIQUOR LICENSE:** Dirty Blonde Tavern

APPROVED a Series 6 Bar Liquor License No. 06070018, (Chandler No. 157467 L6) for Amy S. Nations, Agent, Stapleton Entertainment LLC, dba Dirty Blonde Tavern, located at 4929 W. Chandler Boulevard, Suite 12.

A recommendation for approval of State Liquor License #06070018 will be forwarded to the State Department of Liquor Licenses and Control. 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.

With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

26. **USE PERMIT:** Chennai Fusion Grill

APPROVED USE PERMIT, LUP15-0004 CHENNAI FUSION GRILL, Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors located at 4929 W. Chandler Blvd., Suite 1, SEC of Chandler Blvd. and Rural Rd.

BACKGROUND:

The application requests Liquor Use Permit approval to sell liquor as permitted by a Series 12 Restaurant License within an existing restaurant tenant space. A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. The establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages.

This restaurant will be located within an inline retail shops space at Twelve Oaks Plaza. The 3,200 square foot tenant space has been a restaurant prior without liquor. There is no outdoor dining area. The restaurant intends to operate 7 days a week, 11 a.m. to 3 p.m. and 5 p.m. to 10 p.m. There is no request for live entertainment.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on April 8, 2015. No one attended other than the applicant.

Staff has received no correspondence in opposition to this request.

RECOMMENDED ACTION

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

1. Expansion, modification, or relocation beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only, and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.

27. **LIQUOR LICENSE:**

APPROVED a Series 12 License No. 120714120 (Chandler License No. 156536 L12) for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, located at 4929 W. Chandler Boulevard, Suite 1.

A recommendation for approval of State Liquor License #120714120 will be forwarded to the State Department of Liquor Licenses and Control. 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.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

28. **LIQUOR LICENSE:**

APPROVED a Series 12 License No. 1207A208 (Chandler No. 158274 L12), for Andrea Dahlman Lewkowitz, Agent, Smashburger Acquisition Phoenix LLC, dba Smashburger #1477, located at 2925 S. Alma School Road, Suite #8.

A recommendation for approval of State Liquor License #1207A208 will be forwarded to the State Department of Liquor Licenses and Control. 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.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The applicant's Use Permit through Transportation and Development was approved at the March 26, 2015 meeting.

29. **TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE:** Sandbar Mexican Grill

APPROVED a Temporary Extension of premises for State Liquor License No. 06070188, a Series 6, Bar Liquor License, held by South Sand LLC, dba Sandbar Mexican Grill for a Cinco de Mayo Celebration on Saturday, Sunday, Monday, Tuesday and Wednesday, May 2, 3, 4, 5 and 6, 2015, located at 7200 W. Ray Road. A recommendation for approval of a Temporary Extension of Premises for State Liquor License No. 06070188 will be forwarded to the State Department of Liquor Licenses

and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Resources.

30. See Public Hearing PH1.

31. RESOLUTION: Special Election – Charter Amendment

Res. # 4862

APPROVED Resolution No. 4862 calling for a Special Election on August 25, 2015, through a mail ballot election, to the voters for the purpose of submitting a proposed charter amendment to formalize the August and November of even numbered years election cycle and January commencement dates for the office of Mayor and Councilmember. The resolution authorizes the City Clerk to enter into an agreement with Maricopa County Elections Department to coordinate the administration of the election.

PUBLIC HEARING:

PH1. DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT ASSESSMENT FOR FISCAL YEAR 2015-2016

The Mayor opened the public hearing at 7:11 p.m. and asked Downtown Redevelopment Manager Kim Moyers to come forward to present.

BACKGROUND:

On March 26, 2015, City Council approved Resolution No. 4846, which authorized modification of the Assessment Diagram, making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District, completing the assessment, and setting the date for the Public Hearing on the assessments for the April 30, 2015, City Council meeting.

Subsequent to the April meeting, staff published notice of the date of the Public Hearing for five consecutive days in the Arizona Republic as required by Arizona Revised Statute. Downtown Chandler Community Partnership Staff also sent a notice of the Public Hearing to all property owners in the District. The letter advised the property owners that they could file an objection with the City Clerk, should they desire to do so. To date, no objections have been received in the City Clerk's Office.

DISCUSSION

Ms. Kim Moyers, Downtown Redevelopment Manager, introduced the 10th Annual Public Hearing for the Enhanced Municipal Services District. Ms. Moyers stated the EMSD was created in 2005 to enable merchants and property owners to better market and enhance the area above what City services already provide. The District covers 61 acres and has over 1 million square feet of space. Since its inception the District has created many signature events and has completed several beautification projects. Through these efforts the downtown has experience continued success of existing merchants and an increase in the number of quality retail and restaurant establishments.

The retail vacancy rate is approximately 2% and the office vacancy rate below market average of 5 %. Recent momentum is creating dynamic redevelopment projects, most recently the completion of the San Marcos Resort, Golf course and club house. Ms. Moyers then recapped other recent development projects such as: Alta Steel-yard Lofts, DC Heights, and a few City owned properties such as Site 6, across from City Hall, and on the corner of Chandler Blvd. and Arizona Avenue the area commonly referred to as "Sites 1, 2, and 3" is planned to be mixed use development with significant entertainment venues.

The Enhanced Municipal Services District (EMSD) was authorized by the property owners in the District with 100% of the assessment proceeds being paid to the District. The City Council is the Governing Body who officially enables the District, and the District has a 10-year term, but is must be renewed each year through the following process:

1. The City Council sets the assessment rate
2. There is a tentative assessment approval by Council, and then a hearing is set for another Council meeting.
3. The Public Hearing is published for 5 consecutive days before the hearing is held, and the property owners in the District are mailed notices of this public hearing
4. The Public Hearing is held and a Resolution of approval needs to be approved
5. Then approval of the contract with the Downtown Chandler Community Partners (DCCP).

Mr. Moyers mentioned there have been explorative conversations regarding the expansion of the EMSD. Should the DCCP choose to move forward with this option, the City would work in partnership to talk to property and business owners in the identified area.

Councilmember Heumann requested Ms. Moyers recap the Alta Steel Yard housing project since he receives so many questions as to whether that will be low income or public housing. Ms. Moyers stated this development is creating an atmosphere of young professional with an urban feel. These units are one – two bedrooms and each bedroom will have its own walk in closet and bathroom. There will be speakers in every room, large windows, and rent will range from approximately \$800 to \$1700 per month.

Jeff Kulaga, Executive Director of DCCP, highlighted the recent activities and upcoming businesses in the downtown area. He also highlighted the many events they hold in downtown Chandler.

FINANCIAL IMPLICATIONS: Assessments in the District are based on three factors including assessed value (one-third of the assessment), building square footage (one-third of the assessment) and land square footage (one-third of the assessment). All properties will be assessed at the same rate with the exception of buildings along the Historic Square which will be assessed double the building square footage rate.

The total of all assessments is \$263,967, of which privately owned property in the District contributes \$145,163 (55%). In addition, the assessment for City owned property is \$118,804, which is the same as the prior year's contribution and represents 45% of the total District operating funds for FY2015-2016. Funds to provide for the City's contribution to the District have been requested in the Downtown Redevelopment's operating budget for 2015-2016.

Hearing no comments from the public, Mayor Tibshraeny closed the Public Hearing at 7:34 p.m.

30 **ANNUAL ASSESSMENT:** Downtown Chandler Enhanced Municipal Services District Res. #4855

Resolution No. 4855 authorizing the 2015-2016 Annual Assessment for the City of Chandler Downtown Enhanced Municipal Services District.

Upon completion of the Public Hearing and approval of this item, Staff will forward the calculated Assessment Roll to the Maricopa County Assessor's Office. The first assessments for the District will be mailed to property owners with their tax bill in July of this year.

FINANCIAL IMPLICATIONS: Assessments in the District are based on three factors including assessed value (one-third of the assessment), building square footage (one-third of the assessment) and land square footage (one-third of the assessment).

All properties will be assessed at the same rate with the exception of buildings along the Historic Square which will be assessed double the building square footage rate.

The total of all assessments is \$263,967, of which privately owned property in the District contributes \$145,163 (55%). In addition, the assessment for City owned property is \$118,804, which is the same as the prior year's contribution and represents 45% of the total District operating funds for FY2015-2016. Funds to provide for the City's contribution to the District have been requested in the Downtown Redevelopment's operating budget for 2015-2016.

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE RESOLUTION NO. 4855 AUTHORIZING THE 2015-2016 ANNUAL ASSESSMENT FOR THE CITY OF CHANDLER DOWNTOWN ENHANCED MUNICIPAL SERVICES DISTRICT.

MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

Lane Schoneberger, 4555 S. Exeter St., Chandler AZ, said he lives in Pine Lake Estates and is a representative of the 26 south Chandler neighborhoods who have united and formed "Arizona Communities United. He requested the City Council to write a letter to the Arizona Corporation Commission requesting a vote to approve with a modification the SRP power line project. The modification should demand the power lines be buried from Schrader substation along the Union Pacific Rail Road to the Gila River Indian Community. Additionally any previous alternative route options that have been removed from consideration not be reconsidered. Mr. Schoneberger continued to read his statement to the Council, addressing several issues of concern as to how SRP has conducted business regarding transformer lines through the community. He requested the Chandler City Council stand up and support the citizens of Chandler and hold fast to the 1999 South East Area Plan which addressed the open space and community environment for their area. He asked the Council sign a petition stating the same.

John Pein, 1328 S Lindl Dr. Chandler, AZ. Stated he is the Board President of the Rancho Del Ray HOA consisting of 400 homes. Mr. Pein addressed what he felt was a lack of transparency and Council oversights regarding construction projects in their neighborhood. Their neighborhood is near vacant dealership lots and the Power Ride business. He contacted City Staff regarding the recent projects and was told that 10 years prior, Council had granted the Planning Staff carte blanche with the future development of that site, and eliminated public meetings or neighborhood notifications. He expressed concern that these dealerships seem to have been granted special privileges. A more recent project will be built in a 25 MPH residential area where school buses are making frequent stops and children are ever-present.

Elska Watts, 2021 S. Holguin Pl., Chandler, AZ. Stated she has been working on the SRP power line issue for 27 months. Their community has participated in all the SRP open houses, public meetings, and public comment solicitations. The beginning was bit rough, but in the end, SRP's communication to the community is to be commended. She also wanted to thank the City, Mayor Tibshraeny and Councilmember Heumann for being so involved and responding to the many questions, concerns and comments from the south Chandler residents.

Steve Fanning, 744 W. Citrus Way, Chandler, AZ. Mr. Fanning stated he represented the three neighborhoods along Ocotillo Road, which consisted of approximately 465 members from three neighborhoods. He wished to thank Mayor Tibshraeny, the City Council and especially Councilmember Heumann for all their hard work and

efforts with the community members. Throughout the 2-year process, when the community needed assistance in dealing with SRP, it was the City that stepped in and helped advocate for the citizens. The beginning of SRP's power line extension project was challenging. However, they feel that in the end, it may be the best solution at this time. They sympathize with those neighborhoods impacted by the above ground power lines, they do wish to obstruct their efforts to have these lines buried, but they disagree with their negative characterization of the City's efforts. He thanked the Mayor and Council for their support and help during the process.

Mayor Tibshraeny asked Staff to provide information as to the location and number of power poles from the substation in relation to the number of poles that would be removed/replaced.

He also mentioned the Council would need to take a vote on whether to sign a letter of any type requested by the residents, which could not be done since it would need to be an item on the agenda.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor announced the following:

- Dedication of Fire Station #1 earlier in the evening.
- The Cinco de Mayo Festival and Chihuahua races will be held Saturday, May 2nd from 9 a.m. to 4 p.m. near the downtown Chandler library.
- The Police Memorial Ceremony will be held on Monday, May 4th at 8:30 a.m. to honor Chandler's fallen Police Officers. Chandler lost two officers in October of 2014, David Payne and Bryant Holmes.

B. Councilmembers' Announcements

COUNCILMEMBER SELLERS announced he attended the Arizona Town Hall meeting last week in Tucson on transportation. They developed a final report that he hopes will help influence the transportation future for Arizona.

VICE MAYOR HARTKE announced the Chandler Relay for Life event taking place at Basha High School starting Friday, May 1 at 6:00 p.m. running all night until 6:00 a.m. Saturday morning. The theme for this year's event is "Walking because others can't." He asked if anyone was interested in joining them, they were more than welcome to come out and support or participate.

COUNCILMEMBER HEUMANN announced Vice Mayor Hartke's wife is and has been the Chairperson for the events entertainment venue of the race. He and the Hartkes have been involved with the race for many years.

He announced the grand opening of the Dignity Health Emergency Room earlier in the day at the corner of Gilbert and Germann.

On Monday, April 27th, the City Council had a briefing on a proposed water allocation policy. Councilmember Heumann is President of the Association of Metropolitan Water Agencies (AMWA) and stated the policy is very leading edge and should help significantly with water issues for the future.

COUNCILMEMBER ELLEN announced the month of April is Financial Literacy Month. She encouraged everyone to help mentor others on the various matters of money, such as balancing a

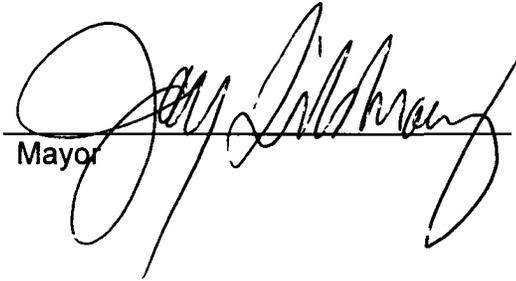
check book, savings accounts, staying out of debt, and credit card debt.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:54 p.m.

ATTEST: 
City Clerk


Mayor

Approved: May 14, 2015

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 30th day of April 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of May, 2015.


City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Friday, May 1, 2015 in the Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 8:30 a.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Opening Remarks – Mayor Jay Tibshraeny

Mayor Tibshraeny gave brief opening remarks. The Mayor thanked Budget staff, Directors, the City Manager and his office for continuing to identify cost savings and other efficiencies.

The Mayor noted that Chandler continues to be in a good position today because of years, if not decades, of solid fiscal policies and decisions. He commented the city continues to be very transparent throughout this process with the Budget Survey, Budget Connect, two Budget Workshops, public meetings like this, and a couple more after this too. The Mayor pointed out that we will continue to stay vigilant as a City Council and as a City. He noted that we have a very cohesive and dedicated Council and he thanked his fellow Councilmembers.

Introduction – City Manager Rich Dlugas

Mr. Dlugas welcomed everyone to the presentation of the Proposed 2015-16 Budget and 2016-2025 Capital Improvement Program. He stated the budget reflects Chandler’s continued commitment to provide high quality services to the community in the most cost effective manner while maintaining the City’s long term financial viability. He also noted that the Executive Summary book provided with the proposed budget includes his full budget message for the 2015-16 Budget.

Overview of Budget – Dawn Lang & Greg Westrum

Management Services Director Dawn Lang provided an overview of the budget including revenue, capital costs, and General Fund balance. Dawn highlighted the 2015-16 Budget theme, “Chandler...The Place to Be.”

Councilmember Heumann – Is the differences between the \$136M and the \$72M on the red bar on the chart because of Intel? Ms. Lang – The red bar is the Other Service Charges & Receipts, and the most significant portion of that change is the amount being refunded by Intel. It’s a larger portion in FY 2014-15 than FY 2015-16 because we are coming to the close of that project and the reimbursements coming back to the City are getting smaller.

Councilmember Heumann – On the 9.5 new positions, are some of those police positions because of anticipated retirements? Ms. Lang – In this case it is not. These are all positions related to maintaining existing service levels and, in one case, it is enhancing a service level.

Councilmember Heumann – Are we using one-time money for early hire police positions for the transition? Ms. Lang – We are. We have a reserve set aside this year (FY 2014-15). We also have reallocated funding in the FY 2015-16 Budget for this purpose.

Councilmember Heumann – Is increased utility costs one of the reasons we are looking at close to a \$1.2M increase over the next few years? Are the utility rate increases basically for electric? Ms. Lang – The overall increases for the City include electric, water, and wastewater. We are anticipating an increase in our wastewater rate, but not water rate, for next year. That would be included as an increase to our departments. There is also an increase on the electric side.

Councilmember Heumann – It's an overall increase of \$1.2M that we will see later but it is portions here and there, is that correct? Ms. Lang – That is correct.

Councilmember Sellers – It was mentioned that healthcare costs are going up. Is there an estimate on how much we are actually saving over what we would be paying if we were not self-insured? Ms. Lang – I can work with HR to get that estimate.

Mayor Tibshraeny – When we add new positions do those requests still go through the City Manager's office for approval? Mr. Dlugas – New positions that are requested for next fiscal year come through as a decision package that is fully vetted out before we bring it to you. As positions become vacant during the year, it is required to come through the Assistant City Manager or City Manager before we approve going out for recruitment for the position.

Mayor Tibshraeny – So there is a good check and balance that you put into place during the recession? Mr. Dlugas – Yes, and we continue to do that. Ms. Lang – Most of the changes that take place that are personnel related typically are associated with an action that comes forward to Mayor & Council during the year, so you will know about those, even though they do not require Council approval. The City Manager has been very transparent in that respect on those new positions.

Vice Mayor Hartke – Do you have any projections from other cities? What are you hearing from other cities around us about their budgets? Ms. Lang – Some cities are weathering the storm pretty well, but Phoenix, Glendale and Mesa are struggling in certain areas, areas whereas Chandler has made very wise choices. Based on news reports, Phoenix is probably struggling the most at this point in time in balancing their budget.

Vice Mayor Hartke – Do you know what the growth projection is this year in ongoing revenue at other cities? Ms. Lang – No, but I can look at that. Some of the budgets have been put out, but very few at this point. We have estimated lower than the State projection on our state shared projections. Typically our projections are lower on our local revenue collections than most other cities and I think that is why we are in the position we are in. Some of the cities are actually making cuts so they are showing a reduction in their collections or the growth isn't as high as they hoped, so they are having to cut their expenditures. We will get that information and share it with you.

Fire, Health & Medical – Fire Chief Jeff Clark

Fire Chief Jeff Clark presented the budget for the Fire Department.

Vice Mayor Hartke – On your first accomplishment, the 6.9% increase, do you think that people are calling your department more because the new name includes “health” in the title? Chief Clark – The increase is being attributed to growth coming into the City. Growth in the southern portion of the City is picking up. The rest of the fire services in the Valley have been seeing 5-10% growth per year through the last 4 years. For some reason, we were not seeing that, so some of it could be us just catching up with the demand that some of the other cities were seeing. Seven percent is manageable; however, if it gets higher than that we will have to start digging into it, and the rebranding could certainly be part of it.

Councilmember Heumann – On the Fire Station #1 relocation, is the \$38,000 for more electricity because it is a bigger building? Chief Clark – It is definitely a bigger facility, but it is mostly for landscaping. Mayor Tibshraeny – Are there additional units there that you did not have at the other station? Chief Clark – Not exactly, the units at the old station were crammed in there. Now the units fit in the space much more comfortably.

Mayor Tibshraeny – Do the rugged tablets have to get serviced every now and then or do you just have to dock every evening at the work stations? Chief Clark – They will be charged every night at the workstations and they should be good to go from there.

Mayor Tibshraeny – Is the patrol vehicle decommissioning done at Fleet, by Fleet personnel or Fire personnel? Chief Clark – Yes, at Fleet, by Fleet personnel.

Mayor Tibshraeny – Are the foam tanks on every vehicle? Chief Clark – Most of our engines do have foam tanks.

Councilmember Heumann – On page 17 of the Fire Book, total occupancies inspected there are 5,500 projected and it has been about a 5,000 level for 3 years. The note states that there has been a change in procedure regarding inspections. Is that just because we don't have to inspect as often? Chief Clark – No, we have changed some procedures and we are sifting through that information. We are also challenged with the work force as we add more buildings in the City which stretches us. We did submit a request for an inspector this year and we have talked it through, but we are going to see a drop. We are still getting out to every building that we can get to. In the future we will have to either change the frequency of what we are doing or find a way to divert some more staff into the inspection side of things in order to keep up with the buildings. We are still hitting most of our inspections on time. Councilmember Heumann – Do you feel that for next year's budget that there will be any safety concerns in this area? Chief Clark – I do not have any safety concerns at this time. The important part of inspections, like any prevention method, is the staff presence. When a business sees a fire official come in through the door it is on their mind. We have a robust inspection program where a mailing goes out and advises the business that they need go through and inspect the building on their own. We tell them the common hazards to look for. They mail it back to us. Our policy is to follow-up on 10% of those to make sure they did the inspection. Our inspections for high hazard areas are not slipping. We maintain those as a priority.

Police – Chief Sean Duggan

Chief Sean Duggan presented the budget for the Police Department.

Councilmember Sellers – The Police Forfeiture Fund is a fairly large percentage of your operating budget. Is that a fairly stable number? Chief Duggan – The number is fluid. This year we actually doubled the request for allocation. In years past, that number has been about \$3 million, but we

increased this year because of the requests for the body camera program and the training facility. We are prepared to use our Forfeiture money to offset those costs. So we actually doubled what has normally been a 3 million dollar allocation.

Councilmember Heumann – On page 4 of the Police book, Police Administration, the number of positions is 10, however the expenditure number goes from \$2.8 million to \$5.3 million, back to \$3.9 million and then to \$8.2 million. It seems odd that it would jump by \$4-5 million if the positions are staying the same. Chief Duggan – That is in the cost center where the Forfeiture money is allocated, so it reflects that increase of the 6 million dollars.

Councilmember Ellen – Are we allocating enough money for internet crimes? Chief Duggan – It is very complicated because there are no jurisdictional boundaries. If the victim of an internet crime resides in our city, then we would take that case and have jurisdiction over that. Often times the suspects are located all over the world and that is where it is important to have connectivity to our task force, whether it's a cyber-crime or computer crime task forces. We have partnered with the FBI and the Secret Service specifically for that to give us that reach regionally, nationally, and internationally. They bring all types of resources and assets that help us with those types of investigations.

Councilmember Roe – Do we have adequate criminal investigations personnel to keep up with complex investigations, such as homicide investigations? Chief Duggan – It is challenging because the complexity of the crimes are increasing, so that skill set and that aptitude, especially the web based crimes, is taxing on policing. In line with our regional and federal partners, it is important to do a comprehensive staffing study such as we will be doing this year. We are going to look at patrol allocation and the load of cases carried by officers. That is something that is evolving, we are always aware of that, and we will continue to do those assessments and we will come back with recommendations of whether to realign existing resources or come back next year for different requests.

Councilmember Roe – If we are doing criminal investigation for stolen skateboards and bicycles, a resource might be allocated to people that are losing their identity or that type of crime. Chief Duggan – We do that. We prioritize every day. One of the things we are also working on this year is to enhance and create a more robust online reporting for those misdemeanor lower type cases.

Community & Neighborhood Services – Jennifer Morrison

Jennifer Morrison presented the budget for Community & Neighborhood Services.

Councilmember Heumann – On page 15 of the Community & Neighborhood Services book, you show operating supplies and repair and maintenance on the Aquatics page at a lower number than the adjusted budget or for the estimated expenditures, yet here you have the package asking for additional money for pool chemicals. Is the \$30,000 plugged in here under Aquatics? Ms. Morrison – Yes, it would be in there under Aquatics. Councilmember Heumann – My concern is the amount that you have for the proposed budget is significantly less than what we spent or the estimated expense, and also lower than the adjusted budget. I just want to make sure you have enough money, or are you going to have to come back later in the year for an adjustment? Ms. Morrison – There must be a cost savings in another area and sometimes what occurs is mid-year. Aquatics has had to move funding over from cost savings from other areas. I am certain that they have taken into account an evaluation of what their needs are.

Councilmember Heumann – On the additional money for sprucing up the fields, are you getting a lot of public comments on the new methods? How are you tracking the expense that was done over a few years to see if it has worked? Ms. Morrison – We are very much in contact with all the leagues on an ongoing basis. All of those leagues also come to the Parks and Recreation board meetings. They have been very positive about those enhancements. It is really important to us, because the City doesn't have its own league so we rely on those partnerships to offer those leagues to our community. The response has also been positive on a staff level, because staff wants to maintain those fields in a condition that meets the needs of the community.

Vice Mayor Hartke – Last year one of the requests was to add some practice fields that weren't up to par for the game fields. How has that been? Ms. Morrison – That has been very good. Additional fields for soccer are going in at Tumbleweed now. We are establishing fields on the far west side of Tumbleweed behind the park and ride lot. So you are going to see 3 full sized practice fields out there, so some of the funding requested in the Budget is to mow and maintain those fields. That is being received very well. Vice Mayor Hartke – Weren't there some other fields that were added at Chuparosa Park? Are those being fully utilized? Ms. Morrison – Yes and they are being very well received.

Mayor Tibshraeny – What's the status on Veterans Oasis Memorial and where do we go from here? Ms. Morrison – Over the last couple of years there have been dedicated individuals that have been working to raise funds for Veterans Memorial. Between the GRIC Grant that we received and community donations, we are at about \$672,000. We are about \$241,000 short on completing phase one. In order to complete phase one, we would need that funding. At this time donations and fund raising are rather stagnant. With the additional \$241,000 we would be able to start phase one which would include the family plaza area, the star area, earthwork and all the utilities, site furnishings, flag pole, USA flag, Arizona flag, trash receptacles, chilled drinking fountains, etc.

Vice Mayor Hartke – If we were able to get the Veterans Oasis Memorial to where it is a functional amenity of that park, what would future phases involve and, is it stable enough that this would not require additional unplanned future monies? Ms. Morrison – Phase one was about \$700,000. In the CIP, there is \$100,000 that has already been granted for parking and that is being taken out of the equation. Phase two would be \$207,000 for columns in the middle of the field. Phase three is the ramps that take you down into the columned area.

Councilmember Heumann – Of the money that was raised for the Memorial, what do we have left and what is the delta for the deference? Ms. Morrison – Including the GRIC Grant and fundraising our available balance is about \$393,000. Councilmember Heumann – So there has been expenditure already of how much? Ms. Morrison – Total expense so far are \$279,000. For the consultant it was about \$146,000. For design (Olsen) it was \$96,000. Valley Rain was \$16,000 for preconstruction drawings. Graphics and printing were about \$8,000. For a total of \$266,535.

Councilmember Heumann – If that \$266,000 was to design it, what is the amount to construct it? Ms. Morrison – The delta is \$241,000. Councilmember Heumann – Are we looking for a supplemental versus one-time money? Are we looking at City Manager additional dollars coming out of our one-time fund? Mr. Dlugas – We would have some flexibility in our one-time 1290 account that we could take this \$241,000 out of that and would not affect the Council contingency.

Councilmember Heumann – For the registered neighborhood groups and registered leaders on page 6 of the Community & Neighborhood Services book, how often are we going out to make sure that information is current? Ms. Morrison – In terms of the list, every time we market the HOA Academy we are working to update that list. When we reach out to traditional neighborhoods we are updating that list on a regular basis. That is a very live list.

Councilmember Heumann – We have funded many shade structures, but are there still places that need additional shade structures for ball fields? Ms. Morrison – Ball field shade structures that are yet to be completed are Espee Park, 6 shade structures for 3 fields, for Nozomi Park, 6 shade structures for 3 fields, Pima Park, 4 shade structures for 2 fields, and Desert Breeze Park, 1 shade structure for the south field. Councilmember Heumann – Can we get that list? Ms. Morrison – Yes.

Councilmember Sellers – Do we contribute anything for the For Our City event? Ms. Morrison – We contribute staff time. From time to time, I am sure we are contributing copying, printing, and paper. We don't quantify that, but yes we do provide support.

Councilmember Roe – On the administrative vehicle request, how many vehicles are we talking about sharing and with how much staff? Ms. Morrison – One vehicle to be shared among several staff. More than likely it will be staff that need to be in the field most of the day. Councilmember Roe – It sounds inadequate. Ms. Morrison – There is a need there and our staff has been very generous utilizing their own vehicles, but we are prudent with our request. This is a great addition to what we have right now.

Municipal Utilities – Dave Siegel

Municipal Utilities Director Dave Siegel presented the budget for the Municipal Utilities Department which includes Water, Wastewater, Solid Waste, and Reverse Osmosis.

Councilmember Lopez – The gas collection system, do we collect that or is this collection for burning? We don't collect any gas or transport it anywhere? Mr. Siegel – That is correct we do not.

Councilmember Heumann – On page 4 of the Municipal Utilities booklet the Municipal Utilities Administration went up from \$740,000 to \$1,000,000, what is the reason it has gone up? Are you adding positions? Mr. Siegel – Yes we have 2 adds that are positions transferred into that cost center from other cost centers.

Councilmember Roe – Are we looking for water costs to go up with changes to the CAP allotment. Mr. Siegel – The power is going to get more expensive. The EPA is asking to clean up some of their emissions from the coal firing portions of the plant. That is a lot of money, so we know our CAP costs are going to continue to increase every year. I think this is one of the small increases that we will see over the next several years. Councilmember Heumann – Part of that is the shift from 3 plants to 2 plants. LA County and Las Vegas are pulling out, so the costs are going to be shared.

Vice Mayor Hartke – What are the planned rate increases and when are we talking about rolling those out? Mr. Siegel – We meet with the City Manager's office next week. As you know we bring forward utility rate change requests to Council every other year.

City Magistrate – Michael Traynor

Presiding City Magistrate Michael Traynor presented the budget for the City Magistrate Department.

No questions.

Law – Kay Bigelow

City Attorney Kay Bigelow presented the budget for Law.

Councilmember Lopez – Is there a way to digitize the paperwork? Ms. Bigelow – When I first took over the office I was convinced that we needed to go to an electronic files system for many reasons. What I found out is that we are one of the few prosecutors' offices that shares a module on the courts data and records management system. When our lawyers are given a plea agreement it is entered into the computer, and it goes up to the court clerk. The court clerk then sends it to the judge, and the judge can enter it. All of that is done digitally. There is no other system like that in the Valley or state. That sharing of the system with the court is so valuable. It can't just be the prosecutors' office that switches to a new system; it would have to be a holistic change. Another thing we would need to do is have the Police Department switch to a new records management system. It is a system change of the whole justice system rather than one department. It is a bigger process.

Councilmember Roe – Do files come to you from the Police Department in paper form? Ms. Bigelow – We are able to access them through the computer. Councilmember Roe – Do you have access to video in the same fashion? Ms. Bigelow – Yes. Councilmember Roe – How long do you keep the paper file? Does it eventually get turned into microfiche? Ms. Bigelow – Yes, the documents that we must keep get scanned in and right now they are kept with the Police Department records because they have the same kind of security concerns that we have on prosecutor records. Eventually it will go into the electronic data management system (EDMS).

Transportation & Development – RJ Zeder

Transportation & Development Director RJ Zeder presented the budget for the Transportation & Development Department.

Mayor Tibshraeny – On the Arterial Life Cycle Project funding, is Gilbert Road one where you are saying the bid is ready? Mr. Zeder – That is McQueen Road.

Mayor Tibshraeny – Is it McQueen Road you are holding off on because of the possibility of receiving federal funds? Mr. Zeder – That is correct.

Mayor Tibshraeny – Street Maintenance is a one-time decision package, but it's an ongoing expense – a good ongoing expense. Mr. Zeder – That is correct. The program in itself is ongoing every year and we have ongoing dollars in our budget. There is about \$2,000,000 in contractual maintenance that we program every year and the \$1,000,000 is on top of that.

Councilmember Lopez – Will this cover all of the open or expected work orders for the next year or will there still be some remaining open. Mr. Zeder – No, if you were to look at the pavement quality index it is still declining, but the rate of decline has slowed significantly for two reasons. The first is the additional operating dollars because if you put that maintenance money in early in the cycle you are extending the life and avoiding very large expenses on the capital side. At the same time Mayor and Council have been supportive on the capital side as well. Without those dollars the rate of decline would be quicker.

Councilmember Sellers – We keep getting requests for improved bus service for major employers along the Price Corridor, like PayPal and Wells Fargo. I think we are going to need to start looking for some ways to address those requests. Mr. Zeder – Yes, we hear the same things that you all are hearing. We are currently showing an expansion of Price Road service in FY 2018-19. We would start about a year ahead of that with bus purchases to support the service. The current idea is to extend route 81 (the McClintock Road route), which currently terminates at the Transit Center on the south side of the Fashion Center Mall. It just seems a natural extension to continue that service all the way down Price Road. We are currently serving part of the Price Corridor, but most of the south half of the Price Corridor was through a diversion of route 96, the Dobson Road route. The concern that we have is that if we divert that route further north, we would be taking away service from some existing multifamily developments that are along Dobson Road. We are going to have to work on identifying funding. We estimate that the operational costs to bring the McClintock Road route down Price Road is just under \$300,000 a year. There would also be about \$1,000,000 in bus acquisitions and infrastructure work that we would have to do to get sidewalks, bus stops, signals and those types of things prepared.

Mayor & Council, Communications & Public Affairs – Matt Burdick

Communications & Public Affairs Director Matt Burdick presented the budget for the Mayor & Council Office and Communication & Public Affairs Division.

Councilmember Heumann – During the Council Retreat in February, we talked about all communications and looking at social media and how we communicate with our citizens. Is any of that reflected in this budget for the next year? Mr. Burdick – The online newsroom was one of our main pieces. That will be our foundation to drive online traffic. The video work, specifically the video contract work, will allow us to go out there and acquire visuals that we need to help disseminate via our website as well as social media. That will be a critical piece.

Councilmember Heumann – On Print, Mail and Graphics on page 10 of the General Government book, the print part of that includes the bills for utilities services, are we not seeing significant savings? Mr. Burdick – Overall we are seeing about 100,000 less in print impression. So we are continuing to make progress in terms of our digital usage and continued growth in terms of our billing. Ms. Lang – This number does include the utility bill budget. They do the work for us, and they charge that over to Utility Services. We are definitely anticipating a reduction in our printing. We already started to see increases in paperless billing and that continues to go up. We are going to do some marketing to make sure people know that the paperless opportunity is there and that everything is working properly.

City Clerk – Marla Paddock

City Clerk Marla Paddock presented the budget of the City Clerk.

Councilmember Sellers – Have we had an unusual amount of passport activity? Ms. Paddock – Yes, this truly will be our highest year in passport activity.

City Manager/Innovations – Marian Norris

Assistant to the City Manager Marian Norris presented the budget for the City Manager's Office/Innovations.

Vice Mayor Hartke – Would the Innovations funding package give us a good plan and do we have enough information to follow through based upon the consultant's recommendation? This package recommendation as opposed to one that was discussed that had a little more robust

nature to it. Ms. Norris – We are working on establishing a matrix of services that the consultants would actually place dollar amounts to. We could then use that as a sort of a menu to pick those items that are more important and have the most bang for the buck and will get us the best we can for our incubator. We feel that if there are items that would be important that we should be funding, we will bring that back to Council. We think that we can establish a really good program for \$125,000.

Buildings & Facilities – Kris Kircher

Facilities Maintenance Manager Kris Kircher presented the budget for Buildings & Facilities. No questions.

Economic Development – Micah Miranda

Economic Development Director Micah Miranda presented the budget for Tourism and Economic Development.

Councilmember Sellers – You have had a lot of turnover in your department in the last year. Are you at full staffing now? Mr. Miranda – We have made an offer to an Economic Development Specialist who will be coming in on May 18th, so at that time we will be at full staff.

Councilmember Heumann – What do you foresee for the next couple of years as far as the Price Road Corridor? Mr. Miranda – We will see continued interest in that area. We are starting to see more momentum in larger projects. The airport area is seeing a tremendous amount of project interest as well.

Downtown Redevelopment – Micah Miranda

Economic Development Director Micah Miranda presented the budget for Downtown Redevelopment. No questions.

Airport – Chris Andres

Airport Administrator Chris Andres presented the budget for Airport.

Councilmember Heumann – When will Wingspan and Chandler Air Service break ground? Mr. Andres – There is no firm date yet for Wingspan. It is currently in the marketing phase. A start date for Chandler Air Service has not been determined yet. Currently, they are doing some utility coordination.

Human Resource – Debra Stapleton

Human Resources Director Debra Stapleton presented the budget for Human Resources.

Councilmember Heumann – Have you received any feedback or comments on the White Plan? Ms. Stapleton – Surprisingly, we have not had as many comments as we expected. We are getting some questions. People that had to use medical services in January and February may not have had the understanding of how the plan worked. We have not really had a large number of complaints or even questions. It's going quite smoothly.

Information Technology – Steve Philbrick

Chief Information Officer Steve Philbrick presented the budget for IT.

Councilmember Sellers – We have talked about being “The Technology Hub of the Southwest”. Do you feel you have all the resources you need to keep us moving in that direction? Mr. Philbrick – We have the resources to maintain stability and maintain operation. We do struggle as we try to move forward with new things and new innovations to a certain extent. While we want to be that technology hub, from a government standpoint, we don’t want to be out in front with technology. We want to be proven state of the art. We don’t want to be doing things that are too far out ahead of what everybody else is doing.

Information Technology Oversight Committee (ITOC) – Steve Philbrick

Chief Information Officer Steve Philbrick presented the budget for ITOC.

Councilmember Heumann – As you roll out other City implementations, what have you learned or changed practices as a result of the utility system implementation? Mr. Philbrick – The most important thing would be testing and the need to be able to dedicate staff to doing that.

Councilmember Heumann – Are there any new things on the horizon that you are working on? Mr. Philbrick – They will be discussed in more detail in the CIP presentation. There is the Accela upgrade for permits and licensing, the Electronic Document Review process as part of T & D processes, and we have been talking about business licensing and how we are going to do that.

Councilmember Heumann – What is the Electronic Plan review? Mr. Philbrick – Electronic Plan review is a process to reduce paper and do things electronically as part of planning process. It is expect to be delivered in the spring of 2016.

Cultural Affairs – Brenda Brown

Cultural Affairs Director Brenda Brown presented the budget for Cultural Affairs.

Mayor Tibshraeny – Will we be talking about some of the restroom renovations? Ms. Brown – That is actually a maintenance issue that we are doing with Buildings and Facilities.

Councilmember Heumann – How is the e-book conversion going now? Ms. Brown – We had a few complaints during that process because, when it comes to technology, people kind of get stuck. It is now going well. We have not had any complaints in quite some time. People are happy with the product because the hold waits are shorter than what they were previously. We are also able to adjust our purchasing power to meet their needs.

Councilmember Heumann – For what we are sending to the County in property tax, how much (ballpark) are we getting back now? Ms. Brown – It is going well. This year we got the new integrated library system from them, which is valued at about \$250,000. We are also getting over \$200,000 for the library assistance program which has the ability to purchase books on their dime. In addition they still support summer reading programs and electronic databases. I do believe we are getting a much better return on our investment than previously.

Planning – Jeff Kurtz

Planning Administrator Jeff Kurtz presented the budget for the Planning Division.
No questions.

Management Services – Dawn Lang

Management Service Director Dawn Lang presented the budget for Management Services.

Councilmember Sellers – I want to remain comfortable that the photo enforcement program is a breakeven, neither revenue producer nor an expense to us. Ms. Lang – Yes, it is a breakeven. Over the recessionary years we had too much budget in revenue and expense and we reduced them. We have hit a plateau and we realized that we reduced the expenses too much, so this increase is to bring it back up by \$100,000. The program focuses on safety. We track the expense on that and even if there is a small overage it is committed to safety efforts in the City.

Councilmember Heumann – You mention that people will now be able to pay with credit cards at the counter for T&D. Are we charging for that service? Ms. Lang – There is a fee associated with that. At the permit counter, if they decide as a convenience to use their credit card there is a service charge. I believe it is 2.95% and that expense is passed on to the customer.

Councilmember Heumann – The fee that we are going to pay to the state for collecting our sales tax, is that in your budget somewhere or where is it coming from? Ms. Lang – We put those funds in Non-Departmental (1290). Councilmember Heumann – What is the fee amount? Ms. Lang – It is \$692,900.

Capital Improvement Projects (CIP) – Greg Westrum

Budget Manager Greg Westrum presented a general overview of the Capital Improvement Program (CIP), Projects, Funding Sources and impact on the tax levy.

No questions.

Buildings & Facilities CIP – Kris Kircher

Facilities Maintenance Manager Kris Kircher presented an overview of the CIP for Buildings & Facilities.

Councilmember Heumann – When will the Desert Breeze lighting be done? Mr. Kircher – We have reserved the ball field for January/February of 2016 to complete that project. The existing poles will stay; we will be putting in new lamps and replacing the electrical service to the entire park.

Information Technology/ITOC CIP – Steve Philbrick

Chief Information Officer Steve Philbrick presented an overview of the CIP for IT/ITOC.

Councilmember Sellers – The replacement of desktop phone to VOIP, is that approximately 900 phones? Mr. Philbrick – That is a pretty accurate number. Councilmember Sellers – Does that represent most of the desk sets in city use? Mr. Philbrick – When we get done with this the only place we will have left is our PD facility.

Councilmember Sellers – Are these phones actually being used? Mr. Philbrick – We have been able to reduce the number of phones. We look at what makes sense as far as handset versus VOIP.

Economic Development CIP – Micah Miranda

Economic Development Director Micah Miranda presented an overview of the CIP for Economic Development.

Councilmember Heumann – What happens to the remaining balance if it is not used for these projects? What happens to the left over money? Ms. Lang – Any funds remaining in these

programs is re-appropriated in the next year as carryforward if it is directly identified for a specific purpose.

Planning CIP– Jeff Kurtz

Planning Administrator Jeff Kurtz presented an overview of the CIP for Planning.
No questions.

Cultural Affairs CIP – Brenda Brown

Cultural Affairs Director Brenda Brown presented an overview of the CIP for Cultural Affairs.
No questions.

Airport CIP – Chris Andres

Airport Administrator Chris Andres presented an overview of the CIP for the Airport.

Councilmember Heumann – Is Wingspan’s project more hangar facilities than T-Shade? Mr. Andres – Yes.

Councilmember Ellen – For the apron project that is close to the terminal, will the planes that are tied down there need to be moved for the project? Mr. Andres – Yes. Councilmember Ellen – Do we have any say of which airplanes will go back to the tie downs close to the terminal when the project is completed? Mr. Andres – Yes, we will definitely have a say in which ones go back on the apron.

Vice Mayor Hartke – What is the City’s share on these projects? Is it about 5%? Mr. Andres – The way that it is structured now is the federal government would pay approximately 90% of the project, Arizona Department of Transportation would pay 5%, and the remaining share is the local share for 5%. So, for every dollar of total project cost, we pay a nickel.

Councilmember Ellen – What is the timing for that apron phase? Mr. Andres – We have it currently set up in two phases for 2015-16 and 2016-17.

Community & Neighborhood Services CIP – Mickey Ohland

Park Development and Operations Manager Mickey Ohland presented an overview of the CIP for Community & Neighborhood Services.

Councilmember Heumann – On the Tumbleweed Park renovation, once we spend this money to rehabilitate the soccer field will parking for the Ostrich Festival not happen there? Mr. Ohland – It should be okay for that limited amount of time. We do flood irrigate that area, so the turf will respond, but I will have to talk to Hermalinda. Councilmember Heumann – What is the cost to fix those fields? Mr. Ohland – I believe it was \$120,000.

Councilmember Heumann – On Homestead North and South, what is the point of having parks so close together? Is there a way to combine them or are they going to have different uses? Mr. Ohland – It would be difficult to connect them because of the church in between the two properties. We do have the Consolidated Canal that will connect them. Homestead North is more of a traditional neighborhood park. Homestead South has more amenities for those using the canal path and more open space.

Councilmember Roe – What is the condition of the parking lots on the west side of Snedigar? Mr. Ohland – On the west we would like to create another master plan to identify the priorities and

various improvements such as the parking lots and give it a more updated look. The plan is to pave that area, not next year, but probably the following fiscal year.

Fire, Health & Medical CIP – Assistant Fire Chief Tom Carlson

Assistant Fire Tom Dwiggins presented an overview of the CIP for the Fire, Health & Medical Department.

No questions.

Police CIP – Chief Sean Duggan

Chief Sean Duggan presented an overview of the CIP for Police.

Councilmember Heumann – Is this bond money from the 2007 election for the radios part of the radio conversion? Chief Duggan – I would have to double check that. I believe this came after that bond election. I believe this is a separate mandate from the FCC.

Mayor Tibshraeny – On the firing range, would that take the place of the existing firing range? Chief Duggan – Yes.

Mayor Tibshraeny – Would we be able to convert that into more useable space? Chief Duggan – There are all types of possibilities of using the existing firing range located at the main station. We would like to utilize that more effectively in a different capacity.

Municipal Utilities CIP – John Knudson

Senior Utilities Engineering Manager John Knudson presented an overview of the CIP for Municipal Utilities including Water, Wastewater, and Solid Waste.

Mayor Tibshraeny – Is that 4 new wells in the next 5 years? Mr. Knudson – That is correct.

Councilmember Heumann – Just to clarify, on the Ocotillo Water Reclamation Facility, that is for the landscaping and those types of things along the Price Road Corridor, correct? Mr. Knudson – Yes it is.

Councilmember Heumann – The reclaimed water conversion program has been in place for about a year now. Have there been people that have used it? Mr. Knudson – We have contacted and had conversions with HOAs, but there haven't been any contracts activated.

Transportation and Development CIP – Dan Cook

Transportation Manager Dan Cook presented an overview of the CIP for Transportation and Development.

Mayor Tibshraeny – How many lane miles in the City again? Mr. Cook – There are 2,027 lane miles in the City.

Mayor Tibshraeny – On the Ocotillo Road project, is that work to be done near the intersection? Mr. Cook – This is west of that location on the same side. There is also some County Island property in there as well. So we will have to work with the County on that.

Councilmember Heumann – Where are we at with the UPRR? Mr. Cook – We are not getting very far in those discussions. I have enlisted Patrice to help those discussions along.

Mayor Tibshraeny – The 2017-2018 construction is which leg of the Cooper Road/Queen Creek Road intersection? Mr. Cook – It is currently in design. The right of way is split into 2 pieces for 2017-2018. Mayor Tibshraeny – So it could be a candidate for acceleration? Mr. Cook – It will be a candidate for acceleration.

Councilmember Heumann – On the 2017-2018 numbers, is part of this for design work or not? Mr. Cook – Yes, the 2017-2018 money, about \$4,000,000 is for doing the intersection at Chandler Heights, and a little over half mile north to construct that. The entire piece, from the half mile north of Chandler Heights to Riggs is currently in design. We are designing it as 2 bid packages. The second mile will be sort of put on the shelf for a while until the funding becomes available.

Councilmember Heumann – On the crosswalks, you have changed a lot of those over to a countdown style. Is that now complete or are we almost done with that? Mr. Cook – I would have to check with our traffic engineering staff to be sure, but I do believe that is complete or near completion.

Councilmember Heumann – Are we buying land if someone decides to sell, are we actively buying land? Mr. Zeder – This funding would allow us to go to the property owners. This allows us to get the Washington Street right-of-way.

Wrap up – Dawn Lang

Dawn Lang gave closing and thanks to everyone for attending and for their participation.

Adjournment: The meeting was adjourned at 3:43 p.m.

ATTEST:



City Clerk



Mayor

Approval Date of Minutes: June 11, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on May 1, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17 day of June 2015



City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 14, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 7:08 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke

PLEDGE OF ALLEGIANCE: Boy Scout Troop 233 led the Pledge of Allegiance.

CONSENT:

COUNCILMEMBER HEUMANN addressed Item 10 and asked Staff to review the IGA to see how the City and residents could see a better return on this investment. He expressed his concern with the amount of money the city sees as a return on its investment.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ROE TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

- 1a. MINUTES of the Chandler City Council Special Meeting (Micro Retreat) of March 23, 2015.
- 1b. MINUTES of the Chandler City Council Special Meeting (Micro Retreat) of April 27, 2015.
- 1c. MINUTES of the Chandler City Council Special Meeting (Exec Session) of April 27, 2015.
- 1d. MINUTES of the Chandler City Council Study Session of April 27, 2015.
- 1e. MINUTES of the Chandler City Council Regular Meeting of April 30, 2015.

2. EASEMENT: SALT RIVER PROJECT – ELLIS STREET/CONTINUUM Ord. # 4624

ADOPTED ORDINANCE NO. 4624 granting a no-cost irrigation easement to Salt River Project to pipe an existing irrigation ditch and accommodate future development through, over, under and across a portion of Ellis Street, adjacent to the Continuum project.

3. EASEMENT: ARIZONA PUBLIC SERVICE

Ord. # 4608

INTRODUCED AND TENTATIVELY ADOPTED ORDINANCE NO. 4608 granting a no-cost utility easement to Arizona Public Service (APS), to provide power to the proposed downtown performance stage on the north side of Commonwealth Avenue just west of the Chandler Downtown Library.

BACKGROUND:

The City is planning the construction of a stage in the area north of Commonwealth Avenue just west of the Chandler Downtown Library. In order to bring electric service to the state it is necessary for APS to relocate their existing underground power lines in this area. As the relocation is to service a City project, the easement is being granted at no cost to APS.

4. CITY INITIAL ZONING: NORTH OF THE NWC OF ARIZONA AVE. & RIGGS RD.

WITHDREW FOR PURPOSES OF RE-ADVERTISING, DVR15-0012, the establishment of initial City zoning of Community Commercial (C-2) on approximately 9.99 acres located north of the NWC of Arizona Avenue and Riggs Road.

5. EASEMENT: Kesler Addition

Ord. #4627

INTRODUCED AND TENTATIVELY ADOPTED ORDINANCE NO. 4627 authorizing the City of Chandler, as owner, to dedicate to the public, for use as such, the streets and easements as shown on the Amended Final Plat of a portion of Lot 14, all of Lot 15 and a portion of Lot 16 of "Kesler Addition".

BACKGROUND

The City of Chandler Housing Division owns three parcels of land that are improved with six single-family residences located at the northeast corner of Kesler Lane and Colorado Street. These six residences are part of the City's inventory of affordable Public Housing that was developed in 1996. Grant funding for Public Housing projects is obtained through the United States Department of Housing and Urban Development (HUD).

When this grant funded project was developed, time was not available to undergo the platting process. These properties and a few other properties were developed on land that was not fully subdivided. HUD requires that Public Housing property receiving HUD operating subsidy funding must be encumbered by a Declaration of Trust and Restrictive Covenants. The Declaration of Trust and Restrictive Covenants essentially grants an interest in the property to HUD to assure it remains affordable.

The Amended Final Plat of a portion of Lot 14, all of Lot 15 and a portion of Lot 16 of "Kesler Addition" (the Plat) is being created for the purposes of subdividing the City's parcels into six lots, thus creating a separate lot and parcel number for each residence. This Plat will afford the City more flexibility in terms of administration and identification of parcels and associated improvements that are to be encumbered by a Declaration of Trust.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN/PLAT: Cooper and Chandler Heights Ord. # 4628

INTRODUCED AND TENTATIVELY ADOPTED ORDINANCE NO. 4628, DVR14-0043, rezoning Agricultural to Planned Area Development for a single-family residential subdivision. PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout. PRELIMINARY PLAT (PPT), PPT15-0001 for a 34.7 acre, 84-lot single-family residential subdivision located east of the SEC of Cooper and Chandler Heights roads.

BACKGROUND:

The roughly 35-acre subject site is located east of the southeast corner of Cooper and Chandler Heights roads. Developed single-family residential subdivisions are adjacent to the east and south sides, agricultural properties within the jurisdiction of the County are along the western boundary and are also at the site's northwest and northeastern corners. A portion of the current proposal went through the annexation and rezoning process in late 2012 and early 2013; however, the zoning process was never completed. At the time of initial review, a number of outparcels were excluded from the request resulting in an asymmetrical design. The current request has incorporated the various outparcels, resulting in a more cohesive subdivision design.

The subject site is located within the SECAP, designated as *Rural/Agrarian Character*, allowing for single-family residential development to occur in a low-density nature, with provisions to allow for densities to achieve 2.5 dwelling units per acre. An overall density of 2.42 dwelling units per acre is proposed.

The gated 84-lot subdivision provides a single access point along Chandler Heights Road. The entry is flanked by landscaping in a tiered design that incorporates stone, founders block, and metal banding commensurate with the agricultural heritage of the area. The entry drive terminates at the subdivision's main outdoor amenity area that is activated at the southern edge of the park. A secondary amenity area is provided at the south end of the subdivision. Although not as large as the primary amenity area, care has been taken to provide arranged seating and formalized planting. Landscaping has been designed to reflect row planting, further implementing an agrarian motif. An emergency access and egress only access point is provided at the southwest corner of the subdivision.

Typical lot sizes are 80 feet wide and 135 feet deep, resulting in a minimum lot area of 10,800 square feet. Due to all lots being greater than 10,000 square feet, the Residential Diversity Standards for subdivision layout are not applicable. Additionally, housing product is not currently proposed, requiring future PDP approval. It should be noted that the developer has agreed to limit all lots to single-story throughout the subdivision.

As shown on the site plans and Preliminary Plat an access and irrigation easement runs the length of the eastern and southern boundaries. The easement will remain in place as the irrigation structure that feeds properties to the north is located at the southeast corner of the area. While the easement will remain in place, the developer will be providing a gate at either end and will provide keys to necessary parties. The developer agreed to limiting access to the area as a result of neighborhood input.

DISCUSSION:

Planning Staff finds the request presents a high quality development on an assemblage of parcels that have historically proven to be difficult to develop. The developer has worked diligently with property owners in the area to address a number of concerns from the previous design, resulting in a well-designed subdivision. The developer, in working with the adjacent Circle G neighborhood, has requested the addition of conditions 3 through 13 of the Preliminary Development Plan conditions of approval.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Two neighborhood meetings were held. The first meeting was held prior to the application being filed with the City; however, all necessary property owners were on the notification list. Three neighbors attended the meeting and asked general questions of the development. The second meeting was held on February 25, 2015; six neighbors attended. General questions were asked, with extensive dialog regarding the emergency access and egress located at the southwest comer of the subdivision.

Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT:

Motion to Approve:

In Favor: 4 Opposed: 0 Abstain: 1 (Baron) Absent: 2 (Cunningham, Ryan)

An HOA representative of the adjacent Circle G subdivision spoke in support of the request at the hearing. Following the hearing, a County resident west of the subdivision requested clarification regarding the emergency access and whether or not it was for emergency access only or allowed for egress of the residents. Planning Staff clarified that the access is for emergency access only.

RECOMMENDED ACTIONS:

Rezoning

Planning Commission and Planning Staff, upon finding consistency with the General Plan and SECAP, recommend approval of DVR14-0043 COOPER AND CHANDLER HEIGHTS, rezoning from AG-1 to PAD for a single-family residential subdivision, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Cooper and Chandler Heights" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0043, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Right-of-way dedications to achieve full half-widths, including tum lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Undergrounding of all overhead electric (less than 69kv), communication and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of- ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall

be required to upgrade such landscaping to meet current City standards.

7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.
9. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan

Planning Commission and Planning Staff, upon finding consistency with the General Plan and SECAP, recommend approval of the DVR14-0043 COOPER AND CHANDLER HEIGHTS, Preliminary Development Plan approval for subdivision layout, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Cooper and Chandler Heights" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0043, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
3. Preliminary Development Plan approval is for subdivision layout only. Housing product approval shall require separate Preliminary Development Plan submittal and approval.
4. All homes within the development shall be single story, with a minimum lot size of 80 feet wide by 135 feet deep, corresponding to a minimum lot area of 10,800 feet.
5. The development will be a gated community.
6. The buffers adjacent to Circle G will be a minimum of 45 feet from the south property line and a minimum of 38 feet from the east property line and will have a minimum 6-foot high solid block wall, except for the area between lots 34 and 35, which shall be enclosed with a 6' view fence.
7. The two open (green) spaces adjacent to Circle G will be constructed in the locations shown and as depicted in the PAD/PDP submitted to the City of Chandler, dated March 2, 2015.
8. The secondary access gate on Via de Palmas will be constructed in the location shown in the PAD/PDP submitted to the City of Chandler, dated March 2, 2015, and will be for emergency access and egress only, except modifications as warranted and necessitated by the City Engineer. In the event modifications to the proposed design are required, the adjacent property owners shall

be notified as soon as possible prior to implementing said modifications, to allow them sufficient time to interpose any objections thereto by all means available.

9. There will be no improvements (e.g., lighting, sidewalks,) to Via de Palmas or 132nd Street adjacent to Circle G other than (a) improvements necessary for the secondary access gate, (b) installation of decomposed granite in conformance with all applicable City Codes, and (c) tiling of the canal in these areas, except as warranted and necessitated by the City Engineer. In the event modifications to the proposed design are required, the adjacent property owners shall be notified as soon as possible prior to implementing said modifications, to allow them sufficient time to interpose any objections thereto by all means available.
10. Grading on Via de Palmas and 132nd Street adjacent to Circle G, including the tiled canal portion and land adjacent to Circle G, will remain approximately as is, except as required to implement the approved grading plans per City standards. The City shall work with the developer, with the consultation of the adjacent homeowners, to minimize any potential increase in grade.
11. The private access easement, adjacent to the Circle G residential subdivision on the east and south sides of the subject property, will be gated to minimize traffic, but allow for access by those with irrigation rights. The gate along the southern property line will be located east of the emergency access/egress drive. The gate on the eastern end will be located behind lot number 25, as identified in the PAD.
12. The existing trees on the north side of the wall adjacent to the Circle G lots, between the wall and the irrigation ditch will be removed in conjunction with the development of the property.
13. Upon direction from the City of Chandler and the Roosevelt Water Conservation District, prior to second submittal of the improvement plans for the site, the developer shall include a "tee" for irrigation service to lot 133 of Circle G at Riggs Homestead Ranch Unit #4. The developer will only be responsible for installing the "tee" as part of the irrigation ditch tiling. It will be the homeowner's responsibility to extend the line into their lot, pay all other costs including RWCD fees if any, and install a valve inside their wall.

Preliminary Plat

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of PPT15-0001 COOPER AND CHANDLER HEIGHTS, Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

7. **REZONING/PRELIMINARY DEVELOPMENT PLAN: CENTURY LINK OFFICE** Ord. # 4629

INTRODUCED AND TENTATIVELY ADOPTED ORDINANCE NO. 4629, DVR15-0001, CENTURYLINK OFFICE ADDITION, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial.

PRELIMINARY DEVELOPMENT PLAN (PDP) for a building expansion located at 7031 West Galveston Street, SWC of Galveston and 56th streets.

There is a Legal Protest for this request.

Planning Staff received a letter from an attorney representing the property owner of the parcel abutting the subject site's west property line. The opposition triggers a legal protest, requiring a three-quarter vote by Council for approval.

RECOMMENDATION:

Planning Commission and Planning Staff, upon finding the Rezoning and Preliminary Development Plan (PDP) request to be consistent with the General Plan, recommend approval subject to conditions.

BACKGROUND

The subject property is located at the southwest corner of Galveston and 56th streets. Chandler Freeway Business Park and Oakland Tech properties surround the subject site. Undeveloped light industrial properties are north, east, and west. Valley Christian High School campus is northeast.

The property was developed under the jurisdiction of Maricopa County as a telecommunications facility. Annexation to the City of Chandler occurred in 1979 whereupon AG-1 zoning was established to be comparable in intensity to that permitted in the County. Rezoning to an industrial zoning district compatible with the land use never occurred. Prior to Century Link, the facility was a US West Communications facility followed by Qwest. The facility expanded twice through Use Permit approvals in 1984 and again in 1999. The 1999 Use Permit allowed an approximate 1,600 sq. ft. expansion to the first floor for an unmanned telephone switching equipment room and about a 1,600 sq. ft. expansion in the basement for an unmanned power/battery room.

This request is for rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial along with Preliminary Development Plan (PDP) approval for a building expansion. Under the previous Use Permits, the telecommunications facility was permitted to remain under AG-1 zoning and the facility expansions were in compliance with the AG-1 zoning regulations, including setbacks. The subject request for a building expansion no longer complies with the AG-1 regulations. Rezoning to PAD allows for development standards appropriate to the light industrial use and height and area regulations.

The building expansion is approximately 1,660 sq. ft. to the first floor. Exterior stairwells are modified to access the existing basement power room. Building height is proposed at 17 ft. 4 in. continuing the existing roofline. Smooth face concrete masonry block units will be used in lieu of existing slump block. The color palette matches existing paint colors for the walls, doors, louvers, metal canopy, and fascia.

An exterior mechanical equipment area for HVAC is proposed in the southeast section of the property. A future second story is conceptually illustrated. Planning Staff will administratively review future expansion to determine substantial conformance with the approved PDP. Additional details can be found within the Development Booklet.

Landscape and retention are modified to accommodate the expansion. New landscape, including 14 trees would be planted along the east, south, and north sides to replace removed landscape.

The request includes two minor waivers for a reduced rear yard setback and to maintain the same number of parking spaces. Based on the total floor area, including the building addition, the facility requires 21 parking spaces where five parking spaces exist. The request is to maintain the five parking spaces due to the facility being unmanned, except for occasional servicing by one or two technicians, and the public does not visit the facility.

The second request is to reduce the 25 ft. rear yard setback to 10 ft. No rear yard setback is required when six foot tall solid walls are along the rear property line and provided no access or servicing is permitted in the rear yard, otherwise a 25 ft. setback is required.

Existing masonry walls range in height from 5 ft. 4 inches to 6 ft. 8 inches along the rear property line. Planning Staff supports the requested waivers.

DISCUSSION:

Planning Staff finds the building addition to represent a compatible addition to the property and surrounding area. Access and parking are found to remain adequate for the unmanned telecommunications facility.

PUBLIC/NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notification letter was mailed out on March 13, 2015, in lieu of a meeting.

Planning Staff received correspondence indicating opposition to the rezoning and to the request for a parking reduction. The opposition triggers a Legal Protest.

PLANNING COMMISSION VOTE REPORT:

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Ryan)

RECOMMENDED ACTIONS:

Rezoning

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "CENTURYLINK OFFICE ADDITION", kept on file in the City of Chandler Planning Division, in File No. DVR15-0001, except as modified by conditions herein.
2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of- ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards.

The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

Preliminary Development Plan

Planning Commission and Planning Staff, upon finding consistency with the General Plan recommend approval of the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, the Development Booklet, entitled "CENTURYLINK OFFICE ADDITION", kept on file in the City of Chandler Planning Division, in File No. DVR15-0001, except as modified by conditions herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
4. The site shall be maintained in a clean and orderly manner.
5. Building setbacks shall be a minimum of 30 ft. front yard, 12 ft. side yard, and 10 ft. rear yard.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

8. CITY CODE AMENDMENT: Chapter 52

Ord. # 4634

INTRODUCED AND TENTATIVELY ADOPTED ORDINANCE NO. 4634, amending Chapter 52 of the Chandler City Code, by adding Article VI, to provide authority for the City to allocate water to non-residential uses.

BACKGROUND AND DISCUSSION:

To ensure there is a sustainable water supply for current and future water users, the City must carefully manage its remaining water supplies. Chandler has planned and managed its water resources for build-out conditions since the early 1980's and recently completed a Water Demand Update. This update projected that the City has sufficient supplies to meet its build-out demands if:

- Future demands are proactively managed,
- Future commercial and industrial demands reflect today's planning expectations, and
- New high volume users are evaluated to ensure the City receives the most benefits possible for a large water allocation.

The proposed ordinance will assist the City to manage its remaining supplies. The new water allocation ordinance applies to only non-residential uses. Chandler already has several programs to manage residential and landscape water use. The new ordinance allocates potable water resources on a three tier basis to non-residential users. Tier I water is the base allocation and is available for all Chandler water users. It is expected that the Tier I water allotment will meet 99% of all new water users' needs. If additional water is needed beyond the Tier I water allotment, the City could allocate Tier II or Tier III water.

It is expected some new projects will require more water than the Tier I water allotment. Tier II water could be used to satisfy those needs per the Water Resource Management Strategy. The Water Resource Management Strategy is a policy document that sets the framework for Tier II water allotment for Economic Development, Neighborhoods, Revitalizing Downtown, and Revitalizing North Central Chandler. In the future, the Council can change the Water Resource Management Strategy as its objectives change.

In addition, if a development requires more water than allocated by Tier I and II, Tier III water can be purchased by the end user. Tier III water acquisition fees will be market-based.

Upon any rezoning decision where the ultimate use is unknown, the particular parcel will be conditioned by the zoning ordinance to Tier I water allotments. If the end use is known at the time of rezoning or as the end user is applying for building permits, the end use must fit within the Tier I water allotments, or it must qualify as a Tier II use. Otherwise, Tier III water must be purchased for its usage.

As a condition of using the Tier II or Tier III water, the project owner will sign the Sustainable Water Service Agreement. This Agreement establishes the Tier 11111 water volumes and the conditions for using the water.

9. CITY CODE AMENDMENT: Chapter 60, Section 3 Ord. # 4638

INTRODUCED AND TENTATIVELY ADOPTED ORDINANCE NO. 4638, amending Chapter 60, Section 3 of the City Code relating to authorization to allow for liquor license fee refunds for periods that the licensee is in operation, but not yet received the final license from the State.

Background:

Tax and License (T&L) Division staff recently had discussions with a licensee about the concern that the City charges the Liquor License fee when the application is submitted versus when the license is finally issued by the State, but does not refund any portion once finally approved. The concern by the licensee was that it can take upwards of three to six months to obtain the final Liquor License, but the Liquor License fee has already been paid and cannot be used. The City receives approximately 60 applications per year and this concern is not new. Although staff still supports payment at the time of application, they do believe the ability to refund when the State wait is exceptionally long makes sense.

The City currently prorates the fiscal year Liquor License fee on a quarterly basis starting at \$1,000 and reducing it by \$250 depending on which month the licensee applies. There is currently no provision in City Code for refunding these fees once the license is approved. For example, if a Licensee were to apply in May, they would pay a \$250 Liquor License fee for the last quarter of the fiscal year. In July, they would be required to pay the new year's fee of \$1,000, even though their actual license was not yet approved by the State. The business then receives their final State approved Liquor License and begins to operate in September. The entire \$250 paid in May for the last part of the fiscal year would be a Liquor License fee paid for a period in which they could not have operated, and under the recommended new City Code language, would be allowable for a refund.

FINANCIAL IMPACT:

The recommended City Code changes to Chapter 60, Section 3, providing licensees a refund opportunity on approved licenses, is a more business friendly licensing process that is estimated to have a less than \$20,000 impact on Liquor License fee revenue.

10. IGA AMENDMENT: Maricopa County Library District Res.# 4854

ADOPTED RESOLUTION NO. 4854 authorizing the First Amendment to the Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD) for the Library Assistance Program.

BACKGROUND/DISCUSSION:

On September 12, 2013, Council adopted Resolution No. 4702 of the City of Chandler, Arizona authorizing the IGA with MCLD for the Library Assistance Program for a two-year term of July 1, 2013 through June 30, 2015. Under this IGA, the Chandler Public Library received \$219,914 in FY13/14 and \$220,628 in FY14/15 as a credit for the purchase of library materials through a vendor that is on contract with the Library District.

Under provisions of the IGA, residents of Chandler may obtain library cards free of charge from any other library in Maricopa County. In return, the Chandler Public Library also issues cards free of charge to all Maricopa County residents.

The Chandler Public Library is estimated to receive \$232,717 for FY15/16 under the First Amendment to the IGA, which is effective July 1, 2015 through June 30, 2018 and is renewable only upon written amendment executed by both parties. It will be administered by the Maricopa County Library District.

11. MUTUAL AID AGREEMENT: Gila River Indian Community

ADOPTED RESOLUTION NO. 4859 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.

BACKGROUND/DISCUSSION: The City of Chandler and the Gila River Indian Community entered into a Mutual Aid Agreement on June 15, 2011, to provide police services to assist and aid each other during emergency situations or when situations arise necessitating such services. The original agreement expired on November 9, 2014. Under the new agreement, each party will provide these services when requested unless the requests conflict with the then present duties, resources, or general orders. This agreement shall be effective upon execution by both Parties and shall expire on January 1, 2025.

FINANCIAL IMPLICATIONS: The City of Chandler and the Gila River Indian Community will absorb their own costs associated with this agreement.

12. AREA PLAN AMENDMENT/ZONING: Carino Estates Res. #4861

CONTINUED TO JULY 9, 2015.

Area Plan Amendment APL14-000, Carino Estates to amend the Carino Estates Area Plan from Rural Ranchette to Medium-Density Residential, to allow applicant time to work on development design alternatives, to continue to work with the adjacent neighborhood, and to be reviewed by the Planning Commission.

INTRODUCTION OF ORDINANCE NO. 4631, DVR14-0029 SERENADE, rezoning from Agricultural to Planned Area Development for single-family residential.

PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout and housing product for a 6.7-acre, 26-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads.

13. INTERGOVERNMENTAL AGREEMENT: City of Glendale Res. #4869

ADOPTED RESOLUTION NO. 4869 authorizing an Intergovernmental Agreement (IGA) with the City of Glendale for the Chandler Police Department to provide law enforcement security services at the University of Phoenix Stadium (UOPS), and authorizing the Chief of Police to administer, execute, and submit all documents necessary in connection with such agreement.

BACKGROUND/DISCUSSION:

While the Glendale Police Department (GPD) is primarily responsible for providing law enforcement security services for the UOPS, they are still in need of additional trained officers to work various events. The Chandler Police Department (CPD), in addition to state, county, and other local agencies, first entered into an IGA with Glendale in 2012 to cooperatively provide law enforcement and security services at various events.

The CPD's participation is beneficial in that it is an opportunity for officers to gain experience in crowd control in an organized environment, it helps foster cooperative working relationships with GPD and

other law enforcement agencies, and further provides public safety services to Chandler residents that attend events at UOPS. This agreement shall be effective upon execution of the agreement by both parties and shall expire on June 30, 2018.

FINANCIAL IMPLICATIONS:

There are no financial implications to Chandler as Glendale pays participating officer(s) directly for their service.

14. CONTINUED PRELIMINARY DEVELOPMENT PLAN: Avilla Chandler Heights

CONTINUED TO MAY 28, 2015. Preliminary Development Plan, PDP14-0016 AVILLA CHANDLER HEIGHTS, for site and building design for a residential development located east of the SEC of Arizona Avenue and Chandler Heights Road, as requested by applicant.

15. BALLOT ARGUMENT: Support of Proposition 484

APPROVED the submittal of a ballot argument in support of Proposition 484 for inclusion in the publicity pamphlet for the August 25, 2015, special election.

16. TIER 1 WATER ALLOTMENTS: WATER RESOURCE MANAGEMENT STRATEGY

APPROVED THE Tier I Water Allotments and the Water Resource Management Strategy.

BACKGROUND AND DISCUSSION:

To ensure there is a sustainable water supply for current and future water users, the City must carefully manage its remaining water supplies. Chandler has planned and managed its water resources for build-out conditions since the early 1980's and recently completed a Water Demand update. This update projected that the City has sufficient supplies to meet its build-out demands if:

- Future demands are proactively managed,
- Future commercial and industrial demands reflect today's planning expectations, and
- New high volume users are evaluated to ensure the City receives the most benefits possible for a large water allocation.

Ordinance No. 4634, amending Chapter 52 of the Chandler City Code to provide authority for the City to allocate water to non-residential uses, is also scheduled for this Council meeting. Once adopted by Council, new Sustainable Water Allocation Regulations (Article IV, Chapter 52 of the City Code) will assist the City manage its remaining water supplies. The new water allocation ordinance applies to only non-residential uses. Chandler already has several programs to manage residential and landscape water use. The new adopted ordinance allocates potable water resources on a three tier basis to non-residential users. Tier I water is the base allocation and is available for all Chandler water users. It is expected that the

Tier I water allotment will meet 99% of all new water user's needs. If additional water is needed beyond the Tier I water allotment, the City could allocate Tier II or Tier III water.

It is expected some new projects will require more water than the Tier I water allotment. Tier II water could be used to satisfy those needs per the Water Resource Management Strategy, as presented in Attachment 2. The Water Resource Management Strategy sets the framework of Tier II water allotment for Council determined priorities, such as Economic Development, Neighborhoods, Revitalizing Downtown, and Revitalizing North Central Chandler.

In addition, if a development requires more water than allocated by Tier I and II, Tier III water can be purchased by the end user. Tier III water acquisition fees will be market-based.

17. PROJECT AGREEMENT: Wilson Engineers LLC

APPROVED PROJECT AGREEMENT NO. WW1512.201 with Wilson Engineers, LLC, for permitting and design services, for the Airport Water Reclamation Facility Grit System, pursuant to On-Call Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed \$278,980.00.

18. PROJECT AGREEMENT: Wilson Engineers LLC.

APPROVED PROJECT AGREEMENT NO. WA1520.201 with Wilson Engineers, LLC, for design services, for Roosevelt and Basha Tank Rehabilitation, pursuant to On-Call Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed \$179,370.00.

19. No item.

20. AGREEMENT AMENDMENT: Material Delivery, Inc.

APPROVED AGREEMENT NO. CS2-595-3101, Amendment No. 2, with Material Delivery, Inc., (MDI) and Pioneer Landscaping Materials, Inc., for rock, granite & miscellaneous supplies in a total combined amount not to exceed \$250,000.00 for one year.

BACKGROUND/DISCUSSION:

The City has an ongoing need for ornamental rock, granite, topsoil, river rock, rip rap, and in-field mix for our City ballparks and water treatment facilities. These materials are used throughout the City, with Parks Operations and Municipal Utilities being the largest users. The amendment to this existing agreement will provide the City with two (2) suppliers who are able to accommodate the various needs of the City.

21. AGREEMENT AMENDMENT: Mechanical Products BAS, Inc.

APPROVED AGREEMENT NO. CM3-220-3155, Amendment No. 2, with Mechanical Products BAS, Inc., for Energy Management System – Phase II in an amount not to exceed \$120,000.00 for a one-year period.

BACKGROUND/DISCUSSION:

The City currently uses an energy management system (EMS) to control the HVAC and lighting in twenty one (21) City buildings. This amendment for additional services will provide for continued programming to these existing facilities.

This includes 420 hours of technical support in modifications and troubleshooting of the Loytech servers. Mechanical Products BAS (MPBAS) will visit the sites once a week to evaluate trending data and repair any abnormalities in the control logic. The City is also requesting technical support as staff identifies new areas to improve the efficiency of the current energy management system. One of the projects this year will be to upgrade the controllers at the Tumbleweed Recreation Center and Chandler Heights sub-station along with updating the network server for a higher level of security. Parts and materials can also be purchased through this contract. When possible, facility staff will install hardware to reduce the project cost.

22. AGREEMENT: Business Communications, Inc., dba American Telephone

APPROVED AGREEMENT NO. IT5-915-3515 with Business Communications, Inc., dba American Telephone for telephone maintenance services and telephone equipment in the amount of \$102,467.00 for one year, with the option of four additional one-year extensions.

23. AGREEMENT AMENDMENT: HD Supply Waterworks

APPROVED AGREEMENT NO. WH3-890-3218, Amendment No. 2, with HD Supply Waterworks for the purchase of water works supplies, in an amount not to exceed \$300,000.00 for a term of one year.

BACKGROUND/DISCUSSION:

This contract is for the City's annual requirements for the supply of a variety of water works products. The products are stocked in the City's Central Supply and used primarily by the Water Distribution Division. In addition to items stocked in Central Supply, Water Distribution will purchase some of the requested items directly from the vendor. Some of the products available under the contract include hydrants, valves, copper and brass fittings, as well as mechanical joints, fittings, and pipe and are used as needed by Municipal Utilities and Transportation and Development for both routine and emergency operations.

24. AGREEMENT: Kary Environmental Services Inc., Environmental Response Inc., MP Environmental Services Inc., and Clean Harbors Environmental Services Inc.

APPROVED AGREEMENT NO. MS5-926-3490 with Kary Environmental Services Inc., Environmental Response Inc., MP Environmental Services Inc., and Clean Harbors Environmental Services Inc., for environmental emergency response and contamination remediation services, in a total combined amount not to exceed \$300,000.00 for a term of one year.

BACKGROUND/DISCUSSION:

The Environmental Management Division of Management Services manages emergency response and clean-up of chemical releases to the environment on City owned property. The Uninsured Liability - Environmental Liability Fund was established to fund such emergency responses and clean-up activities.

While Chandler has been fortunate not to have an excessive number of these chemical releases from its operations or into its streets, our chemical use and transportation release threat requires that we be able to respond quickly when such incidents occur. These contractors would be mobilized and managed by Environmental Management staff in such emergencies.

This agreement will also provide services for assistance in contamination clean-up, and hazardous waste characterization, packaging, transporting and disposal of waste generated by the City as part of normal operations. These hazardous waste activities are heavily regulated and require specialized training, equipment and licensing to perform these tasks.

25. AGREEMENT: Kolob Industries, LLC

APPROVED AGREEMENT NO. WH5-801-3509 with Kolob Industries, LLC for traffic signs and related items, in an amount not to exceed \$114,284.00.

BACKGROUND/DISCUSSION:

Annually, Traffic Engineering's preventive maintenance program replaces approximately 1,000 traffic signs and posts due to damage, age and new requirements. A term agreement allows a contract to be set for a period of time with multiple extensions during that period which is necessary to compensate for the long lead times by carrying an inventory of the historically high use items and to establish firm pricing. The equipment will be held at and distributed from Central Supply.

26. AGREEMENT AMENDMENT: Heinfeld and Meech, LLC, P.C.

APPROVED AGREEMENT NO. AC3-946-3212, Amendment No. 2, with Heinfeld and Meech, LLC, P.C. for professional auditing services for one year, in the amount of \$107,122.00.

BACKGROUND/DISCUSSION:

The City is required by City Charter and state statute to issue an annual audited financial report. In addition, federal law requires the City to undergo an annual single audit of federal financial assistance. The scope of services includes audit work for the City, the Chandler Health Care Benefit Trust, the Chandler Worker's Compensation and Employer Liability Trust, the Chandler Cultural Foundation (CCF), the Volunteer Fireman's Pension and Relief Trust Fund Report, the Local Transportation Assistance Fund Report (LTAF), the Annual Expenditure Limitation Report, the ADEQ Landfill Assurance Report and the Highway User Revenue Fund (HURF) Report.

27. PURCHASE: Vehicle bodywork and painting services

APPROVED THE PURCHASE of vehicle bodywork and painting from Arizona Truck and Coach, utilizing the City of Tempe Contract No. T13-088-02, in an amount not to exceed \$100,000.00.

BACKGROUND/DISCUSSION:

Body work and painting are important parts of automotive repair needed for Chandler vehicles damaged by third parties and employees drivers as well as maintenance for safety, efficient operation, and appearance. The hi-tech materials, components, engineering and fabrication that go into modern vehicle bodies require advanced shop equipment and specialized technical skills. A responsible service provider, such as Arizona Truck and Coach, is needed to render these services with minimal down time, quality workmanship at a competitive price.

28. PURCHASE: Flooring Services

APPROVED PURCHASE of Flooring Services – Carpet and Vinyl from Continental Flooring in the amount of \$200,000.00.

BACKGROUND/DISCUSSION:

This contract is used for repair and replacement of carpet and vinyl flooring in City buildings. The Building and Facilities Division currently has five projects requiring new carpet.

The City buildings requiring new carpet are the Information Technology Building, Center for the Arts, Tumbleweed Recreation Center Multi-Purpose Room, Chandler Heights Substation, and the Community Center Administrative Offices. All five buildings have worn or torn carpet and are in need of replacement. The new carpet to be used will be carpet tiles that allow for easy installation with limited impact on the operation of the building. The carpet tile also allows for easy replacement in the event a section of carpet is stained and cannot be cleaned.

29. PURCHASE: Automated Fingerprint Identification System

APPROVED PURCHASE of automated fingerprint identification system stand-alone kiosks from MorphoTrak, utilizing State of Arizona Contract No. ADSPO13-038750, in the amount of \$152,329.31.

BACKGROUND/DISCUSSION:

The Arizona Department of Public Safety (DPS) is the statewide coordinator for the Automated Fingerprint Identification System (AFIS) used to digitally store all fingerprint records related to criminal investigations. DPS exclusively utilizes the vendor MorphoTrak to provide all equipment, software, and hardware used to interface with and search AFIS records. The Chandler Police Department (CPO) exclusively utilizes MorphoTrak devices to digitally capture fingerprints related to government employment and criminal charging for inclusion into the AFIS system, as required by state and federal mandates. Currently, the MorphoTrak devices used by CPO run on antiquated software and hardware, which no longer meets Federal Criminal Justice Information System (CJIS) security certification standards. As a result, CPO is required to update the current MorphoTrak devices to remain in compliance with CJIS standards and to retain access to the AFIS system.

EVALUATION:

Arizona Department of Public Safety is the manager of AFIS and has designated MorphoTrak as the sole source provider throughout the State in order to maintain compatibility and to allow sharing of information among statewide public safety agencies. The State of Arizona has negotiated sole source Contract No. ADSP013-038750 for public safety agencies to use.

30. **USE PERMIT:** Trust Realty

APPROVED USE PERMIT, ZUP14-0035 GOLD TRUST REALTY, extension for the continued use of a residential home as a commercial business located at 200 S. Dobson Road.

BACKGROUND

The subject site is located north of the northwest corner of Dobson and Frye roads, and is surrounded by single-family homes on the north, west, and south. The subject site is a corner lot, with Chicago Street directly north and Dobson Road directly east. East, across Dobson Road is the Dobson Village medical center.

The home was built in 1975, and was used as a residential home until early 2009, when the applicant purchased the home. A Use Permit was granted in 2010, for one-year, to allow the operation of a real estate office. The Use Permit was extended in late 2011, for an additional three years. No changes have occurred from an operational standpoint. The home is approximately 1,271 square feet and sits on an approximate 7,500 square foot lot.

The home provides a lobby area, an office, two storage areas, and a meeting room. The applicant has occasional agents working at the site; however, not all of the agents will be at the site at any one point in time. The offices are not open to the general public.

Three parking stalls are provided on-site via a carport, with an additional three parking spaces provided on Chicago Street. The hours of the site will vary as the owner and two other employees occasionally visit the site. General hours are between 9 a.m. to 5 p.m., Monday through Friday. Since the initial Use Permit approval a number of enhancements have been made to the site including: the updating of landscaping, painting the structure, and a paver driveway that provides access onto both Dobson Road and Chicago Street.

The RCP was established in 1989 to allow single-family homes the opportunity to allow small offices to operate within a residential zoning district with the approval of a Use Permit. Such homes must have direct frontage or access to an arterial street and propose a business compatible with the existing neighborhood. Within the Policy, criteria were established to accommodate the conversion of homes into professional offices or like businesses. Such criteria include the requirement of an improved

parking lot, preservation of front yard landscaping for the aesthetic streetscape setting of the home, and buffering from adjacent residences. The request meets the requirements of the RCP.

DISCUSSION:

Planning Staff continues to support the request and recommends an extension of the Use Permit for an additional five years. Planning Staff recommends the additional time finding that office uses in conformance with the RCP, and this one in particular, have been a good fit for established neighborhoods. Furthermore, this particular site has operated successfully without incident for a number of years.

PUBLIC | NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on Tuesday, March 31, 2015. No neighbors were in attendance. Planning Staff has received no telephone calls or letters opposed to this application.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Ryan)

RECOMMENDED ACTION

Planning Commission and Planning Staff, upon finding consistency with the General Plan, recommend approval of ZUP14-0035 GOLD TRUST REALTY, subject to the following conditions:

1. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
2. Any expansion or modifications beyond the approved exhibits shall void the Use Permit.
3. The Use Permit is non-transferable to any other location.
4. Increases in on-site employment over that represented (3), or the expansion of the home to provide additional office space, shall require Use Permit amendment and approval by the City of Chandler.
5. The site shall be maintained in a clean and orderly manner.
6. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

31. **LIQUOR LICENSE:** Courtyard/Fairfield Inn & Suites by Marriott

APPROVED a Series 11 Hotel/Motel with Restaurant Liquor License, for Trent Charles Johnson, Agent, Apple Nine Hospitality Management, Inc., dba Courtyard/Fairfield Inn & Suites by Marriott, located at 1100 S. Price Road. A recommendation for approval of State Liquor License #11077057 will be forwarded to the State Department of Liquor Licenses and Control. 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. With a Series 11, Hotel/Motel Liquor License, the business may sell all alcoholic beverages for on-premise consumption only.

BACKGROUND:

This application reflects a change in ownership. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as White Lodging Services Corporation, dba Courtyard/Fairfield Inn & Suites by Marriott.

32. LIQUOR LICENSE: Eastwind Sushi & Grill

APPROVED a Series 12 Restaurant Liquor License #1207A223, (Chandler #154445 L12) for James Chaebung, Agent, Jiksan Inc., dba Eastwind Sushi & Grill, located at 58 W. Buffalo Street, Suite 110. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. 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. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as Silbo, LLC, dba Eastwind.

33. LIQUOR LICENSE: The Ivy

APPROVED a Series 12 Restaurant Liquor License (Chandler # 158205 L12) for Laureyn Kay Merrett, Agent, The Ivy LLC, dba The Ivy, located at 1890 W. Germann Road, Suite 1.

A recommendation for approval of State Liquor License No. 1207A212 will be forwarded to the State Department of Liquor License and Control. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food. Transportation and Development advises that a new Use Permit is not required since this will be a continuation of the location's previous use as MKM Restaurant Holdings LLC, dba Chao.

34. CONTINUED LIQUOR LICENSNE: Espo's Mexican Food

CONTINUED TO MAY 28, 2015, A Series 12 restaurant Liquor License for Leon Cruz Espinoza, Agent, Cantigo Restaurant Group LLC, dba Espo's Mexican Food, located at 3867 W. Chandler Boulevard. To allow the applicant time to complete the requirements for a new Use Permit.

35. FINAL PLAT: Continuum At Dobson

APPROVED Final Plat FPT15-0006 Continuum at Dobson, for one lot within a larger business park campus development, Continuum at Dobson, located west of the NWC of Dobson and Queen Creek roads.

BACKGROUND:

This Final Plat is for Lot 1 within a larger business park campus development, Continuum at Dobson, which was approved by Council in August 2014. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION:

Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval of the Final Plat.

PUBLIC HEARINGS:

PH1. ANNEXATION CANCELLATION: SEC of Arizona Avenue and Chandler Heights Road

Staff recommends a cancellation of the public hearing for the annexation of a parcel approximately 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road so they can continue working with the applicant.

MOVED BY MAYOR TIBSHRAENY, SECONDED BY VICE MAYOR HARTKE to cancel the Public Hearing for the annexation of 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road as recommended by Staff.

MOTION PASSED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

MR. LAINE SCHONEBERGER, 4555 S. Exeter St., Chandler, stated Arizona Communities United, over 2,000 individuals in south Chandler, requested the City Council draft on an emergency basis, a city ordinance requiring that all new installations of high voltage power lines must be placed underground when being installed within ¼ mile of existing residential neighborhoods or businesses that bear a Chandler address. They understand Chandler is not able to pass an ordinance that would affect county island areas, but they believe wording could be constructed that would require high voltage power lines to be buried if the county island borders the Chandler City limits where such power lines traverse city limits passing through, or within ¼ mile of a county island or residential area or businesses on a county island with a Chandler mailing address.

He asked that the Council not use county islands as an excuse not to create this legislation. The only exception to requiring these lines be buried should be limited to densely populated industrial areas such as the Price Road Corridor. Additionally buried lines should begin within 100 feet of an existing substation, receiving station, generating station, or similar structure. Additionally, to protect Chandler's future, existing high voltage power lines can be grandfathered to the extent that no additional lines are added to the poles. In the event additional lines, even one line need to be added, the entire project including the existing lines should be undergrounded. Over time this will cause the city of Chandler to be free of electrical eye sores.

Mr. Schoneberger then read an excerpt from the CEC as issued: Arizona Power Plant and Transmission Line Siting Committee page 3 line 22 item No. 1.

He stated there are many other cities across the country that have already implemented this legislation, he would like to see Chandler implement something similar to protect the City.

Mayor Tibshraeny asked the City Attorney to look into the language Mr. Schoneberger mentioned.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced two events where residents can actively provide input and ideas for the City's future on two very critical areas of the City: Airpark Drop-In Charrette that will go from 10 a.m. to noon, at the Transportation and Development Building, south Atrium Conference Room, 215 E. Buffalo Street and the second is a North Arizona Avenue Drop-In Charrette is scheduled from 3 to 5 p.m., at the Chandler Community Center, Room 101, 125 E. Commonwealth Avenue

The Mayor announced Chandler's annual *Mayor's Day of Play* is a free, all-ages celebration of the community's health, wellness and fitness. This year's event is scheduled for October 24th at Tumbleweed Park, and we are currently looking for health conscious, wellness-focused vendors to participate.

The Mayor asked everyone to take a few moments on Memorial Day, Monday, May 25th, to reflect on all of those who have sacrificed for their country -and for our freedom.

B. Councilmembers' Announcements:

Councilmember Lopez announced he recently filmed a Chandler in Focus session where he interviewed two Fire Fighters about the Chandler Fire Cadet Academy. This program is for young adults between the age of 15 through 21 interested in becoming a Fire Fighter.

Councilmember Sellers announced he and the Vice Mayor just returned from a trip to Washington D.C. with the Greater Phoenix Economic Council.

Vice Mayor Hartke stated Chandler's Economic Development Director Mica Miranda also attended. He also attended a Police vigil, where Police Officers from all over gather in a particular area and light candles to remember the fallen officers.

He mentioned Valley of the Sun has a special Memorial Day Service for fallen officers and invited everyone to come and join him.

Councilmember Heumann announced the Relay for Life event went very well, they raised over \$190,000 for cancer research. Councilmember Roe was present and the Mayor. He also noted he attended a breakfast meeting to receive an award on behalf of Mayor Tibshraeny from Chandler Gilbert Community College.

Councilmember Heumann spoke of the tragedy that just occurred at Corona del Sol High School and reminded everyone to be mindful of others for what may be going on in their life. To reach out to others no matter where you are and remember there are resources available, and to seek them out.

Councilmember Ellen announced she will become a first time Grandma hopefully on Thanksgiving Day.

Councilmember Roe announced National Police Week is coming to an end, and Memorial Day is just around the corner and asked all to remember our Veterans and to support Public Safety personnel. Be positive on social media, as being negative is too easily posted with such a large impact

C. City Managers Announcements:

None.

Adjournment: The meeting was adjourned at approximately 7:18 p.m.

ATTEST:


City Clerk


Mayor

Approved: June 11, 2015

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 14th day of May 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 24 day of June, 2015.



City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 14, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:18 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Terry Roe	Councilmember
René Lopez	Councilmember
Nora Ellen	Councilmember
Jack Sellers	Councilmember
Rick Heumann	Councilmember

Also in attendance:

Rich Dlugas	City Manager
Nachie Marquez	Assistant City Manager
Marsha Reed	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

1. PROPOSED 2015-16 TENTATIVE BUDGET AMENDMENTS

The purpose of this meeting is to allow Council the opportunity to discuss and vote on proposed budget amendments prior to the adoption of the FY 2015-16 Tentative Budget.

Ms. Lang confirmed there is \$325,000 of one-time Council contingency funds, and \$75,000 on going funds available.

AMENDMENTS:

USE OF ONE-TIME COUNCIL CONTINGENCY

1. Request: \$10,000 in seed money for the Chandler Education Coalition Early Literacy Campaign based on the receipt of matching funds from the Chandler Unified School District and committee approval.

COUNCILMEMBER HEUMANN spoke of the work being done on early literacy of children 0-5 years of age and preparing them for school. He explained there were 65% of the children in zip codes 85225 and 85224 not ready to read. This organization has several partners from the community and the schools and enables the continued work in areas that need this assistance.

In response to a question from Mayor Tibshraeny, Councilmember Heumann said last year \$10,000 was allocated. \$5,000 was spent and \$5,000 was returned to the General Fund.

MOTION BY COUNCILMEMBER HEUMANN TO AMEND PROPOSED FY 2015-16 BUDGET BY TRANSFERRING \$10,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY FUNDS TO THE NON-DEPARTMENTAL COST CENTER, OTHER EXPENSE ACCOUNT FOR THE CHANDLER EDUCATION COALITION EARLY LITERACY CAMPAIGN. THE MOTION

WAS SECONDED BY SECONDED BY VICE MAYOR HARTKE. MOTION CARRIED UNANIMOUSLY (7-0)

2. Request: Provide \$68,000 for artificial turf at the Nozomi Aquatics Center. The artificial turf will provide greater durability than regular turf used for the areas between and around the pools.

COUNCILMEMBER HEUMANN addressed Items 2,3 and 4. He complimented the Community Development staff for doing an incredible job in providing amenities in the parks for our residents.

MOVED BY COUNCILMEMBER HEUMANN TO AMEND THE PROPOSED FY2015-16 BUDGET BY TRANSFERRING \$68,000 FROM ONE-TIME GENERAL FUND COUNCIL CONTINGENCY TO THE COMMUNITY AND NEIGHBORHOOD SERVICES DEPARTMENT, CAPITAL COST CENTER, IMPROVEMENTS ACCOUNT, AQUATIC FACILITY SAFETY RENOVATIONS PROGRAM FOR PURCHASE AND INSTALLATION OF ARTIFICIAL TURF AT THE NOZOMI AQUATICS CENTER. THE MOTION WAS SECONDED BY COUNCILMEMBER ROE. THE MOTION CARRIED UNANIMOUSLY (7-0).

3. Request: Provide \$70,000 for the purchase of two (2) ballfield shade structures; one at Desert Breeze park (\$30,000) and one at Espee Park (\$40,000). These structures will provide shade for spectators at the games played on these fields.

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4. Request: Provide \$20,000 for cold water drinking fountains at three (3) community parks (specific locations to be determined by staff).

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5. Request: Provide \$51,285 for six (6) small bus shelters at locations to be determined by the Transit Division Staff.

MAYOR TIBSHRAENY stated he spoke with staff about improvements to small transit items. He noted the amendments for the shelters and bike lockers at transit locations. He noted these are not to be confused with the shelters that are done through the advertising contract with a certain vendor.

MOVED BY MAYOR TIBSHRAENY TO PROVIDE \$51,285 FOR SIX (6) SMALL BUS SHELTERS TO BE DETERMINED BY THE TRANSIT DIVISION STAFF. SECONDED BY COUNCILMEMBER SELLERS. MOTION CARRIED UNANIMOUSLY (7-0)

6. Request: Provide \$81,122 for four (4) large bus shelters at locations to be determined by the Transit Division Staff.

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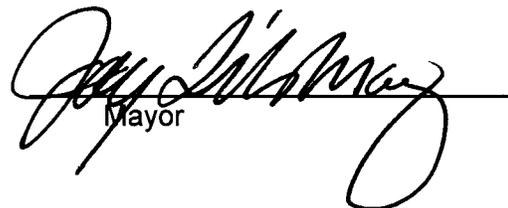
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MOVED BY MAYOR TIBSHRAENY TO PROVIDE \$17,600 FOR EIGHT (8) BIKE LOCKERS; FOUR (4) AT THE PARK & RIDE LOT AND FOUR (4) AT THE TRANSIT CENTER.

The Mayor announced that concluded the amendments. It does leave some remaining funds (\$6,993) in one-time Council Contingency and the entire balance (\$75,000) in ongoing Council Contingency.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: 
City Clerk


Mayor

Approved: June 11, 2015

CERTIFICATION

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DATED this 17 day of June, 2015.


City Clerk

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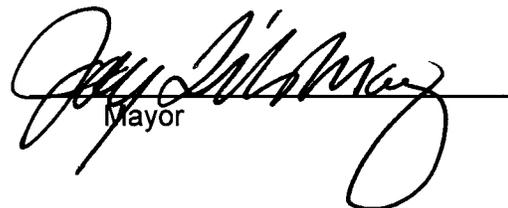
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Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: 
City Clerk


Mayor

Approved: June 11, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of Chandler, Arizona, held on the 14th day of May 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 17 day of June, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 28, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 7:01 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Keith Shepard – Alma School Road Church of Christ gave the invocation.

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

MAYOR'S SPECIAL ANNOUNCEMENTS:

Mayor Tibshraeny announced this would be the last City Council meeting Rich attends as the City Manager as he is retiring this week after 40-plus years of public service, the last 21 years here at the City of Chandler.

Prior to coming to Chandler, Rich was the Director of Parks and Recreation for the City of Denton, Texas, and Assistant Director of Parks and Recreation for the City of Plano, Texas. He became Chandler's Community Services Director in 1994 and named Assistant City Manager in March 2002.

He served as the Acting City Manager from June 2010 to May 2011, and he began his duties as City Manager in May 2011.

The Mayor thanked Rich for his outstanding years of service to the City and wished him all the best in his retirement and future endeavors. The Mayor presented Rich with a plaque holding the Key to the City and a wall clock on a mahogany base.

Mr. Dlugas thanked the Mayor and City Council for the gifts and stated serving the City had been amazing. He was witness to so many changes and its growth. He also thanked the employees of Chandler who are very dedicated individuals with Customer Service in the forefront of their jobs.

COUNCILMEMBER LOPEZ stated he appreciated Rich's openness and he leaves a positive legacy of integrity and wished him well.

COUNCILMEMBER SELLERS said over the years, he has interacted with many city managers and stated Rich was the best he has worked with. The Council worked very well together because of his openness style of communication. He appreciated all his hard work and what he has brought to the City.

VICE MAYOR HARTKE stated it had truly been a pleasure to work with Rich. Rich has had the mindset to accept responsibility and keep his integrity. He spoke favorably of his openness and honesty that has made such an impact in Chandler.

COUNCILMEMBER HEUMANN thanked Rich for his great leadership and keeping Chandler such a great City. He managed to keep Chandler moving forward through the economic depression even with budget cuts. He stated Council came up with a small list to keep him busy during his retirement. Council worked long and hard on the list and the following were the top jobs for when he is done traveling and has nothing to do in retirement:

Environmental Education Center Ranger
Chandler Police Reserve Officer,
Chandler Park Ranger,
Chandler museum docent,

Center for the Arts Usher
CERT volunteer for the Fire Department
Chandler Airport Greeter,

Volunteer for the tax assistance program helping chandler residents file their taxes

Downtown Chandler Ambassador - Councilmember Heumann presented MR. Dlugas with an Ambassador T-shirt

COUNCILMEMBER ELLEN presented Rich with a gift card to Starbucks where he can go anytime now and just relax with a cup of coffee. No more stresses or worries during the day and no rush to hurry with his coffee. She thanked him for all his support and advice when she was new to Council.

COUNCILMEMBER ROE thanked Rich for always being a gentleman and taking responsibility even when the blame was not his to take. He stated it will be hard to replace his institutional knowledge but wished him well in his retirement. He will be greatly missed.

The Mayor moved items 9 and 19 to the Action Agenda.

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED, WITH ITEM 9 (CITY CODE AMENDMENT - UNLAWFUL MINOR PARTY/GATHERING) AND ITEM 19 (CONTRACT WITH STREET MEDIA GROUP) MOVING TO THE ACTION AGENDA.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the minutes of the Chandler City Council meetings of:

- 1a. MINUTES of the Chandler City Council Special Meeting (Executive Session) of May 11, 2015.
- 1b. MINUTES of the Chandler City Council Special Meeting (Executive Session) of May 14, 2015.

2. UTILITY EASEMENT: APS Ord. # 4608

ADOPTED Ordinance No. 4608 granting a no-cost utility easement to Arizona Public Service (APS), to provide power to the proposed downtown stage on the north side of Commonwealth Avenue just west of the Chandler Downtown Library.

3. EASEMENT: KESLER ADDITION Ord. # 4627

ADOPTED Ordinance No. 4627 authorizing the City of Chandler, as owner, to dedicate to the public, for use as such, the streets and easements as shown on the Amended Final Plat of a portion of Lot 14, all of Lot 15 and a portion of Lot 16 of "Kesler Addition".

4. REZONING: Cooper and Chandler Heights Ord. # 4628

ADOPTED Ordinance No. 4628, DVR14-0043 COOPER AND CHANDLER HEIGHTS, rezoning from Agricultural to Planned Area Development for a single-family residential subdivision.

5. REZONING: CenturyLink Addition Ord. #4629

ADOPTED Ordinance No. 4629, DVR15-0001 CENTURYLINK OFFICE ADDITION, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for light industrial.

6. CITY CODE AMENDMENT: Chapter 52 Ord. # 4634

ADOPTED Ordinance No. 4634 amending Chapter 52 of the City Code to provide authority for the City to allocate water to non-residential uses.

7. CITY CODE AMENDMENT: Chapter 60 Ord. # 4638

ADOPTED Ordinance No. 4638 amending Chapter 60, Section 3 of the City Code relating to authorization to allow for liquor license fee refunds for periods that the licensee is in operation, but not yet received the final license from the State.

8. CITY CODE AMENDMENT: Chapter 10 Ord. #4630

INTRODUCTION AND TENTATIVELY APPROVED Ordinance No. 4630 amending Chapter 10, Section 10-12, of the City Code relating to property and firearms obtained by the Police Department

BACKGROUND:

In 2012, Senate Bill 1241 amended A.R.S. § 12-945, Sales of Property, and A.R.S. § 13-3105, Forfeiture of Weapons and Explosives, to provide for the sale of firearms. In 2013, House Bill 2455 amended A.R.S. § 12-940 through 12-945 relating to unclaimed property in the possession of governmental agencies. Chandler City Council adopted changes to Chapter 10, Section 10-12, of the Chandler City Code in August of 2013 to conform with these changes to State Law. In February 2015, Chandler City Council adopted changes to Chapter 10, Section 10-12, of the Chandler City Code to conform to Police and Court policies and practices. In March 2015, House Bill 2527 amended A.R.S. § 13-3118, which now requires additional changes to Chapter 10, Section 10-12 of the Chandler City Code.

The proposed changes add clarification to the term "firearm" by including ammunition and firearm components to the definition contained in A.R.S. § 13-105 which states, "Any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will or is designed to or may readily be converted to expel a projectile by the action of expanding gases, except that it does not include a firearm in permanently inoperable condition." The proposed changes also conform to State law which adds a restriction that prohibits an agency or political subdivision from enacting or implementing any law, rule, or ordinance that relates to the transfer of firearms.

9. CITY CODE AMENDMENT: Chapter 11 Ord. # 4642

MOVED TO ACTION AGENDA

10. 2015-16 TENTATIVE BUDGET AND 2016-2025 TENTATIVE CAPITAL IMPROVEMENT PROGRAM
Res. #4863

ADOPTED Resolution No. 4863 adopting the 2015-16 Tentative Budget and 2016-2025 Tentative Capital Improvement Program and giving notice of the dates and times for hearing taxpayers, for final adoption of the budget, and for setting the tax levies and tax rates.

BACKGROUND

Resolution No. 4863, adopting the 2015- 16 Tentative Budget and the State Auditor General forms (Budget forms) is submitted as prescribed by Arizona Revised Statutes 42-1710 1 and 42- 17102. The Resolution and Budget forms have been revised to incorporate the amendments approved at the May 14th Council meeting.

As required, the Budget forms will be published in the Arizona Republic newspaper, as will a notice that the City Council will meet on June 11, 2015 at 7:00 p.m. for the purpose of a public hearing and for final adoption of the 2015-16 Budget, and will further meet for the purpose of setting the tax levies on June 25, 2015 at 7:00p.m.

In summary, the 2015-16 revised budget (with amendments approved on May 14th) totals \$910,614,017 and includes funding for departmental operating budgets of \$343,362,881; funding for debt service of \$71,430,443; budget for equipment, technology, and vehicle replacement purchases of \$8,826,220; and contingencies and reserves in the amount of \$114,528,428 in various funds.

The capital budget includes \$187,355,031 in new appropriation, capital carry forward of \$183,561,014 and contingency and reserve funding of \$1,550,000.

Included in the projected operating revenues of \$431,163,527 is a property tax levy of \$27,589,866 based on a rate of \$1.1792 per \$100 assessed property, plus \$480,134 for SRP's payment to the City in lieu of property tax for a total of \$28,070,000.

The Tentative Budget and Resolution, including the Budget forms, as well as the 2016-2025 Tentative Capital Improvement Program will be available for public review and inspection May 29, 2015 on the City's official website www.chandleraz.gov and at the City of Chandler Libraries, City Clerk's office and the Management Services Administration office located in the Chandler City Hall.

As in past years, Section 4 of the Resolution includes certain delegations to the City Manager or designee to transfer funds for specific administrative purposes such as year-end encumbrances, capital project carry forward, and allocation of personnel budgets following final negotiation of memorandums of understanding (MOU).

The Resolution includes a new delegation in Section 4.i. which allows the City Manager or designee to transfer funds for telecommunications equipment and services from within the Information Technology Department to the appropriate department, funds and cost centers.

11. SITE 6 REQUEST FOR PROPOSAL EXTENSION

Res. # 4867

APPROVED extension of Resolution No. 4867 authorizing extending the award of the Site 6 Request For Proposal to Ryan Companies US, Inc., authorize staff to continue to negotiate the terms of a mutually acceptable Development Agreement and related documents consistent with the Ryan Companies US, Inc., development proposal; and direct staff to present the negotiated Development Agreement to the City Council for consideration and possible action on or before the last regularly scheduled City Council meeting in October 2015 (October 22, 2015), or the award of the RFP will automatically terminate.

BACKGROUND/DISCUSSION:

Site 6 is a 4.25 acre site directly across from Chandler City Hall, located at the northwest corner of Frye Road and Arizona Avenue. The site is vacant and entirely owned by the City. It is currently utilized for overflow and event parking, but is otherwise unencumbered.

On August 14, 2014, City Council adopted Resolution No. 4795, which awarded the Site 6 Request For Proposal to Ryan Companies US, Inc., and authorized Staff to begin Development Agreement deal terms between the City of Chandler and Ryan Companies US, Inc.; and directed staff to present the negotiated Development Agreement to the City Council for consideration and possible action on or before the last regularly scheduled City Council meeting in May 2015, or the award of the RFP will automatically terminate.

Ryan Companies US, Inc., is a 75-year nationally recognized company specializing in office development, construction, and management experience in the Phoenix area. Over the last 17 years, Ryan Companies US, Inc., has developed more than 18 million square feet of office, industrial, and mixed-use product throughout metropolitan Phoenix.

Ryan Companies Chandler Site 6 team proposed to develop and lease a mixed-use project consisting of two office buildings, and related retail and restaurants focused on bringing significant jobs into downtown Chandler. The project was proposed to be built in two phases, based on market conditions and meeting pre-leasing requirements.

Economic Development Staff has been in active negotiations with Ryan Companies US, Inc., on deal terms of a Development Agreement throughout the past nine months. While the negotiations have been positive and on-going, the Development Agreement is not complete. The extension would allow staff and Ryan Companies US, Inc., to complete the Development Agreement.

FINANCIAL IMPLICATIONS:

Contingent upon final site design, parking, and public infrastructure details, as well as a land sale.

12. INTERGOVERNMENTAL AGREEMENT: ADOT

Res. # 4868

ADOPTED Resolution No. 4868 authorizing an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) for abandonment and City acceptance of ownership and maintenance responsibility for sections of state roadway currently located within the Arizona Department of Transportation (ADOT) right-of-way.

BACKGROUND/DISCUSSION:

Since the opening of the Price Freeway in December 2000, and the Santan Freeway between 2003 and 2005, ADOT has been in jurisdiction of short sections of ADOT right-of-way leading up to the ADOT overpasses at Alma School Road and Frye Road. Minor maintenance of these sections of roads has been the responsibility of the City. The activities include minor road repair, sweeping, filling potholes, small asphalt patches, and other minor repairs. The City has also been sweeping these same locations along the ADOT right-of-way as a measure of City air quality.

The City gaining jurisdiction over these short road sections will allow Chandler to provide better inspection, quality assurance, and overall maintenance effectiveness for asphalt sections of the roadways approaching the overpasses. ADOT will still control the concrete segments of roadway overpasses. It will also allow the City to provide a better response time and excellent service to our residents.

This IGA will formalize an agreement with ADOT for the City to accept jurisdiction and maintenance on the asphalt sections of the roadways leading up to the ADOT Loops 101 and 202 overpasses as defined in this IGA. Road maintenance procedures the City will now provide include asphalt crack seals, fog seals, micro seals, and asphalt repairs. Concrete repairs shall be provided on City sidewalks, curb ramps, and curb and gutter. Sweeping of streets and removal of graffiti/painting on City facing features shall similarly apply.

FINANCIAL IMPLICATIONS:

Cost: \$163,000 for costs associated with pavement preservation improvements by the City; which shall be invoiced and paid by ADOT upon thirty (30) days of the signing of this resolution
Savings: \$163,000 for reimbursed new road pavement

13. **PRELIMINARY DEVELOPMENT PLAN: AVILLA CHANDLER HEIGHTS**

APPROVED Preliminary Development Plan, PDP14-0016 AVILLA CHANDLER HEIGHTS, for site and building design for a residential development located east of the SEC of Arizona Avenue and Chandler Heights Road.

BACKGROUND:

The approximate 9.5-acre subject site is located east of the southeast corner of Arizona Avenue and Chandler Heights Road. The property is surrounded to the north by Chandler Heights Road, a single-family residential subdivision under development, and an unfinished commercial center. Along the south side is property zoned IND-2 light industrial in the County which is partially developed with a thermal and acoustical insulation products manufacturer. To the west is property zoned PAD for multi-family residential. East of the site are the Union Pacific railroad tracks, property in the County zoned IND-3 heavy industrial with a lumber company, and Bear Creek Golf Course.

The subject site was part of a larger parcel previously zoned PAD with PDP for multi-family residential in 2012. That development included approximately 21 acres, 392 units, 17.99 du/ac, and two- and three-story apartment buildings. The zoning approved in October 2012 includes a three-year development timing condition expiring in October 2015.

The request is for PDP approval to develop a portion of the multi-family property with a casita style, gated development with a density of approximately 11 du/ac.

The units range in size from 625 to 1,250 square feet with a mix of one, two, and three bedrooms. The development includes 116 individual units that are all one-story and detached except for approximately 15 units that are a two-pack; two units attached.

The individual, single-story units provide an opportunity for lessees to be a part of an urban residential setting with a single-family style and feel. Building placement, adjacency to arterial streets, and use of open space represents an urban atmosphere. There are common open spaces within the development and amenities including a community pool and spa. The primary entry is off of Chandler Heights Road, which is enhanced with Date Palm trees. A secondary emergency exit is provided at the southwest corner adjacent to the multi-family apartment parcel.

Avilla Chandler Heights is designed to integrate with the remaining component of the approved multi-family residential development. The development provides a landscape tract interfacing with an aisle of covered parking to the west.

ARCHITECTURE AND SITE DESIGN:

There are three building/unit types based on the number of bedrooms. Each unit has a private yard space in lieu of typical private open space such as patios. Building Type 1 is a 1-bedroom unit; however, there are two units attached side-by-side. Building Types 2 and 3 are individual units. Private yard space ranges from 200 to 350 square feet based on the size of the unit; larger units have greater sized yards. The private yard area is approximately 8 feet deep and cordoned-off by an approximately 6-foot high masonry wall typically the width of the unit itself.

Buildings are designed with varied roof styles and paint color schemes. These units have a different exterior style than those at the Arie and Warner/Grace sites. The buildings have a more traditional single-family home appearance with roof tiles, window shutters, window trim, and decorative accents. The units are sited in groups that create pedestrian circulation and courtyards. The rear yard spaces abut one another on interior units and back-up to street frontages and the site's perimeter.

The perimeter landscaping includes non-deciduous trees with a desert landscaping theme. The perimeter theme wall and units are staggered along Chandler Heights Road. A centralized recreational open space and community swimming pool are accessible from all units.

Parking is provided by a mix of garage buildings, covered parking spaces, and uncovered parking spaces. A looped drive provides accessibility to all units and amenities. A total of 225 parking spaces are provided.

Planning Staff supports the represented designs as the site layout and building type provide a creative environment for a residential community. The project includes detached units, courtyards, private rear yard spaces that abut other rear yards similar to single-family lots, and offers an urban environment lifestyle that does not lend itself to typical building setbacks, open space and signage.

DISCUSSION:

Planning Staff finds that the multi-family residential development furthers the City's goal to promote new development, alternative forms of housing, creative and unique developments, and compatible land uses adjacent to multi-family residential and employment areas. The development meets the intent of the Multi-Family Residential Development Standards including architecture, site design, and landscaping, while incorporating attractive site wall and entry monument features. The proposed detached residential units with private rear yard spaces and pedestrian scale courtyards are appropriate as it offers a different product type for Chandler.

PUBLIC/NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on February 5, 2015. Two representatives from an HOA west of Arizona Avenue attended. General questions were asked and they expressed support. As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Ryan)

Upon finding consistency with the General Plan and PAD zoning, the Planning Commission and Planning Staff recommend approval of the Preliminary Development Plan subject to the Conditions listed in the Ordinance.

14. **APPOINTMENT:** Acting City Manager

APPROVED THE appointment of Marsha Reed to the temporary detail of City Manager effective 5:00 p.m. on June 1, 2015.

15. **NOTICE OF INTENTION:**

AUTHORIZED the Notice of Intention to increase certain wastewater, reclaimed water and solid waste fees and set the date for the public hearing for Thursday, July 9, 2015.

BACKGROUND/DISCUSSION:

As required by the City's Financial Policies, a review of current utility rates was conducted as part of the Fiscal Year (FY) 2015-16 Budget process. A review was completed for the Water, Wastewater, and Solid Waste Enterprise Funds, as well as Reclaimed Water operations. In addition, the City engaged the consulting firm of Raftelis Financial Consultants, Inc. to provide a more extensive review of the City's current and future revenue requirements for the Water, Wastewater, and Reclaimed Water systems by performing a Cost of Service study. (The consultant did not participate in the review of the Solid Waste Enterprise.) The results of the review are as follows:

Water: The review of the Water Enterprise determined that no rate increase was required at this time. The review docs recommend converting the Water rate structure from a seasonal rate to a year-round rate. The changes to year-round rates are proposed to go into effect on October 1, 2015 and are cost neutral.

Wastewater: The review of the Wastewater Enterprise determined that a rate increase of 9% (\$3.4 million) is required for Single Family Residential, Multi-Family, and all Non-Residential customers in order to generate sufficient revenues for anticipated increases in operating costs and for additional debt service costs due to the anticipated sale of bonds for capital expansions and upgrades.

Reclaimed Water: As part of the FY 2015-16 reviews of utility rates, the consultant conducted a full financial evaluation of the City's Reclaimed Water operations. As part of this process, the consultant (with the City's assistance) identified operating and debt services costs in the Water and Wastewater Funds that can be directly attributable to the Reclaimed Water operations. This is the first step towards the creation of a separate Reclaimed Water Fund that will be incorporated into the FY 2016-17 budget. The review determined that a rate increase of 18% (\$216,000) is required for FY 2015-16. The

review does recommend converting the rate structure from a seasonal rate to a year-round rate. Both changes are proposed to go into effect on October 1, 2015.

Solid Waste: The review of the Solid Waste Enterprise determined that a 6% rate increase is required for all covered residences. The increase is needed to keep pace with annual Consumer Price Index (CPI) increases that are part of the existing Solid Waste contract and is the first Solid Waste rate increase since 2005. The rate increase is proposed to go into effect on October 1, 2015.

Cost of Service Study Impact: The consulting firm completed a Cost of Service study to determine if each customer class (i.e. Single Family Residential, Multi-Family, Non-Residential, etc.) was paying into the Water and Wastewater systems appropriately based on each customer's demand on the overall system. It was determined that there are some customer classes that are overpaying and some that are underpaying. In order to realign each customer class rates to generate revenue to fund the demand they place on the systems, additional changes to the Water and Wastewater rates would be required.

This was discussed at the May 11, 2015 Mayor and Council Micro Retreat, and it was determined that no adjustments to the rates related to the realignment of customer classes will go into effect in FY 2015-16, but wait until FY 2017-18. This will allow staff time to meet with impacted stakeholders to ensure there is understanding for the needed cost of service realignment and its financial impacts to their utility bills.

Note: Outside City rates will continue to be calculated using the current differentials of 1.4 times the Inside City rates for Reclaimed Water, and 1.6 times the Inside City rates for Wastewater.

PUBLIC NOTIFICATION:

In accordance with State Statutes, the "Official Notice of Intention to Increase Certain Wastewater, Reclaimed Water, and Solid Waste Rates and to Modify Certain Water and Reclaimed Water Rates from Seasonal Rates to Year-Round Rates" will be posted on the City's web site and published in the Arizona Republic newspaper showing the date, time and place of the Public Hearing. Also as required by State Statutes, a copy of the documents supporting the revised Wastewater and Reclaimed Water rate will be filed with the City Clerk for public review

16. **AGREEMENT AMENDMENT:** Crop Production Services Inc., and Helena Chemical Company

AGREEMENT NO. PM4-967-3313, Amendment No. 1 with Crop Production Services, Inc., and Helena Chemical Company for fertilizer, herbicides and pesticides in a total combined amount not to exceed \$300,000.00 for a one-year period.

BACKGROUND/DISCUSSION: The Park Operations Division regularly utilizes fertilizer, herbicide and pesticides in the maintenance of the City's parks. Parks staff, certified in herbicide application, apply these chemicals.

Parks Division staff currently fertilizes city park turf areas three times per year during the active growing period (April-October) to promote the growth of healthier turf. In an effort to reduce weed growth in the turf areas, pre-emergent is applied twice a year (Spring and Fall). Herbicides are also used to control weed growth within the landscape areas. Parks maintenance standards include the application of pre-emergent herbicides twice per year with

post-emergent spot spraying applied twice a month. Pesticides are used in the control of mosquitoes and ants within the parks.

Parks staff estimates that \$250,000 in product is required for a one-year period. In addition to Parks, the Streets Division anticipates requiring \$50,000 for chemicals to be utilized in right-of-way areas.

EVALUATION: On February 27, 2014, City Council approved an agreement with Crop Production Services, Inc., and Helena Chemical Company for fertilizer, herbicides and pesticides for a one year period with the option of up to four one-year extensions. The vendors have asked for price increases on three different items included on the contract. Because the agreement allows staff to purchase items at the lowest cost from each vendor, the overall value of the contract will remain the same.

FINANCIAL IMPLICATIONS

Cost: \$300,000

Savings: N/A

Long Term Costs: N/A

Fund:	Program Name:	CIP Funded:	Funds:	Fund:
Chemical	Park Dev & Ops	No	\$250,000	Chemical
HURF	Other Professional	No	\$50,000	HURF

17. CONTINGENCY TRANSFER

APPROVED a contingency transfer in the amount of \$187,000.00, from the Workers' Compensation Fund Non-Departmental contingency to the Human Resources Workers' Compensation Liability cost center for expenditures related to Workers' Compensation claims.

APPROVED a contingency transfer in the amount of \$380,000.00, from the General Fund Non-Departmental Cost Center to the Human Resources Worker's Compensation Liability cost center for expenditures related to Worker's Compensation claims.

BACKGROUND

The City of Chandler Worker's Compensation Fund is responsible for paying claims resulting from job related injuries. The annual budget for claims expenditures is \$1,500,000 but claims expenses are more than \$1,900,000 as of April. Contingency funds in the amount of \$500,000 are budgeted in the Worker's Compensation Fund, Non-Departmental cost center each year for potential claim overages, but per the annual Budget Resolution, Council approval is required to move the appropriation from contingency to the claims budget.

Council previously approved a transfer of \$300,000 from the \$500,000 Non-Departmental contingency at the March 26, 2015 regular meeting. Additionally, \$13,000 was transferred for carry forwards as allowed by the annual budget resolution, leaving only \$187,000 of contingency available. The estimated claims appropriation needed through year-end requires a total of \$567,000 to be used from Worker's Compensation Fund balance. Because there is only \$187,000 remaining, \$380,000 of appropriation will be needed from the General Fund contingency.

DISCUSSION

When projecting the claims appropriation need to the end of the Fiscal Year, staff reviewed all open claims and earlier this year determined \$300,000 to be sufficient for the March 26111 Council action. Since then, numerous anomalies have created the need for additional claims appropriation before year end. Although it is difficult to predict accidents and associated medical claims, there has been a trend toward larger hospitalization claims. In FY 2013-14 there were only two hospitalization claims over \$30,000. This year there have been six, which included a couple that fell within the months of April and May. Monthly average claim payments are also increasing from just over \$123,000 per month in FY 2013-14 to almost \$175,000 per month this year.

FINANCIAL IMPLICATIONS

As a result of the higher than anticipated claims, Council approval is needed to add appropriation to the Worker's Compensation Fund to allow spending an additional \$567,000 of Worker's Compensation Fund balance on claims. This will require the remaining \$187,000 from the Worker's Compensation Non-Departmental Cost Center, Contingency account (736.1290.5911), and an appropriation transfer of \$380,000 from the General Fund Non-Departmental Cost Center, Contingency account (101.1290.5911), to the Human Resources Worker's Compensation Liability Cost Center.

18. **AGREEMENT:** Carollo Engineers Inc.

APPROVED AGREEMENT NO. WW1506.451 with Carollo Engineers, Inc., for construction management services, for the Downtown Site 3 Water-Wastewater Infrastructure, pursuant to On-call Water and Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$61,010.00.

BACKGROUND/DISCUSSION:

The City is currently negotiating development agreements for Downtown Sites 1 through 7 with private developers. Previous assessments of the water and wastewater system in the Downtown area recommend improvements that are necessary to provide adequate levels of service for the proposed developments.

This project scope of work consists of project management services, reviewing submittals, responding to requests for information, conducting site visits and field inspections, and preparing record drawings for Downtown Site 3.

Construction management related agreements for the Downtown Sites 1, 2, and 4 through 7 Water-Wastewater Infrastructure will be awarded separately.

A Construction Manager at Risk Contract, Project No. WW1506.401, to Achen Gardner Construction, LLC, for the Downtown Site 3 Water-Wastewater Infrastructure, is also scheduled for this Council meeting

This project is being performed under the On-call Water and Wastewater Services Contract No. EN1518.101, to Carollo Engineers, Inc. The costs proposed for this project have been evaluated by Staff and are determined to be reasonable. The contract completion time is 60 calendar days following Notice to Proceed.

19. **CONTRACT:** Street Media Group

MOVED TO ACTION AGENDA

20. AGREEMENT: Rider Levett Bucknall, Ltd.

APPROVED Professional Services Contract No. WW1509.101 to Rider Levett Bucknall, Ltd., for a construction cost audit, for the Ocotillo Water Reclamation Facility Expansion and related facilities, in an amount not to exceed \$175,807.00.

BACKGROUND/DISCUSSION: The Ocotillo Water Reclamation Facility (OWRF), located at 3333 South Old Price Road, has been in operation since 1985. Currently, the OWRF has a ten million gallon per day (MGD) capacity. The City of Chandler will be expanding the facility, adding five MGD of treatment capacity with the construction of new treatment facilities and supporting structures. The City's Construction Manager at Risk (CMAR) contractor has developed a \$125 million estimate reflecting the current 60 percent design level for the project.

The project scope of work is to provide third party cost estimating services for the review of the 60 percent design level estimate. The scope of work will include: providing a fair market estimate of the proposed project scope by the CMAR, review of subcontractor and vendor quotations, review of the cost estimate package for duplication of scope and cost among the CMAR contractors, subcontractors and vendors, and providing a cost estimate analysis report.

Construction related contracts for the OWRF expansion will be awarded separately.

21. CONTRACT AMENDMENT: Sundt Construction

APPROVED Amendment No. 1 to contract No. MU5-913-3446, with Sundt Construction, Inc., for maintenance and repair of the Ocotillo Brine Reduction Facility, in an amount not to exceed \$500,000.00.

BACKGROUND/DISCUSSION: Sundt Construction Inc., was under contract with Intel for the expansion of the Ocotillo Brine Reduction Facility (OBRF), formerly known as the Reverse Osmosis Facility. Sundt Construction Inc., coordinated the installation of specialized processes and training for OBRF Staff during the expansion process. Sundt Construction, Inc. is now responsible for maintenance repair activities at the facility.

Additional funding is requested to continue to make the necessary retrofitting and adjustments to the specialty pipe and process needed to treat the complex waste stream. A new water source is also being added to the influent. Intel will be pilot testing the addition of Intels Ocotillo Campus cooling tower blow-down water to the existing industrial water influent.

The cost of this contract has been approved and will be reimbursed by Intel.

22. CONTRACT: Achen-Gardner Construction LLC.

APPROVED Construction Manager At Risk Contract No. WW1506.401 to Achen-Gardner Construction, LLC, for the Downtown Site 3 Water-Wastewater Infrastructure, in an amount not to exceed \$596,165.19.

BACKGROUND/DISCUSSION:

The City is currently negotiating development agreements for Downtown Sites 1 through 7 with private developers. Previous assessments of the water and wastewater system in the Downtown area

recommended improvements that are necessary to provide adequate levels of service for the proposed developments.

This project scope of work consists of the replacement of aged water lines in the east/west and north/south alley ways serving Downtown Site 3. Construction related contracts for the Downtown Sites 1, 2, and 4 through 7 Water-Wastewater Infrastructure will be awarded separately.

A Project Agreement for construction management services, Project No. WW1506.451, with Carollo Engineers, Inc., for the Downtown Site 3 Water-Wastewater Infrastructure, is also scheduled for this Council meeting.

23. CONTRACT: United Technologies

APPROVED Construction Contract No. BF1502.401 to United Technologies, Inc., for the Fleet Services bay – HVAC, in an amount not to exceed \$344,997.80.

BACKGROUND/DISCUSSION:

This contract is for construction services for cooling improvements to the existing fleet bays located at the City Public Works yard on Armstrong Way.

The bays are currently used by Fleet Service mechanics for repair and maintenance of City vehicles and equipment. The bays are currently cooled by 14 evaporative coolers.

These units do not provide the appropriate cooling in the humid months of July-September creating a work environment that is difficult to function in. The upgrades will include the replacement of the coolers with 14 new six ton industrial packaged units with the economizer option. This option will allow for drawing outside air into the work area during the cooler months. The new air conditioning units are designed for optimum performance with a SEER rating of 14.

24. CONTRACT: DNG Construction

APPROVED Construction Contract No. FI1405.401 to DNG Construction, LLC for the Fire Station 2 Gate, in an amount not to exceed \$89,094.24.

25. PURCHASE: Gas Chromatograph

APPROVED the purchase of a gas chromatograph from Agilent Technologies for the analysis of blood for alcohol content, in the amount of \$83,578.61.

26. PURCHASE: Traffic Paint

APPROVED THE purchase of waterborne fast dry traffic paint from Ennis Paint, Inc., utilizing State Contract No. ADSPO13-026307, and from Sherwin Williams Corporation, utilizing State Contract No. ADSPO13-026308, in the amount of \$123,595.00.

27. USE PERMIT: GOGI Restaurant

APPROVED Use Permit, LUP14-0023 GOGI, Series 12 Restaurant License, to continue to sell and serve liquor as permitted for on-premise consumption indoors and within an outdoor patio at a restaurant located at 2095 N. Dobson Road, Suite 8, in Dobson Park Plaza subject to conditions recommended by the Planning Commission and Planning Staff.

BACKGROUND:

Gogi is an existing restaurant located at 2095 North Dobson Road, Suite 8, in Dobson Park Plaza. Lee Lee Oriental Supermarket, CVS Pharmacy, and McDonald's are established businesses within the commercial center. The nearest residential developments are Pulte Villas Chandler subdivision to the north and Orange Tree subdivision to the northwest, across Dobson Road.

The request is for Liquor Use Permit approval to continue to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within an outdoor patio. The restaurant received Liquor Use Permit approval on December 12, 2013, with a time condition of one year. The current request is for an extension of the Liquor Use Permit without any further time condition.

The restaurant is open from 11 a.m. until 9:30p.m., Monday through Saturday, and from 3 p.m. until 9 p.m. on Sunday. Interior floor area is approximately 2,600 sq. ft. with a patio of approximately 250 sq. ft. The restaurant employs seven full and/or part time employees. Indoor seating provides approximately 50 to 60 seats indoors and up to 12 seats within the patio. A house speaker system provides background music indoors only. There are no outdoor speakers for music. The previous Liquor Use Permit request included live acoustic music indoors only.

The applicant indicates live acoustic music is no longer part of their business's operational plan. Conditions related to live music or to timing are not recommended due to the deletion of the live music component.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-premise consumption. Under a typical Series 12 license the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

PUBLIC/NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on April 7, 2015. No one other than the applicant attended. Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT:

Motion to approve.

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Foley)

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

1. The Liquor Use Permit granted is for a Series 12 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.
5. The patio shall be maintained in a clean and orderly manner.

28. USE PERMIT: Palette Collective

APPROVED Use Permit, LUP15-0006 Palette Collective, A Series 7 Beer and Wine License, to sell and serve beer and wine as permitted for on-premise consumption indoors within a new beauty salon located at 2100 S. Gilbert Road, Suite 22, in Mill Crossing, subject to the conditions as recommended by the Planning Commission and Planning Staff.

BACKGROUND:

Palette Collective is a new beauty salon located at 2100 South Gilbert Road, Suite 22, in Mill Crossing. JCPenney, McDonald's, Firehouse Subs, Comerica Bank, and other retailers are existing businesses in the commercial retail center.

The request is for Liquor Use Permit approval to sell and serve beer and wine as permitted under a Series 7 Beer and Wine License for on-premise consumption indoors.

The beauty salon provides 25 booths to be rented out and can be individually designed to each stylist. The coffee, beer and wine bar service is independent from the salon booth stylists. Palette Collective employees will serve the beer and wine. Three full-time and one part-time employee are anticipated. Total floor area is approximately 4,558 sq. ft. with 12 indoor seats. Hours of operation will be seven days a week from 9 a.m. until 10 p.m. Liquor consumption within the outdoor seating area is not part of this request. Signage will be posted indicating no alcohol is allowed outdoors.

PUBLIC/NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice letter was mailed out on April 7, 2015, in lieu of a neighborhood meeting. Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT:

Motion to approve.

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Foley)

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

1. The Liquor Use Permit granted is for a Series 7 license only, and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

29. LIQUOR LICENSE: Palette Collective

APPROVED a Series 7 Liquor License (Chandler #158371 L7) for Randy D. Nations, Agent, PC Coffee Bar LLC, dba Palette Collective, located at 2100 S. Gilbert Road, Suite 22. A recommendation for approval of State Liquor License #107070068 will be forwarded to the State Department of Liquor Licenses and Control. 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.

30. USE PERMIT: ESPO's Mexican Food

APPROVED Use Permit, LUP15-0005 ESPO'S MEXICAN FOOD, Series 12 Restaurant License, to continue to sell and serve liquor as permitted along with an extension of premises for an outdoor patio to sell and serve liquor for on-site consumption, and live entertainment at a restaurant located at 3867 W. Chandler Boulevard. (Applicant Randy D. Nations)

BACKGROUND:

Espo's Mexican Restaurant is an existing restaurant located at 3867 W. Chandler Blvd., southeast corner of Chandler Blvd. and Calle Entrada . The restaurant fronts Chandler Blvd. with Espinoza's Market, which is currently closed, adjacent to the east. Single-family homes are adjacent south of the property.

The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors and within the patio including occasional live music indoors and within the patio. The restaurant received Liquor Use Permit approval in 1998; however, the floor plan had expanded to include a new patio requiring a new Liquor Use Permit.

The restaurant is open from 10 a.m. until 9 p.m. Monday through Saturday and 11 a.m. until 7 p.m. on Sundays. The restaurant is approximately 2,200 square feet with an 800 square foot patio. A three foot fence surrounds the patio adjacent to Chandler Blvd. Restaurant seating will be 78 total with 50 seats indoors and 28 seats on the outdoor patio.

The request includes providing occasion live music for special events or holidays occurring within the outdoor patio. Due to the proximity to the single-family, Planning Staff has added conditions to address any potential noise concerns. Planning Staff recommends a one-year time limit to allow evaluation of compatibility of the live music with the surrounding residential and business developments.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-premise consumption. Under a typical Series 12 license the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcohol beverages.

PUBLIC/NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

A neighborhood meeting was held on May 6, 2015. One resident attended and stated their support for the live music.

As of the writing of this memo, Planning Staff has not received any phone calls or letters in opposition to the request.

PLANNING COMMISSION VOTE REPORT:

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 2 (Cunningham, Foley)

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval of LUP15-0005 ESPO'S MEXICIAN FOOD for one year, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and

Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
5. The patio shall be maintained in a clean and orderly manner.

31. LIQUOR LICENSE: Espo's Mexican Food

APPROVED A Series 12 Liquor License, (Chandler #156528 L12) , for Leon Cruz Espinoza, Agent, Cantigo Restaurant Group LLC, dba Espo's Mexican Food, located at 3867 W. Chandler Boulevard. A recommendation for approval of State Liquor License #1207A210 will be forwarded to the State Department of Liquor licenses and Control.

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.

32. CONTINUED LIQUOR LICENSE: The Yard Cigar Bar

CONTINUED TO THE JUNE 11, 2015 COUNCIL MEETING. LIQUOR LICENSE, Series 7, for Randy D. Nations, Agent, Gen 2 LLC, dba The Yard Cigar Bar, located at 1981 W. Elliot Road.

*33. CITY MAGISTRATE CONTRACT:

APPROVED an employment contract for City Magistrate Patrick Gann with an annual base salary of \$148,000.00 from July 29, 2015, through July 29, 2017.

ACTION AGENDA:

9. CITY CODE AMENDMENT: Chapter 11

Ord. # 4642

INTRODUCED Ordinance No. 4642 amending Chapter 11, adding Section 16, of the City Code, relating to providing a location for an Unlawful Minor Party/Gathering, aka the Social Host Ordinance.

BACKGROUND: The Chandler Coalition on Youth Substance Abuse (CCYSA) strives to prevent youth substance abuse in Chandler through a variety of evidence-based programs designed to increase knowledge of youth substance abuse, promote social responsibility, and spur community action. The Chandler Police Department has partnered with the CCYSA on a variety of initiatives including party patrols and shoulder tapping operations.

In addition, the Arizona Criminal Justice Commission conducts an annual survey of this behavior. Their 2014 survey also reported that parties are the number one source of alcohol for teens. This City

ordinance allows for adults and parents to face legal ramifications for providing their home as a gathering place for underage drinking parties. This ordinance includes education as a diversion from the civil penalties.

FINANCIAL IMPLICATIONS: This ordinance will require the printing of an additional citation pad for this application. There are current budgeted funds available for this purpose.

CHIEF SEAN DUGGAN introduced Commander Matt Christiansen, and Melissa Jimro, Director of Programs with Chandler Coalition on Youth Substance Abuse and stated they have been working on the ordinance for several years.

Ms. Jimro stated the Chandler Coalition on Youth Substance Abuse (CCYSA) is a program run by ICAN Positive Programs for Youth. They have been focusing on passing a social host ordinance for several years.

She stated the most recent Community Views Survey, conducted in 2014 by CCYSA, found that parties are the number one source of alcohol for teens. Over 300 surveys were received from a cross-section of sectors in the community with over 90% of those surveyed stated they would like to see a Social Host Ordinance in place. If approved, the ordinance would allow for another tool for the Police Department to hold those responsible for supplying minors with alcohol.

In response to COUNCILMEMBER HEUMANN'S question about a rental property, Commander Christiansen stated the landlord would receive a notice of violation regarding the type of activity which is occurring on the premises. This allows the landlord to address the situation without first time ramifications. If there is a second offense, the landlord would then get what is called the First Tier citation level. The landlord would get a citation. The Commander said they are using this as an educational tool and using this for the large, out of control, gatherings where juveniles are drinking.

MAYOR TIBSHRAENY asked Commander Christiansen to explain how they are currently handling these types of situations and if the ordinance is adopted how will handling them change.

COMMANDER CHRISTIANSEN stated once they have identified juveniles are present, there are different laws which come into play. Those minors identified as having consumed alcohol receive a citation, if an adult has provided alcohol, they are cited, but if there is an adult in the house who knows what is going on, but has not contributed to supplying alcohol, they are not cited. The ordinance before Council would make the homeowner assume liability as a Civil Penalty with a maximum penalty of \$250.00 with a diversion program for the first offense, and steps up for each additional offense.

VICE MAYOR HARTKE thanked them both for the presentation and information, and stated he appreciates the efforts of ICAN, CCYSA and other organizations that work alongside cities to make their community a better place.

COUNCILMEMBER ELLEN asked for clarification on the citations and when they are issued, and also thanked everyone involved on their work on the ordinance. Commander Christensen said in the case of an "absentee owner", you would receive a warning for the first violation.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ELLEN TO INTRODUCE ORDINANCE NO. 4642 AMENDING CHAPTER 11, ADDING SECTION 16, OF THE CITY CODE, RELATING TO PROVIDING A LOCATION FOR AN UNLAWFUL MINOR PARTY/GATHERING, AKA THE SOCIAL HOST ORDINANCE. MOTION CARRIED UNANIMOUSLY (7-0).

19. CONTRACT: Street Media Group

The Mayor announced the City has received a protest on this item.

TRANSPORTATION AND DEVELOPMENT DIRECTOR R.J. ZEDER provided the following information. He stated prior to the posting of the Notice of Award, the City received a letter of protest from Out Front Media, he stated the protest was denied as Staff believes it was not filed in a timely manner as required in the conditions of the RFP.

BACKGROUND/DISCUSSION:

Out Front Media (previously CBS Outdoor) currently provides services to the City of Chandler to install, clean, and maintain bus shelters and associated furniture in exchange for their right to advertise at select sites. The existing contract will expire on June 30, 2015. The City has extended/renewed the existing agreement several times and does not have any more extension options.

During the course of the existing agreement (approved in February 2009), Out Front Media/ CBS Outdoor provided 48 new bus shelters, cleaned and maintained 194 bus shelters throughout the City, cleaned and maintained the Park and Ride and Transit Center, and provided the City with approximately \$520,000 in advertising revenue. All bus shelter installations under the current agreement have been completed.

On March 13, 2015, City staff issued a Request for Proposal (RFP) for transit shelter advertising and maintenance services. Notification was sent to all registered vendors. Two (2) proposals were received from Street Media Group and Out Front Media.

The Evaluation Committee evaluated the proposals and recommends award to Street Media Group, who submitted the most advantageous offer to the City in accordance with the evaluation criteria.

The term of this agreement is July 1, 2015, through June 30, 2020, with the option of two (2) three-year extensions.

Under this new agreement, Street Media Group will provide shelter cleaning and maintenance services and will provide an additional 25 bus shelters to be installed throughout the City. Some of these new bus shelters will replace old shelters, while others will provide new shelters at existing stops without shelters. The 25 new shelters will be slightly larger than the shelters installed by the previous contractor, creating enhanced shading for passengers.

Over the course of the five (5) year term, Street Media Group will provide the City with minimum advertising revenues of \$564,000, with anticipated revenue shares being considerably higher (\$700,000 - \$900,000).

Additionally, the City will be provided with an estimated \$1.65 million in services and capital through the provision of new shelters and the cleaning and maintenance of existing and new shelters, including THE Transit Center and Park and Ride. The total value of this agreement is estimated to be \$2.21 million or \$443,000 per year.

COUNCILMEMBER HEUMANN asked about the timeline of the RFP and the event in which things proceeded, and address the RFPs conditions and timeline to file a protest.

MS. CHRISTINA PRYOR, Purchasing Manager stated the RFP was issued on March 13, 2015 and advertised for 30 days. The deadline for submittals was April 6, 2015. Two proposals were received. Following the evaluation of the proposals, Street Media Group was selected as the vendor based on the published evaluation criteria. The recommendation was unanimous by the committee.

On May 13, 2015 the Notice of Award was posted on line and a protest must be filed within 5 days of the posting. The countdown for the 5 days begins the following day, so the deadline to file a protest would have been May 19th. The protest was filed on the 20th in the afternoon.

COUNCILMEMBER HEUMANN inquired as to whether the 5 days was business days or continuous days, and in response Ms. Pryor stated it is 5 days including weekends.

COUNCILMEMBER HEUMANN inquired as to the differences between the bids, and if these companies were located in Arizona or out of state.

MR. JASON CRAMPTON, Transit Services Coordinator, stated Street Media Group's is based in Colorado and Out Front is in New York with a local presence. He said Street Media Group has successfully transitioned to other markets such as Las Vegas and Utah. Their proposal was more advantageous to the City. The overall approach and revenue share with the city was superior. They offered \$5.00 per shelter per month in advertising revenue to the City providing a minimum guarantee of \$12,000 per year, initially offered higher percentage share and the offered innovative approaches to increase advertising revenue, which they believe will provide a higher return than the \$12,000.

COUNCILMEMBER LOPEZ inquired about the statement by the appellant regarding the stipulation in the RFP that the awarded vendor be a registered Arizona contractor.

CITY ATTORNEY KAY BIGELOW stated the City will expect the selected vendor to comply with all requirements in the RFP and follow state law. She stated there is not an appeal of the protest determination in this process. There is no appeal in front of the City Council on this item. In response to Councilmember Heumann's question regarding how the applicant appeals the decision, she stated it would be handled through the courts.

MR. JOSHUA GRABEL, Attorney with Snell & Wilmer, 400 East Van Buren Street, Phoenix, Arizona stated the City Council has the fiduciary responsibility to review the contract and determine whether the contract is a legal contract and whether it should be approved or not.

He then addressed his concerns with the contract and process:

- The posting by City Staff was incorrect. He noted the name of the company is included in one word - Streetmediagroup LLC. They did not get clarification of the name entity was until May 18th, so the filing was 2 days late.
- The proposal is not legal. Street Media Group (SMG) proposes to perform the installation of the bus shelters. Arizona Revised Statutes are very clear and state they cannot propose to do the work, they cannot purport to have the ability to do the work, nor purport to supervise the work, they cannot subcontract the work if they are not licensed contractors. Currently they are not an Arizona licensed contractor. He suggested that according to State Statute, the contract is not even legal since they are not a registered contractor in Arizona which would have allowed them to submit the proposal.

He stated the Registrar of Contractors has received a complaint on this company and he stated the company will not be allowed to file paperwork to be a registered contractor in Arizona. He has been the Attorney on several cases just like this one, and eventually the cities have had to back out of the lawsuit because the submitted bid is lawful.

- Mr. Grabel said even if Council accepted the fact that the protest was untimely, the Statutes are clear and Council is now aware the contractor cannot perform the work.
- He noted that while Council can throw out both bids, they should award the contract to the responsive and responsible bidder who met the requirements, and that would be Out Front Media Group.

COUNCILMEMBER HEUMANN stated Council has not had a chance to review all the new information presented to them and would like to continue the item.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR HARTKE TO CONTINUE THE ITEM TO THE JUNE 25, 2015 COUNCIL MEETING

THE MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Bob Robson, 2713 W. Oak Grove Lane, Chandler, AZ. Mr. Robson stated he has known and worked with Rich Dlugas a very long time and when he heard Rich was retiring and tonight would be his last meeting, he wanted to wish him all the best in his retirement.

CURRENT EVENTS:

A. Mayor's Announcements:

Olympic Day in Chandler

The City is partnering with the Ice Den Chandler and Olympic Silver Medalist Lyndsey Fry for Olympic Day, next Friday, June 5th from noon to 2 p.m. The Ice Den will be open for free skating as well as an opportunity to meet Lyndsey, who will be available for photos and autographs.

Lyndsey is a Chandler resident and a member of the 2014 Women's Hockey team who won the silver at the 2014 Sochi Winter Olympics.

The Mayor stated he was lucky enough to have Lyndsey as a guest on his Cable show, Chandler Inside and Out, last year which is still available to watch on the City website. www.chandleraz.gov/video

The Mayor thanked the Ice Den and Lyndsey for providing the residents this great opportunity.

Mayor Tibshraeny stated he was saddened to announce Chandler's first drowning death of 2015 which occurred last weekend. He extended his prayers to the family.

He reminded everyone of the critical need to watch others around water, particularly as the weather heats up and people begin to enjoy the swim season.

B. Councilmembers' Announcements

COUNCILMEMBER LOPEZ wanted to reiterate the importance of watching everyone especially children around water. It is important to be vigilant even if the persons are not related to you.

COUNCILMEMBER SELLERS stated he attended a State Transportation Board Study Session where they were able to tour the ADOT Traffic Operations Center. It is an amazing operation that depends on a camera system that is linked around the state, and linked to the message boards you see on the highways.

He and Vice Mayor Hartke attended a luncheon where some Carl Hayden teachers spoke on their work with First Robotics Team. There was a movie called Spare Parts based on this group. VICE MAYOR HARTKE highlighted that because of the program, the mentoring and support this group receives, that group has the highest percentage of students that graduate in an engineering field, more than Ivy League college graduates.

He met Fred Ferguson a Medal of Honor recipient from Chandler. The post office issued a series of Medal of Honor postal stamps and he was chosen to be on the stamp. Mr. Ferguson spoke of the team work and support during his service and how important it is for anyone to succeed.

He mentioned on June 2nd, there will be a "Stuff the Back Pack" opportunity. Later in July the City will handout backpacks filled with school supplies for those in need. Other items include shoes, clothing, and uniforms.

COUNCILMEMBER HEUMANN addressed a few items on the Council agenda which do not receive much attention, one was the budget, and the other is the hearings to be set for the water rate increase. He wanted to thank Chandler Staff for the innovative idea on water allocation based on economic development. He is President of the Arizona Municipal Water Association (AMWA) and believes this allocation format might just be used by other municipalities in the valley.

COUNCILMEMBER ELLEN reiterated the importance of watching children around water and reminded everyone the City offers CPR classes.

COUNCILMEMBER ROE announce May is Foster Care month and asked if anyone is able to help out and foster kids, please do so.

C. City Manager's Announcements

City Manager Rich Dlugas thanked everyone for all their kind words. He truly enjoyed working for the Council, and he will miss working for such a wonderful group of individuals.

Adjournment: The meeting was adjourned at approximately 8:03 p.m.

ATTEST: 
City Clerk


Mayor

Approved: June 25, 2015

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 28th day of May 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 29 day of June, 2015.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 11, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Reverend Denise Burns – First Church of the Nazarene

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

CONSENT:

COUNCILMEMBER HEUMANN commented on Item No. 12 Preliminary Development Plan for Allred Park Place. He stated the addition of this amenity is exciting as it is a private sector development that will bring 264 rooms and about 50,000 s.f. of conference space.

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Study Session of May 11, 2015.
- 1b. Regular Meeting of May 24, 2015.
- 1c. Budget Briefing of May 1, 2015.
- 1d. Special Budget Amendments Meeting of May 14, 2015.

2. CITY CODE AMENDMENT: Chapter 10 Ord. #4630

ADOPTED Ordinance No. 4630 amending Chapter 10, Sections 10-12 of the City Code relating to property and firearms obtained by the Police Department.

3. CITY CODE AMENDMENT: Chapter 11 Ord. #4642

ADOPTED Ordinance No. 4642 amending Chapter 11 of the City Code, adding Section 16 relating to providing a location for an Unlawful Minor Party/Gathering, aka the Social Host Ordinance.

4. CITY CODE AMENDMENT: Chapter 28 Ord. #4639

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4639 amending Chapter 28, Sections 28-22.2 of the City Code relating to sign requirements during the sale of consumer fireworks.

BACKGROUND/DISCUSSION

On April 13, 2015, Arizona Governor Doug Ducey signed House Bill 2008 into law. This law will go into effect on July 3, 2015. The law made amendments to Title 36 "Public Safety and Health"; Chapter 13 "Safety"; Article 1 "Fireworks"; Section 36-1601 "Definitions" and Section 36-1606 "Consumer fireworks regulation; state preemption; further regulation of fireworks by local jurisdiction". The changes prohibit local jurisdictions from requiring additional signage for the sale or use of permissible consumer fireworks other than stipulated in NFPA 1124 and this law.

Adoption of Ordinance No. 4639 changes the Code of the City of Chandler to conform in all respects to Sections 36-1601 and 36-1606 (B) of Arizona Revised Statutes §36-1601 and 1606 (B).

5. CITY CODE AMENDMENT: Chapter 43 Ord. #4644

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4644 amending Chapter 43, Section 43-5, Subsections 43-4.5.A, 43-4.5.B, 43-4.5.D, 43-4.5.F and 43-4.5.I, of the City Code and adopting updated Fire Department Standard Details and Public Works design and construction standards.

BACKGROUND/DISCUSSION

The City maintains and publishes Fire Department Standard Details, Engineering Standard Details and Specifications, and Technical Design Manuals, which have been developed to guide developers and City Staff on the design and construction of the City's infrastructure. These documents are adopted by the City Council.

In addition to general revisions, this mid-year package incorporates further refinements to the existing directional curb ramp standards and new installation/upgrade standards for curb ramps and sidewalks for private development projects, Capital Improvement Projects and mill and overlay programs to further meet the Americans with Disabilities Act requirements. Also included, are new standards for on-street parking with bulb-outs expected to be used largely in the downtown area.

The Engineering Design Standards Committee, with cross-departmental representation, reviews proposed changes to the design standards and makes recommendations for annual updates.

This process also involves reviewing the Maricopa Association of Governments (MAG) Specifications and Standards and their annually-proposed revisions to determine if City standards could be removed in favor of MAG standards.

This ordinance would amend the following design standards:

- 2013 Edition, Fire Department Standard Details
- January 2014 Standard Details and Specifications Manual
- January 2014 Technical Design Manuals #1 & 2, Water & Wastewater System Design
- March 2013 Technical Design Manual #3, Drainage Policies and Standards
- January 2014 Technical Design Manual #4, Street Access and Design Control
- January 2014 Technical Design Manual #6, Streetlight Design
- In addition, this ordinance would adopt the 2015 revisions to the MAG Uniform Standard Specifications and Details with certain modifications.

The recommended revisions have been reviewed and approved by the Engineering Design Standards Committee consisting of Engineering, Offsite Inspection, Transportation, Water/Wastewater, and Planning Divisions. The revisions were provided to members of the industry including the Homebuilders Association, Multi-housing Association, utility providers and engineering design consultants. Comments received were incorporated into these revisions where appropriate.

The complete set of revised Standard Details and Specifications are on file with the City Clerk and available for review.

6. ALLOCATION OF FY 2015-2016 GENERAL FUNDS

Res. #4860

ADOPTED Resolution No. 4860 authorizing the allocation of FY 2015-2016 General Fund dollars in the amount of \$1,120,392.00 in accordance with the recommendations of the Chandler Housing and Human Services Commission (HHSC) and Staff; and authorizing the Acting City Manager or designee to enter into agreements and suspend or terminate, as needed pursuant to the resolution.

BACKGROUND

The City of Chandler annually allocates General Fund dollars from the Social Services Fund (SSF) and the Youth Enhancement Program (YEP). In addition, funds from the utility bill donations are allocated from the Acts of Kindness (A-OK) program. These and Veterans Transportation Services funds are granted to qualifying non-profit agencies and programs for the purpose of providing human services to Chandler residents.

The following funds are available for allocation in FY 2015-2016:

PROGRAM	TOTAL FUNDS AVAILABLE	ADMIN FEE	AVAILABLE FOR ALLOCATION
SSF	\$ 432,201	3.0%	\$ 419,235
YEP	648,960	3.0%	629,491
Carryforward	5,000	N/A	5,000
A-OK	56,666	N/A	56,666

Veterans Trans	10,000	N/A	10,000
TOTAL	\$1,152,827		\$ 1,120,392

Included in the FY 2015-2016 available funding is \$5,000 of carryforward savings from the Administrative Fee for FY 2014-2015. These dollars were made available to keep the FY 2015-2016 funding at the same level as the FY 2014-2015 funding.

For FY 2015-2016, allocations are divided into four funding population groups. Funding from the General Fund is used for three of these groups: Families in Crisis, Special Populations and Youth. The fourth group is comprised of Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) requests, which have already been approved.

DISCUSSION

The City received 61 applications totaling \$1,789,084 for the FY 2015-2016 General Fund Allocations. Each application received through the Human Services Funding Allocations Process was assigned to a subcommittee review team of the HHSC. Each team met at least twice to review and discuss the applications. Comments were captured during these review sessions that will be sent at a later date to the agencies along with the application scores.

There were discussions by the HHSC in their regular meeting and by each of the funding panels regarding the stability and capacity of new agencies and programs. Due to the competition for funds, the HHSC has recommended that in the next funding cycle, new criteria regarding the length of time agencies and programs are established be implemented. In order to be eligible for funding, new agencies would be required to be established for three years and new programs would be required to be established for one year.

Based on the stated funding amounts for FY 2015-2016 Human Services General Funding, initial allocations were made for each funding population and source. On May 1, the initial funding recommendations from HHSC were sent to the non-profit organizations that applied for funding. These recommendations were then finalized by the HHSC on May 6, 2015, following a public hearing.

7. COUNTY RIGHTS-OF-WAY TRANSFER: Germann/Arizona/Hamilton Res. #4865

ADOPTED Resolution No. 4865 authorizing the transfer of certain County rights-of-way on Germann Road between Arizona Avenue and Hamilton Street contingent upon the approval of the Maricopa County Board of Supervisors.

BACKGROUND/DISCUSSION

Council previously approved Resolution No. 4826, an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation, for cost sharing for improvements to Germann Road from Arizona Avenue to Hamilton Street. In conformance with the IGA approval, the City is required to annex (transfer) the portion of Germann Road that is currently under the jurisdiction of Maricopa County. The City is also required to complete this annexation by September 1, 2015, in order to retain the awarded Special Project Fund amount of \$350,000.

The Annexation Map attached to the resolution, depicts the entire area to be annexed; approximately 4.59 acres of rights-of-way. A.R.S. §9-471(N) allows for an alternative annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is

adjacent to the receiving city, and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

FINANCIAL IMPLICATIONS

There is no direct cost for annexation; however, the City will be responsible for ongoing maintenance of annexed roadways.

8. COUNTY RIGHTS-OF-WAY TRANSFER: Willis/McQueen Res. #4866

ADOPTED Resolution No. 4866 authorizing the transfer of certain County rights-of-way on Willis Road between McQueen Road and one-quarter mile east of McQueen Road contingent upon the approval of the Maricopa County Board of Supervisors.

BACKGROUND/DISCUSSION

Council previously approved the Willis Gated Community located east of the SEC of McQueen and Willis roads and more recently approved Resolution No. 4821 authorizing the execution of an Intergovernmental Agreement (IGA) with Maricopa County for abandonment and annexation of portions of Willis Road and McQueen Road. The area proposed for annexation directly correlates with the approved development.

The Arizona Department of Transportation (ADOT) has now abandoned the portion of the intersection needed to construct a median break and expedite westbound left turns from Willis Road. In conformance with the IGA, the City must annex the intersection and the portions of Willis Road that are currently under Maricopa County jurisdiction.

The Annexation Map attached to the resolution, depicts the entire area to be annexed; approximately 1.53 acres of right-of-way. A.R.S. §9-471(N) allows for an alternative annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city, and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

FINANCIAL IMPLICATIONS

There is no direct cost for annexation; however, the City will be responsible for ongoing maintenance of annexed roadways.

9. ENHANCED MUNICIPAL SERVICES DISTRICT AGREEMENT Res. #4871

ADOPTED Resolution No. 4871 authorizing the Enhanced Municipal Services District Agreement (EMSD) for FY 2015-2016 with the Downtown Chandler Community Partnership, and the City's voluntary contribution to the EMSD in the amount of \$97,804 (\$118,804 less \$21,000 as described in the first amendment of the stage cost sharing agreement).

BACKGROUND

At the City Council meetings on March 26, 2015, and April 30, 2015, the Mayor and City Council took all actions necessary to renew the Downtown Chandler Enhanced Municipal Services District (District). Staff is requesting approval of an Enhanced Municipal Services District Agreement with the Downtown Chandler Community Partnership (DCCP). Through this action, the DCCP is designated as the entity that will manage and operate programs in the District.

The primary functions of representing District rate payers, developing the annual District budget and work plan and items outlined in Exhibit B of the contract, have remained the same.

The agreement also details the City's participation in the District. From a financial perspective, the \$118,804 represents the amount the City voluntarily contributes to the District. The contract also identifies how payments will be made from the City to the DCCP, both for City funds and for funds obtained through the assessment of private property owners through the Maricopa County Assessor's Office. Finally, the agreement outlines the baseline of City provided services that will be delivered during the term of the agreement.

The DCCP participated in the development of the agreement, including providing a budget and developing a work plan for the coming year. The DCCP Executive Board has officially approved the content of this agreement and looks forward to continuing as the administrator of the district.

DISCUSSION

Upon adoption of Resolution No. 4871, Staff will proceed to process a check to the DCCP in order to provide them with the first City voluntary payment prior to July 15, 2015, as specified by the contract.

FINANCIAL IMPLICATIONS

Assessments for privately owned property in the District total \$145,163. Staff has forwarded the Assessment Roll to Maricopa County for inclusion in the fall property tax bills. The City's voluntary contribution of \$118,804, less \$21,000 for the amendment to the stage cost sharing agreement, have been included in the Downtown Redevelopment budget for FY 2015-2016. The total amount of the district budget for FY 2015-2016 is \$263,967.

10. ZONING EXTENSION: Greywood Professional Offices

APPROVED a three-year zoning extension for DVR14-0042, an existing Planned Area Development (PAD) zoning for an office building on approximately 2 acres located south of the SWC of Frye Road and Gilbert Road, north of Pecos Road. (Applicant: Scott Fey, Greywood Professional Offices LLC.)

EXTENSION OF TIMING CONDITION

In July 2008, City Council approved rezoning the subject site from AG-1 (Agricultural) to Planned Area Development (PAD) for one, single-story, 15,000 square-foot office building for general, medical and dental uses with Preliminary Development Plan (PDP). The office development is designed to allow 50% general office and 50% medical/dental office.

The PAD zoning was approved with a three-year development timing condition. Time limits are calculated from the previous zoning approval's expiration date, which is calculated from the ordinance's effective date and not the Council meeting date. The PAD zoning for this project expired September 13, 2011. A three-year time extension was approved in January 2012, expiring on September 13, 2014. The requested time extension would maintain the PAD zoning for office use for an additional three years in which the zoning would expire September 13, 2017. Upon approval, all other conditions in the original approval will remain in effect.

BACKGROUND

The property is undeveloped and adjacent to existing single-family residential subdivisions Country Cove and Country Cove 2 to the west and north. South of the site is vacant,

undeveloped property owned by the Maricopa Community College District. Gilbert Road abuts the site's eastern side, which is the city limit line for Chandler and the Town of Gilbert.

Planning Staff supports the zoning time extension request for an additional three years, which extends the PAD zoning until September 13, 2017. Staff is of the opinion the office land use is still appropriate for this site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 4, 2015. There were no neighbors in attendance. Planning Staff has received no communication in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Foley absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval with all of the conditions in the original approval remaining in effect.

11. ZONING EXTENSION: The Gates

APPROVED a three-year zoning extension for DVR15-0011 The Gates, on the existing Planned Area Development (PAD) for a retail commercial development on approximately 18 acres located at the SEC of Gilbert and Ocotillo roads. (Applicant: Garry D. Hays; Law Offices of Garry D. Hays.)

EXTENSION OF THE TIMING CONDITION

In 2008, the site was rezoned from AG-1 to PAD for a commercial retail development. The PAD zoning was conditioned to start construction above foundation walls within three (3) years of the ordinance effective date. In 2011, a timing extension was granted extending the schedule for development to occur prior to December 2014. The current application requests a three-year time extension; the timing condition expired on December 17, 2014. The proposed three-year time extension would be in effect until December 17, 2017, as the time limit is calculated from the previous zoning approval's expiration. Upon approval, all other conditions in the original approval would remain in effect.

BACKGROUND

The subject site is located at the southeast corner of Gilbert and Ocotillo roads. North, across Ocotillo Road, is the Layton Lakes residential development that is currently under development. Bordering the east and south property boundaries is an RWCD (Roosevelt Water Conservation District) canal. East, beyond the canal, is the Quail Springs single-family residential neighborhood. South, beyond the canal, is a county island currently being utilized as farmland. West, across Gilbert Road, is vacant land that was recently rezoned to allow for commercial development. The subject site lies within the SECAP (Southeast Chandler Area Plan) and is designated as a major entry gateway and commercial node. The request is consistent with the SECAP. A current application for site design and layout for the northern portion of the development is under review.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 4, 2015. Approximately 30 neighbors from the

adjacent Quail Springs neighborhood attended and shared comments. The comments were based on the proposed Preliminary Development Plan.

PLANNING COMMISSION VOTE REPORT

The motion to approved passed 5 – 0 with Commissioners Cunningham and Foley absent. Two neighbors submitted comment cards opposing the extension citing they preferred the previous AG-1 zoning.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and SECAP, the Planning Commission and Planning Staff recommend approval with all of the conditions in the original approval remaining in effect.

12. PRELIMINARY DEVELOPMENT PLAN: Allred Park Place

APPROVED Preliminary Development Plan PDP15-0004 Allred Park Place, to amend Preliminary Development Plan (PDP) Stipulation No. 8 reducing the number of rooms in the Conference Center hotel on approximately 30 acres located at the SWC of Price and Willis roads. (Applicant: Michael Curley; Earl, Curley & Lagarde P.C.)

BACKGROUND

The subject 30-acre site is part of the larger 73-acre Allred Park Place mixed use master planned business park located at the northeast and southwest corners of Price and Willis roads, south of the Santan Loop 202 and Price 101 freeway interchange. The subject site, originally identified as Area 3, is located west of Price Road between Willis Road and Armstrong Place. The Allred Park Place master plan received zoning approval in May 2014, to PAD for business park, hotel, conference center and service retail uses, including a Mid-Rise Overlay for buildings up to 150 feet in height, with Preliminary Development Plan (PDP) approval for site design and building architecture. Although a single PAD zoning designation was established for purposes of land-use entitlement, the PAD maintained a delineation of Areas 1, 2 and 3 and the permitted uses within. The subject Area 3 currently includes a conference center hotel land use in addition to the business park uses as identified within the South Price Road Employment Corridor language accommodating a wide range of uses including corporate office headquarters, high-tech manufacturing and knowledge intensive employers.

During the public hearing process for the original zoning approval, discussions occurred seeking clarity as to the difference between a hotel and the proposed conference center in Area 3. Ultimately, Preliminary Development Plan Stipulation No. 8 was added which memorialized the applicant's representation that the conference center would encompass approximately 300 rooms and 50,000 square feet of meeting space. At the time of zoning approval, the conference center operator, Marriott Hotels, intended to construct according to the room and space representation. Shortly after, an updated full market study was conducted by Marriott which concluded the appropriate number of rooms to be 264 versus the original 300.

The request is to amend Preliminary Development Plan (PDP) Stipulation No. 8 in Case No. DVR13-0032 ALLRED PARK PLACE, to reduce the number of rooms in the conference center hotel from 300 rooms to 264 rooms. No other changes to the approved zoning and PDP are requested.

Planning Staff supports the requested stipulation modification finding the minor reduction in rooms does not change the intent or nature of the original master plan and continues to maintain

a difference between the approved hotel component in Area 1 and the conference center in the subject Area 3. The reduced room count will most likely result in the reduction in final building height by 1 floor; however, at the time of this writing, neither a final site plan nor building elevations have been submitted for approval. As outlined within the original zoning approval, final building layout and design will be reviewed and approved administratively.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on May 6, 2015. There was one neighboring property owner adjacent on the north in attendance who expressed no opposition.

The applicant contacted the Ebay/Paypal building owner as well as their legal representative to discuss the request. The applicant conveyed to Planning Staff that there was no opposition offered to the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5-0 with Commissioners Cunningham and Foley absent.

RECOMMENDED ACTION

Preliminary Development Plan

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

1. Compliance with original conditions adopted by the City Council as Ordinance No. 4541 in case DVR13-0032 ALLRED PARK PLACE, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Preliminary Development Plan case DVR13-0032 ALLRED PARK PLACE, except as modified by condition herein.
3. Preliminary Development Plan (PDP) Stipulation No. 8 in case no. DVR13-0032 ALLRED PARK PLACE is amended to reduce the number of rooms in the Conference Center hotel from 300 rooms to 264 rooms.

13. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Cultural Foundation Management Board

Robb Lipsey

Economic Development Advisory Board

Judy Bernas

Mayor's Youth Commission

Swaneya Babu

14. SUBORDINATION: 2910 N. Nebraska Street

APPROVED subordination of the Exterior Improvement Program Lien on Project Number EIL 10-0017 located at 2910 N. Nebraska Street in the amount of \$19,975.02. (Stokes)

BACKGROUND/DISCUSSION

In 2012, the owner of a single-family, owner occupied home located at 2910 N. Nebraska Street received a \$19,975.02 loan through the City's EIL Program. The City's lien against the property is for \$19,975.02. The City's loan is a five-year forgivable loan secured by a Deed of Trust with the balance to be forgiven in 2017.

The owner is requesting to refinance the home to lower the interest rate. The new loan of \$86,975.00 reduces the interest rate, lowers the mortgage payment and the owner will receive no cash out as required by the City's refinancing policy. In order to obtain the loan, a subordination of the City's lien is required by the lending institution and the City lien will remain in the same position.

FINANCIAL IMPLICATIONS:

The City will not be prejudiced by the refinancing or the subordination. The City's lien is currently in third position and will remain in third position after the refinancing is complete. The City's lien will not be released until the loan term expires in 2017.

15. **NEIGHBORHOOD GRANT:** Twelve Oaks Neighborhood

APPROVED the Neighborhood Grant Request to the Twelve Oaks Neighborhood for the purchase of paint in an amount not to exceed \$5,000.00.

BACKGROUND

The Twelve Oaks Neighborhood is a 20-year old traditional neighborhood that is located south of Chandler Boulevard, north of Earhart Way, west of Stellar Parkway and south of Del Pueblo Street. The community is applying for grant funds to purchase paint for the exterior of two neighborhood walls that front Twelve Oaks Boulevard and Rural Road. The property owners individually own each section of the two continuous walls. As a result, residents are permitted to paint the wall any color, as there are no City codes or Covenants, Conditions or Restrictions (CC&Rs) that prohibit the owners from choosing their own paint color. Therefore, in order to maintain consistency in the appearance of the neighborhood wall, residents whose homes back up to Twelve Oaks Boulevard have come together to request grant funds that will assist them with the purchase of paint.

The original builder of this phase of Twelve Oaks, maintained the two neighborhood walls along Twelve Oaks Boulevard and Rural Road for the first ten years. Subsequently, the responsibility of maintaining the two continuous walls fell upon each resident. Due to the uniqueness of the individual ownership of each segment of the wall, developing a solution to the uniform painting of the wall has presented challenges.

The perimeter wall has been declining for some time. Staff from Code Enforcement and Neighborhood Programs has worked with the neighborhood toward the goal of restoring the wall condition. Several of the residents in the area attended the Spring Traditional Neighborhood Academy and through the Academy, became aware that City grant funds are available to improve and maintain Traditional Neighborhoods. As a result, these residents worked together with other neighbors to develop and submit this grant request. This grant will provide paint for the painting of the wall of seventeen of the properties.

STANDARD CONDITIONS

Applicants of the Traditional Neighborhood Grant must meet four required standard conditions of the grant. The conditions include developing a neighborhood safety program, performing outreach in the neighborhood, becoming educated about various neighborhood programs and

City services and making a final presentation to the Neighborhood Advisory Committee (NAC). The Twelve Oaks residents have agreed to implement several activities to meet the conditions of the grant and engage all members of their community.

1. *Neighborhood Safety:* To address neighborhood safety, the neighborhood is expanding their participation on Nextdoor.com, a social media platform for neighborhoods. Nextdoor is unique as only residents that live within the neighborhood boundaries can join. Twelve Oaks residents are using Nextdoor to communicate with neighbors and to encourage safety awareness. Many residents also attended meetings arranged by the Chandler Police Department to discuss safety concerns.
2. *Neighborhood Outreach:* The community is using Nextdoor.com as their main source of outreach between neighbors. They have also conducted a neighborhood survey and plan to hold a neighborhood meeting to discuss and review the results of their survey. They will also be conducting a secondary neighborhood survey to select a neighborhood sign topper in order to promote neighborhood identity within their community.
3. *Neighborhood Education:* Ten Twelve Oaks Neighborhood residents were enrolled in the Mayor's Traditional Neighborhood Academy. The residents attended four two-hour workshops held once a week where they learned about City resources and how to work with City staff to address neighborhood challenges.
4. *Final Presentation to the NAC:* The Twelve Oaks Neighborhood residents are committed to providing the NAC with a final presentation upon completion of the grant and its requirements.

FINANCIAL IMPLICATIONS

No financial match is required per the Traditional Neighborhood Grant Program guidelines. Owners are required to make all needed wall repairs prior to receiving the exterior paint. The Code Enforcement Officer will verify completion of the work. Traditional Neighborhood Grant Funds have been budgeted in the Neighborhood Programs Fiscal Year 2014-2015 operating budget and are available to fund the Twelve Oaks Traditional Neighborhood request.

NEIGHBORHOOD ADVISORY COMMITTEE VOTE

The motion to approve the grant request passed 5 – 0 with two Commissioners absent.

16. MEMORANDUM OF UNDERSTANDING: Service Employees International Union

APPROVED the Memorandum of Understanding (MOU) with the Service Employees International Union Local 48 (SEIU) for FY 2015/2016.

BACKGROUND/DISCUSSION

The City and the SEIU engaged in negotiations beginning late March of 2015. After four negotiation meetings, the City and the SEIU were able to reach agreement on a one (1) year contract.

The SEIU and the City negotiated the terms of up to a 3.50% merit for all merit-eligible represented employees, as well as a 1.50% across-the-board wage and salary range adjustment for all SEIU represented employees for FY 2015-2016. No other financial terms were negotiated. The final MOU will include incorporation of the FY 2014-2015 amendment language for a full agreement.

17. MEMORANDUM OF UNDERSTANDING: Association of Chandler Employees

APPROVED the Memorandum of Understanding (MOU) with the Association of Chandler Employees (ACE) for FY 2015-2016 through FY 2016-2017.

BACKGROUND/DISCUSSION

The City and ACE engaged in negotiations beginning in late March of 2015. Through a collaborative effort, an agreement has been reached on a two (2) year contract that will be in effect from July 1, 2015, through June 30, 2017, with no re-opener during the term.

Substantive changes to the MOU include:

- FY 2015-2016, the City will fund a merit increase of up to 3.50% for all eligible unit members. In addition, a 1% across-the-board wage and salary range adjustment for all ACE represented employees.
- FY 2016-2017, The City will fund a merit increase of up to 3% for all eligible unit members. In addition, a 1.50% across-the-board wage and salary range adjustment for all ACE represented employees.
- The City offered, and ACE agreed, to the removal of a 10-year service requirement for those employees participating in the deferred compensation program who are contributing \$15.00 or more per pay period. The removal of the language allows any ACE represented employee making this contribution to receive a match of \$15.00 by the City.
- ACE members that make a court appearance as a requirement of their job outside of their normal work schedule, will be compensated for three (3) hours or the actual number of hours worked, whichever is greater beginning July 1, 2015. This provision is in both the CLEA and CLASA MOU.
- Increase vacation cash out from 20 hours to 25 hours in FY 2015-2016

There was a significant amount of housekeeping done as well as a couple of administrative process changes agreed upon.

18. GRANT AGREEMENT: High Intensity Drug Trafficking Area

APPROVED a Grant Agreement for a High Intensity Drug Trafficking Area with the City of Tucson for the provision of investigative services and AUTHORIZED the Mayor to sign the Agreement and the Police Chief to administer, execute and submit all documents and other necessary instruments in connection with such Agreement.

BACKGROUND/DISCUSSION

The Chandler Police Department has been awarded a grant from the City of Tucson for overtime funds to participate in the US Marshals Service (USMS) Warrant Apprehension Network and Tactical Enforcement Detail (WANTED) using Federal HIDTA and HIDTA Investigative Narcotics Technical Support grant funds. These are one-time funds for the Gang Research, Intelligence and Targeting Enforcement Operation currently being conducted. Chandler's participation started in February and is anticipated to run through August. The City of Tucson provides the financial oversight for this project and will reimburse the Chandler Police Department up to \$10,000 for approved overtime (no benefits) expenses through December 31, 2015. The Gang and Criminal Apprehension Units are participating in this detail.

FINANCIAL IMPLICATIONS

This grant covers overtime only for participating officers up to a total of \$10,000.00. The Department would cover the overtime benefits.

19. **AGREEMENT**: Water/Wastewater Equipment Repair and Maintenance

APPROVED Agreement No. WA5-936-3480 with DXP Enterprises, Foster Electric Motor Service, Inc., Hennesy Mechanical Sales LLC, Keller Electrical Industries, Inc., Phoenix Pumps, Inc., Precision Electric Company, Inc., and Weber Water Resources, LLC, for water/wastewater equipment repair and maintenance, for a two-year term, in an amount not to exceed \$2,675,000.00 per year, with the option to extend for up to two additional two-year terms.

20. **AGREEMENT AMENDMENT**: JC Printing

APPROVED Agreement No. CP1-966-2986, Amendment No. 4, with JC Printing for Overflow Photo Copying and Printing Services in an amount not to exceed \$95,000.00 for the term July 1, 2015, through June 30, 2016. This is the fourth and final optional extension.

21. **AGREEMENT**: EnergyCAP, Inc.

APPROVED Agreement No. CM5-208-3416 with EnergyCAP, Inc., for a utility tracking system in the amount of \$134,323.75 (\$130,143.44 plus applicable State Use Tax in the amount of \$4,180.31).

Building and Facilities, along with several other City divisions, are responsible for the utility management of City buildings. Currently, the Accounting Division manually enters the data and reconciles the utility accounts through an Access database. Hard copy reports are sent to each division with utility accounts. Each division then enters the information into their own database. This utility tracing software will provide one central database that will provide accurate and timely utility information on utility accounts. This new software will allow for electronic billing from the utility companies to be automatically downloaded into the system thus eliminating manual entry by City Staff. The software will also integrate into the Oracle Financial System and perform audits on utility accounts and red-flag any abnormalities. Reports can be generated for division managers with the latest utility cost and consumption information that is currently not available with the existing system.

Once the system is fully implemented, the term of the ongoing maintenance agreement will commence in the amount of \$11,943.75, for a one-year period with the option of four one-year extensions.

22. **PROJECT AGREEMENT & CONTINGENCY TRANSFER**: Chasse Building Team, Inc.

APPROVED Project Agreement No. BF1503.401 With Chasse Building Team, Inc., for Facility Storm Damage Repair Services, pursuant to Job Order Contract No. JOC1202.401, in an amount not to exceed \$403,895.00.

APPROVED a Contingency Transfer in the amount of \$311,512.00 from the General Fund Non-Departmental Contingency to the Buildings and Facilities Cost Center.

This project will facilitate repairs for eleven (11) City buildings and facilities that were either damaged in the September 8, 2014, record storm or identified as measures that should be taken to prevent damage from future rain events. A majority of the damage occurred from ground and

roof water penetration entering through windows, doors, utility conduits, HVAC equipment and roofs. Some of the repairs are covered by insurance payments, but others are considered to be the City's responsibility as normal maintenance.

An insurance claim for citywide storm repairs has been filed and an initial payment of \$315,970.99 has been received with an additional amount of \$6,127.00 due. Of this total, \$184,598.54 is reimbursement for building repair and maintenance expenses already incurred (\$92,215.54) and an additional amount of \$93,383.00 towards building repairs to be made under this project agreement. These expenses are being paid by the insurance proceeds. In addition, the review of damages identified several areas considered as normal maintenance that the insurance will not cover. These additional repairs are outside the limits of the normal Buildings and Facilities operating budget and Staff recommends a General Fund Non-Departmental Contingency Transfer in the amount of \$311,512.00 to provide funding to allow immediate repair of these items.

23. AGREEMENT AMENDMENTS: Water Treatment and Pool Chemicals

APPROVED Agreement No. MU4-885-3350, Amendments with Hill Brothers Chemical, Brenntag Pacific, Inc., Univar USA, Inc., Charlie Pepper, Inc., Polydyne, Inc., Kemira Water Solutions, Inc., Waternuts Aquatic Ent, Inc. dba Commercial Pool Repair, Chemtrade Chemicals US, LLC, and BASF Corporation, for the purchase of water treatment, wastewater treatment and swimming pool chemicals, for a one-year term, in a total amount not to exceed \$8,080,000.00.

24. CONTRACT: Water Treatment and Pool Chemicals

APPROVED Contract No. MU5-885-3526 with Chemrite, Inc., Evoqua Water Technologies, LLC, Hill Brothers Chemical Company, Polydyne, Inc. and Thatcher Company of Arizona, for water treatment, wastewater treatment and pool chemicals, for a one-year term, in an amount not to exceed \$1,368,750.00.

25. CONTRACT AMENDMENT: GE Betz, Inc.

APPROVED Contract No. MU5-885-3431, Amendment No. 1, with GE Betz, Inc., for GE Chemicals for the lime softening process and Brine Concentrator at the Ocotillo Brine Reduction Facility, 3737 S. Price Road, in an amount not to exceed \$120,000.00 for a one-year term.

26. JOB ORDER CONTRACT AMENDMENT: Chasse Building Team, Inc.

APPROVED Job Order Contract No. JOC1202.401, Amendment No. 1, with Chasse Building Team, Inc., for Construction Services, Major Renovations, Repairs, Demolition and Re-Construction Services increasing the annual limit by \$550,000.00 for a revised annual limit amount not to exceed \$800,000.00.

27. PURCHASE: Bucket Truck

APPROVED the purchase of a bucket truck from Sanderson Ford, utilizing Arizona State contract No. ADSPO14-063240, in the amount of \$125,819.43.

28. PURCHASE: Thermal Imaging Cameras

APPROVED the purchase of Thermal Imaging Cameras from Municipal Emergency Services, Inc., (MES), sole source, in an amount not to exceed \$132,529.

All Chandler Fire, Health & Medical (CFHM) front line suppression units, Battalion Chief units and the Training Division have Thermal Imaging Cameras (TICs). The current TICs have been in use for almost eight years and do not contain the latest technology. In an attempt to upgrade the TICs to the new technology, the CFHM applied for and received a grant from the Gila River Indian Community Grant program for the purchase of new TICs. The original grant request was for \$176,564; the grant awarded was for \$102,690. CFHM has reduced the scope and is only purchasing TICs for the front line suppression units and adding line item savings from multiple lines to purchase TICs for the two Battalion Chief units. This means that the current TICs will remain in service as back-up units and for training purposes.

The City currently uses Infrared Systems Group (ISG) Thermal Imaging Cameras and some of these cameras will remain in service as back-up units and for training purposes. Therefore, CFHM needs to maintain compatibility with existing equipment. While the technology of the new cameras will be upgraded, the operation and hands-on feel for the firefighters will remain the same. MES is the only authorized ISG distributor in the State of Arizona; therefore, they are the only source to provide the new ISG Thermal Imaging Cameras.

29. USE PERMIT: San Marcos Golf Resort

APPROVED Use Permit ZUP15-0001 San Marcos Golf Resort, extension for the continued operation of a maintenance/cart storage facility in conjunction with the San Marcos Golf Resort located south of the SWC of Chandler Boulevard and Dakota Street. (Applicant: Michael Rus; San Marcos Golf Resort.)

BACKGROUND

The San Marcos Golf Resort facility is located south of the SWC of Chandler Boulevard and Dakota Street, approximately ¼ mile west of Arizona Avenue. The maintenance and golf cart storage facility is located near the property's northeastern end, adjacent to Chandler Boulevard (about 150 feet south of the Chandler Boulevard right-of-way). To the east is the San Marcos Commons residential/retail/office development; to the south and west are the golf course facilities and to the north, across Chandler Boulevard, are the Chandler High School athletic fields and an existing single-family neighborhood. Farther west, along Chandler Boulevard, is an office development that is surrounded by the golf course. The adjacent townhomes are 3-story and have outdoor patios on the 2nd floor that overlook the storage facility.

In 2000, the site received its original Use Permit approval for the maintenance/storage facility with a 5-year time limit. The Use Permit was renewed in November 2006, for one year, August 2009 for an additional year and in January of 2012 for an additional three (3) years.

During the 2012 approval process, concerns were expressed by the adjacent neighbors and property management group with the overall maintenance and aesthetics of the storage facility along the Dakota Street frontage. Due to the concerns, as part of the previous approval, conditions were added addressing the appearance and upkeep of the fencing and adjacent landscaping; the conditions of approval have been met and the adjacent landscaping is in good upkeep.

Depending on the location around the storage area, the existing maintenance and cart storage yard is enclosed by a 6' to 12' high chain link fence. In addition, mature trees exist along the

street frontages. As part of the conditions of the previous approval, the applicant replaced the previous fence with the current 12'-tall chain link fence along the Dakota Street frontage, incorporated durable plastic inserts rather than the woven wire material that was previously used, and have maintained the mature landscaping along Dakota Street. Upkeep of the facility has been ongoing and consistent with the previous conditions of approval.

DISCUSSION

Planning Staff supports the continued use and operation of the maintenance/cart storage facility. While the Resort continues to explore options for a more permanent solution to the maintenance area with the improvements that are in place, the Planning Commission and Planning Staff find that appropriate measures have been taken to address the aesthetics of the facility and that due to the upkeep of the site, a five-year extension to the Use Permit is warranted.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 5, 2015. Three neighbors from the adjacent San Marcos Commons residential development were in attendance and were supportive of the current condition of the area. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Foley absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner. Use Permit approval does not constitute Final Development Plan approval. The site must conform to all applicable City regulations.
3. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
5. Storage shall be contained within the confines of the existing chain link fence. Non-compliance with this condition shall void Use Permit approval.
6. Building permits shall be obtained for any structure or assembled object used to shelter material from the elements that is placed upon the property.
7. There shall be no maintenance-related deliveries between the hours of 10:00 p.m. and 6:00 a.m.

30. CONTINUED LIQUOR LICENSE: The Yard cigar Bar

CONTINUED TO JUNE 25, 2015, a Series 7 Liquor License for Randy D. Nations, Agent, Gen 2 LLC, dba The Yard Cigar Bar, located at 1981 W. Elliot Road to allow the applicant time to complete the requirements for a new Use Permit

31. CONTINUED LIQUOR LICENSE: The Wild Vine Uncorked

CONTINUED TO JULY 9, 2015, a Series 7 Liquor License for Kimberly Rae Rubens, Agent, K&R Rubens Enterprises LLC, dba The Wild Vine Uncorked, located at 4920 S. Gilbert Road to allow the applicant time to complete the requirements for a new Use Permit.

32. CONTINUED LIQUOR LICENSE: The Wild Vine Uncorked

CONTINUED TO JULY 9, 2015, a Series 12 Liquor License for Kimberly Rae Rubens, Agent, K&R Rubens Enterprises LLC, dba The Wild Vine Uncorked, located at 4920 S. Gilbert Road to allow the applicant time to complete the requirements for a new Use Permit.

33. FINAL PLAT: Staybridge Suites Hotel Lot 2

APPROVED Final Plat FPT15-0001 Staybridge Suites Hotel Lot 2, for approximately 10.4 acres located at the NEC of Chandler Boulevard and McClintock Drive. (Applicant: Mitchell Ragsdale; Terrascope Consulting, LLC.)

BACKGROUND

This final Plat is for Lot 2 of a parcel located at the northeast corner of Chandler Boulevard and McClintock Drive. Lot 1 is the existing Staybridge Suites Hoel; Lot 2 was rezoned for multi-family residential in April 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

36. FINAL PLAT : Chandler Viridian

APPROVED Final Plat, FPT15-0008 Chandler Viridian for an approximate 12 acre commercial development at the southwest corner of the Loop 101 Freeway and Frye Road. (Applicant: Survey Innovation Group, Inc.)

The final plat is for the commercial portion of Viridian development. Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

ACTION

34. PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: The Plant

APPROVED Preliminary Development Plan (PDP) PDP15-0003 The Plant, for site layout, building architecture and a comprehensive sign package for a commercial shopping center located at the SEC of Gilbert and Ocotillo roads.

APPROVED Preliminary Plat PPT15-0008, for a commercial shopping center on approximately 8 acres. (Applicant: Garry D. Hays; Law Offices of Garry D. Hays.)

DISCUSSION:

Mr. Erik Swanson, Planner reviewed the case. He noted on the Consent Agenda, there was a timing extension for a zoning that also covers this site. The extension was for commercial development, however, that extension was for the entire commercial site. This PDP only covers the northern portion of those 18 acres, and is about 8 acres. There are certain design elements related to agrarian designs that are followed as the project resides in the SECAP (Southeast Chandler Area Plan). He reviewed the discussions of the neighborhood meeting held with approximately 30 residents attending. Following that meeting, Mr. Swanson said he and the applicant met with HOA representatives to discuss those concerns. The four primary concerns are outlined in the staff memo. Three of the issues have been resolved. The fourth concern is the landscape buffer along the east side of the site. There is a 10' landscape buffer adjacent to the canal. Within that buffer, trees are planted every 20' on center with a minimum planting height of 12' as a direct response to the City's Commercial Design Standards.

The neighborhood requested the developer look at increasing the landscaping and buffering to make it more dense as to not see as much "back of house" looking west. He reported there was full discussion at the Planning Commission meeting and a few additional conditions (13 & 14) were added as a result. There is now a landscape buffer of 14' that runs the length of the major building. Just south of the major building it increases to 20'.

MAYOR TIBSHRAENY asked what year the original zoning designation occur. Mr. Swanson replied in 2008. The Mayor asked what the scale of the 2008 zoning was in comparison to the project proposed now. Mr. Swanson replied the original development there was about 120,000 s.f. of commercial development. There is just under 60,000 on the north half which is where this development is. The current proposal is just over 56,000 s.f. Mr. Swanson reviewed the site plan.

In response to a question from Vice Mayor Hartke, Mr. Swanson said the landscaping will include Evergreen Elm. The development team is open to exploring that further and will provide as much landscaping as possible to create a visual barrier.

In response to a question from Councilmember Heumann on the setback on the back wall in the 2008 plan, Mr. Swanson said it is the standard 10' buffer. He noted some of the neighbors have seen a plan that showed the width of the RWCD in addition to the landscaping. He said if the plan came in with the original proposal, it would have been a 10' buffer, a 30' drive aisle. He said there is some staggering width with the proposed plan.

MR. GARRY HAYS, 1702 E. Highland, Phoenix, AZ representing the applicant. Mr. Hays noted he also resides in Chandler. He noted 3 additional members from the development team. Mr. Hays said in place of a wall, they are proposing a wall of oleanders.

Mr. Samuel Smith, 3450 E. Yellowstone Place, Chandler, representing the Quail Springs Home Owners Association. He agreed there are some divided opinions on what the residents find favorable or unfavorable. He stated his opinion is the primary concern is the buffer/screening method with the 10' setback. He said there has not been any other discussion since then so that is why they recommended the wall. He said the desire is to make the buffer deeper and denser. He noted there is a park behind the proposed shopping center and it doesn't feel this projects integrates well with the path and the park. He stated another concern is the increased traffic that will be generated. He displayed photos showing the intersection at Ocotillo and Gilbert with the lane narrowing and stated his concern with the amount of traffic from two lanes to one lane going east across Gilbert Road. He stated that going southbound on Gilbert Road, the road reduces

from 3 lanes to 2 lanes with a large median and it is unknown to him how the traffic would circulate into this center from Gilbert Road. Additionally, Mr. Smith cited concerns with the traffic congestion that occurs with Athlos School and the potential congestion that could occur with the addition of another school – Great Hearts – just north of there. He stated that addition to traffic and safety, the number of grocery stores (12) and commercial development concerns him.

In response to a question from the Mayor, R.J. Zeder, Transportation Director, stated the section of Ocotillo between Cooper and Gilbert Road on the south side there is a one lane “drop section”. He stated there are design dollars in the FY2015-16 budget. The remaining portion east of Gilbert Road, he believes was a few years out. In response to access to the project, there is a full access proposed on Gilbert towards the south end of the site and on Ocotillo Road going west, there is a left-in to the site and a right out. Staff is comfortable that traffic circulation can work.

Municipal Utilities Director Dave Siegel replied to a question from the Mayor stating the property at the southwest corner of Gilbert and Ocotillo Roads used to be owned by the city for a joint water treatment plant, however the property was no longer needed due to a joint plant built with the Town of Gilbert.

Discussion ensued regarding future road improvements and access points for the project. Mr. Swanson said a light probably would not be warranted due to the traffic counts on Gilbert and Ocotillo Roads.

Mr. Swanson noted the addition of the two schools and the FedEx facility in the area actually reduced the commercial use in the area.

In response to a question from Councilmember Heumann, Mr. Swanson said from the wall to the first property line the distance is 480'. Councilmember Lopez asked if the park is depressed. Mr. Swanson said there is a berm that is approximately 3' in height.

BACKGROUND

The request is for PDP approval for site layout, building architecture and a comprehensive sign package for an approximately 8-acre commercial shopping center located at the SEC of Gilbert and Ocotillo roads. Gilbert and Ocotillo roads are adjacent to the site's western and northern boundaries with vacant land planned for commercial west of Gilbert Road and the Layton Lakes single-family residential development north of Ocotillo Road. The Roosevelt Water Conservation District (RWCD) canal runs the length of the eastern boundary, with the Quail Springs gated, single-family residential subdivision east of the canal. South of the subject site is vacant land currently planned for commercial development.

The site was rezoned from Agricultural to Planned Area Development for a commercial shopping center in 2008 was extended for an additional three years in 2011, and is requesting an additional extension under a separate application. It is important to note that while the entire 18-acre site is requesting an extension for the commercial zoning, the current PDP application only applies to the northern 8 acres of the site. Planning Staff and the developer have worked to ensure that a conceptual plan for the southern half is provided, easing concerns on how commercial development could occur in the future. The southern half will require future PDP approval.

Four access points are provided; two along each street frontage. The southern drive will be a shared drive with the development to the south. Theming will be incorporated into the future development. Landscape theming is drawn from the agricultural heritage in the area with specific

concentration on the intersection corner and at the entrances to the site drawing on the influence of row planting.

Building architecture uses a modern approach to Rural Agrarian architecture as required in the Southeast Chandler Area Plan (SECAP). Building elements include metal roofing, steel elements, brick veneer and colored masonry block. The angled roof forms along the pedestrian arcade are reminiscent of greenhouses and stables, with the entry of the Major building designed like a large farmhouse or hayloft. Further discussion on the design theming can be found in the Development Booklet. The Major, Shops A, Shops B and all offsite improvements, will be constructed as the first phase with an anticipated construction start date by the fall of this year. Administrative review is requested for the pads, with exhibits provided for Pad B to set the level of design expectation. The Planning Commission and Planning Staff support the request for administrative review of the pads.

Two monument signs are proposed; one along each frontage. The monument sign design takes cues from standing seam metal roofing, incorporating an agrarian type of material. Both signs are requesting a 14-foot height with five panels. The request is made in lieu of providing an additional monument sign located closer to the eastern property line. Building mounted signage will be consistent with code requirements.

Planning Staff supports the request, finding that the development represents a quality commercial addition at one of the few commercial nodes within the SECAP. Additionally, with the conceptual plan in place for the southern half of the original commercial development, Planning Staff will ensure that any future commercial PDP submittal is consistent with the theming and architectural design of the proposed development.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 4, 2015. Approximately 30 neighbors from the adjacent Quail Springs neighborhood attended and shared comments. Planning Staff and the developer met with two HOA representatives separately to discuss design concerns that are outlined below. During the writing of the memo, Planning Staff received an email requesting many of the same items as outlined below. Planning Staff received a phone call from one resident supporting the request and was pleased with the additional items that were included as part of the dialog with the developer. Following the Planning Commission hearing, Planning Staff has received approximately two dozen emails in support of the proposal.

Concerns expressed by the adjacent HOA include the following:

1. Providing light shields on the eastern parking lot lights.
2. Changing the pitched roof color on the rear of the Sprouts from white to a color that would better blend.
3. Incorporating pavement treatments (pavers or stamped concrete) at the entry point to the site.
4. Increase landscaping along the eastern property line by use of trees, berming, green screens or other measures to provide additional screening of the building from the adjacent canal walkway and Quail Springs neighborhood.

The developer has addressed the first three items of concern; Planning Staff has added conditions no. 12 and 13 addressing the lighting and pavement treatments.

The developer has explored options to address the screening concerns without impacting the current site configuration. Per code, the developer will be providing 12' trees planted every 20' on center, utilizing sage shrubs in an effort to create more of a hedge design. Initially, the developer looked at increasing the tract; however, due to limitations in the drive-aisle width, could not increase the landscaping with the current site plan configuration. The development team also explored providing an elevated tract adjacent to the RWCD, allowing for a higher planted tree height; however, this would require backfilling dirt into the RWCD and posed potential drainage concerns. Green screens were considered on the rear of the building but caused concern based on the long term viability of plant growth.

The HOA representatives have requested that due to the hindrances to increasing landscaping on the eastern property line, a solution would be to add 50-70 trees within the community open space area, as this would provide additional screening for the length of the development.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Foley absent.

The item was placed on the Action Agenda resulting in a full discussion. Neighbors raised concerns as outlined above; however, also added that they preferred to have no development and therefore two neighbors were opposed to the timing extension. As a result of the full discussion, the Planning Commission added conditions no. 14 and 15 addressing landscaping and screening.

RECOMMENDED ACTION

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Plant", kept on file in the City of Chandler Planning Division, in File No. PDP15-0003 The Plant, except as modified by condition herein.
2. The commercial development standards shall be in accordance with the requirements of the Southeast Chandler Area Plan.
3. The Monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Raceway signage shall be prohibited within the development.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. The freestanding pads shall carry an architectural level of detail similar to the front façade of the main building.
10. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
11. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

12. The applicant shall work with Planning Staff to provide enhanced pavement treatments (pavers or stamped concrete) at all site entrances.
13. Light shields shall be installed on all light poles located in the rear (east side) of the shopping center.
14. The applicant shall work with Staff to provide additional screening, whether a wall, landscaping, or combination thereof, commensurate with the agrarian architectural design presented, along the eastern property line for the area and length adjacent to the Major space.

Preliminary Plat

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

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN, PDP15-0003, THE PLANT; AND THE PRELIMINARY PLAT PPT15-0008 FOR THE COMMERCIAL SHOPPING CENTER AS PRESENTED WITH ALL THE STIPULATIONS PROVIDED BY STAFF AND THE PLANNING COMMISSION.

MOTION CARRIED UNANIMOUSLY (7-0).

35. USE PERMIT: The Plant (Sprouts)

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR HARTKE TO APPROVE THE USE PERMIT FOR A SERIES 10 BEER AND WINE STORE LICENSE FOR THE PLANT.

MOTION CARRIED UNANIMOUSLY (7-0).

APPROVED Use Permit LUP15-0009 The Plant (Sprouts), Series 10 Beer and Wine Store License, to allow liquor sales as permitted in conjunction with a new grocery store and to allow for limited sampling within the grocery store located at the SEC of Gilbert and Ocotillo roads. (Applicant: Garry D. Hays; Law offices of Garry D. Hays.)

BACKGROUND

The subject site is located at the southeast corner of Gilbert and Ocotillo roads, within the proposed "The Plant" commercial development. In-line shop spaces are north and south of the Sprouts space. Sprouts is the major user of the site and will occupy approximately 28,800 square feet. The site is currently undeveloped with an anticipated start of construction of later this year.

In conjunction with the grocery store, the grocer offers patrons select beer and wine choices along with occasional tastings. The series 10 license allows for the sale of beer and wine only. A total of 84 linear feet of shelving is provided, with 64 linear feet of wine, 4 linear feet of cold wine and 16 linear feet of cold beer. Sprouts will employ approximately 100 people and will be open from 7 a.m. to 10 p.m. daily. The liquor license is consistent with other Sprouts operations.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 4, 2015. There were approximately 30 neighbors from the adjacent Quail Springs neighborhood in attendance sharing comments. The comments were based on the proposed Preliminary Development Plan. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Foley absent.

RECOMMENDED ACTION

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

1. The Liquor Use Permit granted is for a Series 10 license only and any change of license shall require reapplication and new Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. The site shall be maintained in a clean and orderly manner.

PUBLIC HEARING:

PH1. 2015-16 FINAL BUDGET, 2016-2025 CAPITAL IMPROVEMENT PROGRAM AND 2015-16 PROPERTY TAX LEVY

OPEN PUBLIC HEARING

The Mayor opened the public hearing at 7:48 p.m.

MR. GREG WESTRUM, Budget Manager reviewed the overview of the budget as outlined in the memo. He stated there are three Public Hearings rolled into one for the evening. The 2015-16 Budget and the 2016-25 Capital Improvement Program which were tentatively adopted on May 28th and then the 2015-16 Property Tax Levy which will be on the agenda for action on June 25th. The City has a balanced budget of just over \$910,000,000. This year the City is expected to sell bonds for water and wastewater projects, along with streets, parks and a museum project.

With regards to the Capital Improvement Program, Mr. Westrum stated only the first year of the 10 year CIP is appropriated into this year's budget. This includes new money, new projects and previously approved projects with a small amount of funds in the reserve and contingency accounts. There is a plan for future years where the Council and public can see what projects may be forthcoming, these are reviewed each year, but no funds are specifically allocated for them.

Mr. Westrum highlighted key projects for 2015-16 which include construction for the Fire Training Center, the Ocotillo Water Reclamation Facility, and downtown street improvements.

Property Tax Levy:

MR. WESTRUM stated Council is not increasing the property tax rates. It will remain at \$0.2992 for primary and \$0.88 for secondary. The state is changing the calculation method for property tax levy. Under this new system, everything will be based on limited property value. The full

market value will still be reflected, but it has no meaning on determining your tax. Conducting a random selection of residential properties in Chandler the overall tax to the City seems to be decreased by approximately 5-15%.

VICE MAYOR HARTKE inquired how the public will be notified of this change. Mr. Westrum stated other agencies will be publishing any notices regarding changes.

STAFF PRESENTATION

On May 28, 2015, Council adopted Resolution No. 4863 which approved the 2015-16 Tentative Budget in the amount of \$910,614,017 and set June 11, 2015, as the date for a public hearing to allow taxpayers to comment and provide input on the budget, capital improvement program and tax levy. A Notice of Public Hearing for "Adoption of the 2015-16 Annual Budget and 2016-2025 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since June 2, 2015, and published in the Arizona Republic on June 3 and 10, 2015, as required by State Statute. The notice includes a summary of the Tentative Budget, with State Auditor General forms (Budget forms) attached and provides a general description of the ten-year capital improvement program. Council action on the budget and capital improvement program is scheduled immediately following tonight's public hearing on the Budget, CIP and Tax Levy. Action on the tax levy is scheduled for June 25, 2015.

Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The Tentative Budget of \$910,614,017 includes funding for departmental operating budgets of \$343,362,881; funding for debt service of \$71,430,443; budget for equipment, technology, and vehicle replacement purchases of \$8,826,220; and contingencies and reserves in the amount of \$114,528,428 in various funds. The capital budget includes \$187,355,031 in new appropriations; \$183,561,014 in capital carryforward and contingency and reserve funding of \$1,550,000.

Included in the projected operating revenues of \$431,163,527 is a property tax levy of \$27,589,866 based on a rate of \$1.1792 per \$100 of assessed property value plus \$480,134 for Salt River Project's payment to the City in lieu of property tax for a total of \$28,070,000. Arizona Revised Statutes Truth in Taxation requirements do not apply for FY 2015-16 as the Primary Property Tax Rate is being maintained at \$0.2992 per \$100 of assessed value, which is less than the Truth in Taxation maximum rate of \$0.2996 per \$100 of assessed value as determined by the Property Tax Oversight Commission.

City Charter requires the City Manager to present a minimum 5-Year CIP for the City of Chandler to the City Council before June 15 of the current fiscal year. The proposed CIP is a 10-Year Program. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were distributed in the proposed budget which is posted on-line and discussed at the Budget Briefing on May 1, 2015. The 201-2016 CIP totals \$1,128,395,076.

Following the close of the public hearing, Council is asked to make a motion to adopt the Final 2015-16 Budget and 2016-2015 Capital Improvement Program.

There were no comments from the audience.

The Mayor closed the public hearing at 8:01p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor announced workers were needed for 2015 Special Census. He stated an accurate Census count is critical for the community and the funding in which Chandler receives through state-shared revenue sources. Workers can earn \$16.25 an hour plus mileage and they receive paid training.

He thanked the VITA volunteers, which is Chandler's Volunteer Income Tax Assistance Program. The VITA Program helped 1,841 low to moderate income families, including elderly and disabled individuals, claim more than \$1.96 million in tax refunds for the 2014 tax year. In addition, the program saved participating families an estimated \$400,000 in tax preparation fees.

He wished all the Chandler Dad's a Happy Father's Day (June 21).

B. Councilmembers' Announcements

Mayor and Councilmembers wished Dad's a Happy Father's Day and Councilmember Councilmember Heumann a Happy Birthday.

Councilmember Sellers announced he participated in a MAG trade mission last week. There was an East Valley Partnership luncheon earlier in the week discussing Arizona's water supply.

Vice Mayor Hartke announced Chandler is in full force for the Back To School Operation, gathering backpacks and supplies.

He announced the City has launched the Annual Water Drive and reminded everyone to donate either water or cash to support local charities, although cash would be much more appreciated as it is easier to carry around than cases of water. Contact Nan Kahl in the City Clerk's office for more information.

Councilmember Heumann announced the Chandler Viridian project will begin grading of the property. This was the Chandler Elevation project that was near the Chandler mall that was never completed.

He announced Flag Day on June 14th.

C. Acting City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:14 p.m.

ATTEST: Muel Padua
City Clerk

Jay Silberman
Mayor

Approved: June 25, 2015

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 11th day of June 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 29 day of June, 2015.

Muel Padua
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 11, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 8:14 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Jack Sellers	Councilmember
Terry Roe	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

1. RESOLUTION NO. 4864 - 2015-16 Budget and 2015-2026 Capital Improvement Program

ADOPTED RESOLUTION NO. 4864 adopting the 2015-16 Budget of \$910,614,017.00 and 2015-2026 Capital Improvement Program of \$1,128,395,076.00.

BACKGROUND:

On May 28, 2015 Council adopted Resolution No. 4863 which approved the 2015-16 Tentative Budget in the amount of \$910,614,017 and set June 11, 2015 as the date for a public hearing to allow taxpayers to comment and provide input on the budget, capital improvement program and tax levy. A Notice of Public Hearing for "Adoption of the 2015-16 Annual Budget and 2016- 2025 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since June 2, 2015 and published in the Arizona Republic on June 3 and June 10, 2015 as required by State statute. The notice includes a summary of the Tentative Budget, with State Auditor General forms (Budget forms) attached, and provides a general description of the ten year capital improvement program. Council action on the budget and capital improvement program is scheduled immediately following tonight's Public Hearing on the Budget, CIP and Tax Levy. Action on the tax levy is scheduled for June 25, 2015.

FY 2015-16 BUDGET AND PROPERTY TAX LEVY

Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The Tentative Budget of \$910,614,017 includes funding for departmental operating budgets of \$343,362,881; funding for debt service of \$71,430,443; budget for equipment, technology, and vehicle replacement purchases of \$8,826,220; and contingencies and reserves in the amount of \$114,528,428 in various funds. The capital budget includes \$187,355,031 in new appropriation; \$183,561,014 in capital carry forward, and contingency and reserve funding of \$1,550,000.

Included in the projected operating revenues of \$431,163,527 is a property tax levy of \$27,589,866 based on a rate of \$1.1792 per \$100 of assessed property value plus \$480,134 for Salt River Project's payment to the City in lieu of property tax for a total of \$28,070,000. Arizona

Revised Statutes Truth in Taxation requirements do not apply for FY 2015-16 as the Primary Property Tax Rate is being maintained at \$0.2992 per \$100 of assessed value, which is less than the Truth in Taxation maximum rate of \$0.2996 per \$100 of assessed value as determined by the Property Tax Oversight Commission.

FY2016-2025 CAPITAL IMPROVEMENT PROGRAM:

City Charter requires the City Manager to present a (minimum) 5-Year CIP for the City of Chandler to the City Council before June 15 of the current fiscal year. The proposed CIP is a 10- year Program. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were distributed in the proposed budget which is posted on-line and discussed at the Budget Briefing on May 1, 2015. The 2016-2025 CIP totals \$1,128,395,076.

COUNCILMEMBER HEUMANN thanked Staff for their work. He complimented the open process to the public. He said this goes far to support the AAA bond rating, of which Chandler is one of the few cities to have that rating.

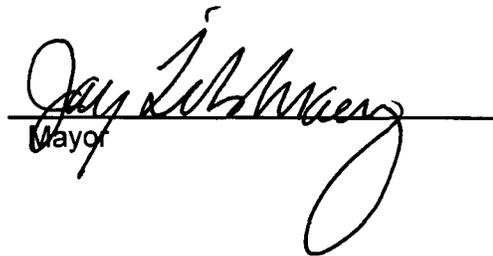
MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ELLEN TO ADOPT RESOLUTION #4864 ADOPTING THE 2015-16 BUDGET OF \$910,614,017.00 AND 2015-2026 CAPITAL IMPROVEMENT PROGRAM OF \$1,128,395,076.00

Vice Mayor Hartke, Councilmember Lopez and the Mayor also shared their comments on how smoothly the Chandler's budget process flows and thanked Staff for doing a thorough job and publically open process.

THE MOTION CARRIED UNANIMOUSLY (7-0).

Adjournment: The meeting was adjourned at approximately 8:19 p.m.

ATTEST: 
City Clerk


Mayor

Approved: June 25, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 11th day of June 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 29 day of June, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 25, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
* Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

* Councilmember Heumann participated by phone.

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Vice Mayor Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Tibshraeny led the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Regular Meeting of May 28, 2015.
- 1b. Study Session of June 8, 2015.
- 1c. Regular Meeting of June 11, 2015.
- 1d. Special Meeting (Budget Adoption) of June 11, 2015.

2. CITY CODE AMENDMENT: Chapter 28

Ord. #4639

ADOPTED Ordinance No. 4639 amending Chapter 28, Sections 28-22.2 of the City Code relating to sign requirements during the sale of consumer fireworks.

3. CITY CODE AMENDMENT: Chapter 43 Ord. #4644

ADOPTED Ordinance No. 4644 amending Chapter 43, Section 43-5, Subsections 43-4.5.A, 43-4.5.B, 43-4.5.C, 43-4.5.D, 43-4.5.F and 43-4.5.I of the City Code and adopting updated Fire Department Standard Details and Public Works Design and Construction Standards.

4. 2015-16 PROPERTY TAX LEVY Ord. #4635

ADOPTED Ordinance No. 4635 adopting the 2015-16 Property Tax Levy.

BACKGROUND

State law requires that the tax levy necessary for funding the adopted budget be established by ordinance and be adopted fourteen (14) days following the public hearing and the final adoption of the budget and not later than the third Monday in August (August 17, 2015). As this tax levy ordinance is an administrative method of setting apart funds necessary for use and maintenance, it does not require an extraordinary (3/4) vote to make it effective immediately. This determination is based on a Supreme Court decision and is fully explained in the Municipal Budget and Financial Manual provided by the Arizona League of Cities and Towns.

Ordinance No. 4635 follows the prescribed form recommended for adoption and establishes a tax levy of an estimated \$28,070.00 as set forth in the 2015-16 Budget. In this ordinance, the Chandler City Council directs the County of Maricopa to levy the amount allowed by law. The total tax rate will be \$1.1792 per \$100 of assessed valuation. Property value estimates have been received from the County Assessor's office and are available for public inspection in the City of Chandler Office of the City Clerk and the Management Services Department.

5. INTERGOVERNMENTAL AGREEMENT: AZ Department of Revenue Res. #4872

ADOPTED Resolution No. 4872 authorizing an Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (DOR) regarding the uniform administration, licensing, collection, and auditing of transaction privilege tax, use tax, severance tax, jet fuel excise and use tax and rental occupancy taxes imposed by the State, cities or towns.

DISCUSSION

This IGA was negotiated with DOR by city representatives and included a finance director, a tax administrator, and two attorneys, along with assistance from the League of Arizona Cities and Towns. Additionally, several attorneys and tax experts from many cities and towns reviewed and commented on the language during the process resulting in a document that provides the maximum level of information and assurances for the cities possible.

Local TPT administration is governed by A.R.S. § 42-6001. This statute was recently modified for the purpose of tax simplification with the passage of House Bill 2111 in 2013 and House Bill 2389 in 2014. This statute now requires the Arizona DOR to administer the transaction privilege and use taxes imposed by all cities and towns and to enter into a new IGA with each city and town to reflect these changes and clearly define the working relationship between DOR and Arizona cities and towns.

State administration for the current self-collecting cities is predicated on DOR having the capability to provide an electronic means for collecting and distributing detailed taxpayer information including specific gross receipts and deductions by classification and by business location.

This IGA intends to cover all aspects of administration after DOR takes over for all cities and towns, but it also includes language allowing self-collecting cities to continue their own tax and license programs until such time that DOR is able to perform the administrative functions documented in statute.

Although tax simplification will have the greatest impact on those cities and towns that are currently self-collecting local taxes, there are also considerable improvements for cities and towns in the State collection program as a result of simplification, particularly in the form of receiving much more detailed taxpayer data.

The IGA covers all aspects of local tax administration. First and foremost, the IGA addresses confidentiality, including the authorized handling of confidential taxpayer information, expectations for the discreet use of taxpayer data to prevent unauthorized disclosure, and the process to be followed in the event of a disclosure. There is also clarified and simplified guidance on the use of aggregated taxpayer data for public report and analysis.

The IGA includes clear direction regarding the sharing of general taxpayer license information, legal interpretations and written guidance, rate and fee tables and any other pertinent tax information that needs to be shared between the cities and towns and DOR.

Importantly, the IGA identifies exactly which license and tax return data fields must be provided by DOR and identifies in detail a series of new reports DOR will soon provide to all cities, both of which will serve to greatly expand the data available to the city for analysis purposes.

The first changes related to tax simplification that went into effect, were new rules dealing with auditing which DOR and the cities began following in January 2015. The IGA formalizes both the concepts included in statute and the main concepts used in practice by auditors in the field.

Key factors include a commitment to audit for all jurisdictions whenever any audit is being done; the continued authority for any city or town to perform an audit of a taxpayer that is engaged in business only in their town; the general guidance that DOR will lead all multi-jurisdictional audits, coupled with the option for DOR to delegate actual audit performance to a city or town when circumstances indicate it, would be the most efficient means of completing the audit.

The IGA also provides guidance for handling voluntary disclosure by taxpayers, closing agreements in lieu of litigation and sets up the responsibilities and authorities of both parties in terms of code or statute interpretations and legal support for protests.

Most importantly, the new IGA provides for a formal review process using the new "State and Local Uniformity Group" made up of four city and four DOR tax experts who will work together to iron out any problems or conflicts between the cities and the State.

The terms of this IGA run on an annual basis from July 1, 2015, through June 30, 2016, and it renews automatically each year. Either party has the right to reopen and renegotiate the terms according to provisions within the agreement.

FINANCIAL IMPLICATIONS

This agreement will not result in any budgetary impact to the City; however, 2015 legislative action will require the City to pay DOR \$692,900 during FY 2015-16.

6. AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Reseda Res. #4875 & Ord. #4645

ADOPTED Resolution No. 4875 APL15-0002 Pecos Ranch Area Plan Amendment, from Church and School to Single-Family Residential.

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4645 DVR15-0008 Reseda, rezoning from Planned Area Development (PAD) for Church and School to PAD (Single-Family Residential).

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product.

APPROVED Preliminary Plat (PPT) PPT15-0003 Reseda, for approximately 4 acres located at the NWC of Germann Road and Arrowhead Drive. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A; Developer: Porchlight Homes).

BACKGROUND

The approximately 4-acre site is located at the NWC of Germann Road and Arrowhead Drive which is east of Dobson Road. The property is a part of the Pecos Ranch Area Plan designated as Church. The 7.5-acre church property was zoned Planned Area Development (PAD) in 1998, with a two-year timing condition. In 2001, a PAD zoning time extension was approved for an additional two years along with rezoning 1.9 acres from PAD (Church) to PAD (School). The Chandler Presbyterian Church sold a portion of the property for a future private school, grades pre-school through 6th with approximately 400 students. The school did not develop. The church developed a 9,000 square-foot worship building as part of phase one.

The subject property is primarily surrounded by residential including apartments to the west, townhomes to the east, single-family residential lots to the south and a church to the north which is surrounded by single-family residential lots. The property fronts Germann Road to the south and Arrowhead Drive to the east.

GENERAL PLAN/AREA PLAN AMENDMENT

The General Plan designates this property as Residential. The Pecos Ranch Area Plan designates this property for Church as part of a larger master planned residential area. The request includes amendment to the Pecos Ranch Area Plan from Church to Single-Family Residential.

REZONING/DEVELOPMENT STANDARDS

The request is to rezone approximately 4 acres from PAD (Church and School) to PAD (Single-Family Residential). Porchlight Homes proposes to develop a single-family residential community that includes 32 single-family residential units at approximately 8.39 du/ac. The rezoning request includes PDP approval for subdivision layout and housing product. There is a full-movement entry/exist off of Arrowhead Drive, an adjacent collector street. A secondary emergency access only is provided off of Germann Road. The lots are uniquely configured along a single curvilinear street with tracts accessing garages. The typical lot size is 58' x 46' (2,668 sq. ft.) providing varied setbacks with a minimum front yard building setback of 10 feet along the main interior street and 3 feet to garages within tracts. Minimum side yard and rear yard setbacks are 5 feet.

Since all of the lots are less than 7,000 sq. ft., all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of infill subdivision cannot meet all of the subdivision diversity standards due to the parcel's small size and configuration. The lot sizes are not practical for deeper rear yard setbacks and rear yard vehicle access. The unconventional lot layout incorporates diversity elements such as a curvilinear street and a community swimming pool with a covered entry focal point, a sunscreen

covered cabana and beehive fireplace. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet. A sense of neighborhood arrival is provided at the entry/exit; visual interest along both streets occurs with staggered decorative perimeter walls and view fencing and a minimum 20-foot landscape tract along Germann Road.

The housing plans are designed as patio homes and include three 2-story homes ranging in size from 1,600 to 2,220 livable square feet with a variety of architectural styles. Each housing plan includes three elevation styles; Spanish, Tuscan and Provence. Housing plans are designed to fit on specified lots.

It is realized that an infill subdivision of this type cannot meet all of the diversity standards as outlined in the RDS. The homes have staggered forward-facing garages. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet providing architectural diversity and distinct building materials and features. The homes are designed with varied plane changes and rooflines as well as single-story elements to mitigate a box-on-box appearance. The same elevation and plan style will not be built side-by-side or across the street from each other.

An existing monument sign for Chandler Presbyterian Church will remain along Germann Road. The sign is approximately 130 feet west of Arrowhead Drive.

DISCUSSION

Planning Staff finds the proposed development in conformance with the General Plan. The single-family residential use is compatible with existing residential uses and a church. The two-story housing product is compatible with existing two- and three-story apartment buildings to the west and one- and two-story townhomes to the east as well as single-family homes to the south.

The subdivision layout and housing product are consistent with the intent of the RDS. The single curvilinear street, unique lot layout and swimming pool amenity creates a small neighborhood environment that is pedestrian-oriented amongst 32 homes.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 23, 2015. There were two residents from a nearby subdivision in attendance with general questions about the development and expressing support.

Planning Staff received a phone call from an area resident who lives north and east of the development off of Arrowhead Drive. The caller had concerns about increased vehicular traffic and congestion from 32 new homes. The caller also conveyed there is already congestion in the neighborhood with the apartments and a school bus stop. Staff stated that the proposed development's traffic was evaluated and deemed negligible. The caller said that given they were the only one to call about this project, they would not be pursuing their concern.

Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6-0 with Commissioner Ryan absent.

The Commission commented on a few items during the Study Session and asked the applicant to work with Planning Staff to administratively review modifications to some housing detailing, e.g. remove faux shutters on ground level and replace with stucco façade, reduce driveway lengths in front of garages to discourage parking in tracts, and relocate some sidewalks that go to garages and instead connect them to the main interior street.

RECOMMENDED ACTIONS

Area Plan

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval.

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled 'RESEDA', kept on file in the City of Chandler Planning Division, in File No. DVR15-0008, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. The same elevation shall not be built side-by-side or directly across the street from one another.

Preliminary Plat

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

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
7. AUTHORIZE PAYMENT: Valley Metro Rail, Inc.

AUTHORIZED payment of the FY 2015-16 annual membership fee for Valley Metro Rail, Inc. (METRO) in an amount of \$50,000.00.

BACKGROUND/DISCUSSION

In 2007, the City of Chandler joined METRO. This enables the City to participate in the planning and design of the regional light rail system and future light rail extensions that could serve Chandler.

Regional, high capacity transportation systems such as light rail, require years of advance planning and coordination with participating communities as well as regional, state and federal agencies. In 2003, the City of Chandler completed a High Capacity Transit Investment Study which designated Rural Road, Chandler Boulevard and Arizona Avenue/Union Pacific Railroad Chandler Branch Line as corridors for future development of high capacity transit systems, including light rail.

In December 2012, the City completed the Arizona Avenue High Capacity Transit Long Range Study. This study was completed by METRO's consultants in conjunction with City and METRO staff and was entirely funded with the City's annual membership fees. This study provided a planning assessment of potential light rail ridership on a future light rail line on Arizona Avenue. The study also presented recommendations for future bus service and for land use planning policies that will create a successful future light rail corridor.

Additionally, in October 2014, the City Council adopted a resolution authorizing the "Fiesta-Downtown Chandler Transit Corridor Study" Agreement between the City of Chandler, City of Mesa and Valley Metro Rail, Inc., providing for a High Capacity Transit Corridor Study along Arizona Avenue in Chandler. The study began in March 2015 and is expected to take 24 months to complete.

8. **PAYMENT:** League of Arizona Cities and Towns

AUTHORIZED payment of FY 2015-16 membership dues to the League of Arizona Cities and Towns in the amount of \$91,780.00.

BACKGROUND/DISCUSSION

The City of Chandler is an active member of the League of Arizona Cities and Towns. Each year, cities are assessed annual dues that are based on a per capita formula and minimum base fee. For cities with populations over 200,000, the dues for FY 2015-16 are capped at \$91,800.00. This marks the first increase of membership dues in over three years. The League's Executive Committee approved the increase in dues in February of this year.

The League works closely with the City's Intergovernmental Affairs Coordinator in providing legislative and lobbyist assistance to its member cities. When the issue is of statewide concern, the League will take the lead position, freeing up the time for the City's Intergovernmental Affairs Coordinator to focus on issues of concern to the citizenry. As has been evidenced, this assistance is critical during the legislative session and allows cities to work together on issues of regional municipal interest.

9. **PROJECT AGREEMENT:** Dieterich Architectural Group, Inc.

APPROVED Project Agreement No. BF1506.201 with Dieterich Architectural Group, Inc., for design services for the Police Department Hamilton Facility, pursuant to On-Call Architectural Services Contract No. EN1502.101, in an amount not to exceed \$43,650.00.

This project is to renovate Fire Station #1, 911 S. Hamilton (Hamilton Facility). This renovated facility will be used by the Police Special Assignment Unit (SAU). This unit has outgrown their existing facility located at the Police Property and Evidence building. This project is consistent with the 2014 Police Facilities Master Plan.

10. AGREEMENT AMENDMENT: Fire Protection Services Repair & Maintenance

APPROVED Agreement No. BF2-936-3118, Amendment No. 2, with Signal One Fire & Communications, LLC, and Aero Automatic Sprinkler Company for Fire Protection Services, repair & maintenance in a total combined amount not to exceed \$200,000.00 for one year. This is the second of three optional one-year extensions.

11. AGREEMENT: Greater Phoenix Economic Council

APPROVED an Agreement with the Greater Phoenix Economic Council (GPEC) for FY 2015-16 for regional economic development services in an amount not to exceed \$109,671.00.

BACKGROUND/DISCUSSION

This City of Chandler and 22 other communities in the Metro Phoenix area contract with GPEC on an annual basis to provide regional economic development services. The City of Chandler has contracted with GPEC since 1989 to conduct marketing and business-lead generation.

Economic Development Staff participates with GPEC on regional economic development activities, including formulating GPEC's Action Plan for FY 2015-16. Staff participates on the Economic Development Director's Team (EDDT), made up of economic development professionals from each member organization.

The annual contract amount for GPEC is determined by the Arizona Department of Administration's 2014 population estimate for Chandler (249,423) multiplied by a fixed amount per capita (\$.4397). The City of Chandler's proportionate share is thus \$109,671.00.

During FY 2014-15, the City of Chandler responded to 52 Requests for Proposals (RFPs) generated by GPEC for new businesses considering the Metro Phoenix area. These RFPs provided Chandler with the opportunity to compete for projects that were considering:

- adding nearly 7,300 jobs,
- occupying approximately 4.9 million square feet, and
- making \$800 million in capital investment

To date in FY 2014-15, GPEC and the City of Chandler have partnered on one locate (Arvato Bertelsmann) that will bring:

- 400 jobs,
- absorb 31,000 square feet of space, and
- \$3,000,000 in capital expenditures

GPEC's economic models show the 10-year benefits of this project to be \$128 million in direct payroll, \$204 million in direct economic output, and \$3.8 million in direct tax revenues to the City of Chandler.

Exhibits in the FY 2015-16 contract include a scope of work with specific activities identified, performance targets, community industry targets, reporting mechanisms, insurance requirements and the Regional Cooperation Protocol Policy.

Staff has reviewed the proposed contract and recommends continued support of GPEC's regional economic development efforts.

12. AGREEMENT: Tempe Tourism Office

APPROVED an Agreement with the Tempe Tourism office (TTO) for a joint marketing agreement to continue the Sunny Arizona marketing campaign to promote the City of Chandler and the City of Tempe as a single destination and to be largely funded by the Proposition 302 Maricopa County Grant.

BACKGROUND/DISCUSSION

For the past ten years, Staff has collaborated with the TTO on the development of a regional, multi-layered marketing campaign branded as Sunny Arizona. This campaign promotes the two communities as a preferred destination to the American Automobile Association (AAA) and Canadian Automobile Association (CAA) members and travel agents in key feeder markets. The joint partnership with the TTO has provided an opportunity to leverage limited marketing dollars and focus promotional activities to individuals who are more likely to visit the metro-Phoenix area and looking for warm climate vacation destination.

City Staff and the TTO have finalized their FY 2016 program of work to include 10 print advertisements in AAA member publications, two digital sponsorships, an updated Sunny Arizona Family Guide, participation in three trade shows, four dedicated sales missions, postage for bulk mailings, a joint website presence and media support for hosting journalists on assignment to cover Sunny Arizona. The anticipated total for the FY 2016 campaign is \$139,000.00 and would be split equally between the two communities, for a total of \$65,000.00 per organization, not including travel expenses for the sales missions, trade shows and costs associated with hosting media for familiarization visits to Sunny Arizona

The TTO manages a checking account, separate from TTO accounts, in the name of Sunny Arizona from which all payments are issued for the joint marketing campaign. This account was opened when Sunny Arizona was initially launched by the participating communities in 2003 and found to be an efficient way of managing the program. All partners pay their share and expenses are monitored by all partners, while invoices and payments are facilitated by the TTO upon mutual agreement. The account is audited by the TTO.

Proposition 302 Maricopa County Grant, which passed in November of 2000, is available to destination marketing organizations within Maricopa County and is administered by the Arizona Office of Tourism. The purpose of this grant program is to provide funding for new and expanded tourism marketing activities such as advertising, public relations and travel industry marketing, where the primary function of the project must be tourism promotion. Tourism promotion is defined as the intent to drive overnight visitation to a respective community.

FINANCIAL IMPLICATIONS

For the bulk of this campaign, the City of Chandler would utilize Maricopa County Prop 302 Grants for identified expenses for a sum of \$65,000.00. Travel expenses and other expenses not identified, would be covered by Chandler's Tourism's Operating budget, solely for Chandler's portion.

13. AGREEMENT AMENDMENT: Simpleview LLC

APPROVED Agreement No. ED4-915-3296. Amendment No. 1, with Simpleview LLC, for search engine optimization (SEO) and management of pay per click (PPC) advertising services, on-line advertising, maintenance and reporting in an amount not to exceed \$54,000.00, for the term July 1, 2015, through June 30, 2016. This is the first of three optional one-year extensions.

Proposition 302 Maricopa County Grant (Prop 302) is available to destination marketing organizations (DMO) within Maricopa County and is administered by the Arizona Office of Tourism. The purpose of this grant program is to provide funding for new and expanded tourism marketing activities such as advertising, website development, public relations and travel industry marketing that focus on marketing the community as a destination. The City of Chandler has utilized Prop 302 to fund the development, maintenance and support of the City's tourism website, www.VisitChandler.com, to varying degrees since 2003.

The website features essential Chandler tourism information including, but not limited to, hotel accommodations, attractions, a calendar of events and a dining guide. It is a key marketing tool to reach potential visitors. VisitChandler.com is featured on all promotional materials and advertisements, and is also used to measure the success of advertisements and general promotions. The website is a key source of information for people researching travel to Chandler and continues to drive traffic. Year-to-date growth through May for FY 2015 has seen a total of 213,762 unique visits as compared to 136,406 for the same period last year, representing a 57% increase in web traffic.

PPC ads are strategically placed website advertisements which appear on the right and on top of natural search engine results for specific keywords and phrases. PPC is typically a strong marketing strategy when trying to rank with highly competitive keywords and phrases with more immediate results. SEO is an organic method of increasing the likelihood that a website is found by a user when searching for a keyword or phrase through a search engine, thereby, connecting the user with the content that they are seeking. SEO is a strong, long-term strategy which requires a continual investment of time, but provides lasting website growth.

For the extension term, fees for PPC will be \$25,200 and PPC Management fees will be \$4,800. SEO fees will be \$24,000.

14. AGREEMENT AMENDMENT: CorVel Enterprise Comp, Inc.

APPROVED Agreement No. RMS-953-3045, Amendment No. 1, with CorVel Enterprise Comp, Inc., for Third Party Claims Administrator / Workers' Compensation in an amount not to exceed \$85,000.00, annually for a two-year period. This is the first of two optional two-year extensions.

15. PUBLIC DEFENDER AGREEMENTS

Approved Public Defender agreements with Scott C. Silva, Michael Smith, Maria Gonzales and Alex Gonzales.

16. CONTRACT: Premier Engineering Corporation

APPROVED Contract No. ST1505.201 with Premier Engineering Corporation for Design Consultant Services for Frye Road, Roosevelt Avenue to Kyrene Road, in an amount not to exceed \$184,698.00.

As part of the Kyrene Road & Loop 202 Business Park development at the northwest corner of Frye and Kyrene roads, the developer dedicated the full sixty foot right-of-way for the Frye Road extension on their property. Typically, right-of-way dedications are split between properties. However, that was not possible in this case as the south half of the Frye Road extension would have been located on Tempe Union High School District property where the West Chandler Aquatic Facility is located. The City and developer originally agreed that the developer would construct the north half of Frye Road along their property and the City would construct the south half of Frye Road adjacent to the park site and the remaining roadway and canal crossing over the SRP canal, connecting at Roosevelt Avenue in the business park to the west of this development. Subsequently, City Staff agreed that the developer would construct the full width street improvement from Kyrene Road west to their first driveway and that the City would construct the remaining roadway.

17. CONTRACT CHANGE ORDER NO. 2: Nesbitt Contracting Co.

APPROVED Contract No. ST0810.402, Change Order No. 3, with Nesbitt Contracting Co. for McQueen Road Improvements (Ocotillo Road to Chandler Heights Road), in an amount not to exceed \$176,760.00, for a revised amount of \$4,352,651.15.

18. WITHDREW CONTRACT: StreetMediaGroup, LLC

WITHDREW Contract No. TD5-915-3495 with StreetMediaGroup, LLC, for transit shelter advertising and maintenance services for an initial five-year contract term with the option of two three-year extensions due to a number of concerns arising over state licensing requirements associated with a portion of the work to be performed under this contract. Staff has determined that the best course of action is to begin a new solicitation to clarify these licensing concerns.

19. RENEWAL: Commercial Insurance

RENEWED commercial insurance and services to protect the City against financial loss for \$1,235,706.00.

BACKGROUND

The City has a contract with Arthur J. Gallagher which acts as an Insurance Broker of Record for the City's casualty/liability, property and automobile insurance coverage. Arthur J. Gallagher advises and coordinates with the Risk Services Coordinator and the City Attorney (who is also the City's Risk Manager) to obtain bids from insurers and negotiates the best terms and coverage for the various exposure areas. The City is extending its contract with Arthur J. Gallagher for one more year in a separate item.

The City self-insures and carries excess coverage in the areas and at the levels indicated below. The total premium cost of recommended coverage through commercial carriers for FY 2015-2016 is \$1,235,706.00 compared to FY 2014-2015 which is \$1,160,566.00 for a difference of less than 6.5%.

Excess Liability Coverage is carried at three levels: \$10 million excess of \$2 million Self-Insured Retention – Insurance is carried through Starr Indemnity & Liability \$20 million excess of \$12 million – Insurance is through Great American Assurance Co. \$20 million excess of \$32 million – Insurance is through Arch Insurance Co.

Property Insurance is carried through Travelers Indemnity which provides broad coverage for buildings, contents, equipment, vehicles (valued in excess of \$50,000), as well as boilers and machinery. This policy has various deductibles including \$50,000 per occurrence for most losses, \$100,000 for earth movement and \$50,000 for flood. High value vehicles have a \$25,000 deductible.

Storage Tank Liability is carried through Ace American Insurance Co. Policy limits remain at \$1,000,000 per tank, with a \$25,000 per incident deductible. Coverage complies with the financial responsibility mandates of the Environmental Protection Agency.

Crime Insurance is carried through National Union Fire Insurance Co. of Pittsburgh, PA. Coverage included state required bonds for Management Services Director and Accounting Manager. Further, this policy provides coverage for members of the City's boards and commissions.

Airport Owners and Operators Liability is carried through ACE Property & Casualty. Airport Owners and Operators Liability policy provides \$50,000,000 in coverage per occurrence.

Cyber Insurance, also known as Privacy Security Liability, is carried through Ace Group – Illinois Union Insurance Co. Privacy and Network Liability policy provides \$5,000,000 aggregate for Privacy, Network Security, Internet Media and Network Extortion coverage plus \$2,500,000 in beach fund.

Excess Workers' Compensation – The City is self-insured for the first \$1,000,000 for Police and Fire employees and \$600,000 for the remainder of the City employees. Excess of the \$600,000/\$1,000,000 retention, the City purchases coverage to protect against catastrophic loss.

20. PURCHASE: Calgon Carbon Corporation

APPROVED the purchase of powdered activated carbon from Calgon Carbon Corporation in an amount not to exceed \$600,000.00 for a one-year term, August 1, 2015, through July 31, 2016.

In January 2013, the Pecos Surface Water Treatment Plant's source water developed taste and odor issues resulting in complaints from citizens. When there is a taste and odor event, the plant adds powdered activated carbon (PAC) to eliminate the undesirable taste and odor. The product being used was unable to remove the constituents which were causing the problem. Due to citizen complaints, tests were conducted using several different PACs. In all tests, the Calgon PAC outperformed the other products. The City will realize a cost savings as the plant can eliminate the taste and odor issues utilizing less product than what is currently being used during these events.

21. PURCHASE: SHI International Corporation

APPROVED the purchase of Proofpoint network security software/appliance from SHI International Corporation, utilizing the Western States Contracting Alliance (WSCA) Contract No. ADSPO11-007500, in the amount of \$176,167.00.

The City of Chandler's data security effectiveness roadmap includes prevention of confidential data loss and prevention of potential data security breaches. Detection, prevention and encryption technologies help to ensure information is not being disclosed via e-mail messages that could lead to identity theft or data breaches. The addition of these technologies to the City's current e-mail security systems prevents data loss, unintentional exposures as well as the ability to send message via specific security policies utilizing date encryption. These email hygiene/security appliances and services have been in use since 2005. We are renewing and adding additional protections.

Securing the City's electronic messaging systems meets liability, risk management and regulatory compliance objectives. This security capability addition and renewal covers the City's ongoing use of the Proofpoint system for a 3-year period.

22. PURCHASE: SHI International Corporation

APPROVED the purchase of Oracle annual support and maintenance from SHI International Corporation, utilizing the Western States Contracting Alliance (WSCA) Contract No. ADSP011-007500, in the amount of \$291,253.00.

The City utilizes Oracle database products to store data for the following major systems: Financial, Payroll/HR, Sales Tax, Work Order Management, Permits and Inspections, Utility Billing, Geographic Information and numerous other departmental systems. The City also utilizes Oracle Applications, which include Self Service Human Resources, Financial, Project Billing, iExpense, User Productivity Kit, and iProcurement application modules.

Oracle support provides access to technical assistance resources to resolve system issues as well as providing software fixes. The maintenance provides system and application upgrades necessary to operate and keep the systems current.

The City purchases maintenance and support based on the number of servers and processors on which the software is running on an annual basis. The City has audited the number of licenses being used and found that no licenses can be reduced at this time.

Oracle Corporation sets the cost of ongoing support and maintenance as a fixed percentage of the software license cost at the time of initial purchase. The maintenance costs are the same regardless of the reseller.

The annual maintenance renewal last year was \$282,770.00. The 3% increase in cost for this renewal period is based on an Adjustment Rate built into the original software license purchase contract. The effective term is August 1, 2015, through July 31, 2016.

23. PURCHASE: SHI International Corporation

APPROVED the purchase of Lotus Notes annual support and maintenance services from SHI International Corporation, utilizing the Western States Contracting Alliance (WSCA) Contract No. ADSP011-007500, in the amount of \$98,068.00.

The City uses IBM Lotus Notes software for citywide email and calendaring as well as Domino document storage for the Police Department.

In addition, there are several City applications tightly integrated into Lotus Notes including various reporting applications for the Municipal Utilities Department. The annual maintenance includes Lotus Notes Domino servers (processor maintenance renewal), Lotus Notes client (license maintenance renewal and upgrades), and Lotus Enterprise Integrator.

Lotus Notes support provides access to technical assistance resources to resolve software application issues as well as providing software fixes. The maintenance provides application upgrades necessary to operate keeping the system current.

The City performs an annual audit of licenses in use. This audit indicates that all licenses are in use and no reduction to the number of licenses can be made at this time.

There is no increase in annual maintenance renewal compared to the previous renewal. The effective term is July 1, 2015, through June 30, 2016.

24. PURCHASE: Lucity, Inc.

APPROVED the purchase of annual maintenance for the Enterprise Asset Management (EAM) system from Lucity, Inc., sole source, in the amount of \$86,174.00.

Lucity's EAM application is the system that manages the City's service and work requests, coordinates preventative maintenance programs and tracks City asset maintenance throughout the asset's life cycle. The City continues to expand the use of the application for other City work management functions. This system also handles citizen service requests and includes a web-based service request system. The mobile device application from Public Stuff for citizen service requests has also been integrated into this system.

Lucity support provides access to technical assistance resources to resolve application issues as well as providing software fixes. The maintenance provides application upgrades necessary to operate and keep the systems current. Because the system is proprietary, the ongoing maintenance service is available only from Lucity. No other vendors are authorized to provide these maintenance services.

The annual maintenance renewal last year was \$83,096.00. This year's renewal represents an approximate 3% inflationary adjustment increase. The effective term is July 1, 2015, through June 30, 2016.

25. USE PERMIT: Fusion Surplus Solutions

APPROVED Use Permit ZUP15-0003 Fusion Surplus Solutions, to allow an auction business within the Planned Industrial District (I1) zoning located at 344 N. McKemy Avenue, west of Kyrene Road and north of Chandler Boulevard. (Applicant: Brooks Haden, Fusion Surplus Solutions, Inc.)

BACKGROUND

The subject site is located at the southwest corner of West McKemy Ave/Erie Street and North McKemy Avenue, west of Kyrene Road and north of Chandler Boulevard. The property is developed with an industrial warehouse building with ancillary office. The property is zoned Planned Industrial district (I-1).

The existing 74,000 square foot single-story industrial building is located in the Southpark Business Center in west Chandler. The proposed business, BidOnFusion, is an auction that sells liquidated retail merchandise from major national retailers such as Target, Home Depot, Walmart, Bed Bath and Beyond, and Dick's Sporting Goods. The available auction merchandise is published on the company's website. Customers can visit the site during a preview day, which occurs the day before the auction. Customers attend the auction and bid on pallets of merchandise. The pallets are hauled away by customers with their personal vehicles, trailers, moving trucks and the like or can be delivered.

The building includes two warehouse/office suites. The auction occurs in the south warehouse along with administrative offices and an employee break room. The north warehouse is used for shipping/receiving, storage and sorting.

The on-site auctions occur once a week on Wednesdays typically from 9 a.m. to 5 p.m. A preview day occurs on Tuesdays 10 a.m. to 6 p.m. The business employs 15 to 20 personnel. Approximately 30 to 50 people attend the Wednesday auction. Pallet pickup occurs the same day as the auction as well as Thursday and Friday from 8 a.m. to 2 p.m. There are pallets called Hot Item available for pick up Monday through Friday from 8 a.m. to 2 p.m. The business is not open on weekends.

DISCUSSION

The business was issued a notice of zoning violation in November 2014, as the commercial auction activity triggers the need for a Use Permit. City Staff observed staging and parking of various vehicles/trucks/trailers on three adjacent streets, A-frame signs, and bandit signs in the surrounding area advertising auctions. The applicant was made aware of these concerns and has made efforts to manage the site's activity removing the signs and advising employees to notify customers to park on-site only.

Planning Staff received a letter and phone calls from two adjacent business concerned with pedestrian and vehicular traffic, vehicle parking and debris/rash. The businesses conveyed that customers for the auction are parking on their property including vehicles with trailers as well as people wandering round their property looking for the auction. Vehicles are parking on both sides of the Flint Street cul-de-sac, thus affecting access to industrial businesses and a private street in and out of Adesa auto auction. Lastly, there have been reports of trash blowing from BidOnFusion's site onto other businesses' property. Planning Staff conveyed these concerns to the applicant and the applicant corresponded with the businesses.

The applicant agrees to keep all parking of vehicles/trucks/trailers, location of merchandise, loading and unloading, staging and the like on-site only in the rear yard area which is a secured loading/unloading storage area. Customers and employees will park on-site only in designated parking space areas. They have hired additional staff for the Wednesday auctions to manage parking issues. Upon approval of the Use Permit, they will install signage, in accordance with the Sign Code, which will advise customers where to enter and park. A cleanup crew will come every Friday to clean the rear yard of any debris and trash.

Planning Staff finds the proposed auction a compatible use with surrounding light industrial businesses. Other retail/commercial-oriented businesses with Use Permit approval have occurred adjacent to the subject property including Adesa auto auction and an auto detailing business. The nature of the use is similar to a light industry with warehousing, storage, shipping and receiving.

Planning Staff recommends zoning conditions to ensure the site is maintained and business activities are contained on-site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on April 30, 2015. There were no neighbors in attendance.

Planning Staff received a phone call and letter from an adjacent business with concerns about parking, trash/debris, and customers on their property. Another phone call was received from an abutting business with concerns of parking and customers on their property. The applicant has addressed their concerns with on-site management to enforce no parking on other property and debris cleanup. Planning Staff followed up with the businesses and they have responded that all concerns have been addressed and have no further concerns at this time.

Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Pridemore and Wastchak absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Exhibit A, Narrative; Exhibit B, Site Plan; Exhibit C, Floor Plan) shall void the Use permit and require new Use Permit application and approval by the City of Chandler.
2. The Use Permit is non-transferable to any other property.
3. The property shall be maintained in a clean and orderly manner.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting in accordance with City approved construction plans.
5. All vehicle/truck/trailer parking, loading/unloading, staging, or like shall be maintained on-site. All business activity shall occur inside the building or in the gated rear yard.
6. The Use Permit shall remain in effect for one (1) year from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

26. USE PERMIT: The Yard Cigar Bar

APPROVED Use Permit LUP15-0007 The Yard Cigar Bar, Series 7 Beer and Wine Bar License, to allow liquor sales as permitted in conjunction with an existing cigar bar for indoor and outdoor consumption located at 1981 W. Elliot Road, east of the SEC of Dobson and Elliot roads. (Applicant: Amy Nations, AZLIC.)

BACKGROUND

The subject site is a stand-alone building located at the eastern edge of the Elliot Square commercial shopping center at the southeast corner of Dobson and Elliot roads. A drive aisle separates the subject site from the main inline shops. Along the eastern boundary are single-family homes and an alley for the single-family residential subdivision. West and south are retail shops within the commercial center; north is Elliot Road.

The Yard Cigar Bar has been open since February and recently decided to pursue a Series 7 Beer and Wine Bar license in order to provide alcohol to their patrons. The site is approximately 17,600 square feet with a 1,004-square foot building. Prior to The Cigar Bar, the site operated as a retail business selling outdoor playground equipment with a large outdoor display area. Along the north side of the building is a 284-square foot covered patio that provides seating for 20 patrons. While outdoor patrons generally stay within the covered patio area, there is the ability for the patrons to socialize beyond the patio seating area as there is an approximate 1,100-square foot concrete pad that could be used for additional outside seating that extends from the patio running to the east side of the building. North of the concrete pad is an open area, 36-feet in depth, that currently has landscape bark. A small fence is provided on the east side of the building preventing patrons from going to the rear of the site, behind the building. The site is enclosed with a combination of two-foot solid wall base with three-feet of view fencing allowing for patrons with alcoholic drinks to locate on the patio area without additional fencing needed.

Within the building, there is general seating for 15 patrons, with an additional six seats at the bar. The bar is a single top with a length of approximately 14 feet. The humidor area is approximately 140 square feet. Alcohol service is not anticipated to be a major contributor to sales, as per tobacco regulations, 51% of sales has to be generated by tobacco products. Two beer taps will be provided along with a limited wine selection. Five televisions are provided inside; there are no televisions or speakers located outside. Business hours are generally 10 a.m. to 5 p.m. to 11 p.m. Monday through Thursday; 10 a.m. to 12 a.m. Friday and Saturday and 10 a.m. to 5 p.m. on Sundays. The business employs four people.

DISCUSSION

Based on the ability for patrons to be within close proximity to the backyards of the adjacent residential lots, Planning Staff is recommending a two-year timing condition. The timing condition will allow time for the business to get established and allows for a cycle of seasons of which Planning Staff can gauge if noise is an issue. Additionally, Planning Staff has added the standard noise condition.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 20, 2015. There were 3 neighbors in attendance in support of the request.

Planning Staff received a call from a resident within the condominium development north of Elliot Road citing potential noise concerns due to past issues with a bar that is located within the same commercial center. Planning Staff discussed the general operation of the business as well as explained the conditions that were added that specifically address noise. The resident was satisfied that the conditions addressed her concerns.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Pridemore and Wastchak absent.

One commissioner raised a concern about wafting cigar smoke into the adjacent neighbors' back yards, wondering if there was anything to address the issue. Staff explained that while it has not been a problem, if it does arise, there is the ability to add fans around the patio. Additionally, with the two-year timing condition, Planning Staff will be able to explore other options if smoking on the outdoor patio proves to be problematic.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of a Liquor Use Permit.
6. The site shall be maintained in a clean and orderly manner.
7. Noise shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
8. The Liquor Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

27. LIQUOR LICENSE: The Yard Cigar Bar

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #154496L7) for Randy D. Nations, Agent, Gen 2 LLC, dba The Yard Cigar Bar at 1981 W. Elliot Road. A recommendation for approval of State Liquor License #07070750 will be forwarded to the State Department of Liquor Licenses and Control. 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.

28. USE PERMIT: Charm Thai Cuisine

APPROVED Use Permit LUP15-0008 Charm Thai Cuisine, Series 12 Restaurant License, for an extension of premises to sell and serve liquor for on-site consumption within an existing outside patio at a restaurant in downtown Chandler at 11 W. Boston Street, Suite 5, west of Arizona Avenue and south of Boston Street. (Applicant: Nongluck "Lucky" Chakkaw.)

BACKGROUND

This restaurant is located in the retail shop space at the southwest corner of Arizona Avenue and Boston Street, fronting Arizona Avenue. The restaurant currently has an existing outdoor dining area that seats 16 people with no liquor approval. The outdoor dining patio is part of the City Center District (CCD) zoning extension of premises within the City's right-of-way. The patio is designed to meet the CCD zoning standards including location, distance from public infrastructure, passing space and fence height.

The restaurant's hours of operation are Monday through Friday 11 a.m. to 3 p.m. and 5 p.m. to 9 p.m.; Saturday 12 p.m. to 10 p.m. and Sunday 12 pm. to 9 p.m.

There is no live entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 9, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning 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 Liquor Use Permit and require new Liquor Use Permit reapplication and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site and patio shall be maintained in a clean and orderly manner.

29. PERMANENT EXTENSION OF PREMISES: Charm Thai Cuisine

APPROVED a permanent extension of premises for a Series 12 Restaurant Liquor License (Chandler #150480L12) held by Talordpai LLC, dba Charm Thai Cuisine, 11 W. Boston Street, Suite 5. A recommendation for approval of a permanent extension of premises for State Liquor License #12079728 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

30. AGREEMENT AMENDMENT: Arthur J. Gallagher Risk Management Services

APPROVED Agreement No. RM2-953-3096, Amendment No. 1, with Arthur J. Gallagher Risk Management Services for Broker Services in an amount not to exceed \$175,000.00 for the term July 1, 2015, through June 30, 2016. This is the first of two optional one-year extensions.

The City requires the services of an insurance broker for purchase of the City's liability and excess workers' compensation coverages. Broker services include: meeting with the City Attorney Staff and the Human Resources Staff tri-annually to discuss loss control issues, changes in exposure and general administrative issues; developing action plans on behalf of the City for each year of service and submitting them for review and approval by the City Attorney and Human Resources no later than January 30th of each year.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced Chandler's Tennis Center was recently named the top tennis venue in the country by the United States Tennis Association. The prestigious "Featured Facility" award is the top honor bestowed by the USTA. The center is located at Tumbleweed Park, for more information visit www.chandleraz.gov/tennis.

He announced workers are still needed for 2015 Special Census. He stated it is important for an accurate Census count for the community because of the funding Chandler receives through state-shared revenue sources. Workers can earn \$16.25 an hour plus mileage and receive paid training. For all the details, go to www.chandleraz.gov/census

The Mayor announced Chandler's Fireworks Spectacular will be Saturday, July 4th with Tumbleweed Park opening at 7 p.m. The free event includes live music and a 25-minute fireworks display at 9 p.m. There is a parking fee of \$5, and there will be vendors selling food and non-alcoholic beverages. He invited everyone to come and enjoy the day and wished everyone a happy and safe 4th of July.

B. Councilmembers' Announcements

COUNCILMEMBER SELLERS announced Representative Weninger received the "Rookie of the Year" award by the Arizona Chamber of Commerce.

VICE MAYOR HARTKE thanked staff and everyone involved with providing a well-rounded and balanced budget for the City.

COUNCILMEMBER ROE reminded everyone to be safe the upcoming 4th of July weekend.

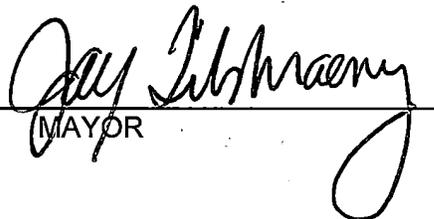
C. Acting City Manager's Announcements

None.

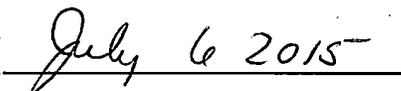
Adjournment: The meeting was adjourned at approximately 7:13 p.m.

ATTEST:


City Clerk


MAYOR

Approved:



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 25th day of June 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 23 day of July, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, July 6, 2015

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Vice Mayor Hartke led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember René Lopez led the Pledge of Allegiance.

CONSENT:

VICE MAYOR HARTKE asked for a brief presentation by developer Mike Perry on item number 5, the Development Agreement with DC Land, LLC.

Presentation is listed under item number 5.

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Executive Session of June 22, 2015.
- 1b. Study Session of June 22, 2015.
- 1c. Executive Session of June 25, 2015.
- 1d. Executive Session of June 25, 2015.
- 1e. Regular Meeting of June 25, 2015.

2. REZONING: Reseda Ord. #4645

ADOPTED Ordinance No. 4645, DVR15-0008 Reseda, rezoning from Planned Area Development (PAD) for Church and School to PAD (Single-Family Residential).

3. REAL PROPERTY EXCHANGE: Chandler Blvd. & Hartford Street Ord. #4649

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4649 declaring certain real property as no longer necessary for use as public roadway; authorizing the exchange of said real property to an abutting property owner for new public roadway and authorizing the execution of all documents necessary to complete the roadway exchange.

BACKGROUND

San Marcos Hotel, LLC, leased retail space on the northwest corner of Commonwealth Avenue and San Marcos Place to Crust Restaurants with the intent of a ground floor restaurant, Crust, and a downstairs restaurant, Prohibition.

The downstairs restaurant has one ingress/egress, which does not meet current fire code. Curtain portions of public roadway are needed for stairwell access to the downstairs portion to create a secondary ingress/egress.

Additionally, San Marcos Hotel, LLC, is the owner of real property that the City desires to acquire for use by the public as a public roadway on Chandler Boulevard. The property is located on the south side of Chandler Boulevard just west of Hartford Street and is needed for public right-of-way.

It is the intention of the City of Chandler and San Marcos, LLC, to exchange the roadway through the execution and recording of two quitclaim deeds for the stairwell.

4. AGREEMENT: San Marcos Hotel Res. #4881

ADOPTED Resolution No. 4881 authorizing the execution of the agreement and release of waterline easement with San Marcos Hotel, LLC, and transfer of improvements in place in order to extinguish waterline easements that are no longer needed for public use at the San Marcos Hotel.

BACKGROUND/DISCUSSION

A waterline, located on the San Marcos Hotel, was constructed and the easement dedicated for public purposes through a document recorded in 1986. At the time, the waterline connected to other elements of the City water system, as well as other private property in the area. A second document with an amended legal description was recorded in 1989.

In the last 30 years, hotel structures and site improvements have been placed on the surface of the easement, which significantly interferes with the City's access and ability to maintain the portion of waterline still in use.

The San Marcos Hotel has agreed to enter into an agreement to release the waterline easement and accept the improvements in place. Staff has reviewed and approved the legal descriptions and confirmed that the easement area is no longer needed by the public.

5. DEVELOPMENT AGREEMENT: DC Land, LLC

Res. #4884

Mike Perry, 575 W. Chandler Blvd. Suite 123, stated he is a member of the development team, a partner and the architect on the project. He explained the proposal is a unique multi-family residential development just south of the San Marcos Resort on Commonwealth, between Essex, Dakota and California streets. He gave kudos to several staff members that have been involved in working through issues on this project. He noted this development has a sky bridge because the development is split by Dakota Street. Dakota is proposed to be punched through to be a reliever street for the area. They are looking at building a pool on this second level to connect the development in a very unique way. He reviewed the renderings and noted the highlights of the project.

ADOPTED Resolution No. 4884 authorizing a Development Agreement with DC Land, LLC, relating to real property located between Commonwealth Avenue to Boston Street and Essex Street to California Street and authorizing the Mayor to sign all related documents as approved by the City Attorney.

BACKGROUND/DISCUSSION

CD Land, LLC, has purchased 18 parcels from Essex Street to California Street and Commonwealth Avenue to Boston Street comprising 5.5 acres to develop 200 high-density residential units known as DC Heights. The City of Chandler Planning and Zoning Commission approved rezoning on November 19, 2014, with City Council approving rezoning on December 11, 2014.

As part of their development requirements, DC Land is requesting that the City become the title owner of the property and improvements when completed. Immediately upon conveyance to the City, the City will lease back the property and improvements to DC Land for 25 years. This will take the project out of the normal real property taxes based on assessed value and provide for taxation of the leasehold interest by the Government Property Lease Excise Tax (GPLET) statutes. The tax rates for GPLET property is a specific dollar value per square foot assessment. The current rate for high-density residential projects is \$2.00 per square foot and is divided among all taxing jurisdictions as dictated by a formula outlined in the statutes. This rate will decrease 20% every 10 years after the completion of the project. Further, because the site is located in both the City's existing Central Business District and the City's Redevelopment Area, the site will also be able to take advantage of an 8-year abatement on all GPLET taxes as part of the requested incentives. Notices, required by A.R.S. §42-6206, were sent to Maricopa County Supervisor Barney, Chandler-Gilbert Community College Dr. Lujan and Chandler Unified School District Superintendent Casteel on June 22, 2015. The statutes require that the City Council wait 60 days after mailing of the notifications to pass the GPLET provisions in a development agreement so this portion of the development agreement will not be operable until the Council approves it by another resolution after expiration of the 60-day notification period.

In accordance with City Code, the project will be responsible for paying all required System Impact Fees as permits are issued for the buildings.

As part of the Development Agreement, the City assures adequate water and wastewater for the project, as well as reimbursement of street improvements surrounding the project on Commonwealth Avenue and Boston Street identified to be completed by the City in the CIP FY 2015-16 Budget. The Dakota Street extension between Buffalo Street and Commonwealth

Avenue, including improvements to the Canal (CIP FY 2015-16 Budget) will also be part of the agreement allowing for increased vehicular accessibility west of Arizona Avenue. Expedited plan review and minor deviations to development standards are also included.

Dakota Street, between Commonwealth Avenue and Boston Street, will be reimbursed in the amount not to exceed \$602,000 with the completion of Dakota Street and completion of sky bridge and pool. Four dedicated parking spaces and public parking are also addressed within the agreement.

6. IMPROVEMENT AGREEMENT: San Marcos Hotel LLC

APPROVED the Improvement Agreement with San Marcos Hotel LLC for improvements to Dakota Street and San Marcos Place and authorized the Mayor to sign the agreement as approved by the City Attorney.

BACKGROUND

The City wishes to acquire property rights from the San Marcos Hotel LLC, to facilitate the construction of Dakota Street from Buffalo Street to Commonwealth Avenue across the hotel property. The roadway is needed for traffic circulation within the developing downtown area. The improvements will include the construction of a new roadway along with on-street parking, lighting and landscaping. The new roadway will be designed, constructed and maintained at City expense except that the San Marcos Hotel LLC, will be responsible for future landscape maintenance along the new roadway. The City shall commence construction of Dakota Street no later than June 30, 2017.

As consideration for the grant of right-of-way necessary to construct Dakota Street, the City agrees to construct, finance, install and maintain improvements along San Marcos Place adjacent to the hotel property. The improvements will remove approximately eight (8) parking spaces along the west side of San Marcos Place and will be replaced with a landscaped area for outdoor seating within the City's right-of-way. The outdoor seating area will provide a buffer to the recently remodeled courtyard on the east side of the hotel. The appraised value of the Dakota Street right-of-way to be dedicated to the City is \$208,000 (\$8.00 per square foot) while the estimated cost of the outdoor seating area is \$112,000. This work shall commence before June 30, 2016, in accordance with this agreement. This proposed project and the removal of the eight parking spaces, has been vetted with the Downtown Chandler Community partnership (DCCP).

In addition, the hotel owners have determined that the installation of the Dakota Street Improvements will require the issuance of a Series 11 Arizona State Liquor License to allow for the continued operation of the hotel, golf course, and wedding venue. Per the terms of the agreement, the City agrees to pay the hotel's initial application costs for the liquor license in an amount not to exceed \$7,500. The City also agrees to reimburse the hotel's Series 11 Liquor License renewal fees up to \$2,500 per year for five years.

FINANCIAL IMPLICATIONS

The cost of improvements is estimated to be \$1,551,850 (includes design and construction of Dakota Street along with the design and construction of the San Marcos Place improvements as consideration for the Dakota Street right-of-way dedication). The project cost also includes an amount up to \$7,500 for the hotel owner's Series 11 Liquor License application. The funds are included in the approved FY 2015-16 Capital Improvement Program. The remaining \$2,000 per year for the liquor license permit will come from the Downtown Redevelopment Operating Budget.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

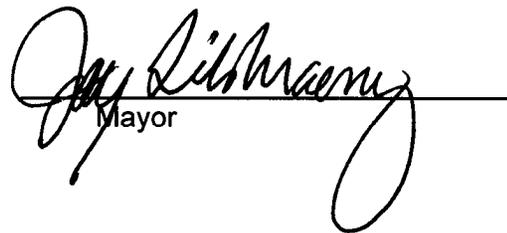
Mayor stated they would address current events at Thursday's Council meeting.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately by 7:11 p.m.

ATTEST: 
City Clerk


Mayor

Approved: August 10, 2015

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 6th day of July 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11 day of August 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, July 9, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:07 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
* Rick Heumann	Councilmember
* René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

* Councilmembers Heumann and Lopez participated by phone.

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Mike Tucker of Faith Community Church provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Terry Roe led the Pledge of Allegiance.

CONSENT:

COUNCILMEMBER HEUMANN requested Item No. 14 be placed on the Action Agenda.

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY VICE MAYOR HARTKE, to approve the Consent Agenda as presented, and moving Item 14 to the Action Agenda. THE MOTION CARRIED UNANIMOUSLY (7-0).

COUNCILMEMBER ROE stated he would abstain from voting on Item 16 as he was in the Kiwanis Club.

MAYOR TIBSHRAENY asked Ms. Dawn Lang to address the comment card inquiring on the cost of conducting the Census. Comments are under Item No. 33.

1. REAL PROPERTY EXCHANGE: Chandler Blvd. & Hartford Street Ord. #4649

ADOPTED Ordinance No. 4649 declaring certain real property as no longer necessary for use as public roadway; authorizing the exchange of said real property to an abutting property owner for new public roadway and authorizing the execution of all documents necessary to complete the roadway exchange.

2. No item.

3. ZONING AMENDMENT/PRELIMINARY DEVELOPMENT PLAN: Maderas Ord. #4647

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4647, DVR15-0016 Maderas, amendment to the Planned Area Development (PAD) zoning.

APPROVED a Preliminary Development Plan (PDP) for a low-density, single-family residential development located west of the NWC of Cooper Road and Markwood Drive, south of Queen Creek Road. (Applicant: Ed Bull, Burch & Cracchiolo, P.A.)

BACKGROUND

In March 2006, the subject property was annexed and zoned Planned Area Development (PAD) for single-family residential with PDP approval for a 22-lot custom home subdivision. The development standards served as guidelines for one- and two-story custom homes with optional basements.

The property is surrounded by rural agrarian single-family residential homes on large lots to the west and south. East of the property is land zoned for a Catholic church. To the north is an office condominium development.

The request is to amend the existing PAD zoning conditions in Ordinance No. 3780 as well as elements of the existing PDP regarding housing and site design. The ordinance includes conditions relating to vesting of zoning, the location of one- and two-story homes, floor plan and elevation placement, replication of roof slopes on adjacent lots, and design of entry pavement and tot lot location. The new ordinance reflects the deletion of conditions that have been met, deletion of conditions that are modified through other conditions, and modified conditions as follows:

- Condition No. 11 limits the entire subdivision to one-story homes. The proposed modification allows two-story homes except for Lots 7, 12, 13, 18 and 19 located along the west property line.
- Condition No. 12 prohibits no more than two identical side-by-side roof slopes on adjacent lots. This condition is deleted and instead represented by a modified Condition No. 13.
- The new Condition 13 reads no homes that are side-by-side or directly across the street from each other, shall have the exact same floor plan and exterior building elevation.
- Conditions 23 and 25 have been met by the developer regarding design of pavement edge and tot lot relocation; therefore, the conditions are deleted.
- All other conditions in the original ordinance remain.

Planning Staff is working with the developer to update components of the landscape plan and wall plan. Landscaping species and materials are better applied to the development to meet City standards. Some existing walls and planned walls are being updated with materials while maintaining conformance with the approved plans.

In addition, the request includes modifications to development guidelines including building height, building setbacks, maximum lot coverage and housing product architectural design standards. The original PDP was approved for custom homes which included development architectural guidelines. The proposal requests to allow custom, semi-custom, or production home development. Housing plans would be reviewed by Planning Staff as an administrative review and approval upon meeting the new development guidelines.

Development criteria includes a 30-foot rear yard building setback for two-story homes, front yard setbacks accommodating all housing plans and a greater maximum lot coverage. Additional standards are proposed to accommodate production housing product. The standards are further represented in the Development Booklet.

With the lots being greater than 12,000 square feet, Residential Development Standards for housing design are not required. However, the development's design guidelines incorporate several diversity elements including four-sided architecture, a variety of roofing styles, break-up main roof ridgelines, durable exterior materials, recess garage doors, standard rear yard covered patios, and a variety of architectural styles.

DISCUSSION

Planning Staff finds the proposed changes to be consistent with development standards occurring in other developments with similar lot sizes. The administrative review process for housing plans is appropriate given the specific development guidelines established in the Development Booklet which incorporate many Residential Development Standards for architectural diversity.

There are a series of conditions being deleted or modified from the prior Ordinance No. 3780. Some of these conditions are PDP related; therefore, new conditions are added in the PDP recommended action.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 21, 2015. One area resident, who lives immediately south of Markwood Drive, attended the meeting. The resident is not opposed to the project but had concerns about storm water ponding adjacent to his property. The developer and the property owner will work together to address what is occurring and come to a resolution.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MADERAS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0016, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3780 (DVR05-0050 Maderas), except as modified by condition herein.

3. All homes along the west property line of this development (Lots 7, 12, 13, 18 and 19) are limited to one-story homes, a maximum of 24-feet in building height.
4. No homes that are side-by-side or directly across the street from each other shall have the exact same floor plan and exterior building elevation.

4. CONTINUED REZONING / PRELIMINARY DEVELOPMENT PLAN / PRELIMINARY PLAT: Rhythm Ord. #4648

CONTINUED TO AUGUST 13, 2015, Introduction of Ordinance No. 4648, DVR14-0031 Rhythm, rezoning from Agricultural District (AG-1) to Planned Area Development (AD) for Residential.
CONTINUED TO AUGUST 13, 2015, Preliminary Development Plan (PDP), for subdivision layout and housing product.

CONTINUED TO AUGUST 13, 2015, Preliminary Plat (PPT), PPT14-0014 Rhythm, approval on approximately 30 acres located at the northwest corner of 56th Street (Priest Drive) and Orchid Lane, north of Ray Road. (Applicant: AndersonBaron Landscape Architecture.)

Planning Staff has received correspondence from a nearby automotive dealership that has expressed concerns with the proposed development request. The Planning Commission and Planning Staff recommend a continuance to the August 13, 2015, Council meeting to allow time to address the concerns. The Planning Commission continued this item to their July 15, 2015 meeting.

5. WITHDREW AREA PLAN AMENDMENT / REZONING/ PRELIMINARY DEVELOPMENT PLAN: Carino Estates & Serenade Res. #4861 & Ord. #4631

WITHDREW Resolution No. 4861, APL14-0009 Carino Estates Area Plan Amendment, Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Medium-Density Residential.

WITHDREW Introduction of Ordinance No. 4631, DVR14-0029 Serenade, rezoning from Agricultural to Planned Area Development for single-family residential.

WITHDREW Preliminary Development Plan (PDP), for subdivision layout and housing product for a 6.7-acre, 26-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads. (Applicant: Earl, Curley & Lagarde, P.C.)

The Planning Commission and Planning Staff recommend a withdrawal for the purpose of re-advertising. The development team has been working on design alternatives resulting in a plan that substantially reduces the number of lots from what was previously advertised. An updated application and development plan will be submitted in the near future.

6. INTERGOVERNMENTAL AGREEMENT: City of Mesa Res #4874

ADOPTED Resolution No. 4874 authorizing the City of Chandler, in conjunction with the City of Chandler Public Housing Authority, to execute an Intergovernmental Agreement (IGA) with the City of Mesa, through the City of Mesa Housing Authority, to allow the use of Mesa's Housing Choice Voucher Veteran Affairs Supportive Housing Program participants within the jurisdictional boundaries of the City of Chandler.

BACKGROUND

The City of Mesa Housing Authority was awarded and administers 191 Housing Choice Veteran Affairs Supportive Housing Program (VASH) Vouchers provided by the U.S. Department of Housing and Urban Development (HUD). VASH applicants are referred to the Mesa Housing Authority from the Department of Veteran Affairs (VA) for housing assistance and are required to be engaged in supportive services with VA staff while using the VASH Voucher.

The City of Mesa wishes to expand the cities where VASH participants may live to include other East Valley cities. This includes the Town of Gilbert, the Town of Queen Creek and the City of Chandler. The City of Mesa is working to execute individual IGAs with each of these communities in order to allow VASH participants to look for housing in their communities.

DISCUSSION

The City of Chandler Housing and Redevelopment Division acts as the Public Housing Authority for the City of Chandler. Housing Division Staff support the IGA request as it will expand housing location options for Veterans from Mesa, Chandler and other Valley cities. Under the IGA, the MHA will administer all aspects of the VASH program including certifications and inspections. The VA will continue to provide the ongoing case management. Chandler will have no direct responsibility for implementation for participants of Mesa's VASH program. Chandler is only being asked to allow VASH participants to have the opportunity to lease housing within Chandler's jurisdictional boundaries. The IGA has an initial term of two years with an option to extend the IGA term for two additional one-year periods.

7. COUNTY FLOODPLAIN MANAGEMENT

Res. #4876

ADOPTED Resolution No. 4876 adopting by reference, the revised flood insurance study, flood insurance maps, and floodplain management regulations consistent with and pursuant to Section 43-5 of the Code of the City of Chandler as part of the delegation for responsibility for floodplain management to the Maricopa County Flood Control District.

BACKGROUND / DISCUSSION

The National Flood Insurance Program (NFIP) is developing a revised countywide digital Flood Insurance Rate Map for Maricopa County and all of the incorporated cities and towns within the county. The Federal Emergency Management Agency (FEMA), U.S. Department of Homeland Security, has determined that the City of Chandler is in need of a floodplain management resolution that adopts the new revised Flood Insurance Rate Maps. The revised Flood Insurance Study and Flood Insurance Rate Maps must be formally adopted by the City of Chandler in a floodplain management resolution in order to continue its participation in the NFIP.

Resolution No. 4876 will allow continued participation in the NFIP by this adoption of floodplain management regulations consistent with federal criteria.

In the next few months, the Maricopa County Flood Control District, in conjunction with FEMA, will be conducting regional public informational meetings regarding the National Flood Insurance Program and the new digital Flood Insurance Rate Map for Maricopa County. When these meetings are scheduled, Staff will publish this information in various City resources. The digital Flood Insurance Rate Map for Maricopa County will be available in the next several weeks for viewing on the Flood Control District's web site <http://gis.fed.maricopa.gov/floodplainviewer>.

8. AGREEMENT: DUI Abatement Council

Res. #4877

ADOPTED Resolution No. 4877 authorizing an Agreement with the DUI Abatement Council; authorizing the Acting City Manager and Chief of Police, as designee, to execute the Agreement; and authorizing the Chief of Police to sign, administer, execute and submit the Agreement and all documents and other necessary instruments in connection with such Agreement.

BACKGROUND

The DUI Abatement Council has notified the Police Department that it is eligible to receive a contract in the form of a grant agreement for the purpose of DUI Enforcement overtime. The Traffic Unit will use grant funds to perform additional DUI Enforcement activities throughout the year and especially on and near holidays when drinking and driving increases. The Agreement will be effective through June 30, 2016. The DUI Abatement Council will reimburse Chandler up to \$45,000 for DUI overtime costs performed under this agreement.

9. GRANT AGREEMENT: AZ Criminal Justice Commission Res. #4878

ADOPTED Resolution No. 4878 authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Criminal Justice Commission for the provision of crime victim services; authoring the Mayor to sign the Agreement; authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with such Agreement; and authorizing the City Manager or designee to approve and execute any future extensions to this contract.

BACKGROUND

The Police Department has been awarded a grant through the Arizona Criminal Justice Commission's Victim Assistance Grant Program. The Police Department has been the recipient of an award through this program since FY 2006-07. The grant covers 20% of actual expenses for a Victim Services Specialist position and includes other operating expenses such as training and registration. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This agreement is for \$20,168 for the period July 1, 2015, through June 30, 2016.

FINANCIAL IMPLICATIONS

This grant covers 20% of the position's expenses and a matching grant through the Arizona Department of Public Safety covers the remaining 80%.

10. INTERGOVERNMENTAL AGREEMENT: City of Phoenix Res. #4879

ADOPTED Resolution No. 4879 authorizing the City of Chandler, in conjunction with the City of Chandler Public Housing Authority, to execute an Intergovernmental Agreement (IGA) with the City of Phoenix, through the City of Phoenix Housing Department, to allow the use of Phoenix's Housing Choice Voucher Veteran Affairs Supportive Housing Program participants within the jurisdictional boundaries of the City of Chandler.

BACKGROUND

The City of Phoenix Housing Department was awarded and administers the Housing Choice Veteran Affairs Supportive Housing Program (VASH) Vouchers provided by the U.S. Department of Housing and Urban Development (HUD). VASH applicants are referred to the Phoenix Housing Department from the Department of Veteran Affairs (VA) for housing assistance and are required to be engaged in supportive services with VA staff while using the VASH Voucher.

The City of Phoenix (COP) wishes to expand the cities where VASH participants may live to include other Valley cities. This principally includes cities that abut the City of Phoenix borders. The City of Phoenix is working to execute individual IGAs with each of these communities in order to allow VASH participants to look for housing in communities close to Phoenix.

DISCUSSION

The City of Chandler Housing and Redevelopment Division acts as the Public Housing Authority for the City of Chandler. Housing Division Staff support the IGA request as it will expand housing location options for Veterans for Phoenix, Chandler and other Valley cities. Under the IGA, the COP will administer all aspects of the VASH program, including certifications and inspections. The VA will continue to provide the ongoing case management. Chandler will have no direct responsibility for implementation for participants of Phoenix's VASH program. Chandler is only being asked to allow VASH participants to have the opportunity to lease housing within Chandler's jurisdictional boundaries. The IGA has an initial term of two years with an option to extend the term for two additional one-year periods.

11. EASEMENT EXTINGUISHMENT: Lot 6, The Park Development Res. #4880

ADOPTED Resolution No. 4880 authorizing the extinguishment of easements no longer needed for Lot 6 of The Park Development located just south of the SWC of Chandler Boulevard and Alma School Road.

BACKGROUND/DISCUSSION

Lot 6 of The Park Development is currently encumbered by easements recorded in Nos. 1984-354010, 1992-729368, 1992-729369 and as dedicated on the Final Plat of The Park Development recorded in Book 475 on Page 24, all in the official records of the Maricopa County Recorder.

A Minor Land Division (MLD) of Lot 6 of The Park Development will incorporate the required easement dedications to account for the proposed easement extinguishments and utility relocations. The property owner has requested the extinguishments in order to clear the MLD of the easements no longer needed by the City for the future residential condominium development known as The Place on Alma School. Staff reviewed the property owner's request and has confirmed that the easements are no longer needed.

Utility companies notified of the proposed easement extinguishments expressed no objections.

12. AGREEMENT: Federal Aviation Administration Res. #4882

ADOPTED Resolution No. 4882 authorizing an agreement with the Federal Aviation Administration (FAA) to accept an Airport Improvement Program (AIP) grant in an amount not to exceed \$1,784,776 for the Airport Safety Area Drainage Project (AI1401); and authorizing the Acting City Manager, or designee, to execute the grant agreement.

BACKGROUND/DISCUSSION

The City anticipates receiving a Federal Airport Improvement Program (AIP) grant for drainage improvements and associated soft costs for work on the Chandler Municipal Airport, under Queen Creek Road, and on the City-owned Lantana Basin at the southeast corner of Queen Creek Road and the Consolidated Canal. The Airport Safety Area Drainage Project work will transfer and improve the percolation of storm water from the southwest portion of the airfield, thereby eliminating a wildlife attractant near the Runway Safety Areas.

The project design is approved and is currently being advertised for public bid; however, the FAA is requiring the grant offer be signed before July 31, 2015. Once the City identifies the responsible low bidder, the formal contract and final amount will be brought to Council for approval. The anticipated grant amount in this request is a not to exceed amount based upon original project estimates and represents the Federal share of the project.

FINANCIAL IMPLICATIONS

This project is in the current 5-year Capital Improvement Program (CIP). Federal grants represent 91.06% of total project costs. An Arizona Department of Transportation (ADOT) grant is anticipated for 4.47% of the project costs. The remaining 4.47% local matching share is in the Airport Operating Fund.

13. INTERGOVERNMENTAL AGREEMENT AMENDMENT: Town of Gilbert Res. #4883

ADOPTED Resolution No. 4883 authorizing Amendment No. 1 to an Intergovernmental Agreement (IGA) with the Town of Gilbert for the construction and operation of the Santan Vista Water Treatment Plant.

BACKGROUND/DISCUSSION

The Santan Vista Water Treatment Plant is jointly owned by the City of Chandler and the Town of Gilbert. The first phase of this facility was completed in 2009 and provided 12 million gallons per day (MGD) to each community. Amendment No. 1 incorporates the Phase II Improvements into the Intergovernmental Agreement. The Phase II Improvements will supply an additional 12 MGD to the City for a total of 24 MGD by early 2018. This partnership allows Chandler and Gilbert to bolster water delivery and treatment capabilities for greater system redundancy and reliability, while realizing significant capital and operating savings.

Under the Agreement, the real property, plant infrastructure and raw water pipelines are jointly owned with each party entitled to 50% of the plant capacity and paying 50% of the construction costs. The Town of Gilbert acts as the Lead Agent, overseeing construction activities and operations at the plant.

FINANCIAL IMPLICATIONS

Costs:	Phase 2 Treatment Plant Design	\$ 3,901,578
	Phase 2 Construction	<u>37,755,059</u>
	Total Costs	\$41,656,637

14. PRELIMINARY DEVELOPMENT PLAN: Express Car Wash

MOVED TO ACTION

15. CLAIMS REPORT

APPROVED the Claims Report for the Accounts Payable payments for the quarter ended June 30, 2015.

16. 2015 CELEBRATION PLAZA HONOREE

COUNCILMEMBER ROE abstained as he was a member of the Kiwanis Club.

APPROVED (6-0) the 2015 Celebration Plaza Honoree recommendations by the Museums Advisory Board: Chandler Kiwanis Club and Officer David Payne.

BACKGROUND/DISCUSSION

Each year, the City of Chandler accepts nominations from the public for inductees to Celebration Plaza, a permanent monument at Tumbleweed Park.

Constructed in 2006, Celebration Plaza features a fountain and a decorative wall with brass plaques honoring Chandler residents, living or deceased, who have displayed outstanding civic commitment, leadership, innovation, public outreach and service to the City. Individuals holding an elected City of Chandler office or serving on the Parks and Recreation Board are not eligible for nomination.

Staff received eight nominations during this year's nomination process. The subcommittee evaluated the nominations based on the following criteria:

- Community leader(s) whose outstanding personal service has resulted in significant and enduring contributions to the community.
- An individual or individuals who have made exceptional contributions to the City of Chandler.
- An individual or individuals who have added to the quality of life for Chandler residents through their involvement or financial contribution to short-term or long-term City projects or activities.
- An individual who has demonstrated leadership, innovation and creativity, which have made Chandler a better place to live and work.
- City of Chandler employees killed in the line of duty and local heroes.

The subcommittee recommendations for 2015 were presented to the Museums Advisory Board at their June 10, 2015, meeting. The Board endorsed the recommendations and unanimously voted to recommend them to the City Council for approval.

The 2015 nominees will be honored at an induction ceremony this fall.

RECOMMENDATION

The Museums Advisory Board recommends approval of the following Celebration Plaza honorees:

Officer David Payne – Officer David Payne began his law enforcement career with the Chandler Police Department in 2007, and in 2013 was assigned to the Traffic Section DUI Enforcement Team. David had a passion for removing impaired drivers from the roadways and during his career he arrested hundreds of intoxicated motorists to help make a safer community. David truly made a difference. On October 31, 2014, Officer Payne made the ultimate sacrifice while working DUI Enforcement when he was struck and killed by an impaired driver. David was killed in the line of duty performing the work he loved. David lived a life of service. In addition to being a police officer, he was a Staff Sergeant in the United States Army National Guard where he received numerous awards and commendations. He served his country honorably in Iraq and during the Hurricane Katrina Natural Disaster. David assisted the Police Department each year with fundraisers to help support Special Olympics and spent his spare time teaching traffic safety classes with his father. In 2015, David was honored posthumously by the Chandler Chamber of

Commerce with the James R. Snedigar Community Service Award in recognition of his service to the citizens of Chandler.

Chandler Kiwanis Club – The Chandler Kiwanis Club has roots in the community that go back nearly 60 years. The main focus of Kiwanis is children. To this end, the club annually donates thousands of dollars for scholarship grants to high school seniors, as well as funding for youth programs at the YMCA, Boys and Girls Club and Salvation Army. The Club has adopted Ryan Park, volunteering dozens of hours annually. It has been a major funding source for the Reading is Fundamental literacy program and is now the main outside funding source for the annual Battle of the Books program, both held at Chandler Public Library locations. In recent years, the Club has paid for copies of the U.S. Constitution to be placed in classrooms of newly opened Chandler Unified School District schools. In 2015, the Club sponsored expenses of the inaugural Teen Leadership Academy, an initiative of Mayor Jay Tibshraeny. Over the years, members have routinely been seen throughout the community ringing bells for the Salvation Army, painting houses and building ramps for the poor and elderly, donating blood and performing many other acts of kindness that add to Chandler's great quality of life.

17. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Parks and Recreation Board
Stephanie Jarnagan

Neighborhood Advisory Committee
Marvin Martinez

18. APPROPRIATION: Emergency Dispatch Services

APPROVED an appropriation in the amount of \$1,055,433.60 for fire and emergency medical dispatch services in accordance with the current Intergovernmental Agreement with the City of Phoenix.

BACKGROUND/DISCUSSION

The current IGA with the Phoenix Fire Department has been in effect since 2003. This IGA provides dispatch services, technical services, and equipment maintenance. In Fiscal Year 2008-09, a full cost recovery approach was instituted by the Regional Dispatch Consortium. This full cost recovery is based on recovery of operating budget which includes personnel, equipment and upgrades to current equipment.

The contract that the Fire, Health & Medical Department has with PMT Ambulance provides for dispatch services for ambulances through the Department's IGA with the Phoenix Fire Department. PMT Ambulance pays \$224,121.64 of the total Chandler cost to Phoenix. In accordance with the contract, this money is collected and deposited on a monthly basis into the City's Ambulance Revenue Account.

19. APPROPRIATION: Firefighter Physical Examinations

APPROVED an appropriation in the amount of \$163,058 for firefighter physical examinations in accordance with the Intergovernmental Agreement with the City of Phoenix.

BACKGROUND/DISCUSSION

Annual medical exams are required by OSHA for Firefighters who wear breathing apparatus in order to enter hazardous atmospheres.

The City of Chandler entered into an IGA with the Phoenix Fire Department Health Center in 2002 to perform these exams. This IGA provides Chandler Fire, Health & Medical Department personnel with required annual medical and physical fitness examinations. These exams are performed by Occupational Physicians whose primary focus is firefighter health and wellness. The annual exam cost is remaining the same as last year, \$743 per firefighter. All exams are done in accordance with the recognized national standard, NFPA 1582.

FINANCIAL IMPLICATIONS

The total cost of \$163,058 is derived from 206 exams at \$743 per firefighter, \$10,000 for miscellaneous lab tests and back to work examinations.

20. RFP AWARD: Blue Cross Blue Shield of Arizona

AWARDED RFP No. HR5-948-3502 to Blue Cross Blue Shield of Arizona and authorized Staff to conclude negotiations for the final agreement for medical and prescription drug coverage and COBRA administration to be approved by the City Council.

BACKGROUND/DISCUSSION

The City is proud to offer comprehensive medical and prescription drug plans to meet the needs of employees, retirees and their dependents. The City will continue to contract with Blue Cross Blue Shield of Arizona to provide the administration of the City's group medical and pharmacy program, to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management service and stop-loss coverage. This benefit is paid by the City and Employees.

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) is a federal law which allows employees separating from employment and losing medical coverage, the ability to continue certain benefits at a full cost rate (does not include City subsidy). This administration is an option within this contract for Blue Cross Blue Shield of Arizona for compliance with COBRA.

EVALUATION

On February 5, 2015, City Staff issued a Request for Proposal for medical and prescription drug coverage and COBRA administration. Notification was sent to all registered vendors. Four proposals were received from the following offerors:

- Aetna
- Blue Cross Blue Shield of Arizona (current provider)
- Cigna
- United Healthcare

The Evaluation Committee reviewed the proposals and recommend award to Blue Cross Blue Shield of Arizona. The proposal allows the City to retain its current plan offerings with no provider network disruption, continue its efforts to promote fiscal responsibility through consumer-driven healthcare plan design offerings and intensify its health awareness and wellness program through a significant increase in the wellness program funding. Staff is currently negotiating the final agreement with Blue Cross Blue Shield of Arizona. The final contract will be presented to Council for approval in September as part of the 2016 Employee Benefits renewals.

21. RFP AWARD: e4Health

AWARDED RFP No. HR5-948-3528 to e4Health and authorized Staff to conclude negotiations for the final agreement for the Employee Assistance Program to be approved by the City Council.

BACKGROUND/DISCUSSION

An Employee Assistance Program (EAP) provides employees a no cost, confidential counseling and referral service that is available 24 hours a day, 365 days a year. The EAP provides numerous resources and can help employees and their dependents with a wide range of personal challenges and issues. This benefit is paid by the City.

EVALUATION

On March 30, 2015, City staff issued a Request for Proposal for an employee assistance program. Notification was sent to all registered vendors. Ten proposals were received from the following offerors:

- Aetna
- Cigna
- CSA/American Behavioral
- Humana
- MHN
- APS Healthcare (current provider)
- ComPsych
- E4Health
- Interface EAP
- Reach EAP

The Evaluation Committee reviewed the proposals and recommended award to e4Health. Staff is currently negotiating the final agreement with e4Health. The final contract will be presented to Council for approval in September as part of the 2016 Employee Benefits renewals.

22. RFP AWARD: Flexible Benefit Administrators, Inc.

AWARDED RFP No. HR5-953-3517 to Flexible Benefit Administrators, Inc., and authorized Staff to conclude negotiations for the final agreement for Flexible Spending Account Administration to be approved by the City Council.

BACKGROUND/DISCUSSION

A Flexible Spending Account (FSA) enables employees to put aside a portion of their gross income on a pre-tax basis in a FSA to pay for qualified health care and/or dependent care expenses. This benefit is paid by the City.

EVALUATION

On March 23, 2015, City Staff issued a Request for Proposal for flexible spending account administration. Notification was sent to all registered vendors. Eight proposals were received from the following offerors:

- BASIC Corp.
- Chard Snyder
- Payflex Systems (current provider)
- USBA Flex
- Flexible Benefit Administrators, Inc.
- PNC Bank
- Blue Cross Blue Shield
- Connect Your car

The Evaluation Committee reviewed the proposals and recommended award to Flexible Benefit Administrators, Inc. Notable features of the proposal include a 39% reduction in per employee per month fees, a 5-year rate guarantee, no annual set up fee, enhanced employee and employer service portals and expanded reporting capabilities. Staff is currently negotiating the final agreement with Flexible Benefit Administrators, Inc. The final contract will be presented to Council for approval in September as part of the 2016 Employee Benefits renewals.

23. EMPLOYMENT AGREEMENT: City Attorney

APPROVED the employment agreement with the City Attorney for the period July 1, 2015, through June 30, 2016, in an amount of \$177,244.00.

24. SUBORDINATION: 1858 W. Calle Del Norte

APPROVED subordination of the Moderate Rehabilitation Program Lien on Project Number RH07-0001 located at 1858 W. Calle Del Norte in the amount of \$31,286.05. (Phelps)

BACKGROUND/DISCUSSION

In 2007, the owner of a single-family, owner-occupied home located at 1858 W. Calle Del Norte, received a \$31,286.05 loan through the City's Moderate Rehabilitation Program. The City's lien against the property is for \$31,286.05. The City's loan is a 15-year forgivable loan secured by a Deed of Trust recorded as a lien against the home with the balance to be forgiven in 2022.

The owner is requesting to refinance the home to lower the interest rate. The new loan of \$142,597.00 reduces the interest rate, lowers the mortgage payment and the owner will receive no cash out as required by the City's refinancing policy. In order to obtain the loan, a subordination of the City's lien is required by the lending institution and the City lien will remain in the same position.

FINANCIAL IMPLICATIONS

The City will not be prejudiced by the refinancing or the subordination. The City's lien is currently in second position and will remain in second position after the refinancing is complete. The City's lien will not be released until the loan term expires in 2022.

25. AGREEMENT: Public Defender

APPROVED the Public Defender agreement with Lynn R. Arouh. The agreement provides indigent defendants with access to a law office with demonstrated experience and expertise in the field of criminal defense with an office in the East Valley.

26. AGREEMENT: Balar Equipment Corporation

APPROVED Agreement No. FD-060-3485 with Balar Holding Corporation dba Balar Equipment Corporation, for Schwarze street sweeper parts and service in an amount not to exceed \$125,000.00 for one year with the option of four additional one-year extensions. As Balar Equipment Corporation is the only authorized source for Schwarze street sweeper original manufacturer's equipment parts and service in Arizona, the agreement is approved as a sole source.

27. AGREEMENT AMENDMENT: Brown Wholesale Electric

APPROVED Agreement No. WH1-914-3005, Amendment No. 4, with Wesco Distribution, dba Brown Wholesale Electric for the purchase of electrical supplies in an amount not to exceed \$175,000.00 for one year. This is the fourth and final optional one-year extension.

28. AGREEMENT AMENDMENT: Ready Mix Concrete Materials

APPROVED Agreement No. ST3-750-3270. Amendment No. 1, for ready mix concrete materials with Arizona Metro Mix and Arizona Materials, LLC, in a total combined amount not to exceed \$80,000.00 for one year. This is the first of two optional one-year extensions.

29. No item.

30. AGREEMENT: Utility Construction Company, Inc.

APPROVED Agreement No. TD4-968-3404 with Utility Construction Company, Inc., for streetlight pole replacement, increasing the annual spending limit amount by \$62,185.00 for a revised not to exceed amount of \$200,000.00 for the term ending September 30, 2015.

31. PROJECT AGREEMENT: Kimley-Horn and Associates

APPROVED Project Agreement No. PR1307-202 with Kimley-Horn and Associates for Veteran's Memorial Phase One design services in an amount not to exceed \$39,286.00.

Veteran's Oasis Park is located on the northeast corner of Chandler Heights and Lindsey roads. It is a 113-acre community park featuring an Environmental Education Center, a lake, an extensive network of trails, a Police Substation as well as numerous recharge basins.

Shortly after the completion of the park in 2008, City Staff began meeting with several local Veterans' groups to develop a conceptual plan for a Veterans' Memorial that would complement the park's existing amenities. This unique memorial will be located in the southwest corner of the park and will honor the men and women who have answered the call to duty. The memorial will offer a space for reflection by individuals and groups through a design that provides privacy from the surrounding land uses and roadways.

A feasibility study of a capital campaign to raise funds for the memorial was completed in 2011. Consequently, a Veterans' Memorial Fundraising Campaign Committee was developed. Over the past three years, the capital campaign has raised of \$650,000.00 in funds and pledges from individuals and businesses (including a generous donation of \$500,000.00 from the Gila River Indian Community) for the design, construction and maintenance of the memorial.

The design will feature a Family Plaza Overlook. This elevated plaza replicates the Arizona State Flag design and includes flags and a star-shaped overlook area with low walls including inscriptions recognizing the core values of Freedom, Recognition, Reflection, Sacrifice, Memories and Family. The memorial will also include recognition for donors. The dedication of the memorial is planned for late spring of 2016.

32. AGREEMENT: The Shannon S. Martin Company

APPROVED Agreement No. MU5-910-3538 with The Shannon S. Martin Company for janitorial services for the period of August 1, 2015, through July 31, 2016, in an amount not to exceed \$196,381.00 with the option of four additional one-year extensions.

33. AGREEMENT: Devau Human Resources

Dawn Lang, Management Services Director, explained the City is conducting a special census to update the City's information because of the significant gain the City would receive over the next 5 years with the updated information. There are various costs the City must pay for in order to conduct the census, which include hiring persons and resources to go door to door, for the mailings, for the supplies, and to set up an office location specific for conducting the census.

Ms. Lang stated that while the cost to conduct this census is estimated around \$4.1 million, the City would gain a significant increase of State Shared Revenue over the next 5 years.

APPROVED Agreement No. HR5-964-3570 with Devau Human Resources for payroll services for special census workers in an amount not to exceed \$2,700,000.00 for a term of up to seven months.

The process for the recruitment of the workers required to conduct the 2015 Special Census is underway. City Staff is responsible for collecting approximately 2,000 applications in order to yield the 400 to 500 workers required for the Special Census. The Census Bureau will be responsible for testing and selecting these workers. All Special Census workers are employees of the Federal government. The City is responsible for paying the workers for the duration of the project. Given the temporary nature of this project and the volume of workers, City Staff recommends outsourcing the payroll for this project. Payroll services need to be in place no later than August 3, 2015. Devau Human Resources will be responsible for payroll services, mileage reimbursement and year-end W2 processing for the Special Census workers.

Devau Human Resources has a current contract with the City for temporary staffing services and has a long history of delivering these services to the City. Devau has agreed to provide payroll services at a reduced markup rate of 16% commensurate with the narrow scope of this project.

34. AGREEMENT: SA Recycling, LLC

APPROVED Agreement No. SW5-926-3549 with SA Recycling, LLC, for scrap metal recycling for a two-year term, with the option of two additional two-year terms.

In 1995, Solid Waste Services implemented a recycling program for scrap metal. Over the last twenty years, the City has incorporated other recycling programs to increase waste diversion from landfill disposal. Currently, the market offers revenue for recycling materials that include cardboard, electronics, carpet and foam padding, tires and plastic. These materials, typically self-

hauled by customers, are dropped off at the City's Recycling Solid Waste Collection Center (RSWCC), 955 E. Queen Creek Road.

Recyclables with market value generate revenue that offset costs associated with landfill disposal.

For this reason, customers who bring materials to the RSWCC for recycling are required to separate those materials. To increase diversion of materials from landfill disposal, scrap metal collected through curbside bulk collection is also dropped off at the RSWCC for recycling.

Due to the high volume of scrap metal generated, and the desire to have the material loaded onsite for transporting to market, the City maintains a formal agreement for scrap metal recycling. The City currently sells other recyclables based on local spot market values. Nearly 83% of revenue received from the RSWCC is generated from scrap metal recycling.

35. AGREEMENT AMENDMENT: HVAC Repairs, Maintenance and Service

APPROVED Agreement No. CS3-910-3208, Amendment No. 1, with Frontier Mechanical AZ, Inc., dba FMI Heating & Cooling, TD Industries, and United Technologies, Inc., dba Uni-tech, for HVAC repairs, maintenance and service in a total combined amount not to exceed \$600,000.00 for one year. This is the first of three optional one-year renewals.

36. CONTRACT: McClaren, Wilson & Lawrie, Inc.

APPROVED Contract No. PD1302.202 with McClaren, Wilson & Lawrie, Inc., for design of the Public Safety Training Center in an amount not to exceed \$2,090,936.33.

The 2014 Police Department Facilities Master Plan identified the need for additional police training facilities. This contract is for design of both phases one and two of a Public Safety Training Center incorporated into the existing Fire Training Facility at 3550 W. Dobson Road on a parcel donated to the City by Intel. The approximately 76,000 square foot center will be used by the Police and Fire, Health & Medical Departments.

37. PURCHASE: Electronic Library Materials

APPROVED the purchase of electronic library materials from 3M Library Systems, sole source, in an amount not to exceed \$300,000.00.

In October 2014, the Chandler Public Library transitioned to the 3M Cloud Library for the provision of electronic books and electronic audio books. The 3M Cloud Library allows staff to select materials expressly for Chandler cardholders and reduce the wait time for popular titles. Customers can download eBooks or eAudio Books directly from the Library's catalog or via the 3M Cloud Library application.

The 3M Cloud Library is the only eBook platform that is fully integrated with the Integrated Library Database which includes all materials and cardholder information. Having the eBooks in the catalog shows that Staff is responsive to the needs of customers regardless of what format they checkout. All digital checkouts, via the library's catalog or the 3M Cloud Library application, can be accessed through one customer library account without having to go to a separate website or use a separate account name and password,

38. PURCHASE: Creative Paving Solutions

APPROVED the purchase of decorative pavement maintenance from Creative Paving Solutions, utilizing City of Scottsdale Contract No. 15PB009, in an amount not to exceed \$133,422.00.

The sidewalk pavement under the colonnade in the Downtown Historic Square is in need of maintenance and repair. The colonnade was last resurfaced and stained in 2008.

Since 2008, Park Staff has used a scrubbing machine to keep the surface of the walks clean. This machine does not allow for a deep cleaning to remove grime and dirt that builds up around the outdoor eating areas. A contractor was hired to clean these areas using heated pressurized water. This process removed the dirt, but also has caused the stain to chip in places. The practice of using this power washing has ceased since 2012; however, the appearance of the walks has continued to degrade.

Staff researched a product that would be visually appealing, yet withstand heavily-trafficked areas, as well as routine cleaning. Staff visited areas in the Valley that have used Creative Paving Solutions product. This product is expected to have a 10+ year's lifespan and can be touched up on an annual basis as needed.

Staff, along with Creative Paving Solutions, has met with the Downtown Chandler Community Partnership (DCCP) and held a special merchants meeting for input, suggestions and description of the project with approximate timelines for the project.

39. PURCHASE: Crafc0, Inc.

APPROVED the purchase of asphalt rubber crack sealant material from Crafc0, Inc., utilizing the Arizona State Procurement Office contract, in an amount not to exceed \$200,000.00.

40. PURCHASE: Tata Consultancy Services, Ltd.

APPROVED the purchase of annual maintenance for the Tax Mantra system from Tata Consultancy Services, Ltd., sole source, in an amount not to exceed \$167,948.00. No other vendors are authorized to provide these maintenance services.

The Tax Mantra system is the City's Transaction Privilege Tax (TPT), commonly referred to as Sales Tax, collection and licensing software system, providing the administration and processing functionality necessary for collection of nearly 50% of the City's General Fund revenues. The original five-year maintenance agreement ended July 31, 2010.

Tata Consultancy Services, Ltd., offers a new version but the City determined to maintain the existing software and not go through the time requirements and expense of upgrading the system. This was determined based on the impending transition to State collection which will completely change the City's tax related system needs. The client-based version continued to be used by the City, is outdated and the vendor will not enter into a long-term maintenance agreement. Therefore, Tax Mantra system maintenance agreements will be renewed on an annual basis.

41. PURCHASE: Waxie Sanitary Supply

APPROVED the purchase of janitorial and sanitation supplies from Waxie Sanitary Supply, utilizing City of Tucson Contract No. 151148, in an amount not to exceed \$200,000.00 for one year.

42. PURCHASE: Air Filter Products

APPROVED the purchase of HVAC filters from Air filter Products, utilizing State of Arizona Contract No. ADSPO14-064765, in an amount not to exceed \$100,000.00.

43. USE PERMIT: Juan Jaime's Tacos and Tequila

APPROVED Use Permit LUP15-0011 Juan Jaime's Tacos and Tequila, Series 12 Restaurant License, to allow liquor sales as permitted within an existing restaurant including an expanded outdoor patio located at 2510 W. Chandler Boulevard, Suite 1. (Applicant: John James III, Owner.)

BACKGROUND

The subject site is located along the southern end of an inline shops building within the Chandler Festival shopping center located at the northwest corner of Chandler Boulevard and Ellis Street. The space was originally occupied by the Asian Bistro restaurant Chopstix. The current restaurant, Juan Jaime's Tacos and Tequila, has been in operation for approximately 8 years. The existing restaurant is operating under a Series 12 Restaurant License. The restaurant is open seven days a week from 11 a.m. to 2 a.m.

The 3,000 square-foot restaurant includes an approximately 800-square foot outdoor patio along the southern side, adjacent to Chandler Boulevard. The business is underway with a 6-foot patio expansion along the southern edge. The patio expansion will utilize the same brick column and fence design expanded to 6 feet further from the building. The request is for Liquor Use Permit approval to sell liquor within the expanded patio area. The applicant intends to redesign the interior seating arrangement at a future date.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice letter was sent in lieu of a neighborhood meeting. Planning Staff has received no correspondence regarding this application and is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.

4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
5. The site shall be maintained in a clean and orderly manner.

44. PERMANENT EXTENSION OF PREMISES: Juan Jaime's Tacos and Tequila

APPROVED a Permanent Extension of Premises for a Series 12 Restaurant License (Chandler #113974L12) held by Juan Jaime's LLC, dba Juan Jaime's Tacos ad Tequila, 2520 W. Chandler Boulevard, Suite 1, to include outside seating. A recommendation for approval of a Permanent Extension of Premises for State Liquor License #12077121 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

45. USE PERMIT: The Wild Vine Uncorked

APPROVED Use Permit LUP15-0012 The Wild Vine Uncorked, Series 12 Restaurant License and Series 7 Beer and Wine Bar License, to allow liquor sales as permitted for on-premise consumption indoors and outdoor consumption on two patios at a new restaurant located at 4920 S. Gilbert Road, Suites 1-3. (Applicant: Kimberly Rubens, Owner.)

BACKGROUND

The subject site is located along the north end of an inline shops space adjacent to the site's Major Anchor, Bashas'. Various restaurants have operated in the subject suite since 2005. Inline shops are adjacent to the suites south side. A drive aisle is along the north side of the suite that provides access to the rear of the center.

The Wild Vine Uncorked is a new restaurant that anticipates opening within the next couple of months. While the restaurant is able to utilize the previous restaurant Liquor Use Permit for the Series 12, the applicant is adding an outdoor patio along the north side of the suite, requiring a new Liquor Use Permit. In addition to the request for a Series 12, the applicant is also requesting a Series 7 Beer and Wine Bar license. The combination of the two licenses provides the applicant the convenience of not having to worry about the requirement to have 40% of sales be food and non-alcoholic beverage related.

The 3,646 square foot suite provides capacity for approximately 128 patrons. An existing patio is provided to the south of the entrance that is approximately 300 square feet. The proposed patio is located along the north side of the suite and is adjacent to the drive aisle that leads to the rear of the commercial center. The patio is approximately 280 square feet. The patio will displace some gravel and small shrubs. There are no trees or sidewalks within the proposed area. Pedestrian access to the rear of the center was not provided during the design and construction of the center.

Piped music and five televisions are provided. In addition to the piped music, the applicant is requesting the ability to have live music on a limited basis within the restaurant. The music may include a soloist or small three-person group. The intent is to not draw patrons strictly seeking a live entertainment venue, but rather to provide background music ambient to the environment of the restaurant. The nearest residence is approximately 700 feet to the west.

The restaurant will be open Monday through Thursday from 2 p.m. to 10 p.m., Friday from 2 p.m. to 1 a.m., Saturday from 11 a.m. to 1 a.m. and Sunday 11 a.m. to 10 p.m. The restaurant will employ 7-12 persons.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on June 18, 2015. There were no neighbors in attendance.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant and Series 7 Beer and Wine Bar license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar service area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
6. The site shall be maintained in a clean and orderly manner.
7. Noise shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

46. LIQUOR LICENSE: The Wild Vine Uncorked

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #158659L07) for Kimberly Rae Rubens, Agent, K&R Rubens Enterprises LLC, dba The Wild Vine Uncorked, 4920 S. Gilbert Road, Suites A1-A3. A recommendation for approval of State Liquor License #07070550 will be forwarded to the State Department of Liquor Licenses and Control. 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.

In addition to the request for a Series 7 Beer and Wine Bar Liquor License, the applicant is also requesting a Series 12 Restaurant Liquor License. The combination of the two licenses provides the applicant the benefit of excluding beer and wine sales from the calculation of the 40% food requirement for the Series 12 Restaurant Liquor License.

47. LIQUOR LICENSE: The Wild Vine Uncorked

APPROVED a Series 12 Restaurant Liquor License (Chandler #158659L12) for Kimberly Rae Rubens, Agent, &R Rubens Enterprises LLC, dba The Wild Vine Uncorked, 4920 S. Gilbert Road, Suites A1-A3. A recommendation for approval of State Liquor License #1207A240 will be forwarded to the State Department of Liquor Licenses and Control.

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.

In addition to the request for a Series 12 Restaurant Liquor License, the applicant is also requesting a Series 7 Beer and Wine Bar Liquor License. The combination of the two licenses provides the applicant the benefit of excluding beer and wine sales from the calculation of the 40% food requirement for the Series 12 Restaurant Liquor License.

48. PRELIMINARY PLAT: Metro Chandler Airport Center

APPROVED Preliminary Plat PPT15-0004 Metro Chandler Airport Center, for a business park development located at the SWC of Cooper and Germann roads. (Applicant: Nate Cottrell; CEG.)

BACKGROUND

This Preliminary Plat is for an approximately 25-acre business park located at the southwest corner of Cooper and Germann roads that was approved by Council in October 2014. The plat creates the lots and tracts, establishes the necessary easement, and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 3 - 0 with Commissioners Baron and Wastchak absent and Commissioners Foley and Ryan abstaining.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan, the Chandler Airpark Area Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval of the Preliminary Plat subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

49. FINAL PLAT: Pescara

APPROVED Final Plat FPT15-0004 Pescara, for a 46-lot, single-family residential subdivision on 19 acres located east of the NEC of Gilbert and Riggs roads. (Applicant: Troy Peterson; Bowman Consulting Group, Ltd.)

BACKGROUND

This Final Plat is for a 46-lot gated, single-family residential subdivision located on 19 acres that was approved by Council in May 2014. The subdivision is located east of the northeast corner of Gilbert and Riggs roads. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan, Southeast Chandler Area Plan and Planned Area Development zoning, Planning Staff recommends approval.

50. FINAL PLAT: Re-Plat Bogle Business Park (Foothills Community Church)

APPROVED Final Plat FPT15-0007 Re-Plat Bogle Business Park (Foothills Community Church), for a church located north of the NWC of Hamilton Street and Pecos Road. (Applicant: James Ellis; JG Ellis Land Surveying Services.)

BACKGROUND

This Final Plat is for a re-plat of the Bogle Business Park. The property had previously been platted with the establishment of the business park. The re-plat is for a church that was approved by Council in June 2014. The plat creates the lots and tracts, establishes the necessary easement and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

51. FINAL PLAT: Noria Mixed-Use

APPROVED Final Plat FPT15-0010 Noria Mixed-Use, for a multi-family and commercial mixed-use development located at the SEC of McQueen and Germann roads. (Applicant: David Soltysik; Terrascape Consulting.)

BACKGROUND

This Final Plat is for a multi-family residential and commercial mixed-use development located at the southeast corner of McQueen and Germann roads that was approved by Council in late 2013. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

ACTION:

14. PRELIMINARY DEVELOPMENT PLAN: Express Car Wash

BACKGROUND

The approximate 1-acre site is located at the southeast corner of Ray Road and McClintock Drive (within the Ray and McClintock Plaza). Circle K, O'Reilly Auto Parts, Tutor Time and other retail uses are within the shopping center. Commercial developments are north and northeast of the site. The Golden Keys East single-family subdivision is approximately 300 feet south.

The Ray and McClintock development received Planned Area Development (PAD) zoning approval in December 1987, for commercial retail uses.

The site is a vacant parcel created through a minor land division approved in July, 2013. A portion of the site is used as a retention basin that serves the shopping center. This project provides drainage through a combination of underground tanks and existing basins.

The request is for Preliminary Development Plan (PDP) approval of site layout and building architecture for a new car wash facility. The request includes a 5,392 square foot car wash building, 16 vacuum stalls and a pay station.

The site is almost three times longer than its width, with dimensions approximately 131 feet by 317 feet which is analogous to the linear form of a car wash building. On-site circulation is designed to distance the car wash driveway entrance from the existing driveway from Ray Road. Adequate queue length is provided to the pay station.

Building architecture respects the shopping center's design through use of concrete masonry bases at each vacuum canopy, selected colors and paint banding. The shed-like design of the metal tower element further characterizes the "Hog Wash" theme. Two designs of fabric canopies are proposed. Vacuum stall canopy structures include vacuum equipment and a trash container. A steel channel canopy design covers the pay station and car wash tunnel entrance.

Planning Staff worked extensively with the applicant to identify a color palette complementary to the center combined with select new colors. The color palette of the shopping center includes earth-toned colors ranging in intensity from beige to brown. The car wash building's color palette takes cues from the shopping center by intermingling blue and a subtle yellow. Blue fabric-canopied stalls match the blue shade structures located within the center. A subtle yellow is placed on the blue metal tower element.

Car wash and vacuum equipment is contained within the building. Roof-mounted mechanical equipment is fully screened by the parapet. Screening of the tunnel exit is addressed by installing a 50-inch tall woven mesh green screen along the south side of the existing parking screen walls for approximately 36 linear feet. Landscape on both sides of the tunnel exit further screens associated equipment. Existing landscaping along Ray Road remains and is enhanced with additional plantings to fill in gaps. Several existing trees on the site remain with new landscape.

Signage will comply with the City of Chandler sign code for shopping centers. Due to the narrow width of the building, the west elevation length is utilized to calculate signage allowances. Wall-mounted signage is on the tower feature utilizing internally illuminated pan channel letters and a cabinet sign for the "Hog Wash" logo. Glass-enclosed lifestyle imagery displays are located on the west elevation as part of the wall-mounted signage allowance.

Additional details can be found in the Development Booklet.

Planning Staff finds the request to represent a compatible completion to the shopping center. Site layout and building architecture take into consideration the existing shopping center and nearby developments through building location, vehicular circulation, access and scale.

Due to ownership complexities, Planning Staff has not received the Agreement For Waiver of Claim form to date. Planning Staff recommends the item remain for consideration by City Council and Condition No. 12 is added to provide four weeks from City Council approval for the owner to submit the Proposition 207 consent to conditions waiver form.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 18, 2015. The seller of the land attended the meeting.

Planning Staff is not aware of any opposition; however, an inquiry was received from a resident of Golden Keys East subdivision regarding noise generation, the number of cars per day and building design.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

During Study Session, the Commissioners discussed the proposed tree species and sizes. Concerns related to replacing the Texas Mountain Laurel with another species and upsizing several trees from 24-inch box to 36- inch box were expressed. Condition No. 11 is added to address modifying the landscape palette and upsizing some trees to 36- inch box.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "EXPRESS WASH" kept in file in the City of Chandler Planning Division in File No. PDP15-0001, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 1909 in case Z87-156 RAY & MCCLINTOCK, except as modified by condition herein.
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. Raceway signage shall be prohibited within the development.
5. The fabric canopy structures shall be maintained in a manner similar to that the time of installation.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
10. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
11. The Applicant shall work with Planning Staff to modify the landscape palette including upsizing some trees to 36-inch box.
12. In order for the PDP to be valid, a signed and completed Agreement For Waiver of Claim form under A.R.S. §12-1134 shall be provided to Planning Staff within four (4) weeks of City Council approval.

COUNCIL DISCUSSION

CITY PLANNER SUSAN FIALA stated that after Monday night's Council meeting, the applicant wished to proceed with the application subject to the Planning Commission and Staff

recommendation subject to the conditions listed in the Planning report, but no change to the color choice for the car wash.

COUNCILMEMBER HEUMANN wished to hear from the applicant as to their choice in remaining with the current selection of the bold blue color, and whether a different shade of blue or a blue that is not so vibrant could not have been selected.

MR. ED BULL, 702 E Osborn, attorney for the applicant, stated that while the site is compatible for this car wash, the lot is small and narrow and the building will be set back from the street approximately 100 feet. They have added a significant amount of landscape material throughout the property, in addition to the mature landscape that is already there. They have added a green screen along Ray Road, and because of all this additional "screening" it would hide the building too much, especially since they were choosing neutral colors for most of the building. The color blue was selected to represent water, which is a symbolic color well known to represent water. They met with the Planning department to try and adjust the blue, but it only distorted the visual aspects of the building. The color pallet was modified throughout the initial planning, and they are asking Council to approve with the recommendations from Staff and the Planning Commission the Preliminary Development Plan for Express Car Wash.

MOVED BY COUNCILMEMBER ELLEN, SECONDED BY COUNCILMEMBER SELLERS TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN (PDP), PDP15-0001 EXPRESS CAR WASH FOR SITE LAYOUT AND BUILDING ARCHITECTURE FOR A NEW CAR WASH FACILITY LOCATED EAST OF THE SEC OF RAY ROAD AND MCCLINTOCK DRIVE SUBJECT TO THE CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION AND STAFF.

Councilmember Ellen stated she lives nearby and is excited to see a carwash in the area, since there is not one close by.

Councilmember Heumann stated he too is appreciative of the business in Chandler, but is not supportive of the bold blue color.

MOTION CARRIED BY MAJORITY (6-1) with Councilmember Heumann voting nay.

PUBLIC HEARINGS:

PH1. CHANGES TO CERTAIN WATER, WASTEWATER, RECLAIMED WATER AND SOLID WASTE FEES.

OPEN PUBLIC HEARING

The Mayor opened the public hearing at 7:24 p.m.

STAFF PRESENTATION

Management Services Director Dawn Lang reviewed the findings for the proposed increases through a Powerpoint presentation. She stated as required by the City's Financial Policies, a review of current utility rates was conducted as part of the FY 2015-16 Budget process. A review was completed for the Water, Wastewater and Solid Waste Enterprise Funds, as well as Reclaimed Water operations. In addition, the City engaged the consulting firm of Raftelis Financial Consultants, Inc., to provide a more extensive review of the City's current and future revenue requirements for the Water, Wastewater, and Reclaimed Water systems. (The consultant did not participate in the review of the Solid Waste Enterprise.)

There is no Council vote associated with this public hearing. The proposed changes will be introduced as an ordinance at the August 10, 2015, meeting with final adoption planned for August 13, 2015. Rate changes would go into effect on October 1, 2015.

The proposed changes are summarized below:

Water: The review of the Water Enterprise determined that no rate increase was required at this time. The review does recommend converting the Water rate structure from a seasonal rate to a year-round rate. The changes to year-round rates are proposed to go into effect on October 1, 2015, and are cost neutral.

Wastewater: The review of the Wastewater Enterprise determined that a rate increase of 9% (\$3.4 million) is required for Single-Family Residential, Multi-Family and all Non-Residential customers in order to generate sufficient revenues for anticipated increases in operating costs and for additional debt service costs due to the anticipated sale of bonds for capital expansions and upgrades. Ms. Lang noted the largest reason for the change is the new capital – the Ocotillo Water Reclamation Facility and its \$160 million expansion.

Reclaimed Water: As part of the FY 2015-16 reviews of utility rates, the consultant conducted a full financial evaluation of the City's Reclaimed Water operations. As part of this process, the consultant (with the City's assistance) identified operating and debt services costs in the Water and Wastewater Funds that can be directly attributable to the Reclaimed Water operations. The review determined that a rate increase of 18% (\$216,000) is required for FY 2015-16. The review does recommend converting the rate structure from a seasonal rate to a year-round rate. Both Wastewater and Reclaimed Water changes are proposed to go into effect on October 1, 2015.

Solid Waste: The review of the solid waste enterprise determined that a 6% rate increase is required for all covered residences. The increase is needed to keep pace with the annual Consumer Price Index (CPI) increases that are a part of the existing solid waste contract and is the first solid waste increase since 2005. The rate increase is proposed to be effective on October 1, 2015.

Note: Outside City rates will continue to be calculated using the current differentials of 1.4 times the Inside City rates for Reclaimed Water and 1.6 times the Inside City rates for Wastewater.

PUBLIC NOTIFICATION

In accordance with State Statutes, the "Official Notice of Intention to Increase Certain Wastewater, Reclaimed Water and Solid Waste Rates and to Modify Certain Water and Reclaimed Water Rates from Seasonal Rates to Year-Round Rates" was posted on the City's web site and published in the Arizona Republic newspaper showing the date, time and place of the public hearing. Also as required by State Statutes, a copy of the documents supporting the revised Wastewater and Reclaimed Water rate was filed with the City Clerk for public review for 30 days prior to the hearing. In addition, social media was used to advertise the date of the public hearing.

FINANCIAL IMPLICATIONS

The financial plan reflects rate increases up to a maximum 9% for Wastewater, 18% for Reclaimed Water and 6% for Solid Waste to generate needed revenues. These increases will cover additional debt service costs due to infrastructure needs and maintain the financial integrity

of the Water, Wastewater and Solid Waste Enterprise Funds, including debt service coverage and cash reserve policy requirements over the next fiscal year.

DISCUSSION:

MAYOR TIBSHRAENY said one of the comment cards submitted by a member of the public, questioned why the proposed rate is higher than the rate of inflation. Ms. Lang stated in the case of the solid waste fees, there has not been an increase in that since 2005. In the other areas, it is due to growth and the addition of infrastructure. It is more than just maintaining the operations, it is expanding the operations.

COUNCILMEMBER HEUMANN inquired on the average increase on reclaimed water for the resident. Ms. Lang stated she does not have an individual breakdown, but the cost per 1,000 gallons for year round is under \$0.60, so it is a \$0.07 increase during the summer or \$0.11 over the winter rate.

Ms. Lang stated they had received questions regarding Chandler's partial year residents and she reviewed two scenarios of low volume water usage during the summer and an increased usage during the winter months within the different tiers.

Those with an active account are linked to solid waste and wastewater rates. So the increased amounts will be reflected on their monthly bill.

Again, the usage is tied to tiers of usage, and there could be several variables.

COUNCILMEMBER SELLERS expressed his appreciation for the work on the rates. He inquired if there is a way to base the wastewater charge on actual usage. For those who only live here during the winter months, he would like to see the waste water charge more accurately reflect the usage amount.

Ms. Lang stated they will add it to the list for when they meet in the future with the consultants.

COUNCILMEMBER HARTKE added his appreciation and inquired as to when they might see more accurate charges by other cities.

Ms. Lang stated they should have information in late fall, and the information can be posted to the City's website.

COUNCILMEMBER ROE commended Ms. Lang on her work and presentation.

COUNCILMEMBER ELLEN also commended Staff on the long term availability of water and the changes to non-potable water for more landscaping areas.

DISCUSSION FROM THE AUDIENCE

1. Digvijay Raorane (Jay), Chandler Arizona, said he feels the increase in solid waste fees is significantly high, why was 6% chosen. His second question is about the wastewater facility.

Ms. Lang addressed his question related to the new build of a waste water facility. She stated the cost of building one of these treatment plants is significant and the City has to plan far in advance for these. A 1% rate increase in the waste water fund only generates roughly \$300,000. There is past debt associated with this fund and the City has requirements to maintain a certain amount in reserves, so being able to support those payments and provide additional infrastructure, the ongoing rate increase will help pay the 20 year debt. The City has to build the facility before there is enough residents to support that facility. So the cost is an upfront cost.

In regards to the solid waste increase, the 6% increase is more than 1 years CPI. The city has not had an increase since 2005. The 6% is making up more than one year of CPI, this also reflects a fuel adjustment, the City is in a 10 year contract for solid waste services, and there is an automatic fuel adjustment in that contract. There are over 80,000 utility customers mostly residential. She would need to respond to Council later on how many commercial accounts that numbers include.

COUNCILMEMBER SELLERS stated the cost of providing potable water is increasing significantly, and by making the capital investment to use reclaimed water, the City is trying to keep the potable water cost down.

CLOSE PUBLIC HEARING

The Mayor closed the public hearing at 8:00 p.m.

PH2. PUBLIC HEARING TO TAKE ADMINISTRATIVE ACTION ON DVR05-0036 TSY5 WESTERN OPERATIONS CENTER TO EXTEND, REMOVE OR DETERMINE COMPLIANCE WITH THE SCHEDULE FOR DEVELOPMENT OR TAKE LEGISLATIVE ACTION INTRODUCING ORDINANCE NO. 4641, CAUSING THE ZONING OF A PARCEL OF LAND ON THE WEST SIDE OF SOUTH PRICE ROAD ONE-HALF MILE NORTH OF QUEEN CREEK ROAD TO REVERT FROM PAD TO AG-1 AGRICULTURE DISTRICT.

THE MAYOR STATED HE WOULD INCORPORATE THE PUBLIC HEARING AND ITEM 52 TOGETHER. (SEE ITEM 52 FOR DISCUSSION)

BACKGROUND:

The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740. The current PAD zoning and subsequent Preliminary Development Plan (PDP) permits a single-user campus that includes an approximate 102,000 sq. ft. data center and an approximately 60,000 sq. ft. 2-story office building.

Ordinance No. 3740 included the three-year time limit condition no. 6 which expired on January 12, 2009. Council approved a three (3) year time extension in 2009 which expired in January 2012, and again in January 2013 which expired in January 2015.

From the initial zoning approval in 2005 through the present, there have not been any applications requesting the City approve any building plans, site design plans or any other submittal evidencing intent to comply with the Conditions of Approval contained in Ordinance No. 3740.

Notice of time, place and date of the public hearing has been sent by certified mail to the owners and applicants of the property in accordance with Arizona Revised Statutes §9-462.01 and Article XXVI of the Chandler Zoning Code.

Following the most recent time extension approval, the City of Chandler commissioned The Maguire Company to study the South Price Road Employment Corridor. A final report was issued in October 2013 which outlined the historical development policies, identified a basic inventory of available land for development within the corridor and provided a series of recommendations to guide future policy decisions.

A key theme found within the recommendations was the 'high value employment' reputation and employment density within the Corridor should be actively preserved and enhanced. As an example, data centers were identified as not generating the desired employment density or high value employment environment envisioned for the Corridor and that the inclusion of future data centers should be limited within the Corridor.

The City has the following options when a zoning district's timing condition expires. The City could, by administrative action, extend the timing condition for another period of time, eliminate or determine compliance with the schedule for development, or by legislative action, revert the zoning to its former zoning classification. If an additional time extension is granted, all other conditions in the original approval would remain in effect.

52. ADMINISTRATIVE ACTION ON DVR05-0036 TSYS WESTERN OPERATIONS CENTER, TO EXTEND, REMOVE OR DETERMINE COMPLIANCE WITH THE SCHEDULE FOR DEVELOPMENT OR TAKE LEGISLATIVE ACTION INTRODUCING ORDINANCE NO. 4641, CAUSING THE ZONING OF A PARCEL OF LAND ON THE WEST SIDE OF SOUTH PRICE ROAD ONE-HALF MILE NORTH OF QUEEN CREEK ROAD TO REVERT FROM PAD TO AG-1 AGRICULTURE DISTRICT.

PLANNING ADMINISTRATOR JEFF KURTZ stated there has been discussion between Staff and the applicant to delay this item, however staff is prepared to present the case if Council wishes.

MS. WENDY RIDELL, 6750 E Camelback representing the applicant. Ms. Ridell stated they have met with Staff and recently the City Attorney and while they believe they have come to an agreement over the property, they are requesting a 90 day continuance, to pursue that solution.

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER ELLEN TO CONTINUE THE PUBLIC HEARING AND POSSIBLE ACTION TO OCTOBER 22, 2015 SO THE OWNER AND CITY CAN WORK ON AN ACCEPTABLE RESOLUTION.

MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

Karthic Thallikar, 2370 W. Thompson Way, Chandler, AZ recently sent email to the Council so he can continue to live at his residence. A company called CyrusOne Data Center recently started operations in the area, but the noise generated from the businesses is loud and intrusive, and runs 24 hours a day, seven days a week. He filed a complaint and recently spoke with Chandler

PD and that while they can hear the noise, they also commented they thought it was similar to the noise from the 202 Freeway. He disagrees. The noise generated from the facility is heard all night long.

He would like Council to start a task force and look into a solution and ask the business to dedicate resources to abate the noise.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the City has a new tool to engage residents on a number of projects and topics called "My Sidewalk". Visitors can weigh in on issues like the General Plan update, City facilities and more. Beginning next week, residents can even go to "My Sidewalk" and vote on sidewalks, new sidewalks, and concrete coatings for the downtown colonnades. To register, simply visit mysidewalk.com.

He announced the City still needs workers for the 2015 Special Census. He stated that an accurate Census count is critical for the community because of the direct correlation between population and the funding the City receives through state-shared revenue sources.

Workers can earn \$16.25 an hour plus mileage and paid training. For all the details, go to www.chandleraz.gov/census.

The City Council is moving into its summer schedule and the next meeting will be Monday, August 10th.

He reminded people to watch all children around water.

He recognized the passing of Mike Curley a well-known zoning Attorney in the valley. He was able to attend the service and it reflected much on his personal life, which was dedicated to serving the community in many capacities.

B. Councilmembers' Announcements

COUNCILMEMBER HEUMANN stated he knew Mike Curley for more than 15 years. He was very well known and liked around the valley and impacted many lives.

COUNCILMEMBER SELLERS recognized Michelle Chang who was recently recognized by Taiwan President Ma Ying-jeou as an outstanding Chinese Entrepreneur. She serves on Chandler's Human Relations Commission and is a member of the General Plan Update Committee.

VICE MAYOR HARTKE commented on the loss of Attorney Mike Curley and how much he will be missed.

He reminded everyone the City's water collection/challenge is still ongoing. The City is still collecting water and monetary donations for water relief this summer. The challenge ends Friday, July 31st.

Vice Mayor Hartke gave a reminder of Operation Back to School, which will take place on July 18th. A variety of businesses, corporations, Not-for-Profit's, and other organizations will gather to help hand out 4,000-5,000 back packs for Title 1 children. These backpacks will have a variety of much needed school supplies for the kids. Chandler has a website www.backtoschoolchandler.org explaining the program, how to volunteer and how to donate.

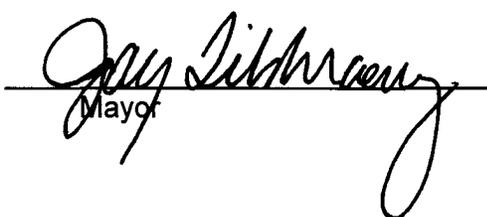
COUNCILMEMBER ELLEN recognized the passing of Attorney Mike Curley and gave condolences to his wife and family.

COUNCILMEMBER ROE congratulated Vice Mayor Hartke for all the hard work and success in the water drive and the back to school Chandler back pack event.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:17 p.m.

ATTEST:  City Clerk  Mayor

Approved: August 10, 2015

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 9th day of July 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11 day of August, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, August 10, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Bishop Tyrone Stowe with Gospel "4" Life Church provided the Invocation.

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

CONSENT:

MOVED BY COUNCILMEMBER SELLERS, SECONDED BY VICE MAYOR HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting of July 9, 2015.
- 1b. Regular Meeting of July 6, 2015.
- 1c. Regular Meeting of July 9, 2015.
- 1d. Study Session of July 6, 2015.

2. ZONING AMENDMENT: Maderas

Ord. #4647

ADOPTED Ordinance No. 4647, DVR15-0016 Maderas, amendment to the Planned Area Development (PAD) zoning.

3. CITY CODE AMENDMENT: Water/Sewer/Solid Waste Fees Ord. #4646

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4646 amending Sections 44-7.2, 50-2, 50-10A through 50-15, and 50-19 of the Code of the City of Chandler to change certain water, reclaimed water, sewer and solid waste fees effective October 1, 2015.

BACKGROUND

As required by the City's Financial Policies, a review of current Water, Wastewater, Reclaimed Water and Solid Waste Enterprises was conducted as part of the FY 2015-16 Budget process. The review of the current financial situation for Wastewater, Reclaimed Water and Solid Waste determined that rate increases were required for FY 2015-16. In addition to rate increases, there are other changes and clarifications through this ordinance:

- (1) The Ordinance will eliminate the season differential (winter/summer) rate structure for water rates and reclaimed water rates and replace them with a more simple year-round rate structure. Water tiered rates will be retained to encourage water conservation.
- (2) The Ordinance adds clarifying language in the Solid Waste section of the City Code that allows fees to be charged for drop off of specified materials exceeding a certain weight (greater than 200 lbs. based on Department policy) at the Recycling Collection Center. The specified materials and the related fees were previously set by City Council resolution.
- (3) The Ordinance clarifies language in the Wastewater section of the City Code to eliminate reference to "Special Request Recovery Water" and more clearly defines the circumstances when the "Industrial User Permit" for wastewater pretreatment program cost recovery is required.
- (4) The Ordinance clarifies the fee for discontinuance of water services performed after hours (i.e. overnight, 5 p.m. to 8 a.m., weekend and holiday service calls) as \$35.00 based on current practice and to align with other sections of the City Code.
- (5) The Ordinance corrects the description of the formula for calculating the fee for installation of backflow prevention devices outside the City to read 1.4 times the inside City rate rather than 2.0 times the inside City rate. The actual fee is reflected correctly at \$315.00.
- (6) The Ordinance clarifies the cost for repair or replacement for construction hydrant meters to include the cost of labor as well as the cost of repair parts.
- (7) The Ordinance clarifies that the existing \$46.00 fee for hydrant meter installations and relocations is also charged for hydrant meter repairs.

Water Rates: The multi-year financial plan prepared by Staff indicates that no FY 2015-16 rate increases are necessary for the Water system at this time. However, the proposed change to the ordinance would eliminate seasonal (winter/summer) pricing for reclaimed water and use a simpler year-round rate. The new year-round rate would not change the rate for the base amount of water usage for single-family households (10,000 gallons or less) and would be an amount between the existing rates calculated to provide the same amount of total revenue to the water system.

	Current Winter Rate	Current Summer Rate	Proposed Year-Round Rate
First 10,000 gal	\$1.60	\$1.60	\$1.60
Next 10,000 gal	\$1.98	\$2.15	\$2.08
Next 40,000 gal	\$2.48	\$2.69	\$2.62
Over 60,000 gal	\$3.09	\$3.36	\$3.27

Multi-family, Industrial, Landscape and Non-Residential categories would all use the same approach. Outside City rates will continue to be calculated using the current differentials of 1.4 times the inside City rates.

Wastewater Rates: The multi-year financial plan prepared by Staff indicates that a FY 2015-16 rate increase of 9% is necessary to meet current and future financial commitments, specifically to cover additional debt service costs tied to new construction and expansion of facilities. The proposed 9% increase will result in the typical household wastewater bill increasing \$2.18 from \$24.17 per month to \$26.35 per month. Outside City rates will continue to be calculated using the current differentials of 1.6 times the inside City rates.

An additional change proposed for the Wastewater section of the City Code (Section 50-13 - Wastewater pretreatment program) clarifies the name of the permit required by this section as "Industrial User Permit" and clarifies that the fee is \$480 for application and for renewals. In addition, clarifying language has been incorporated to explain that Industrial Users that certify no discharging of any process and/or process related wastewater regulated under Federal Pretreatment Categorical Standards, are exempt from the monthly metered water charge.

Reclaimed Water Rates: The multi-year financial plan prepared by Staff indicates that a FY 2015-16 rate increase of 18% is necessary to meet current and future financial commitments and to meet costs that are currently shown in the Water and Wastewater system costs. In addition, the proposed change to the ordinance would eliminate seasonal (winter/summer) pricing for reclaimed water and use a simpler year-round rate. The proposed 18% increase and conversion to a year-round rate will result in a new rate of \$0.596 per 1,000 gallons for all metered users. Outside City rates will continue to be calculated using the current differentials of 1.4 times the inside City rates.

Solid Waste Rates: The multi-year financial plan prepared by Staff indicates that a FY 2015-16 rate increase of 6% is necessary to meet current and future financial commitments, specifically continuing increase to the Solid Waste contract for consumer price index adjustments and fuel adjustments as part of the contract. The proposed 6% increases will result in the Solid Waste portion of the utility bill increasing \$0.90 from \$15.07 per month to \$15.97 per month.

An additional change proposed for the Solid Waste section of the City Code (Section 44-7 – Use of recycling-solid waste collection center), adds clarifying language stating that the use of the center is free for residents "up to a maximum weight of specified material as set forth by City Council resolution". The specified materials and the related fees were previously set by City Council resolution and the Department's policy has set the maximum weight at 200 pounds.

PUBLIC NOTIFICATION

The notice of the proposed increases in rates and fees was published on the City's website on May 31, 2015.

In accordance with State Statutes, the Official Notice of Intension to Increase Certain Water, Wastewater and Reclaimed Water Rates was approved by Council on May 28, 2015, and posted on the City's website and published in the Arizona Republic newspaper showing the date, time and place of the public hearing. As is also required by State Statute, a copy of the documents supporting the revised Water, Wastewater ad Reclaimed Water fees was filed with the City Clerk for public review 30 days prior to the hearing. Lastly, notice of the public hearing was published on the utility bills starting June 1, 2015, and social media was used to inform citizens of the public hearing and possible increases in fees.

FINANCIAL IMPLICATIONS

The financial plan reflects rate increases needed of 9% for Wastewater, 18% for Reclaimed Water and 6% for Solid Waste revenues. These increases will cover additional debt service costs needed to finance infrastructure needs and anticipated contract cost increases to ensure the Enterprise activities continue to meet reserve amounts established by City financial policies and by debt covenants, in addition to increased operating costs from expanded facilities.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

Mayor Tibshraeny stated they would handle current events at the Thursday's Council meeting.

Adjournment: The meeting was adjourned at approximately 7:03 p.m.

ATTEST: 
City Clerk

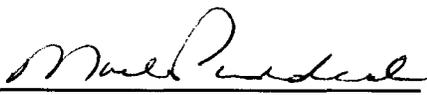

Mayor

Approved: September 21, 2015

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 August 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 24 day of September, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, August 13, 2015 at 7:06 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Revered Tom Rakoczy, Chandler First Assembly of God

PLEDGE OF ALLEGIANCE: Boy Scout Troop 565 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER ROE DECLARED HE WOULD VOTE NO ON ITEM 6 (COX LICENSE AGREEMENT). He stated he was not comfortable in the negotiation of the terms and there does not appear a promise of improved service to Chandler residents. MAYOR TIBSHRAENY SAID HE WOULD ALSO VOTE NO ON ITEM 6, specifically in regards to the overlashing.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. CITY CODE AMENDMENT: Water/Sewer/Solid Waste Fees Ord. #4646

ADOPTED Ordinance No. 4646 amending Sections 44-7.2, 50-2, 50-10A through 50-15, and 50-19 of the Code of the City of Chandler to change certain water, reclaimed water, sewer and solid waste fees effective October 1, 2015.

2. CRIMINAL BACKGROUND CHECK: Employees Ord. #4623

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4623 repealing Ordinance No. 2334 and authorizing the City to require fingerprint identification and receive criminal history record information for prospective and current employees, volunteers, licensees and permittees.

BACKGROUND

On January 28, 1993, the City Council adopted Ordinance No. 2334. Since that ordinance was enacted more than 20 years ago, the internal and external procedures for obtaining criminal background information have changed. The Arizona Department of Public Safety (DPS) has very specific requirements and guidelines for accessing criminal history record information when such information is being used for a noncriminal purpose.

In addition, the 1993 ordinance requires all new hires and temporary employees, as well as certain volunteers, to be fingerprinted prior to working at the City. This includes seasonal recreational staff who are under 18 years of age whose criminal records are sealed and unavailable through the fingerprinting process. Requiring fingerprints for those employees results in an unnecessary expense for the City.

DISCUSSION

Arizona Revised Statute §41-1750 authorizes the Arizona DPS to share state and federal criminal justice information and criminal history record information with noncriminal justice agencies such as the City when the noncriminal justice agency is authorized by a statute, ordinance or executive order to receive the information for the purpose of "evaluating the fitness of current or prospective licensees, employees, contract employees or volunteers".

Ordinance 4623 provides that criminal history record information for applicants under the age of 18, existing employees, temporary workers, employees returning after a break in service, and volunteers shall be required *only* if the City Manager, or designee, determines there is a significant risk associated with the position to be filled or the nature of the work to be performed.

Additionally, this ordinance expands the authority to obtain criminal history record information to include existing employees and volunteers. It also provides the City with greater discretion to determine when such information will be required for certain categories of employees, volunteers and workers. The ordinance allows the City Manager to delegate responsibility for administering the criminal history record information process to the Directors (and staff) who are appropriately authorized and trained in its use. For example, Human Resources has been designated by the Arizona DPS as an authorized receiving agency, has a designated Agency Security contact, and its authorized personnel have received mandatory privacy and security training. Human Resources Staff is also well-versed in the legal considerations affecting the use of criminal history records.

The provision on criminal background checks on prospective licensees and permittees similarly allows the City Manager to designate an appropriate Director (and staff) to administer the program.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Rhythm
Ord. #4648

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4648, DVR14-0031, Rhythm, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential. (Applicant: AndersonBaron Landscape Architecture; Developer: Mattamy Homes.) APPROVED Preliminary Development Plan (PDP) for subdivision layout and housing product.

APPROVED Preliminary Plat (PPT) PPT14-0014 Rhythm, on approximately 30 acres located at the NWC of 56th Street (Priest Drive) and Orchid Lane, north of Ray Road.

BACKGROUND

Planning Staff received correspondence from a nearby automotive dealership that has expressed concerns with the proposed development request. This item was continued from the June 17, 2015, Planning Commission meeting, to the July 15, 2015, Planning Commission meeting to allow time to address the concerns. Planning Staff contacted the Chapman Automotive Group representative to address their land use concerns as conveyed in their letter. Overall, their desire is for the City to maintain the land for possible future commercial use allowing additional automotive dealerships on all or a part of the subject site.

The approximately 30-acre site is located at the northwest corner of 56th Street/Priest Drive and Orchid Lane, north of Ray Road. The property is undeveloped with no prior zoning cases. The subject property is surrounded on the west side by an auto dealership (Earnhardt); to the south are Orchid Lane (a collector street) and an apartment/condominium development (Lumiere Chandler). East of the site is 56th Street/Priest Drive, and a single-family residential subdivision (Sierra Tempe) which are both in the City of Tempe. To the north are a vacant property and a single-family residential property in the City of Tempe. The property north of the subject site received zoning in the City of Tempe for a single-family residential subdivision as Rhythm's northern component which includes 94 single-family residential units.

The request is to rezone approximately 30 acres from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential with PDP for subdivision layout and housing project along with Preliminary Plat approval. The rezoning for a residential development includes residential single-family detached housing and residential condominium buildings. The PDP includes a residential subdivision layout with four housing types; condominium buildings, villa units, loft units and casita units with a mix of two- and three-story housing product.

GENERAL PLAN

The General Plan designates this property as Commercial and a Growth Expansion Node. The Commercial land use allows for mixed-use developments, large office developments, major commercial development, malls, power centers and a compatible mix of residential densities as part of a regional commercial area. The Growth Expansion Node focuses on major transportation junctions, including I-10 and Ray Road, for placing specialized commercial and employment with opportunities for High to Urban Residential densities or mixed-use developments. The proposed density is within the medium density range which is appropriate along arterial roads (56th Street/Priest Drive) and adjacent to employment and commercial areas.

SITE LAYOUT

The pedestrian-friendly subdivision is connected with open spaces and streets among four housing product types. There is a primary loop street along with tracts serving as driveways into garages. The tree-lined main entrance/exit feature is located along 56th Street/Priest Drive at a full-movement access. There is an exit only drive off of Orchid Lane. The main entrance is flanked with turf open space/retention areas leading into a large centralized passive recreation open space with a large ramada structure and swimming pool. A landscape median with Date Palm trees, a cascading water feature with pebble rock base, and decorative concrete paver bands create a sense of arrival to the call box and gates. The gated entry and theme wall design is modern with a mix of materials including louvered and steel panels and ceramic tiles. Amenities also include a spa, covered outdoor spaces, cabanas, volleyball courts, lawn seating and restrooms.

The subdivision's lot configuration varies within the four housing product types. The Villas housing product at the northwest corner are alley-loaded in that garage access is at the rear of the units. There are 63 lots at 35'x90' (3,150 sq. ft.). The Casitas housing product at the northeast corner are traditional with front-loaded garages off the interior street. There are 12 lots at 50'x95' (4,750 sq. ft.). The Lofts housing product at the southeast corner have traditional front-loaded garage access. Some plans have a single-car garage door providing for two-car tandem parking. There are 81 lots at 35'x58' (2,030 sq. ft.). The Condominiums at the southwest corner utilize a shared drive to access ground floor garages. There are 125 units within 25 buildings.

The Development Booklet represents the development standards including building setback, lot coverage and building height for each housing product type. All units and buildings are separated by at least 9 feet. Use and benefit easements are applied to the Lofts and Villas housing product.

Since all of the lots are less than 7,000 square feet, all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of urban designed subdivision layout cannot meet all of the subdivision diversity standards due to the nature of the street layout and housing product type. The lot sizes are not practical for deeper rear yard setbacks and rear yard vehicle access. The mixed lot layout incorporates diversity elements such as a curvilinear street and community open spaces including a swimming pool and large ramada structure. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet. The subdivision incorporates design diversity, amenities and innovative homes with varied lot sizes. A sense of neighborhood arrival is provided at the main entry/exit and perimeter streets have visual interest with staggered decorative perimeter walls and enhanced gated entry design features.

BUILDING ARCHITECTURE

The housing plans are designed with elements deemed modern/contemporary/urban. The majority of homes, including condominium buildings, are two-story. The Lofts housing product are three-story. Condominium units range in size from 1,400 to 2,100 sq. ft.; Villas range in size from 2,069 to 2,736 sq. ft.; Lofts range in size from 1,603 to 2,094 sq. ft., and Casitas range in size from 2,533 to 2,856 sq. ft.

There are a variety of architectural styles, paint color schemes and roofing. Condominium buildings include a mix of paint colors and materials on each building. The Lofts and Casitas include three housing plans and the Villas include four housing plans. All homes offer a variety of paint, stone veneer, brick veneer, roofing and front door and garage door color schemes.

Since all of the lots are less than 7,000 square feet, all of the RDS for architectural diversity would be required as well. However, it is realized that a diverse subdivision of this type cannot meet all of the diversity standards as outlined in the RDS. The housing product includes a variety of plans and has a prescribed architectural style that does not warrant application of all standards. The homes vary with rear alley-loaded to front-loaded garages. Homes incorporate angled rooflines, parapet rooflines and unique architectural features. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet providing architectural diversity and distinct building materials and features. The homes are designed with varied plane changes and rooflines as well as single-story elements to mitigate a box-on-box appearance.

DISCUSSION

Planning Staff finds the proposed development in conformance with the General Plan. The residential use with a mix of single-family residential homes and condominiums is compatible with existing commercial, multi-family residential and single-family residential in the area. The two- and three-story housing product is compatible with the two- and three-story condominiums/apartments across the street in Lumiere Chandler and the one- and two-story homes east of 56th Street/Priest Drive in Sierra Tempe.

The subdivision layout and housing product are diverse and establish a unique design that is consistent with the intent of the RDS. The looped street system, alley and front-loaded configuration, large community open space, large ramada structure accommodating various activities, and a pronounced sense of arrival creates a pedestrian-oriented neighborhood. The Chandler Rhythm and Tempe Rhythm are internally connected by vehicular and pedestrian access as designed as one development. The amenities are shared by both components including Tempe's regional trail at the Knox Road alignment. The community fits well with the existing regional commercial, mixed-use area.

The development's 56th Street/Priest Drive right-of-way improvements are within the City of Tempe's jurisdiction. City Staff and the project's development team have communicated with Tempe's Planning and Traffic Staff. Chandler Staff provided recommendations for the evaluation of a traffic signal along 56th Street/Priest Drive. Tempe determined a traffic signal is needed and would be located at Lisa Lane which is in alignment with the subject property.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with two neighborhood meetings being held. The first meeting was held on November 12, 2014, with approximately 15 neighbors in attendance. The second meeting was held on May 6, 2015; with approximately 20-25 in attendance. Attendees were residents from the area and a representative for the Lumiere Chandler multi-family development.

Residents did not express opposition at either meeting. They did ask questions and expressed concerns including traffic impacts including the need for a traffic signal and a deceleration lane on 56th Street/Priest Drive, and increased vehicle trips in their neighborhood. There were questions regarding the type of housing product, density, square footages, the separation between the 3-story homes and 56th Street/Priest Drive, impact on the local elementary school's enrollment, the zoning and development process and anticipated construction timing.

Planning Staff has received phone calls and emails from two primary liaisons for the Sierra Tempe subdivision located in the City of Tempe on the east side of 56th Street/Priest Drive. The two homeowners requested information on the proposed Chandler development to inform residents in their neighborhood since their Homeowners Association was not forwarding residents public notice information on the City of Tempe's Rhythm and a Mark Taylor apartment development. One homeowner coordinated a Sierra Tempe ice cream social/neighborhood meeting on May 2, 2015. The developer provided information on the proposed development and attended the meeting. Most comments expressed were regarding traffic on 56th Street/Priest Drive.

The two liaisons have expressed concerns regarding the City of Tempe's jurisdiction of 56th Street/Priest Drive instead of Chandler since the project is in Chandler. They have concerns regarding the traffic signal location. They request that the main entrance and exit for Chandler's project be relocated to Orchid Lane instead of 56th Street/Priest Drive as this could affect Tempe's decision to locate a traffic signal at Lisa Lane. Residents are concerned with increased

traffic through their subdivision if a traffic signal is put in at Lisa Lane. One of the liaisons has concerns with the three-story homes parallel to 56th Street/Priest Drive. The request is to move them further west in the development.

One of the liaisons maintains contact with City Staff regarding a desire for a traffic signal at Ray Road and Beck Ave/Stacie Way, which is in the City of Chandler's jurisdiction, more than one-half mile south and east of the subject property. A few homeowners have called Staff to express a desire for a traffic signal at this location due to the development occurring along 56th Street/Priest Drive in Tempe and the proposed Chandler project.

Planning Staff received emails from Tempe residents requesting no access from 56th Street/Priest Drive; instead, moving the access to Orchid Lane.

Planning Staff received a letter from Chapman Automotive Group which owns property west of the subject site. The letter conveys a desire to keep the property available for future automotive dealership growth.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioner Ryan abstaining and Commissioners Baron and Donaldson absent.

The Planning Commission asked Planning Staff to ensure that building exteriors have the smooth stucco finish as represented in the Development Booklet. The Commission recommended eliminating two PDP zoning conditions that were inadvertently included by Planning Staff. The Commission commented on varying housing plans and asked Staff to ensure that homes vary along streetscapes as represented in the Development Booklet.

Several persons spoke at the meeting including homeowners in the nearby Sierra Tempe subdivision and a representative of Chapman Automotive Group. Homeowners conveyed appreciation for the City's communication with them regarding this project and support for the project but have concerns about the main entrance location and traffic impacts. The Chapman representative read a letter expressing that this property is the last parcel viable for dealerships in this corridor; does not want the entire parcel to develop with residential and allowing a subdivision will close the front door of all four dealerships from 56th Street/Priest Drive. Additionally, the representative stated they support the main entrance for the development off of 56th Street/Priest Drive and do not want it off of Orchid Lane which is used by their semi-truck delivery traffic.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RHYTHM", kept on file in the City of Chandler Planning Division in File No. DVR14-0031, except as modified by condition herein.

2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

Preliminary Plat

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

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
4. POWER DISTRIBUTION EASEMENTS: SRP Ord. #4650

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4650 granting three no-cost power distribution easements to Salt River Project (SRP) to provide electrical service to Chandler Air Service at the Chandler Airport.

BACKGROUND/DISCUSSION

It is necessary to provide electrical power to Chandler Air Service at their Chandler Airport facilities. In order to provide this service, Salt River Project (SRP) requires three power distribution easements. The easements will be at no cost to SRP as the electrical facilities are necessary for property leased at the Chandler Airport. Operation of the facility will increase commerce to Chandler Airport resulting in benefits to the public.

Staff has reviewed and approved the legal descriptions for the requested easements

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Family Bible Church Ord. #4651

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4651, DVR15-0002, Family Bible Church, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Church. (Applicant: Andrew Carson III, Carson Poetzi, Inc.)

APPROVED a Preliminary Development Plan (PDP) for site layout and building design approval on approximately 4 acres located south of the SWC of Ocotillo and McQueen roads.

BACKGROUND

The approximately 4-acre site is located south of the southwest corner of Ocotillo and McQueen roads. The undeveloped property is adjacent to a larger County rural residential area. West and north of the property are existing rural residential lots. A gated single-family subdivision is south of the property. To the east is McQueen Road, vacant land zoned for commercial use and a single-family residential subdivision.

The request is to rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Church with Preliminary Development Plan (PDP) for site layout and building design approval. The single-story church building is approximately 24,394 square feet. The building accommodates classrooms, offices, assembly space and support space for the church.

Assembly services are estimated to seat up to 448 persons per service which are held twice on Sundays.

The building architecture is a modern design with metal framing including smooth stucco clad steel and exposed steel truss elements. The flat roof design incorporates parapets and varied roofline heights. The building's front is angled toward McQueen Road showcasing the large front entry area. An outdoor recreation space and a basketball court are north of the building. The site's west, south and north property lines are tree-lined creating a buffer from existing residential. The site's ingress/egress is from McQueen Road including a full-movement access. Building signage is provided on the church's front entrance and east elevation. A freestanding monument sign is located along McQueen Road.

GENERAL PLAN CONFORMANCE/AREA PLAN BACKGROUND

The property is within the Southeast Chandler Area Plan (SECAP). This Area Plan and the General Plan designate the property for residential. The SECAP identifies the parcel as Rural/Agrarian Character for residential development and non-residential development as long as the use is consistent with the General Plan. Churches and other places of worship can be considered within residential neighborhoods upon placing special attention to buffering, building size and height, adequate parking, access and neighborhood traffic circulation. The proposed development incorporates these elements. Planning Staff finds that the church use does not impact the existing residential properties and is a compatible development.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 20, 2015. There were approximately 12 people in attendance in addition to the church's Pastor and development team representatives. Questions were asked regarding seating capacity, traffic impact, site lighting and outdoor activity areas. Attendees supported the development.

Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Donaldson absent.

RECOMMENDED ACTIONS

Rezoning

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

Preliminary Development Plan

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

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "FAMILY BIBLE CHURCH", kept on file in the City of Chandler Planning Division, in File No. DVR15-0002, except as modified by condition herein.
2. The site shall be maintained in a clean and orderly manner.
3. Landscaping shall be in compliance with current Commercial Design Standards.

4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
 5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
 6. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
 7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. CABLE TELEVISION LICENSE AGREEMENT AMENDMENT: Cox Ord. #4652

MAYOR TIBSHRAENY AND COUNCILMEMBER ROE VOTED NAY ON THIS ITEM.

INTRODUCED AND TENTATIVELY APPROVED (5-2) Ordinance No. 4652 amending Cox Communications Arizona, LLC, Cable Television License Agreement to allow overlashing of existing aerial plant during its Gigabit upgrade project.

BACKGROUND

The Planning, Municipal Utilities and Transportation & Development Council Subcommittee held a meeting on June 22, 2015, to discuss possible amendments to the Cox Communications Arizona, LLC, (Cox) Cable License Agreement to allow overlashing of aerial fiber. Staff was asked to bring back an amendment to the Cable License Agreement to allow overlashing on existing facilities within certain aesthetic parameters and with an expiration date for Council consideration.

On February 23, 2012, the City approved Ordinance No. 4345 (effective May 15, 2010) which renewed a non-exclusive 15-year Cable Television License Agreement between the City of Chandler and Cox, for the continuation of the construction and operation of a cable and fiber system to provide cable television-related services. This License Agreement satisfied the license requirements of a Class 6 Cable Television and Related Services License according to Chapter 46 of the Chandler City Code, and met the construction standards reflected in the City Code and Utility Development Manual, which includes the prohibition of "overlashing" of aerial plant. Overlashing is installing new cables/fiber by attaching to existing cables/fiber, which increases the diameter of the plant. Instead of overlashing, any new cables/fiber would be required to be installed underground.

At this time, Cox is planning a major upgrade to some of the services provided by its cable television system. This Gigabit upgrade will provide substantially faster Internet access services to Cox's residential and business customers. The construction of important segments of the Gigabit upgrade could be achieved faster and significantly more economically if Cox is granted authority to overlash on their existing aerial plant.

Cox is seeking a waiver of the undergrounding requirements for the new aerial and for permission to instead overlash on their existing aerial. Cox has stated that if the company cannot overlash certain existing Cox strand-mounted overhead plant with the necessary microduct and cabling to carry out the upgrade, Cox would reevaluate its deployment of the Gigabit product in Chandler.

While this amendment provides for the overhauling of Cox's aerial plant, it also addresses the City's concern about overhead storage aesthetics issues and sets a sunset date of June 30, 2017, for the expiration of this amendment.

7. INTERGOVERNMENTAL AGREEMENT AMENDMENT: RPTA Res. #4850

ADOPTED Resolution No. 4850 authorizing an amendment to the Intergovernmental Agreement (IGA) with the Regional Public Transportation Authority (RPTA) to provide Fixed Route Bus Service, Dial-A-Ride and Ride Choice programs for FY 2015/16 in an estimated amount of \$495,056.00.

BACKGROUND/DISCUSSION

This is second of four (4) annual amendments with the RPTA for the provision of transit service through June 30, 2016. Each year, an amendment is made to adjust for operating costs and service levels.

Fixed Route Bus Service: There are 13 bus routes that operate within the City of Chandler. These include 10 local fixed routes, two express routes and one LINK bus route. Chandler's bus service is funded by three different funding sources: Proposition 400 Public Transportation Funds (PTF), City funds (General Fund) and Local Transit Assistance Funds (LTAF). For Fiscal Year 2015/16, approximately 70,029 miles will be funded by the City and LTAF and approximately 922,114 miles will be funded with PTF funds. The estimated total cost for fixed route bus service is \$4,501,886.00.

East Valley Dial-A-Ride: Dial-A-Ride provides door-to-door, shared-ride public transportation services for senior citizens and persons with disabilities. For Fiscal Year 2015/16, approximately 53,258 trips will be provided for an estimated cost of \$1,339,464.00. Proposition 400 PTF funds will cover the cost of service for persons with disabilities in accordance with the Americans with Disabilities Act (ADA).

Ride Choice: The Ride Choice program offers additional transportation options for seniors and persons with disabilities. This program offers participating residents more flexibility and helps minimize the City's cost of Dial-A-Ride. Participants use a reloadable card and can purchase up to \$100 in value for \$25 each month. This program is funded with grant funding and City funds. For Fiscal Year 2015/16, an estimated 6,000 trips will be provided and the estimated cost for the ride choice program is \$96,513.00. This amount does not include an estimated \$20,000.00 in fare revenue for the Ride Choice program.

TRANSPORTATION COMMISSION VOTE

This agreement was reviewed at the July 30, 2015, Commission meeting and recommended for approval by a vote of 6-0 with Commissioner Rivers absent.

FINANCIAL IMPLICATIONS

City Cost: \$ 495,056.00
Savings: \$5,442,807.00 in transit service funded by PTF and Grant

8. GRANITE REEF UNDERGROUND STORAGE PROJECT INTERGOVERNMENTAL AGREEMENT AMENDMENT Res. #4870

ADOPTED Resolution No. 4870 authorizing Amendment No. 1 to the Granite Reef Underground Storage Project Intergovernmental Agreement among Salt River Valley Water Users' Association,

Salt River Project Agricultural Improvement and Power District and the Municipal Corporations of Chandler, Gilbert, Mesa, Phoenix, Scottsdale and Tempe.

BACKGROUND/DISCUSSION

On February 26, 1993, Chandler, Gilbert, Mesa, Phoenix, Tempe and the Salt River Project (SRP) signed an Intergovernmental Agreement (IGA) authorizing them to construct and operate the Granite Reef Underground Storage Project (GRUSP). GRUSP is located in the Salt River, just east of Gilbert Road and uses spreading basins to recharge water. It is an important recharge facility needed to manage Chandler's water resources. Chandler recharges SRP and Central Arizona Project waters at GRUSP to offset groundwater pumping and to store water underground for future use.

SRP leases land from the Salt River Pima Maricopa Indian Community (SRMIC) reservation because some recharge basins are on SRPMIC property. The original SROPMIC/SRP land lease expired in September 2013. SRP, along with the GRUSP cities, agreed to extend the land lease to December 31, 2032. Amendment No. 1 incorporates the extended land lease into the GRUSP IGA, extends the IGA to December 31, 2032, and formalizes actions taken in accordance with the original 1993 IGA.

9. REAL PROPERTY ACQUISITION: Queen Creek Road Improvement Res. #4886

ADOPTED Resolution No. 4886 authorizing the acquisition of real property as needed for the Queen Creek Road Improvement project from McQueen Road to Gilbert Road (including a portion of Cooper Road), at market value plus closing and escrow fees; authorizing the City's Real Estate Manager to sign, on behalf of the City, the Purchase Agreements and any other documents necessary to facilitate these acquisitions; authorizing eminent domain proceedings as needed to acquire said real property and obtain immediate possession thereof; and authorizing relocation services as may be needed and required by law.

BACKGROUND/DISCUSSION

On July 30, 2015, the Transportation Commission reviewed the Queen Creek Road Improvement Project from McQueen Road to Gilbert Road (including a portion of Cooper Road) and approved the alignment of the project.

The project requires the partial acquisition of real property from approximately 27 parcels. The City will appraise the parcels and make offers at market value based upon those appraisals. A reasonable time will be provided to work with the property owners to negotiate the property purchases, after which condemnation proceedings will be initiated as needed to acquire the real property and to obtain immediate possession thereof.

FINANCIAL IMPLICATIONS

Federal funds may be used to acquire the property required for this project. Local funds are budgeted in the event federal funds are unavailable.

10. SITE SHARING AGREEMENT: SRP Res. #4889

ADOPTED Resolution No. 4889 authorizing a Site Sharing Agreement between the City of Chandler and the Salt River Project Agricultural Improvement and Power District (SRP) to facilitate sharing of telecommunications facilities.

BACKGROUND/DISCUSSION

SRP provides electrical power services throughout the City of Chandler servicing citizens to ensure sustainable and continued energy delivery. SRP has experienced difficulty in communicating with service personnel in the field within the City, compromising their ability to efficiently and safely service the citizens of Chandler as well as maintaining power to vital public safety infrastructure such as traffic intersections and water wells.

SRP desires to locate supplemental radio communications equipment in the City of Chandler to provide infill for service and support operations within the City. This equipment will augment the ability to service the citizens of Chandler and provide for enhanced public safety. This agreement acknowledges the potential reciprocal use of telecommunication facilities between the City and SRP. Specific use of a facility will be identified in a separate Supplemental Site Agreement whereby terms of use are agreed upon. As such, per the terms of this Agreement, a Site Specific Supplemental Agreement No. 1 regarding location of radio communications equipment at 911 S. Hamilton Street is also being submitted to Council for authorization at this time.

11. SITE SPECIFIC SUPPLEMENTAL AGREEMENT NO. 1: SRP Res. #4890

ADOPTED Resolution No. 4890 authorizing Site Specific Supplemental Agreement No. 1 with the Salt River Project Agricultural Improvement and Power District (SRP) for the location of radio communications equipment at 911 S. Hamilton Street, per terms of Agreement No. 4889 regarding sharing of telecommunication facilities.

BACKGROUND/DISCUSSION

SRP desires to locate supplemental radio communications equipment at 911 S. Hamilton Street to provide infill for service and support operations within the City. This equipment will augment the ability to service the citizens of Chandler and provide for enhanced public safety. This Agreement is Supplement No. 1 to the Site Sharing Agreement No. 4889 regarding sharing of telecommunication facilities that is also being submitted to Council for authorization at this time. This agreement is intended to specify location of the facility and further outline the obligations of the parties.

12. MAP OF DEDICATION: Continuum at Dobson Res. #4891

ADOPTED Resolution No. 4891 authorizing acceptance of the Map of Dedication "Continuum at Dobson" dedicating a portion of road right-of-way for Ellis Street just north of Queen Creek Road.

BACKGROUND/DISCUSSION

The purpose of the Map of Dedication "Continuum at Dobson" is to dedicate the road right-of-way of Ellis Street. The dedication of this road right-of-way, in addition to the road right-of-way dedicated in A Final Plat of "Continuum at Dobson" Lot 1, recorded in Book 1231 of Maps, Page 47, will secure the east forty-five (45) feet of Ellis Street from Queen Creek Road north approximately 1,268 feet up to the future alignment of Mockingbird Drive.

The Map of Dedication will ensure that the road right-of-way for Ellis Street will be available for full development in the event that the parcel on the west side of Ellis Street develops before the parcel on the east side of Ellis Street.

13. MEMBERSHIP DUES: Arizona Municipal Water Users Association

APPROVED payment of FY 2015/16 membership dues to the Arizona Municipal Water Users Association (AMWUA) in the amount of \$73,982.00.

BACKGROUND/DISCUSSION

The Arizona Municipal Water Users Association (AMWUA) is a voluntary non-profit corporation established in 1969 to develop and advocate regional water resource management policies in the interest of its members, their citizens and ratepayers. AMWUA's current members include the cities of Avondale, Chandler, Glendale, Goodyear, Mesa, Peoria, Phoenix, Tempe, Scottsdale and the Town of Gilbert.

AMWUA provides a forum for its member cities to meet and discuss water resource planning, legislation, conservation and management issues. This allows member cities to work together on regional projects such as drought response, groundwater management, groundwater recharge, augmentation, conservation, legislation and environmental issues affecting the members' water supply.

Each city's membership dues are a prorated share (based on population) of AMWUA's water operating budget. AMWUA's fiscal year 2015/16 water operating budget decreased 10.5% from fiscal year 2014/15. Chandler's membership dues for fiscal year 2014/15 were \$82,701.00. Chandler's membership dues for fiscal year 2015/16 are \$73,982.00.

14. SERVICE AGREEMENT: Motorola

AUTHORIZED annual service agreement payment to Motorola Solutions, Inc., to support the City of Chandler radio system infrastructure for FY 2015/16 in the amount of \$89,401.08.

On October 22, 2009, Council approved the agreement for participation in the Regional Wireless Cooperative Governance (RWC) with the City of Phoenix and Motorola Solutions, Inc. Part of this governance outlines that participating agencies are responsible for maintenance of their own system infrastructure, to include dispatch console support, network security monitoring, audio recording equipment support and 24/7 technical and on-site service support. This service agreement is designed to help mitigate the risk of radio system downtime and allow for an immediate technical response to any issues that occur.

15. PURCHASE: Survival Armor Ballistic Vests

AUTHORIZED expenditure of allocated funds for the purchase of Survivor Armor ballistic vests from Skaggs Public Safety Uniforms & Equipment in an amount not to exceed \$216,320.00.

In 2010, the City Council approved the purchase of 256 pieces of body armor for the replacement of the ballistic vests worn by officers. The vests have a five-year lifespan and are reaching the end of their useful life. It is critical to officer safety that delivery is taken of and the new vests are issued prior to the expiration of the currently deployed vests.

To ensure the delivery and deployment of the new vests prior to the expiration of the current vests in September and October of 2015, the FY 2015/16 budget approved by City Council on June 11, 2015, anticipated and included funding for the replacement of the 256 ballistics vests. Due to the long lead time it takes to manufacture, deliver, fit and finalize delivery, the vests needed to be ordered prior to the expiration of the currently deployed vests, a date that preceded the Council approval of the budget expenditure for the items. Due to the length of time it would take to obtain the vests, and facing a vest expiration deadline in September, Staff inadvertently failed to request authorization from Council to spend the vest funds previously approved in the FY

2015/16 budget. Staff is requesting retroactive approval from Council to expend the allocated ballistic vest replacement funds approved in the budget.

16. PAYMENT: City of Phoenix

AUTHORIZED the payment of operations and maintenance costs, system upgrade agreement, and narrow banding for FY 2015/16 to the City of Phoenix for participation in the regional Wireless Cooperative in the amount of \$984,299.00.

On October 22, 2009, City Council approved an agreement with the City of Phoenix and Motorola Solutions, Inc., for the City's participation in the Regional Wireless Cooperative Governance (RWC). This regionally based radio network provides seamless interoperable radio communications for multiple public safety and government agencies operating within the greater Phoenix metropolitan area.

The agreement provides for an annual operations and maintenance (O&M) fee for the maintenance of approximately 1,000 City of Chandler portable and vehicle radios used by Police; Fire, Health and Medical; and other City departments. Payments will be made to the City of Phoenix in the amount of \$401,827.00 for staffing and O&M. The agreement also includes an annual system upgrade assessment (SUAll) of \$142,382.00 to provide ongoing software updates to ensure system compatibility, for a total of \$544,209.00 for RWC staffing and O&M, and SUAll.

In addition, to accommodate growth and interoperability needs, a reduction in the amount of spectrum "space" utilized by public safety radio communications is necessary. This narrow banding process requires a change in communications technology that includes radios and infrastructure utilized by the RWC. The expense of converting the RWC system to meet this requirement is spread out over a four-year plan. This is the third year of payments and Chandler's assessed portion of the payment is \$440,090.00.

17. ADMINISTRATIVE SETTLEMENT: John O'Dell, III, Separate Property Trust

APPROVED an administrative settlement with the John O'Dell, III, Separate Property Trust dated February 5, 2008, to acquire a portion of the Trust property, either in fee or by easement, required for construction of the McQueen Road Improvement Project from Chandler Heights Road to Riggs Road for \$45,000.00.

BACKGROUND/DISCUSSION

At its November 20, 2008, meeting, the Chandler City Council granted the authority to acquire real property for the McQueen Road Improvement Project from Queen Creek Road to Riggs Road. To date, construction has been completed on the first two phases of the project. The City is finalizing acquisition of the last few portions of right-of-way needed for the third and final phase of the project from Chandler Heights Road to Riggs Road. As some of the parcels needed for the project are within County jurisdiction, it was necessary to have the County assist in acquiring those parcels pursuant to the terms of an Intergovernmental Agreement (IGA) that was entered into on February 9, 2011. The City's initial appraisal of the O'Dell property was \$16,511.00. An offer was made at the amount. However, the City was not able to reach an agreement with Mr. O'Dell and the file was turned over to Maricopa County pursuant to the IGA. The County had the appraisal updated and made an offer of \$21,020.00 to Mr. O'Dell. This offer was also rejected.

Mr. O'Dell obtained an appraisal for the required property at \$79,124.00. Through ongoing negotiations lasting approximately 12 months, and a mediation process, the parties were able to

reach a settlement agreement in the amount of \$45,000.00 subject to Chandler City Council approval and the approval of the Maricopa County Board of Supervisors.

Since the payment is from City funds for the project, it is anticipated that the County Board of Supervisors will concur with the Chandler City Council's action.

Taking into consideration the cost, time and uncertainty of a trial, Staff recommends that Council approve the negotiated settlement as a fair and reasonable compromise in the best interest of the citizens of Chandler.

FINANCIAL IMPLICATIONS

Payment will come from funds previously budgeted for the McQueen Road Improvement Project.

18. ALIGNMENT: Queen Creek Road and Cooper Road Improvements

APPROVED alignment for the Queen Creek Road Improvements Alternative B alignment for Queen Creek Road and Cooper Road Improvements.

BACKGROUND/DISCUSSION

The purpose of this project is to provide capacity for increasing traffic demands south of the San Tan Loop 202 Freeway. The proposed improvements will widen Queen Creek Road from McQueen Road to Gilbert Road to six thru lanes. The west half of Cooper Road from Queen Creek Road to Appleby Road will also be improved to four thru lanes. These improvements include raised medians, bike lanes, turn lanes, sidewalks, curbs, gutters, storm drains, street lighting, traffic signals, landscaping, irrigation and utility relocations.

Without these improvements, Queen Creek Road's Level of Service, as defined by the Highway Capacity Manual, will become more congested and downgrade from a Level C to a Level F roadway. The City's standard is to design arterial streets to a Level of Service of D or higher.

The Alternative A alignment of Queen Creek Road is the City of Chandler typical design for a major arterial street entered on the section line. The Alternative B alignment shifts the roadway centerline 21 feet north from the section line from about Adams Avenue and approximately 1,300 feet west of Cooper Road to reduce the project impact on the residential property Twin Acres. This proposed alignment has a reduced right-of-way (ROW) section from 65 feet to 54 feet to minimize the impact to the adjacent properties.

The proposed alignment for Cooper Road south of Queen Creek Road is to be widened from one to two southbound lanes to match the City standard 55 feet of ROW for a minor arterial. Improvements include dual left turns for northbound to westbound traffic at the Queen Creek Road intersection.

Adjacent parcels within the project limits consist of a mixture of developed residential, developed commercial, airport, undeveloped residential, undeveloped park and undeveloped commercial and church properties. Partial new ROW acquisition, Temporary Construction Easements (TCE) and Temporary Drainage Easements (TDE) are requested with this alignment approval. The existing commercial development on the northwest corner of Queen Creek and Gilbert roads and undeveloped commercial parcel on the southwest corner of Queen Creek and Cooper roads will not require additional acquisitions.

A public meeting was held on July 22, 2015. City Staff presented and solicited public input for the proposed Queen Creek Road Improvements Project, Project No. ST1306. Staff presented

project information, responded to questions and received additional input from business owners and residents. Approximately 28 citizens attended the meeting. Overall, there was support for the project. Several residents had requested a merging lane on Queen Creek Road along Twin Acres. City Staff will review modifications to the median as the project progresses into design. Attendees were invited to attend the Transportation Commission and Council meeting for additional project information and input.

Design Engineering and Right-of-Way acquisition will continue through 2016 with an anticipated construction start in mid-2017.

TRANSPORTATION COMMISSION

The Transportation Commission reviewed the proposed alignment on July 30, 2015, and was recommended for approval by a vote of 6-0 with Commissioner Rivers absent.

FINANCIAL IMPLICATIONS

The City has received \$1.514 million in Surface Transportation Program (STP) Maricopa Association of Governments (MAG) federal funding for design. The City may receive an additional \$1.5 million for real estate acquisitions in FY 2016 and will receive \$4.433 million for construction in FY 2020 and FY 2021. The funds to be received in future years will offset local funds used to construct the project in 2017.

19. AGREEMENT AMENDMENT: Vincon Engineering Construction, LLC

APPROVED Agreement No. ST5-745-3433, Amendment No. 1, with Vincon Engineering Construction, LLC, for asphalt rubber crack sealing in the amount of \$500,000.00 for one year. This is the first of four optional one-year extensions.

20. AGREEMENT AMENDMENT: ISS Grounds Control, Inc.

APPROVED Agreement No. MU4-988-3258, Amendment No. 1, with ISS Grounds Control, Inc., for citywide landscaping services, for a two-year term, in an amount not to exceed \$721,059.13 per year. This is the first of two optional two-year extensions.

21. BOARD AND COMMISSION APPOINTMENT

APPROVED the following Board and Commission appointment:

Merit System Board
Michele Schroeder

22. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WW1515.101 with CH2M HILL Engineers, Inc., for the Wastewater Local Limits and Surcharge Rates Study, pursuant to Annual Water and Wastewater Services Contract No. EN1519.101, in an amount not to exceed \$169,789.00.

The U.S. Code of Federal Regulations requires the City to periodically review and update its wastewater pretreatment program. The City's Industrial Pretreatment Program protects the environment by reducing pollutants discharged by industries. Industrial wastewater discharge limits, or "local limits", are determined based on the City's current wastewater treatment capacity

and Federal and State discharge regulations. The City's Industrial Pretreatment Program administrative costs are recovered through surcharge rates paid by these industries.

23. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WA1411.451 with CH2M HILL Engineers, Inc., for construction management services for the Hahn Water Production Facility Rehabilitation, pursuant to Annual Water and Wastewater Services Contract No. EN1519.101, in an amount not to exceed \$280,726.00.

This project is a continuation of the Municipal Utilities Department's ongoing efforts to rehabilitate and modernize the City's older water production facilities. The Hahn Water Production Facility (WPF), located at 490 E. Warner Road, was originally constructed in 1985 to support water distribution needs in the central part of the City. The Hahn WPF consists of a two-million gallon steel reservoir and an associated 7.6-million gallons per day capacity pumping station. A number of improvements are needed to upgrade the facility in order to accommodate the anticipated future operational needs within its service area. The completed facility will play an important role in maintaining adequate water supply and consistent water pressure in the surrounding service area.

24. PROJECT AGREEMENT: AZTEC Engineering Group, Inc.

APPROVED Project Agreement No. WW1414.451 with AZTEC Engineering Group, Inc., for construction management services for the Reclaimed Water Infill, pursuant to Annual Water and Wastewater Services Contract No. EN1423.101, in an amount not to exceed \$127,780.00.

25. INTERGOVERNMENTAL AGREEMENT: Sun Lakes Fire Department

APPROVED an Intergovernmental Agreement (IGA) with the Sun Lakes Fire Department for firefighting training.

BACKGROUND/DISCUSSION

The Sun Lakes Fire Department is an automatic aid partner with the City of Chandler. Under the automatic aid process, the Chandler Fire Health & Medical Department (CFHMD) responds into Sun Lakes and the Sun Lakes Fire Department responds into Chandler for emergency calls. Training together provides a safer, more efficient response. Members of the Sun Lakes Fire Department travel to Chandler's Fire Training Facility to participate in firefighting training with members of the CFHMD. CFHMD and Sun Lakes Fire have trained together under an agreement since 2005. This agreement is for one year with an automatic renewal clause allowing for up to ten (10) additional one-year terms. CFHMD also has training agreements with the Gila River Indian Community and the Town of Maricopa.

FINANCIAL IMPLICATIONS

The Sun Lakes Fire Department pays \$300.00 per employed sworn firefighter annually for the training provided. Sun Lakes is invoiced for the total amount and the payment is made within the fiscal year. The estimated payment for FY 2015/16 is \$12,000.00 for the training of 40 firefighters. The funds received will be used to purchase consumables to offset firefighting training programs conducted at the Fire Training Facility.

26. AGREEMENT: Plante & Moran, PLLC

APPROVED Agreement No. IT6-918-3596 with Plante & Moran, PLLC, for an information technology assessment in the amount of \$55,125.00.

The City of Chandler prides itself on being the most technologically progressive city in the valley. With the pace of technology innovation and change, it has become increasingly difficult to be able to balance the priorities of maintaining current information systems and infrastructure while seeking and implementing progressive solutions for the future. In addition, the complexity of those solutions has increased along with an increase in technology related threats, while City resources to support those solutions and protect against cyber threats have remained flat.

City Staff recommends the utilization of a recognized third party consultant, Plante & Moran, PLLC, which will conduct an objective assessment of the City's information technology needs and support capabilities and assist in developing a roadmap for the future.

27. AGREEMENT: The Groundskeeper

APPROVED Agreement No. PM6-988-3536 with Environmental Earthscapes dba The Groundskeeper, for park mowing services for the period of September 1, 2015, through August 31, 2016, in an amount not to exceed \$375,571.20, with the option to renew for four additional one-year terms.

28. PROJECT AGREEMENT: Gavan & Barker, Inc.

APPROVED Project Agreement No. PR1509-201 with Gavan & Barker, Inc., for Apache Park Improvements, pursuant to the Annual Contract for Park Design Services No. EN1511-101, in an amount not to exceed \$66,745.00.

Apache Park is a neighborhood park which was constructed in 1977 and is located west of Hartford Street and south of Knox Road in the square mile bordered by Alma School Road, Arizona Avenue, Warner Road and Ray Road in Chandler. Staff will work closely with the neighborhood surrounding Apache Park to identify the design for new improvements to the park.

29. AGREEMENT: J&J Janitor Service

APPROVED Agreement No. PM6-910-3573 with W&J Schafer Enterprises, Inc., dba J&J Janitor Service for cleaning of City park restroom facilities for the period September 1, 2015, through August 31, 2016, in an amount not to exceed \$106,277.00, with the option to renew for four additional one-year terms.

30. AGREEMENT: Arizona Water Works Supply, Inc.

APPROVED Agreement No. WH6-890-3568 with Arizona Water Works Supply, Inc., for the purchase of non-pop valve lids in an amount not to exceed \$80,000.00 for one year.

31. AGREEMENT AMENDMENT: VIP roofing Services, LLC

APPROVED Agreement No. BF3-910-3249, Amendment No. 2, with VIP roofing Services, LLC, for roofing repair and maintenance in an amount not to exceed \$90,000.00 for one year. This is the first of three optional one-year renewals.

On June 27, 2013, Council approved the agreement for roofing repair and maintenance in an amount not to exceed \$98,000.00 for a two-year period with provisions to extend for three additional one-year periods. Amendment No. 1 was approved by Council on June 20, 2014, for a revised not to exceed amount of \$139,000.00. This amendment was needed due to an increase in projects and repairs.

The term of this agreement is July 1, 2015, through June 30, 2016. Services have been provided during the past month as part of a temporary extension to this agreement while Staff worked with the vendor to finalize Amendment No. 2.

32. PROJECT AGREEMENT: Dieterich Architectural Group, Inc.

APPROVED Project Agreement No. BF1508.201 with Dieterich Architectural Group, Inc., for design services for Remodeling of Police Department SAU Area for use by Forensics and Housing Maintenance, pursuant to On-Call Architectural Services Contract No. EN1502.101, in an amount not to exceed \$42,400.00.

This project is to renovate a section of the Police Department's Police Property and Evidence Facility located at 576 W. Pecos Road, for use by Forensics and Housing Maintenance. This area will be vacated once the Police SAU relocates to the old Fire Station #1. The proposed new use will include 300 square feet of office area, a unisex restroom, locker room and a covered outdoor work space. There will be new secured parking for four recreational, seven maintenance, and ten employee vehicles. Also, full-height partitions, along with associated electrical, plumbing and millwork will be installed to allow autonomous work in the existing 3, 4 and 5 bays.

33. PROJECT AGREEMENT: Dibble Engineering

APPROVED Project Agreement No. AI1401.451 with Dibble Engineering for Construction Management Services for Airport Drainage Improvements, pursuant to annual Engineering Services Contract No. EN1005.101, in an amount not to exceed \$198,188.00.

34. CONTRACT AMENDMENT: Dibble Engineering

APPROVED Contract No. EN1005.101, Amendment No. 4, with Dibble Engineering for Planning Services, Design Services and Construction Management for Airport Design Services, in an amount not to exceed \$325,000.00. This is the fourth and final optional one-year renewal.

35. CONSTRUCTION CONTRACT: Talis construction Corporation

APPROVED Construction Contract No. AI1401.401 with Talis Construction Corporation for improvements of Airport Safety Area Drainage Improvements in an amount not to exceed \$759,631.90.

This project is funded with Federal Aviation Administration (FAA) Airport Improvement Program, representing 91.06% of total project costs (\$691,720.80), Arizona Department of Transportation (ADOT) grants representing 4.47% of total project costs (\$33,955.55) and City funds, representing 4.47% of total project costs (\$33,955.55). On July 9, 2015, City Council approved Resolution No. 4882 authorizing Staff to execute a grant agreement with the FAA in an amount not to exceed \$1,784,776.00.

36. CONSTRUCTION CONTRACT: MGC Contractors, Inc.

APPROVED Construction Contract No. WA1411.401 with MGC Contractors, Inc., for the Hahn Water Production Facility Rehabilitation in an amount not to exceed \$2,514,000.00.

This project is a continuation of the Municipal Utilities Department's ongoing efforts to rehabilitate and modernize the City's older water production facilities. The Hahn Water Production Facility (WPF), located at 490 E. Warner Road, was originally constructed in 1985 to support water distribution needs in the central part of the City. The Hahn WPF consists of a two-million gallon steel reservoir and an associated 7.6-million gallons per day capacity pumping station. A number of improvements are needed to upgrade the facility in order to accommodate the anticipated future operational needs within its service area. The completed facility will play an important role in maintaining adequate water supply and consistent water pressure in the surrounding service area.

37. CONSTRUCTION CONTRACT: The Fishel Company

APPROVED Construction Contract No. WW1414.401 with The Fishel Company for the Reclaimed Water Infill in an amount not to exceed \$1,471,470.00.

38. CONTRACT AMENDMENT: Southwest Ground-water Consultants

APPROVED Contract No. EN1203.101, Amendment No. 3, with Southwest Ground-water Consultants for hydrogeological services in an amount not to exceed \$500,000.00. This is the third of four optional one-year renewals.

39. PURCHASE: Versaterm, Inc.

APPROVED the purchase of annual maintenance and support services from Versaterm, Inc., for the Police Records Management System for the period September 1, 2015, to August 31, 2016, and for the Computer Aided Dispatch System for the period August 1, 2015, to July 31, 2016, in a not to exceed amount of \$381,000.00

The Police Department purchased the Versaterm integrated police records management (RMS), computer-aided dispatch (CAD), mobile data computing (MDC) and field reports (FR) systems, with Council approval, in March 2010. With the expiration of the initial warranty period, the department needs to provide ongoing maintenance and services for the product, which are only available through the vendor in the form of annual maintenance. The maintenance allows for product updates and upgrades, correction of product failures that are not working as intended in accordance with documentation and support of the product and its interfaces per contract.

Support services are for a period of one year, on a year-to-year basis and are defined and outlined in Exhibit G of the March 2010 Software Support Agreement. Versaterm provides Chandler with an invoice for the upcoming support period within or after sixty (60) days prior to the expiration of the current support period. Payment of said invoice serves as renewal agreement for support services. Staff has currently received invoices from Versaterm totaling \$370,141.57 and is expected to receive invoice(s) for the remaining balance during FY 2015/16. Additionally, Staff is requesting additional funding for a total not to exceed amount of \$381,000.00 which allows for any personnel and computers added through the rest of FY 2015/16.

Because the system is proprietary, the ongoing maintenance service is available only from Versaterm, Inc. No other vendors are authorized to provide these maintenance services.

40. PURCHASE: Verizon Wireless

APPROVED the purchase of mobile communication services for FY 2015/16 from Verizon wireless, utilizing the State of Arizona/Western States Contract Alliance (WSCA) Contract No. ADSP113-034099, in the amount of \$127,254.00.

The Mobile Data Center is the centerpiece of all communication infrastructure police officers use in the field to perform their daily functions. These units are located in all police vehicles and must stay in contact with the central dispatch center via industry standard encrypted wireless communication technologies. The importance of these units properly working and communicating is critical enough that a failed MDC, in most cases, means the vehicle is pulled from service because of the significant threat to officer safety.

The communication between the mobile units and the station provide the officer in the field with capabilities for:

- Computer-aided dispatch features
- Communication with dispatchers, emergency call takers and supervisors.
- Access to many law enforcement information systems.
- Ability to write reports and input RMS data.
- Access to City GIS information and maps.
- Automatic vehicle location systems for emergency response.
- Emergency notification systems or officer in trouble/backup assistance situations.

41. PURCHASE: T-Mobile USA

APPROVED the purchase of mobile communication services and equipment from T-Mobile USA, utilizing the State of Arizona Western States Contracting Alliance (WSCA) Contract No. ADSPO13-034339, in an amount not to exceed \$74,500.00.

The City has utilized T-Mobile for cellular service for mobile communications since May 2013. Mobile communications expenditures have been reduced by 50% as compared to the previous service provider. T-Mobile has worked diligently with the City to resolve cellular coverage across the City as needed to improve service.

City departments utilize this agreement to purchase mobile communication devices and accessories, cellular voice minutes and cellular data services for City-owned devices at a discounted rate.

42. PURCHASE: Guidesoft, Inc. dba Knowledge Services

APPROVED the purchase of Information Technology consulting and staffing services from Guidesoft, Inc., dba Knowledge Services, utilizing the State of Arizona Contract No. ADSPO12-031581, in an amount not to exceed \$57,600.00.

Information Technology has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and are intended to work on a temporary basis for a specific

assignment. The Information Technology field is becoming increasingly more competitive for specialized resources and assistance is needed to find qualified resources in a timely manner.

The State has contracted with Knowledge Services to provide contract technical support resources. Knowledge Services is a "consolidator" of contract resource providers. They represent a wide range of contract staffing firms. The City provides the requirements, Knowledge Services polls their providers for resources and the City interviews the resources and makes a selection. The City then enters into an agreement with Knowledge Services to provide the necessary resource from the most qualified resource provider.

Recently, the City upgraded its Accela permitting and inspections system used by Transportation & Development and Community & Neighborhood Services in preparation for adding new future functionality. During that upgrade, it became apparent the current version of the third party reporting solution, Crystal Reports, was no longer supported by the upgraded Accela system. The City has been moving toward standardized report platforms and has been working on migrating reporting functionality to Microsoft's SQL Server Report Services (SSRS). With the upgrade, Accela now supports SSRS for generating reports. In order to consolidate reports solutions so more IT Support Staff can assist with report generation and avoid the cost of a Crystal Reports software and hardware upgrade, the recommendation is to convert the 300 active Accela reports from Crystal Reports to SSRS. The Information Technology Division has limited resources and would like to utilize a temporary resource to accomplish this conversion in a timely manner.

The Information Technology Oversight Committee (ITOC), made up of City directors, reviewed this request and approved the use of ITOC contingency funds to cover the cost of this conversion as it is in line with the City's overall technology support goals.

The current rate for this type of resource is approximately \$60/hour. As this may be up to a 6-month effort, the total cost is \$57,600.00 for 960 hours at \$60/hour.

43. PURCHASE: Dell Marketing L.P.

APPROVED the purchase of public use desktop computers from Dell Marketing L.P., utilizing State of Arizona Contract No. ADSPO15-093839, in the amount of \$385,250.00.

The City has set a 5-year replacement cycle for public access computers installed at the City's public libraries. These units have reached end of life and are no longer serviceable. This will allow the City's libraries to continue to offer its patrons a dependable and reliable computing experience.

Dell Computers have been the standard desktop computer for the City since 2007. Using a single provider for these devices allows for better support and management in several ways: a single software image can be applied to all devices; technicians only need to become experts at a limited number of different devices; fewer different replacement parts need to be stocked; and devices can easily be swapped or moved as required.

The Library Technical Staff, with the assistance of Information Technology Staff, will replace 335 desktop computers with an All-in-One platform at \$1,150.00 each. The new computers are scheduled to be installed in Fall 2015. Since the City is purchasing such a large number of computers at one time, the City was able to negotiate an additional 50% off the state contract which is a much larger discount than would normally be provided.

44. PURCHASE: Nexus IS, Inc.

APPROVED the purchase of Cisco Network server and storage equipment from Nexus IS, Inc., utilizing Arizona State Contract No. ADSPO12-024622, in the amount of \$1,581,788.52.

The City of Chandler information technology network, server and storage equipment is evaluated after 5 years of operation to determine reliability and viability for continued use. An annual review of equipment has determined that the equipment identified has reached end of useful life and needs to be replaced to reduce the risk of unplanned outages. All equipment has been in use for over 5 years and is being replaced as part of the technology replacement cycle.

Cisco server technology offers the level of reliability and performance that meets the City standards for service. Server and storage equipment that is in need of replacement for this fiscal year includes the VMWare vSphere related server hardware providing consolidated, virtualized server environments for numerous citywide and departmental applications. Also included in this replacement cycle is the Oracle database hardware for Citywide applications such as Permits and Inspections, Geographic Information Systems, Criminal Justice Information Systems, and other Citywide or departmental applications.

The Cisco networking infrastructure that is in need of replacement for this fiscal year includes equipment that is installed in various City facilities and enables connectivity to City technology services that are provided on centralized systems. This connectivity is necessary for processes that require connectivity to City technology services and systems.

Nexus IS, Inc., is an authorized reseller of Cisco hardware, has a participating Western States Contracting Alliance contract and was able to work with the City and Cisco to authorize additional savings outside of standard negotiated discounts. The contract provides for a minimum of a 40% discount off of list price. Nexus IS, Inc., is providing a 47% - 56% discount off of list price, based on the items purchased.

45. PURCHASE: Arizona Envelope Company

APPROVED purchase of envelopes from the Arizona Envelope Company, utilizing the State of Arizona contract, in an amount not to exceed \$65,000.00 for one year.

46. USE PERMIT: Brenntag Pacific, Inc.

APPROVED Use Permit ZUP15-0009 Brenntag Pacific, Inc., to allow for an additional storage tank within an existing outdoor storage tank yard on a property zoned General Industrial (I-2) located at 6750 W. Boston Street, south and west of the SWC of Chandler Boulevard and Beck Avenue. (Applicant: Ward Hollon; Hollon Design Associates, LLC.)

BACKGROUND

The subject site is located south and west of the southwest corner of Chandler Boulevard and Beck Avenue in a predominantly industrial zoned area with General Industrial (I-2) zoned properties to the east, south and southwest. West, adjacent to the site, is the Southern Pacific Railroad. North is an automotive repair facility. The site includes two warehouse/distribution buildings. Outdoor chemical storage is only conducted adjacent to the site's western building adjacent to the rail spur.

Adjacent to the site's west side is the railroad spur that Brenntag Pacific uses as part of their operations. Brenntag's rail spur is located on their property, is completely enclosed and screened and can accommodate up to four tanker cars. Southern Pacific has access to the rail cars for the uncoupling of the tankers from the rail line in order that Brenntag may then load or unload their tankers. Under no circumstances does Brenntag Pacific store their tankers outside of their property.

The subject site received Use Permit approvals in 1989, 2003 and 2012, all for chemical bulk storage, chemical re-drumming and distribution. The previous approvals were specific to the number and size of chemical containers, storage of materials and site layout. The current request is to remove one 500 gallon tank and replace it with a 10,650 gallon tank. The remaining seven storage tanks will remain the same size as previously approved. The existing tanks total 123,000 gallons and range in size from 500-20,000 gallon tanks. Replacing the single 500 gallon tank will increase the storage to 133,150 gallons. Additionally, heights of the proposed storage tanks are not increasing from what currently exists.

Typical hours of operation are normal business hours from 6:30 a.m. to 5 p.m. Monday through Friday with occasional work being done on the weekends.

DISCUSSION

Planning Staff supports the request citing that the user has operated at the subject site successfully without cause for concern and the storage yard has been well integrated into the site with visibility of the tanks only along the railroad tracks. Additionally, the proposed modification to the storage tanks is consistent with what is currently existing (location, height, chemicals).

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the proximity of the site and its larger surrounds, a neighborhood meeting was not held, but rather notification of the request was sent to all property owners within a 600-foot radius. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Wastchak absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
 2. The Use Permit is non-transferable to other locations.
 3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
 4. The site shall be maintained in a clean and orderly manner.
 5. Compliance with the City of Chandler's Fire Health and Medical Department provisions with regard to the Hazardous Material Management Plan.
47. USE PERMIT: The Local Play Yard Bar & Grill

APPROVED Use Permit LUP15-0013 The Local Play Yard Bar & Grill, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption indoors and within a patio at a new restaurant located at 3002 N. Arizona Avenue, Suite 1, west of the NWC of Elliot Road and Arizona Avenue. (Applicant: Jennifer Mehnert, Business Owner.)

BACKGROUND

The subject site is located west of the northwest corner of Arizona Avenue and Elliot Road, within the Pollack Plaza commercial center. The Local Play Yard Bar & Grill is located at the southwestern end of the center on the end cap of a section of line shops. Directly east of the subject site, within the inline shops, is a jiu jitsu studio, and beyond that a small convenience market. East of the inline shops is a freestanding urgent care. North of the plaza is the Palm Plaza Commerce Center. East of the subject site, across Arizona Avenue, is the Pollack Business Park North. South, across Elliot Road, is a vacant parcel. West of the site, across San Marcos Place within the Chandler Business Plaza, is a truck parts center, specialty automotive shop and a cabinetry shop. Within the Pollack Plaza commercial center, there are a variety of commercial uses including convenience markets, hair salon, furniture stores, fitness center, Korean BBQ restaurant and a childcare day care center.

The subject site was rezoned Community Commercial (C-2) in 1977 as part of a 1,500-acre rezoning. The subject site was previously operating as the Dirty Drummer with a Series 6 liquor license since 1986 and was contained within three suites. The property owner has since reduced the large suite into two suites. The applicant is proposing a new restaurant within one suite, which will operate with a Series 12 Restaurant License. The suite is approximately 3,001 square feet which can accommodate 125 seats and a 140-square foot enclosed patio that seats eight. The patio is located on the west side of the building which can be accessed through the restaurant and has a gate used only as an exit.

The Local Play Yard Bar & Grill will serve lunch and dinner along with full bar. Their hours of operation will be Sunday through Thursday 11 a.m. to 11 p.m. and Friday and Saturday 11 a.m. to 2 a.m. Full menu will be available until 11 p.m. daily with appetizers available until close. The site will also provide an indoor air hockey table, a pool table, four televisions and music from speakers controlled by management.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 30, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Foley absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store location.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication and approval of a Liquor Use Permit.
5. The site and patio shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

48. LIQUOR LICENSE: The Local Play Yard

APPROVED a Series 12 Restaurant Liquor License (Chandler #159450L12) for Brett Mathew Mehnert, Agent, The Local Play Yard Bar and Grill, LLC, dba The Local Play Yard, 3002 N. Arizona Avenue, Suites 1 and 2. Recommendation for approval of State Liquor License #1207A306 will be forwarded to the State Department of Liquor Licenses and Control. 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.

49. SPECIAL EVENT LIQUOR LICENSE: Family Promise Greater Phoenix

APPROVED a Special Event Liquor License for Family Promise Greater Phoenix for the Mark Taylor Summer of Love San Cervantes event on August 22, 2015, at San Cervantes Apartments, 400 N. Coronado Street. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

50. SPECIAL EVENT LIQUOR LICENSE: Ballet Folklorico Quetzalli-AZ

APPROVED a Special Event Liquor License for Ballet Folklorico Quetzalli-AZ for the Rockin Taco Street Fest, September 19, 2015, at El Palacio Restaurant, 2950 E. Germann Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

51. SPECIAL EVENT LIQUOR LICENSE: St. Joseph the Worker

APPROVED a Special Event Liquor License for St. Joseph the Worker for the San Tan Oktoberfest, October 3, 2015, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

52. SPECIAL EVENT LIQUOR LICENSE: Chandler Education Foundation

APPROVED a Special Event Liquor License for the Chandler Education Foundation for the Taste of Solera Wine Tasting, October 22, 2015, at the Solera Community Center, 6360 S. Mountain Boulevard. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

53. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Chandler 100 event, October 27, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

54. LIQUOR LICENSE: Max and Ted's 480

APPROVED a Series 6 Bar Liquor License (Chandler #159178L6) for Joyous April Moody, Agent, Mak N Cheez LLC, dba Max and Ted's 480, 480 N. Arizona Avenue. A recommendation for approval of State Liquor License #06070133 will be forwarded to the State Department of Liquor Licenses and Control. 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.

55. CONTINUED LIQUOR LICENSE: MOD Pizza

CONTINUED TO SEPTEMBER 24, 2015, a Series 12 Restaurant Liquor License for Andrea Lewkowitz, Agent, MOD Super Fast Pizza LLC, dba MOD Pizza, located at 3977 S. Arizona Avenue, Suite 4, to allow the applicant time to complete the requirements for a new Use Permit.

56. PRELIMINARY PLAT: Artesian marketplace

APPROVED Preliminary Plat PPT15-0005 Artesian Marketplace, for a commercial development located at the SWC of Ocotillo and Gilbert roads. (Applicant: SEG)

BACKGROUND

This Preliminary Plat is for an approximately 29-acre commercial center located at the southwest corner of Ocotillo and Gilbert roads, approved by Council in December 2014. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan, Southeast Chandler Area Plan and Planned Area Development (PAD) zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

57. FINAL PLAT: Chandler Airpark

APPROVED Final Plat FPT15-0003 Chandler Airpark, for a light industrial development located west of the NWC of Stearman and Douglas drives, south of Germann Road. (Applicant: Hunter Engineering.)

BACKGROUND

This final Plat is a replat of Lot 7 of the Chandler Airpark plat creating 6 individual lots. The parcel is approximately 6 acres located south of Germann Road within the Chandler Airport Business Park development approved by Council in January 2000. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan, Chandler Airpark Area Plan and Planned Area Development (PAD) zoning, Planning Staff recommends approval.

58. FINAL PLAT: Artesian Marketplace

APPROVED Final Plat FPT15-0015 Artesian Marketplace, for a commercial development located at the SWC of Ocotillo and Gilbert roads. (Applicant: SEG.)

BACKGROUND

This Final Plat is for an approximately 29-acre commercial center located at the southwest corner of Ocotillo and Gilbert roads approved by Council in December 2014. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan, Southeast Chandler Area Plan and Planned Area Development (PAD) zoning, Planning Staff recommends approval.

59. FINAL PLAT: Centre Point Business Park Re-Plat

APPROVED Final Plat FPT15-0005 Centre Point Business Park Re-Plat, for a business park development located at the NEC of Centre Point Parkway and Ocotillo Road, east of Arizona Avenue. (Applicant: Hunter Engineering.)

BACKGROUND

This Final Plat is a re-plat of Lots 2 through 9 and Tract A within a larger business park development, Centre Point Business Park, approved by Council in February 2014. This plat modifies the lot layouts and number of lots to be consistent with the approved zoning case. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval.

60. FINAL PLAT: The Plant

APPROVED Final Plat FPT15-0012 The Plant, for a commercial development located at the SEC of Ocotillo and Gilbert roads. (Applicant: Jeff Rybarczyk; Bowman Consulting Group, Ltd.)

BACKGROUND

This Final Plat is for a commercial development located at the southeast corner of Ocotillo and Gilbert roads approved by Council in June of this year. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

61. FINAL PLAT: Continuum at Dobson – Lot 1 Amended

APPROVED Final Plat FPT15-0016 Continuum at Dobson – Lot 1 Amended, for one lot within a larger business park campus development located west of the NWC of Dobson and Queen Creek roads. (Applicant: Hunter Engineering.)

BACKGROUND

This Final Plat is for Lot 1 within a larger business park campus development, Continuum at Dobson, approved by Council in August 2014. This plat amends a prior plat which was approved by Council in May 2015, with additional easements. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and PAD zoning, Planning Staff recommends approval of the Final Plat.

PUBLIC HEARINGS:

PH1. CHANDLER CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FISCAL YEAR 2014-2015

Mayor Tibshraeny opened the public hearing at 7:11 p.m.

Staff Presentation

Ms. Barbara Bellamy, CDBG Supervisor and Ms. Leah Powell, Community Resources and Diversity Manager gave an overview of the Consolidated Annual Performance and Evaluation Report (CAPER).

Each year, the City of Chandler is required to publish a Consolidated Annual Performance and Evaluation Report (CAPER) and submit the document to the U.S. Department of Housing and Urban Development (HUD). The report is a required performance report that meets three basic purposes:

- Provides HUD with necessary information for the Department to meet its statutory requirements to carry out Community Planning and Development Programs;
- Provides information necessary to HUD's Annual Report to Congress; and

- Provides the City of Chandler an opportunity to describe to its citizens the successes in meeting objectives stipulated in the 2010-2014 Consolidated Plan for its community development programs.

This fiscal year, 2014-2015 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs. In addition, the CAPER describes accomplishments of General-Funded human service programs including activities funded with Acts of Kindness, Social Services Funding, Youth Enhancement Program (YEP) and Veteran's Transportation funds.

The City strives to holistically address the needs of its neighborhood residents through the provision of a combination of general and federally funded programs. The goal to do so is driven by an ongoing commitment to neighborhoods by the Mayor and City Council. This year, the Mayor hosted two Listening Tour meetings as well as a Homeowner's Association Leadership Listening Tour. Residents continued to be enthusiastic in their attendance of Traditional Neighborhood and HOA Academies, which resulted in improved connectivity between the City, the neighborhood and the neighbors. The CDBG funded Blight Elimination Program continued to address indicators of decline through enhanced code enforcement in the City's low- to moderate-income neighborhoods. Overall, Code Enforcement Staff's percentage of proactive code enforcement was 48%. CDBG funding of the Voluntary Demolition Program resulted in the demolition of one substandard dwelling. These continuing efforts at neighborhood outreach, education and participation, help to maintain focus on improving Chandler's neighborhoods.

Spring of 2015 saw the completion of the expansion of the Chandler Christian Community Center, a leading Chandler nonprofit. A second phase of CDBG funding allowed the neighborhood-based Center to construct additional space to accommodate work stations, a new classroom, ADA restrooms, additional storage and improved safety and comfort for those clients visiting the Center. These renovations facilitated services to an additional 4,322 Chandler families.

Housing programs were also an area of emphasis in fiscal year 2014-2015. Programs focused on creating first-time homebuyers and assisting existing homeowners with housing rehabilitation and emergency repairs. Newtown's Community Land Trust Program created first-time homeownership opportunities for five new homeowners utilizing HOME funds and two homeowners utilized Neighborhood Stabilization Program 3 funds. Forty-two low-to moderate-income homeowners were assisted through housing rehabilitation programs, including emergency home repair to more substantial housing rehabilitation. In addition, the City provided HOME funding to Habitat for Humanity for the reconstruction of a single-family residence. The provisions of these programs serve to improve the living conditions of residents, while stabilizing the housing stock in their neighborhoods.

In fiscal year 2014-2015, Chandler continued to grow programs and partnerships to assist the homeless. The For Our City-Chandler Interfaith Homeless Emergency Lodging Program (I-HELP) provided overnight emergency shelter for 252 individuals at faith communities throughout Chandler, which resulted in 4,852 bed nights of shelter. Case management was provided to 206 homeless individuals resulting in the employment of 71 individuals and the housing of 52. The collaboration among For Our City partners, Chandler Christian Community Center and the City continues to result in enhanced services for Chandler's homeless. Rounding out these programs is the continuation of the Tenant Based Rental Assistance (TBRA) program for homeless individuals and families funded by the HOME program. Fifteen households were supported through rental assistance and case management throughout the fiscal year.

In many areas, the City far exceeded its Five-Year Plan goals to meet the needs of Chandler's low-and moderate-income residents. The investment of General Fund resources leveraged federal funds to significantly address additional needs, such as programs for foster children, domestic violence victims, daycare assistance and utility assistance through Social Service funding. During fiscal year 2014-2015, the City allocated \$419,235.00 to 19 programs that served 33,284 low-and moderate-income residents.

Chandler continues to be a leader in support of youth services and youth activities. The purpose of the YEP is to provide a catalyst for the development and operation of programs for Chandler youth ages 0-18. The Mayor and City Council are aware of the problems facing today's youth and are committed to funding a variety of programs that provide positive activities. YEP funding is granted to a diverse group of nonprofit organizations located throughout the community. During fiscal year 2014-2015, the City allocated \$634,491.00 to 26 programs that served 17,142 youth and their families.

As part of the process for creating the CAPER, the City is required to conduct a 15-day public comment period and a public hearing at a Chandler City Council meeting. The public comment period for the fiscal year 2014-2015 CAPER runs from August 12, 2015, through August 26, 2015. The draft report will be available for review online at www.chandleraz.gov/communitydev during the comment period. In addition, the public is invited to review the draft document at the City of Chandler's Neighborhood Resources Division office or at the Chandler Main Library. The final report will be reviewed by the City Council on September 24, 2015, for approval.

There were no questions from the Councilmembers. There was no discussion from the audience.

Mayor Tibshraeny closed the public hearing at 7:17 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor gave a reminder that there is a Special Election occurring via mail ballot for a City Charter Amendment – Prop. 484 that would formalize the election cycle in Chandler to fall elections which has been the practice since 2008. Ballots must be received no later than 7 p.m. on August 25, 2015.

The registration for the Home Owners Association Academy is open. Those interested should contact Neighborhood Programs or review the application on the City's website.

The Mayor announced the Center for the Arts Fundraiser on August 22, 2015. Funds raised will support Connecting Kidz.

Mayor Tibshraeny commented on the celebration of life service held for former Councilmember

Lowell Huggins who passed away.

B. Councilmembers' Announcements

Councilmember Lopez announced the Chandler Symphony Orchestra's season will kick off on September 11th at the Chandler Center for the Arts.

Councilmember Sellers noted the Chandler National Little League won the State title again and are representing Chandler in the Regional tournament. He stated there is an effort to give them an opportunity to attend a tournament in Taiwan later this year. In addition, six year old Ethan Butters of Chandler tied for third at Pinehurst at the US Kids World Golf Championship.

Vice Mayor Hartke announced Congressman Matt Salmon's Town Hall on August 26. The For the City Breakfast will occur on August 27th at the Boys & Girls Club. On September 16th, a breakfast will be held for Domestic Violence Awareness. That same evening, the Mayor's Listening Tour will occur at Sanborn Elementary School. On September 19th, east valley communities will gather at Tri City Baptist Church, looking at emergency preparedness.

Councilmember Heumann gave the reminder that voters can drop off their voted ballot on Election Day (August 25) at the Chandler City Clerk's office until 7 p.m. He reminded drivers to be aware of school children.

Councilmember Ellen told of the damage done recently during a storm to many airplanes at Chandler Municipal Airport. She commended the Airport Administrator, Public Safety personnel and staff who assisted in that cleanup.

C. City Manager's Announcements

Acting City Manager Marsha Reed said on behalf of the employees, she congratulated Mayor Tibshraeny on receiving the 2015 Outstanding Public Official Award from the Arizona Park and Recreation Association.

Ms. Reed expressed her appreciation of all city staff that responded to events in relation to the storm that occurred.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST:


City Clerk


Mayor

Approved: September 21, 2015

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 13th day of August 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 24 day of September, 2015.


City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Tuesday, September 1, 2015 in the Mayor's Conference Room, 5th Floor, Chandler City Hall, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 4:00 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Terry Roe	Councilmember
René Lopez	Councilmember
Nora Ellen	Councilmember
Jack Sellers	Councilmember

Absent & Excused: Councilmember Rick Heumann was out of town.

CANVASS THE AUGUST 25, 2015 SPECIAL ELECTION RESULTS

The City held a Special Election on August 25, 2015, for the purpose of proposing an amendment to the City Charter regarding the timing of candidate elections for the city. Proposition 484 was the single issue on the citywide ballot. This was the first time an all-mail ballot election process was utilized.

The voter turnout was 17.62% with 23,240 ballots cast from a total voter population of 131,874.

Proposition 484 was approved by a majority of the voters with 21,227 voting "for" the proposition and 1,979 voting "against" the proposition.

MOTION: Move to accept the official results of the August 25, 2015, Special Election.

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER ELLEN to set an Executive Session to follow this Special meeting. MOTION CARRIED UNANIMOUSLY (6-0)

Adjournment: The Mayor adjourned the meeting at 4:05 p.m.

ATTEST:



City Clerk



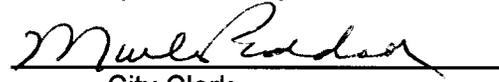
Mayor

Approval Date of Minutes: September 21, 2015

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on September 1, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 24 day of September 2015



City Clerk

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20150661744,09/14/2015 03:52

When recorded, return to:

Chandler City Clerk
Mail Stop 606
PO Box 4008
Chandler, AZ 85244-4008

ELECTRONIC RECORDING
Canvas08252015-2-1-1--,N

CAPTION HEADING:

CANVASS OF THE CITY OF
CHANDLER
CHARTER ELECTION
AUGUST 25, 2015


Marla Paddock
City Clerk

DO NOT REMOVE

This is part of the official document.

**CANVASS OF THE CITY OF CHANDLER
CHARTER ELECTION
AUGUST 25, 2015**

**PROPOSITION 484 CHARTER ELECTION
TIMING OF THE ELECTIONS**

Total Registered Voters	131,874
Total Ballots Cast	22,240
Voter Turnout	17.62%
Rejected Ballots	374
For the Proposition	21,227
Against the Proposition	1,979

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, October 19, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:00 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember (telephone)
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance: Marsha Reed, Acting City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Matt Burdick, CAPA Director; Police Chief Sean Duggan; Fire Chief Jeff Clark; Human Resource Director Debra Stapleton; Management Services Director Dawn Lang; Patrice Kraus, Intergovernmental Liaison.

Updated Financial Reserve Policy

Ms. Lang noted none of the funds that have reserves established in the updated policy have been changed. She explained more substance has been added to it based on the Government Finance Officers Association (GFOA) Best Practices.

She reviewed the proposed policy and noticed the changes will document the City's approach to establishing and maintaining adequate reserves. She said in order to look at something as substantial as the PSPRS (Public Safety Personnel Retirement System) pension problems and ways to address the unfunded liability, there was a need to review the level of General Fund reserves the City has.

She said the policy also identifies all funds supporting City operations that reserves should be maintained, and consider all types of risks when determining the amounts.

She noted that establishing target reserve levels and the methodology for calculating reserve levels has been established on the Enterprise funds, but not in the General Fund. Criteria is established for the use of reserves and the process and timeframe to replenish reserves, but needs to be clarified and expanded for some funds

She stated the current policy identifies specific types of reserves, whether appropriated or not, and level of restriction based on use, but again will be clarified and expanded.

She said one of the most important topics in this reserve policy is the Proposed Minimum Reserve Target. She said the City has been fortunate over the years in having a healthy reserve that has helped maintain a very high bond rating and provided opportunities to cash fund some capital needs.

She explained the FY2015-16 General Fund Reserves by Category. She said the overall General Fund balance at the end of FY 2015-16 is \$105,975,533. Out of that there is

\$31,125,000 which represents the 15% General Fund Contingency and \$400,000 of Council Contingency. She explained that is considered "unassigned" because it can be used for any purpose.

The \$73,168,105 is considered "assigned" and consists of the Budget Stabilization Reserve, Capital and Economic Development Reserves, Public Safety Early Hire Reserve, Fuel and Utility Reserve, and Domestic Violence Reserve.

Ms. Lang said there is a small portion that is considered Nonspendable and Restricted. The Reserve Policy does not apply to this amount (\$1,682,428) consisting of Court Enhancement Funding – the spending of these funds are dictated by an outside agency.

She said the Proposed Minimum Reserve Target that is an imaginary line that when reserves are spent down over time, we would like to maintain 4 months of budgeted operating revenues in the event of catastrophic or economic downturn. She said 50% of the General Fund revenue comes from local sales tax that is extremely susceptible to economic volatility. 30% of General Fund revenue comes from State Shared Revenue that can quickly be impacted by a legislative change. She noted the GFOA recommends a two month reserve. Staff is recommending four months. She reiterated this is only the General Fund Balance.

Public Safety Personnel Retirement System Unfunded Liability:

Ms. Lang said every city has this issue. Chandler's liability is \$106,525,010 between police and fire. She said an interesting note is that in August, the City of Prescott went out for a referendum for a .55% sales tax measure to specifically pay this public safety liability. She said the voters did not pass it and the city is in the process of reviewing budget cuts. She noted some cities have decided to bond or use General Fund balance.

Ms. Lang reviewed the following:

Percentage funded: Fire pension is 66.9% funded and Police is funded at 59.5%
Percent Active: Fire 72% and Police 69%
Percentage Retired/DROP/Inactive: Fire 28% and Police 31%
Unfunded Liability or DEBT Balance 6/30/2014: Fire \$34,965,775 and Police \$71,559,235
FY2014-15 City Contribution to PSPRS: Police \$2,962,169 and \$6,370,251
FY2015-16 City Contribution to PSPRS: \$3,718,149 and Police \$8,299,038
FY2014-15 to FY2015-16 Rate: Fire: 21.45% / 26.84% Police: 24.73% / 31.58%
Normal Rate Portion: Fire: 11.84% / 11.76% Police: 12.10% / 21.9%
Unfunded Liability Portion: Fire: 9.61% / 15.08% Police: 12.63% / 19.39%

She noted this was a critical year. The rate consists of the normal rate and an unfunded liability portion of the rate. The State, over the next 22 years, at a rate of 8%, they have built in to the rate, a portion that will go towards the unfunded liability. She related that to paying a minimum payment on a credit card.

She explained every city is actuarialized individually. She noted a critical case that had impacts on this was the Fields Case that restored Permanent Benefit Increases to retirees, which grew the unfunded liability. She stated then the Hall case, which has not been decided, but that would restore the Permanent Benefit increases to "actives" and reduce employee contributions back to 7.65%. As of the passage of SB1609, the actives are paying 11.65%. 4% goes directly toward

the unfunded liability debt. She stated if the Hall case is upheld, the unfunded liability will increase over the current \$106 million. Ms. Lang said the case is currently in the Supreme Court.

She reiterated the unfunded liability debt must be paid down. The plan changes will only effect future members, not existing.

Ms. Lang said the PSPRS Taskforce was formed in June 2014. She recalled the Employer recommended practices that were reviewed with Council in March. Then reviewed the ones that have been accomplished:

*Do not defer the Fields Case. There was an option to implementing that increase over a 3 year period; however we did not.

*Prepay Budgeted Contribution for FY2015-16. \$12 million was our employer liability in FY2015-16. That was paid in full to the State on July 1, 2015. As a pension fund, they are allowed to invest out 20 years. They can opt to invest that and any interest earned on those dollars can be a one-time payment against the unfunded liability.

*Review Local Board Practices – this is in process.

*Budget Contributions for DROP Members - she explained when a member enters the DROP Program, both the employee and employer retirement contribution stops. She says what happens then is you have an active person working for a number of years and there is no money going in for their future retirement cost, so it actually hurts the system. The recommendation would be to start budgeting as if you were to pay those in and make it a lump sum payment against the liability an include in one-time payment projections.

*Create a Pension Funding Policy and payoff unfunded liability earlier.

PSPRS ANNUAL CONTRIBUTION ONGOING VS. ONE-TIME

- **Council Approved New Approach for Annual Contribution**
 - **Cap Ongoing at FY 2014-15 Contribution of \$9.3M**
 - **Pay Cumulative Future Contribution Increases with One-Time Beginning FY 2015-16**

	Year	1	2	5	9	10
		FY15/16	FY16/17	FY19/20	FY23/24	FY24/25
Ongoing vs. One-Time Analysis						
Actual Ongoing Normal Rate Portion		4,832,575	5,245,719	6,460,913	8,326,475	8,840,814
Actual One-Time Unfunded Rate Portion		7,184,612	7,688,934	9,461,734	12,182,996	-
Total Employer Contribution		12,017,187	12,934,653	15,922,647	20,509,471	8,840,814
Ongoing Capped at \$9,332,420		9,332,420	9,332,420	9,332,420	9,332,420	9,332,420
One-Time Balance Drawdown - Option 1		2,684,767	3,602,233	6,590,227	11,177,051	-
Total Employer Contribution		12,017,187	12,934,653	15,922,647	20,509,471	9,332,420
Additional One-Time - Option 2		-	2,500,000	2,500,000	38,596	-
Total One-Time Balance Drawdown - Option 2		2,684,767	6,102,233	9,090,227	11,215,647	-

She explained we do not have enough capacity in our ongoing revenue to support increases every year in public safety retirement. She explained the Council agreed upon a new approach to the annual contribution in capping on the ongoing contribution at the end of FY2014-15 Contribution at the \$9.3 million. That amount would continue to be paid out of ongoing and every

increase each year following, would be paid from a one-time General Fund balance. She said the number is based on the current police and fire count. She noted the ongoing normal portion of the rate should always be paid for out of the ongoing dollars. The unfunded portion is really one time because once the debt goes away, the rate goes back down. She said the amounts are budgeted every year even though the chart presentation is showing a few of those years. She said by Year 10, there is an estimated 2.5% increase built in for police and fire wage on average. Also built in is a 1.5% for the rate on an annual basis. With those increases and that projection into the future, by FY2023/24 if there are no additional payments made to the unfunded liability, the total employer contribution will be up to \$20.5 million.

Ms. Lang noted that at Year 9, and the number is \$20,509,471, by year 10 the normal portion of the rate is at \$8.8 million. She stressed the \$9.3 would be an appropriate level of ongoing. Councilmember Hartke emphasized that this information is only based on current assumptions. She reiterated that Option 1 pays the cumulative increase over time out of the one-time fund balance. Option 2 would be to make an additional \$2.5 million payment every year and by Year 9, the unfunded portion would almost be paid off. The difference is a 2 year payoff between options. She emphasized that is if the Hall case is not upheld.

**PROPOSED PSPRS UNFUNDED
 LIABILITY PAY-DOWN PLAN OPTIONS**

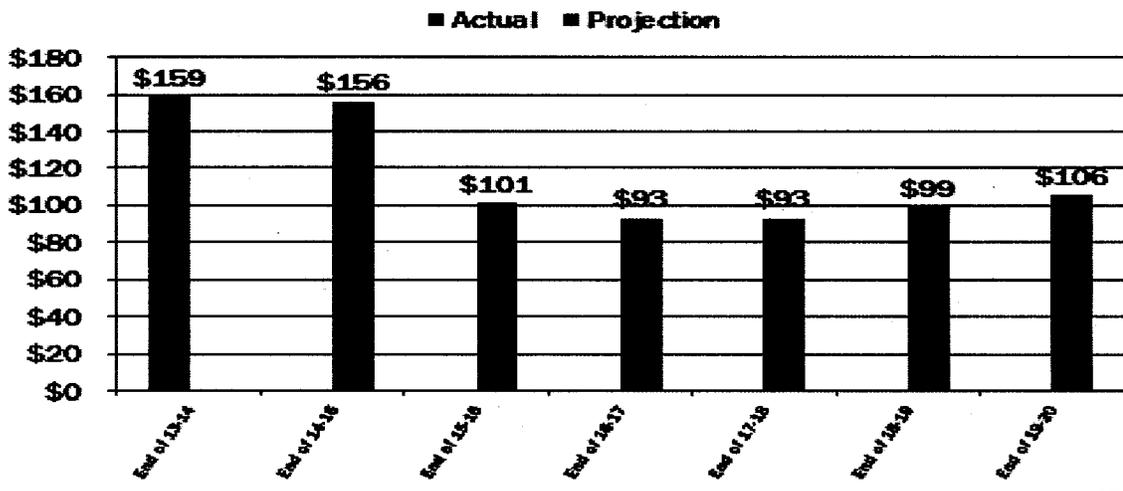
- **Council Approved Developing Unfunded Liability Pay-Down Plan**
- **Option 1 Pays Unfunded Liability in Year 11**
 - **Cap Ongoing at FY 2014-15 Contribution of \$9.3M**
 - **Pay Cumulative Future Contribution Increases with One-Time Beginning FY 2015-16**
- **Option 2 Pays Unfunded Liability in Year 9**
 - **Same as Option 1, But Pay Additional \$2.5 M Beginning FY 2016-17**

	Year 1	2	5	9
	FY15/16	FY16/17	FY19/20	FY23/24
Unfunded Liability as of 6/30/2014	\$ 106,525,010	\$ 99,003,358	\$ 65,700,559	\$ 12,558,632
1 Less: Annual Employer Unfunded Contribution	(7,184,612)	(7,588,934)	(9,461,734)	(12,182,996)
2 Less: Interest Earned on Prepaid Contribution	(337,040)	(337,040)	(337,040)	(337,040)
3 Less: Budgeted DROP	-	-	-	-
4 Less: Additional One-Time Payment Lump-Sum	-	(2,500,000)	(2,500,000)	(38,596)
Unfunded Liability Remaining	99,003,358	88,477,384	53,401,784	0

Ms. Lang reviewed that the unfunded liability begins at \$106,525,000, less the unfunded portion of our rate that is going toward that debt. She said the "Interest Earned on Prepaid Contribution" is the calculation of earning additional interest by sending the \$12 million to the pension system on July 1. This would be the present value of that money at 6% interest over time. The additional lump sum would then take it down to zero by Year 9.

Mayor Tibshraeny asked Ms. Reed if this would be included as part of the budget process. Ms. Reed responded that if Mayor and Council agreed to this approach, it would be incorporated into the FY 2016-17 budget.

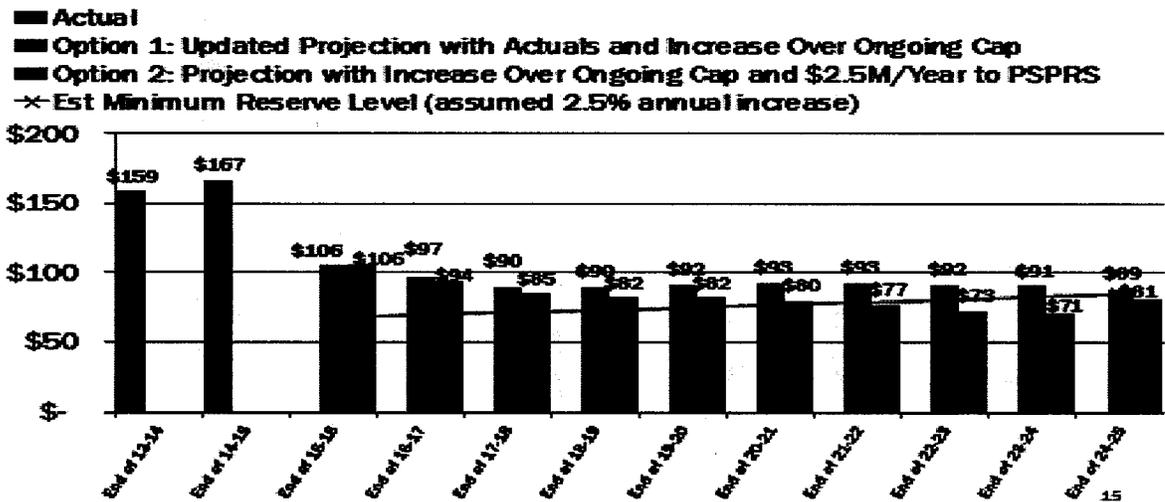
GENERAL FUND BALANCE PROJECTION (AS OF FY 2015-16 ADOPTION)



Ms. Lang explained the impact on the General Fund balance of using one-time as recommended. First she showed the above chart, prior to incorporating the General Fund dollars towards the PSPRS Unfunded liability. She said these projections assume that we are going to spend every dollar set aside for capital projects and other things, but prior to incorporating using General Fund balance to pay the unfunded liability. She noted at the end of 2014-15 they gained about \$5 million over projection going into the FY 2015-16 budget.

GENERAL FUND BALANCE PROJECTION

(UPDATED AFTER FINAL CLOSE OF FY 2014-15)



She displayed the above chart and explained the impact of the unfunded liability paydown options on the General Fund. She said they have also taken into consideration other discussions impacting the budget, such as additional parking commitments for downtown. The normal trend of spending has been added to the second five year period and that every year the forecast is updated. She again noted the Hall Case, once decided, could cause the unfunded liability to grow.

She stated she is recommending Option 2 and once the decision is made on the Hall Case, this information will be updated. She suggested making the biggest dent in the amount in the beginning years and start paying the additional \$2.5 million and readjust as necessary.

The Mayor asked if the current budget structure was under Option 1. Ms. Lang said the budget is currently under Option 1. Ms. Lang said the first year Option 2 would be in play would be the FY2016-17 budget.

She noted every year this liability is sitting on our balance sheet so each year during the rating review the General Fund balance and strength of reserve policy is looked at.

In response to a question from Councilmember Heumann, Ms. Lang said the forecasted employment assumptions only assume existing levels of public safety, with only one remaining planned fire station personnel added in the out years.

There was support for option 2.

OTHER FINANCIAL POLICIES IN PROCESS

■ **Existing Financial Policies**

- Reserve Policy – Update Proposed
- Operating Management Policy
- Capital Management Policy
- Debt Management Policy
- Investment Policy
- Financial Reporting Policy

Updates In Process
for Discussion
in November

■ **New Financial Policies to be Proposed**

- Grant Management Policy
 - \$30K Contract Threshold for Council Consideration

Maintaining Strong Fiscal Policies Contributes to Higher Bond Ratings

18

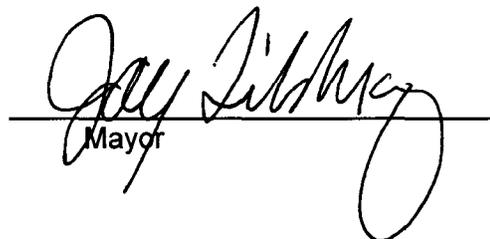
Ms. Lang stated all of the Reserve Policies in the City and there are updates being reviewed. She explained that in the future, any changes to the plans will be done by resolution of the City Council. All the policies will be included in the budget book as usual. She said a new Grant Management Policy is currently being developed. The City Code sets a threshold for professional services at \$30,000 for Council approval. Any amount under that can be approved by the City Manager. The amount is set at \$50,000 for goods and services. Staff would like to apply the \$30,000 threshold to grants for City Council authorization. However a summary of all grants in the City would be made to Council.

In response to a question from Councilmember Hartke, Ms. Lang said Public Safety receives the majority of the smaller grants; but there are many that have not come before Council. She noted some require contracts. There was support to allow City Council authorization at the \$30,000 threshold.

Adjournment: The meeting was adjourned at approximately 7:00 p.m.

ATTEST:


City Clerk


Mayor

Approved: March 17, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 19th day of October 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of March, 2016.



City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, September 21, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:02 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Jack Sellers	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Denise Burns - Chandler 1st Nazarene

PLEDGE OF ALLEGIANCE: Boy Scout Troop 583 led the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

- 1a. MINUTES of the Chandler City Council Special Meeting (Exec) of August 10, 2015.
 - 1b. MINUTES of the Chandler City Council Regular Meeting of August 10, 2015.
 - 1c. MINUTES of the Chandler City Council Study Session of August 10, 2015.
 - 1d. MINUTES of the Chandler City Council Special Meeting (Exec) of August 13, 2015.
 - 1e. MINUTES of the Chandler City Council Regular Meeting of August 13, 2015.
 - 1f. MINUTES of the Chandler City Council Special Meeting (Canvass) of September 1, 2015.
 - 1g. MINUTES of the Chandler City Council Special Meeting (Exec) of September 14, 2015.
2. FINAL ADOPTION OF ORDINANCE NO. 4623 repealing Ordinance No. 2334 and authorizing the City to require fingerprint identification and receive criminal history record information for prospective and current employees, volunteers, licensees, and permittees.
 3. FINAL ADOPTION OF ORDINANCE NO. 4648, DVR14-0031 RHYTHM, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential.

4. FINAL ADOPTION OF ORDINANCE NO. 4650 granting three no-cost power distribution easements to Salt River Project to provide electrical service to Chandler Air Service at the Chandler Airport.
5. FINAL ADOPTION OF ORDINANCE NO. 4651, DVR15-0002 FAMILY BIBLE CHURCH, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Church.
6. FINAL ADOPTION OF ORDINANCE NO. 4652 amending Cox Communications Arizona, LLC, Cable Television License Agreement to allow overlashing of existing aerial plant during its Gigabit upgrade project.
7. INTRODUCTION OF ORDINANCE NO. 4656 authorizing the First Amendment to the existing office lease with Arizona Public Service Company for use of Suite A in the Chandler City Hall located at 175 S. Arizona Avenue.
8. CITY CLERK EMPLOYMENT CONTRACT with an annual base salary of \$125,292.00, during Fiscal Year 2015-2016.

INFORMATION:

1. Minutes of the August 5, 19, and September 2, 2015, Planning and Zoning Commission meetings.

CURRENT EVENTS:

The Mayor stated current events will be held on Thursday at the Regular meeting

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

Adjournment: The meeting was adjourned at approximately 7:06 p.m.

ATTEST:

City Clerk

Mayor

Approved: October 19, 2015

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 21st day of September 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 21 day of October, 2015.



City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, September 24, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Shea Ferguson – Freedom Life Church

PLEDGE OF ALLEGIANCE: Boy Scout Troop # 885 led the Pledge of Allegiance.

CONSENT:

Mayor Tibshraeny noted Item No. 2 would be continued to Oct 22nd.

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

Mayor noted a request to speak on item No. 6. Comments are listed under that item.

COUNCILMEMBER HEUMANN stated he would be voting no on item #59.

COUNCILMEMBER ROE stated he would be voting no on item #6 (Avalon).

COUNCILMEMBER ELLEN commented on Item 6 (Avalon) stated she sits on the Airport Commission and the Commission asked the developer to make changes that would alert the public the subdivision was located next to the airport. She stated one of those changes was to have a sign stating "low flying aircraft" posted at the only entrance to the subdivision and to include the words "Airpark" in the subdivision name. The developer made all the changes the Commission requested, and stated she will be voting yes for this project.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. OFFICE LEASE AMENDMENT: Arizona Public Service Company Ord. #4656

ADOPTED Ordinance No. 4656 authorizing the First Amendment to the existing office lease with Arizona Public Service Company for use of Suite A in the Chandler City Hall located at 175 S. Arizona Avenue.

2. REZONING/PRELIMINARY DEVELOPMENT PLAN: RMB Business Park Ord. #4653

CONTINUED to the October 22, 2015 Council Meeting. Ordinance No. 4653, DVR15-0010 RMB Business Park, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and commercial. (Applicant: Lyle S. Richardson.)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture located north of the NEC of Ryan Road and Arizona Avenue.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: Gila Springs Ord. #4654

INTRODUCED AND TENTATIVELY ADOPTED Ordinance No. 4654, DVR15-0021 Gila Springs, rezoning from Planned Area Development (PAD) for mini-storage to PAD for light industrial and office. (Applicant: Michael Withey, Withey Morris, PLC.)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on 4 acres located west of the intersection of Kyrene Road and Gila Springs Place.

BACKGROUND

The approximately 4-acre site is located west of the intersection of Kyrene Road and Gila Springs Place, within the Paloma Kyrene Business Community. The Gila Ditch is west of the site with additional industrial uses further west. Retention for the Paloma Kyrene development is north, existing Paloma Kyrene businesses are east, and the Kyrene 202 Business Park is south.

The site was originally zoned in 2005 to Planned Area Development (PAD) for mini-storage, as part of the larger Paloma Kyrene Business Community rezoning, but was not included in the original Preliminary Development Plan (PDP) or subsequent PDPs. In 2009 and 2011, the PAD was amended to allow additional land uses within other buildings, but not the subject site.

The proposed site layout and building architecture is conceptual. Planning Staff will review future development administratively for substantial conformance with the PDP. The site plan depicts a single building surrounded by parking on the north, east and south. Access is via a single driveway from Gila Springs Place. Two gated secured areas are located to the south and north where truck wells and loading docks are proposed. A fire access gate is provided at the northeast corner of the site. The total gross building area is approximately 82,854 sq. ft. Parking will comply with Code.

Building architecture is modern industrial, creating a functional form with a forward-looking theme. A series of angled wall planes creates visual interest on the east and west elevations. The building's southeast corner is oriented to the site entrance. An inviting ground-to-ceiling glass and metal paneled storefront with exposed metal beams highlights the entry. Design elements and materials incorporate concrete tilt-up panels, metal panel accents and modulated rooflines. The color palette utilizes muted tones with a red color accent to complement the landscape palette and provide some contrast. All signage will comply with the City of Chandler Sign Code. Additional details can be found in the Development Booklet.

DISCUSSION

Planning Staff finds the proposed development is a quality office and warehouse development which further sustains existing businesses in the area and creates additional employment opportunities. The proposal is compatible with the adjacent Paloma Kyrene Business Community.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notification letter was mailed on July 28, 2015, in lieu of a meeting. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Cunningham absent.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "GILA SPRINGS", kept on file in the City of Chandler Planning Division, in File No. DVR15-0020, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design for future development and related onsite layout related to such future development, will be reviewed and approved administratively.
2. The site shall be maintained in a clean and orderly manner.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Raceway signage shall be prohibited within the development.
6. Signage shall comply with the City of Chandler Sign Code.
7. All buildings shall be designed to be consistent with the level of quality, detail, building material, paint colors, architectural articulation and the like as established in the Development Booklet.
8. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

4. REZONING/PRELIMINARY DEVELOPMENT PLAN: Habitat for Humanity Ord. #4655

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4655, DVR15-0021 Habitat for Humanity, rezoning from Medium Density Residential (MF-1) to Planned Area Development (PAD) for single-family residential. (Applicant: Tana Nichols, Habitat for Humanity.)

APPROVED a Preliminary Development Plan (PDP) for a single-family residence with modified setbacks located at 334 South Dakota Street.

BACKGROUND

Habitat for Humanity Central Arizona is an affiliate of Habitat for Humanity International whose goal is to eliminate substandard housing. The organization plans to construct a single-family home on a vacant lot. Council approved several other Habitat for Humanity single-family homes in the surrounding residential area in 2008 and 2009.

The property is located at 334 South Dakota Street. The approximately 5,663 sq. ft. lot is located on the west side of Dakota Street, south of Frye Road. This block of Dakota Street is mainly characterized by single-family homes with several duplexes on the west side of Dakota Street.

Dakota Street is one-way southbound, with a right-of-way of 20 ft., which functions more similar to an alley rather than a local residential street.

GENERAL PLAN / AREA PLAN

The property is located with the South Arizona Avenue Corridor Area Plan boundaries with a land use category of Low Density Residential. This land use category encourages new single-family infill with a target density of 0 to 5.9 dwelling units per acre.

The Area Plan recommends that areas designated for Low Density Residential and located south of Frye Road, be rezoned where necessary to allow a single-family home as a permitted use in order to encourage the development of vacant single-family lots.

REZONING / PRELIMINARY DEVELOPMENT PLAN

The request is to rezone from Medium Density Residential District (MF-1) to Planned Area Development (PAD) for single-family residential with Preliminary Development Plan (PDP) approval. The PAD will allow the use of a single-family home on the lot and modify the MF-1 minimum front and rear yard setbacks to provide adequate buildable area for the single-family residence. The proposed setbacks include a 10-ft. front yard, a 5-ft. rear yard and 20-ft. side yards.

A two-story home with 1,610 sq. ft. of livable area is proposed. Due to the orientation of the lot, a side-entry floor plan is offered to be similar in design with the front elevation of existing homes. This 'alternate' layout of the MM1610 model provides a porch and concrete patio area fronting Dakota Street and a two-car side-entry garage. A photograph representing a completed MM1610 model is included in the Development Booklet.

A variety of paint palettes are provided for the future homeowner selection. Six ft. tall concrete block walls would be constructed at the rear and north side yards. Front yard walls are typically permitted up to 3 ft. tall; a request is to increase the wall height to 6 ft. The 6 ft. wall would extend from the concrete patio, north to the north property line. A 3 ft. wall along the south property line would remain. Front yard landscape includes decomposed granite, shrubs and a tree. Additional details can be found in the Development Booklet.

DISCUSSION

Planning Staff finds the request for a single-family home is compatible with the character of the neighborhood and is a viable solution to a small infill site. Many properties in this MF-1 zoned area contain single-family homes. The request is consistent with the South Arizona Avenue Corridor Area Plan land use designation and maintains compatibility with adjacent uses. The Area Plan promotes this type of infill project that maximizes a property's viability and maintains compatibility with adjacent uses.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 21, 2015. There were two residents of the same household in attendance to obtain more information on the request and voice concerns related to crime in the neighborhood including burglary and dog poisoning. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham, Foley and Ryan absent.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "HABITAT FOR HUMANITY CENTRAL ARIZONA, 334 SOUTH DAKOTA STREET" kept on file in the City of Chandler Planning Division, in File No. DVR15-0021, except as modified by conditions herein.
2. Building setbacks shall be a minimum of 10 ft. front yard, 20 ft. side yards and 5 ft. rear yard.
3. A 6 ft. tall concrete masonry wall is permitted along the front yard, extending from the concrete patio to the north property line.
5. RIGHT-OF-WAY VACATION: SEC Cooper and Germann Roads Ord. #4658

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4658 authorizing the vacation of a portion of road right-of-way located south of the SEC of Cooper and Germann roads.

BACKGROUND/DISCUSSION

On April 26, 2006, the City acquired road right-of-way for Germann Road and a portion of Cooper Road through an eminent domain proceeding. A portion of the right-of-way, located south of the southeast corner of the intersection, was planned by the Chandler Airport Commission for use as a display area for the vintage United States Air Force jet currently located at the southeast corner of Chandler Boulevard and Delaware Street. This plan was subsequently abandoned.

Tiberon Chandler Airport, LLC, is developing the Puerto Del Viaje project at the southeast corner of Cooper and Germann roads. Tiberon has request that the City vacate a portion of right-of-way containing approximately 2,354 square feet adjacent to their parcel to accommodate development of the Puerto Del Viaje project. In consideration, Tiberon has agreed to pay the City \$3.00 per square foot for this property for a total consideration of \$7,062.00. Staff has determined that this is a fair value for the parcel to be vacated. The Real Estate Office has contacted the appropriate outside utilities. There were no objections to vacating the parcel.

6. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Avalon
Ord. #4659

MR. FERRELL CATMULL, 12030 E. Bluebird Drive, Chandler, stated he would like to see the City offer connections to City services for developments like his that are actually a county island. His development currently has city water rights, but he would like to see the city offer sewer rights when a development within the city limits is built next to a residential development that is not within the city limits.

COUNCILMEMBER ROE VOTED NAY ON THIS ITEM. He cited it was in conflict with the development of the airport.

INTRODUCED AND TENTATIVELY APPROVED (6-1 Roe) Ordinance N. 4659, DVR15-0013 Avalon, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a 14-lot custom single-family residential subdivision. (Applicant: Garry Hays, Law Offices of Garry D. Hays PC.)

APPROVED a Preliminary Development Plan (PDP) for subdivision layout and development standards.

APPROVED Preliminary Plat (PPT) PPT15-0006, for approximately 12.23 acres located one-quarter mile south of the SEC of McQueen and Germann roads.

BACKGROUND

The subject site is located approximately ¼ mile south of the southeast corner of McQueen and Germann roads, just west of the Chandler Municipal Airport. McQueen Road abuts the property's west side, with the Chandler Tumbleweed Park located west of McQueen Road.

North of the subject site is the City of Chandler Los Arboles Equestrian Park connecting McQueen Road and the Paseo Canal along the property's east side. East of the Paseo Canal is the Chandler Municipal Airport. South of the subject site are existing rural residential homes zoned Rural-43 in the County.

GENERAL PLAN/CHANDLER AIRPARK AREA PLAN

The General Plan designates the subject site as Rural (Very Low Density) Residential uses with an average density range of 0 to 2.5 du/ac. The General Plan further designates this property as within the Chandler Airpark Area Plan (CAAP). The CAAP designates the site for Rural Residential (RR) with a density range from 0 to 1.5 du/ac. The Rural Residential designation is located in areas where low-density single-family residential exists and/or is preferred based upon a desire to retain the rural character of a given location.

The Chandler Airpark Area Plan also designates the subject site as within a Transitional Overlay Zone. The Transitional Overlay Zone occurs in areas that have potential for a variety of commercial land uses based upon compatibility with surrounding land uses. The Transitional Overlay Zone allows the transition from residential to commercial land uses as the economics become favorable for the transition to occur. The Transitional Overlay Zone includes specific guidelines when transitioning from rural residential to a compatible commercial land use. The transition guidelines include the following:

- Industrial uses will only be permitted if all the property owners in the contiguous transitional area request rezoning to that zoning district.
- Property owners in any transitional area request a rezoning of a minimum of 40 contiguous acres made up of whole subdivision lots.

- All requests for rezoning are for a specific proposed commercial project with committed funding.
- The development site where the new zoning occurs is adequately buffered so as not to create a hazard or a nuisance to the adjacent rural residential land use.
- Adequate infrastructure either exists or is planned as part of the development design to support the proposed use and traffic impacts on residential uses are minimal.
- All properties proposed for rezoning are adjacent to and border an arterial roadway, or border a commercial property that is adjacent to or borders an arterial roadway. This guideline is intended to prevent fragmented commercial development.
- Include the use of noise attenuation as provided for in Appendix A of the Airpark Area Plan.

Planning Staff finds the subject site is not appropriate to consider for a transition to a commercial land use based on the existing established rural-residential single-family homes located adjacent to the south, as well as the City of Chandler Equestrian Park located directly north. Additionally, the subject sites approximate 12.23-acre size and narrow irregular shape impacts its development potential for any type of land use other than residential.

REZONING REQUEST

The request is for rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a 14-lot custom single-family residential subdivision with Preliminary Development Plan (PDP) and Preliminary Plat (PPT) approval for subdivision layout and development standards. The gated subdivision takes vehicular access from McQueen Road. All lots orient to the north backing to the existing rural ranchette homes along the south.

The proposed Kingbird Place, a landscape tract, view fencing and two gated pedestrian access points provide a compatible interface with the Los Arboles Park.

All lots are proposed to be over 20,000 square feet in size, at least 115-feet wide and 139-feet deep. Because all of the lots are larger than 12,000 square feet, the Residential Development Standards, both for subdivision diversity and architectural diversity, do not apply. The developer, however, has planned approximately 2.05-acres of open space as part of the subdivision. The planned open space is primarily passive including turf and numerous pedestrian connections to the adjacent Paseo Canal, Los Arboles Equestrian Park and Tumbleweed Park. Building setbacks are a minimum 25-foot rear yard and a minimum of 10-foot and 10-foot side yards for each lot. Architectural elements such as, but not limited to, fireplaces, entertainment centers and bay windows may encroach a maximum of 2 feet into the side yard setback. Lot coverage will be limited to 45% of the total lot area.

The housing product will be custom homes. Homes must have a minimum of 2,800 square feet of livable area, with or without a basement. No more than two, two-story homes may be built side-by-side within the development. All homes are required to utilize flat, mission, or terra cotta tile roofs. Asphalt shingle or wood product roofs are prohibited. Finally, Lot 1 along McQueen Road is restricted to a single-story home only. A Homeowners Association architectural review committee will review home and landscape design and materials. Additional project details, descriptions and developer representations are contained in the Development Booklet.

AIRPORT COMMISSION

The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their August 12, 2015, meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission found that the proposed

subdivision does constitute a conflict with existing or planned airport uses, as well as existing businesses within the site's vicinity. While a non-residential use is preferred, various physical and administrative corrective actions were recommended for mitigation.

Physical corrective actions included noise attenuation construction within the homes, a roadway style sign indicating the presence of aircraft, incorporation of "Chandler Airpark" into the Avalon name and the construction of an engineered 8-foot tall sound wall along the eastern property line of Lot 14.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective home buyers indicating the proximity to the airport, heliport, aircraft engine repair and testing facility and the potential impact from aviation noise and vibrations. Additionally, an aviation easement shall be dedicated to the City of Chandler. Finally, a large map shall be displayed within the sales office identifying the proximity of the subdivision to the airport including the noise contours and over flight patterns.

As discussed at the meeting, the goal was to create a physical and administrative 'net' to catch prospective home buyers that may not want to necessarily live near an active airport, acknowledging that certain home buyers do enjoy living in that environment.

DISCUSSION

Planning Staff supports the request finding the proposed land use is consistent with General Plan and the Chandler Airpark Area Plan. The large lot, single-family land use is consistent with the Rural Residential designation and compatible with the existing large-lot rural residential single-family in the area.

The proposed density of 1.14 du/ac is within the range of 0 to 1.5 du/ac as defined in the CAAP. Based upon the site's long narrow irregular size as well as existing adjacent residential land uses and City Park, the site is not eligible to consider for transition to a non-residential land use as prescribed in the CAAP.

The property is located within the Airport Impact Overlay District, which establishes airport noise overlays. The intent of the noise overlay district is to regulate land uses within designated existing or projected airport noise impact areas by specifying acoustical performance standards. The noise overlay zones are in addition to Zoning Districts. The noise overlay creates characteristics and limitations of the overlying Zoning District; however, in any situation where a conflict arises, the more strict regulation(s) apply. The site is impacted by the 55-dnl Noise Contour and Airport Noise Overlay-One (ANO-1) zone. Language within the Zoning Code permits residential within the ANO-1 provided sound attenuation measures are utilized in the homes' construction.

The physical and administrative corrective actions forwarded by the Airport Commission have either been included as stipulations or included with the exhibits found in the Development Booklet.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on July 16, 2015. There were approximately 20 people in attendance comprised of adjacent County residential property owners, representatives from the Airport Commission, and various business owners within the Airport and nearby industrial uses. Comments gathered from the adjacent residential owners included compliments of the site plan and a desire for tan colored block to be used on the proposed site wall. Airport representatives

commented that the future home owners would, at some point, voice concerns about the noise. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Cunningham absent.

A nearby residential property owner spoke at the hearing. His property is located south of Bluebird Drive in the County. Concerns voiced included a deed notation indicating a full 2-acre size yet his is only 1.87 acres, as well as a concern over maintenance requirements for Bluebird Drive. As the subject site's cumulative parcels are already annexed into the City of Chandler, the Bluebird Drive maintenance issue, and any issues related to his parcel, resides with the County for resolution.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Avalon at Chandler Airpark" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. No more than two, two-story homes may be built side-by-side within the development.
3. Lot 1 along McQueen Road is restricted to a single-story home only.
4. An 8-foot tall engineered sound wall shall be constructed along the eastern property line of Lot 14.
5. A roadway-style sign shall be placed near the entrance along Kingbird Place identifying the presence of aircraft.
6. Future custom homes will be reviewed and approved administratively.
7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

Preliminary Plat

The Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

7. REZONING/PRELIMINARY DEVELOPMENT PLAN: Wells Fargo Chandler Campus
Ord. #4660

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4660, DVR15-0015 Wells Fargo Chandler Campus, rezoning from Planned Area Development (PAD) for office, retail and data center uses, to Planned Commercial Office (PCO) with a PAD Overlay on approximately 15.5 acres of the approximately 68-acre Wells Fargo Chandler campus. In addition, request PAD Mid-Rise Overlay amendment for buildings up to 200 feet in height. (Applicant: Francis J. Slavin, P.C.)

APPROVED a Preliminary Development Plan (PDP) for the site layout, building architecture and comprehensive sign package for the future phases of the Wells Fargo Chandler campus on approximately 68 acres located at the NWC of Price and Queen Creek roads.

BACKGROUND

The subject site is comprised of 3 parcels totaling approximately 68 acres located at the northwest corner of Price and Queen Creek roads. The site is bordered to the north by a vacant 15-acre parcel zoned in 2005 for the TSYS data operations center. Adjacent to the west is the Gila River Indian Community. Price Road abuts the site's east side, with the Continuum business park development and vacant land planned for employment uses located east of Price Road. Queen Creek Road abuts the site's southern side, with an existing fuel station and vacant land planned for the waste water treatment facility expansion located south of the arterial.

The 68-acre Wells Fargo Ocotillo Corporate Center received zoning approval in 2002 designating the approximate northern two-thirds to Planned Commercial Office (PCO) with a Planned Area Development (PAD) overlay and the approximate southwestern one-third to PAD. The PCO district provided the commercial office and related uses entitlements while the PAD overlay provided design flexibility yet an assured predictable level of campus quality. The companion PAD zoning allowed for additional office space, a data processing service center as well as 50,000 square feet of retail uses. The 2002 approvals included Preliminary Development Plan (PDP) approval for Phase I of the campus master plan including Buildings A and B, associated surface parking and landscape improvements for Phase I and along the Price Road frontage. Construction of Phase I began shortly after.

A Public Transportation Plan was approved through a PDP in 2003 that provides guidance through policy direction for the pedestrian and vehicular transportation needs to support the public transportation service to the corporate campus. The subject site received PDP approval in 2008 amending the campus master plan to include an approximate 432,000 square foot data processing service center building. This building was to be located along the site's southern side north of Queen Creek Road. Wells Fargo ultimately never constructed this facility and no longer intends to pursue this component of the campus.

Most recently in 2013, the site received PDP approval for Phase II of the Wells Fargo Ocotillo Corporate Center campus that included the site design, landscaping, surface and structured parking associated with Buildings D & E. The site design was a continuation and progression of the conceptual master plan developed in 2002 with Buildings D & E remaining in roughly the same location as originally proposed; however, the associated building footprints and more importantly the campus pedestrian experience had undergone further evolutionary refinement. Buildings D & E continue the provision of the dynamic north-south axis oriented pedestrian mall established by geometric forms complemented by curvilinear pedestrian walkways that provide a wide range of pedestrian circulation and seating opportunities. Most significantly was the outdoor

dining area adjacent to the cafeteria located at the northern end of Building D's first floor. Phase II is nearing completion.

REZONING REQUEST

The request includes multiple components. First, the request includes rezoning approximately 15.5 acres located at the southwestern portion of the site from Planned Area Development (PAD) for office, retail and data center uses, to Planned Commercial Office (PCO) with a PAD overlay. Following the 2002 initial approval, Wells Fargo determined that the 50,000 square feet of retail space was no longer warranted due to the retail development in the area as well as their regional office demands. Additionally, the approved 432,000 square-foot data processing service center was no longer a desired use for the subject site. As such, the request to rezone the 15.5 acres to PCO with a PAD Overlay will bring this parcel into alignment with the balance of the campus.

The second component includes amendment to the PAD Mid-Rise Overlay for the entire campus increasing the maximum building height from 65 feet to 200 feet. The increased height will accommodate buildings up to approximately 13 stories. The request is consistent with the General Plan and the South Price Road Employment Corridor, as well as the recommendations set forth in the October 2013 Corridor Study known as the Maguire Report.

Finally, the request includes PDP approval for the site layout, building architecture and comprehensive sign package for the future phases of the Wells Fargo Chandler campus. The conceptual master plan included within the Development Booklet depicts Wells Fargo's vision for the ultimate development of the campus. At build out, it is anticipated the future phases to include an additional 940,000 square feet of office space for an overall campus size of approximately 1,745,000 square feet. Future Buildings C, F and G, as well as the additional parking structures and single-level branch building, are shown at a conceptual level. Final design will be reviewed and approved administratively. The included PDP documents, as well as the existing first two phases, establish the expected level of quality for the campus.

The future phases will further the high level of quality established through Phase I and II. The landscape design will continue to promote a seamless extension through the material palette and form. Additional attention has been paid ensuring a complimentary relationship between the building design and landscape interface that softens the buildings' pedestrian experience transitioning to a human scale. Architecturally, the future buildings will remain compatible and consistent with the existing campus through use of similar architectural elements and materials, utilized in proportions and scale more appropriate for taller buildings. Presently, it is anticipated the future Building C to be 5 stories and Buildings F and G to be 9 stories. Finally, the comprehensive sign package memorializes previous signage approval as well as sets forth the sign criteria for the future phases.

DISCUSSION

Planning Staff supports the request finding the proposed future campus phases to represent a high-quality addition to the Wells Fargo Chandler campus. Wells Fargo's commitment to the Price Corridor is furthered by this 940,000 square-foot future addition to their 68-acre campus. The design team again has provided a natural evolution for this existing campus that remains one of the premier examples on the South Price Road Employment Corridor. The increased building height not only furthers the goals and objectives of the General Plan, it also aligns perfectly with the recommendations within the Maguire Report.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code with a neighborhood meeting being held on May 11 and 13, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Cunningham absent.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Wells Fargo Chandler Campus" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0015, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with the original stipulations adopted by the City Council as Ordinance No. 3389, case DVR02-0021 WELLS FARGO OCOTILLO CORPORATE CAMPUS, except as modified by condition herein.
3. Compliance with the original stipulations adopted by City Council in case PDP02-0025 WELLS FARGO OCOTILLO CENTER, except as modified by condition herein.
4. Compliance with the original stipulations adopted by City Council in case PDP13—0015 WELLS FARGO CHANDLER CAMPUS PHASE II, except as modified by condition herein.
5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
8. Future buildings will be reviewed and approved administratively.

8. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT Res. #4873

ADOPTED Resolution No. 4873 authorizing the Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2014-2015; and authorizing the Acting City Manager or her designee to execute and submit the CAPER to the United States Department of Housing and Urban Development (HUD).

BACKGROUND

Each year, the City of Chandler is required to evaluate the programs funded by the U.S. Department of Housing and Urban Development (HUD) and publish the results in a CAPER. The performance report describes federally-funded activities occurring during the most recent fiscal

year. The purpose of this report is to measure Chandler's success meeting the priority needs, goals and strategies described in the City's 2010-2014 Five-Year Consolidated Plan.

As part of the process of creating the CAPER, the City is required to conduct a 15-day public comment period and a public hearing at a Chandler City Council meeting. The public comment period began August 12, 2015, and concluded August 26, 2015. The CAPER public hearing was held at the City Council meeting on August 13, 2015. No public comments were received during the public hearing or during the public comment period.

DISCUSSION

The Fiscal Year 2014-2015 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant, HOME Investment Partnership and Neighborhood Stabilization Program funds.

In addition to the federally-funded programs, the City also reports on those social service programs funded annually with the City's General Fund dollars. The funding of programs by the General Fund serves to significantly leverage the City's federally-funded programs to expand the services provided to Chandler residents.

FINANCIAL IMPLICATIONS

All costs associated with the programs reported in the CAPER are funded by the U.S. Department of Housing and Urban Development, with the exception of the social service programs funded by the City's General Fund.

9. DEVELOPMENT AGREEMENT: DC Land, LLC Res. #4892

ADOPTED Resolution No. 4892 adopting the provisions of a development agreement with DC Land, LLC, providing for the possible use of the Government Property Lease Excise Tax (GPLET) and abatements.

BACKGROUND/DISCUSSION

DC Land, LLC, purchased 18 parcels in Downtown Chandler comprising 5.5 acres to develop 200 high-density residential units known as DC Heights. The City of Chandler Planning and Zoning Commission approved rezoning on November 19, 2014, with City Council approving rezoning on December 11, 2014.

On July 6, 2015, Council adopted Resolution No. 4884 approving a Development Agreement between the City of Chandler and DC Land, LLC, relating to the real property located between Commonwealth Avenue to Boston Street, and Essex to California streets.

As part of their development requirements, DC Land requested the City provide for a 25-year GPLET rate, which is a provision in Arizona's Tax Code that allows for a specific dollar value per square foot assessment, as opposed to the traditional assessment that is based on the value of the property. The current rate for high-density residential projects is \$2.00 per square foot and is divided among all taxing jurisdictions as dictated by a formula outlined in the State Statute. Further, because the site is located in both the City's existing Central Business District and the City's Redevelopment Area, the site will also be able to take advantage of an 8-year abatement on all property tax as part of the requested 25-year GPLET.

Per State Statute, the City of Chandler must notify other governmental entities about the possible use of GPLET and GPLET abatement at least 60 days before adoption. Letters of notification were sent to the Chandler Unified School District, Chandler-Gilbert Community College and Maricopa County over 60 days ago. No objections were expressed.

10. 2016 CITY COUNCIL REGULAR MEETING SCHEDULE Res. #4893

ADOPTED Resolution No. 4893 setting the dates for the 2016 City Council regular meeting schedule.

BACKGROUND

Section 2.12 of the City Charter and Section 2-1 of the City Code require the Chandler City Council to meet regularly at least twice each month. Resolution No. 4893 sets the City Council regular meeting schedule for the 2016 calendar year. An effort has been made to set meeting dates in order to avoid conflicts with holidays, observations and conferences. Special meetings may be called as needed. All meetings are scheduled to begin at 7:00 p.m.

11. REPEALED RESOLUTION NO. 4865 Res. #4894

ADOPTED Resolution No. 4894 repealing Resolution No. 4865, the transfer of certain County right-of-way on Germann Road between Arizona Avenue and Hamilton Street.

BACKGROUND/DISCUSSION

Council previously adopted Resolution No. 4865 transferring certain County right-of-way on Germann Road between Arizona Avenue and Hamilton Street.

However, an error in the legal description was discovered resulting in a gap in the jurisdictional boundaries that needs to be corrected. Since adopted by both Council and the Maricopa County Board of Supervisors, the original resolution must be rescinded and a new resolution adopted.

12. RIGHT-OF-WAY TRANSFER: Germann Road Res. #4895

ADOPTED Resolution No. 4895 authorizing and consenting to the transfer of certain County right-of-way on Germann Road between Arizona Avenue and Hamilton Street contingent upon approval by the Maricopa County Board of Supervisors.

BACKGROUND/DISCUSSION

Council previously adopted Resolution No. 4826, an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation (ADOT) for cost sharing for improvements to Germann Road from Arizona Avenue to Hamilton Street. In conformance with the IGA approval, the City is required to annex (transfer) the portion of Germann Road that is currently under the jurisdiction of Maricopa County. The City is required to complete this annexation in order to retain the awarded Special Project Fund amount of \$350,000.00.

The Annexation Map attached to the resolution depicts the entire area to be annexed; approximately 4.51 acres of right-of-way. A.R.S. §9-471 (N) allows for an alternate annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city, and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

FINANCIAL IMPLICATIONS

No direct cost for annexation; however, the City will be responsible for ongoing maintenance of annexed roadways. In exchange for the City annexing this section of Germann Road, the Maricopa County Department of Transportation awarded the City a grant in the amount of \$350,000.00 for ADA upgrades and repaving of the road surface.

13. DEVELOPMENT AND OPTION AGREEMENT: VPK Chandler, LLC Res. #4897

ADOPTED Resolution No. 4897 authorizing a development and option agreement with VPK Chandler, LLC, for redevelopment of Site 3 and option to purchase Sites 1 and 2 for redevelopment.

14. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Citizens' Panel for Review of Police Complaints and Use of Force

Shadow Asgari
Brandy Wynette

Mayor's Youth Commission

Farin Shiehzadegan
Justin Zhu

15. AUTHORIZED USE: Maricopa County's Detention Services

AUTHORIZED use of Maricopa County's detention services for the booking and housing of inmates, and approved the payment in the per-detainee and night unit costs as set forth in the Maricopa County Jail Per Diem Billing Rates sheet in an amount not to exceed an aggregate of \$1,705,573.00 for payment of the June 2015 invoice and services for Fiscal Year 2015-2016.

The Maricopa County Sheriff's Office (MCSO) is tasked with the housing and booking of inmates, Pre- and Post-IA (Initial Appearance) as well as post-conviction in accordance with A.R.S. §11-441 governing the housing of inmates by law enforcement jurisdictions within each county.

The MCSO is the sole source for detention services for individuals detained by the Chandler Police Department. Therefore, Staff requests approval from the City Council to pay the June 2015 invoice as well as approval to expend funds on a monthly basis in Fiscal Year 2015-2016 to MCSO for the actual costs for detention services for inmate housing and prisoner care.

Per notification from MCSO, an increased rate of 4.4% for housing and 7.3% for booking will be effective for FY 2015-2016.

16. 2016 STATUTORILY REQUIRED AND SELF-ADMINISTERED EMPLOYEE BENEFITS

AUTHORIZED the administration of statutorily and self-administered City benefit programs to include cancer insurance, retirement for civilian, public safety and elected officials, and long-term disability for benefit plan year 2016, effective January 1, 2016.

BACKGROUND

City Staff reviews the employee benefit package each year with the assistance of an employee benefits consulting firm. The following employee benefits are required statutorily or are a designated self-administered City benefit:

<u>Coverage</u>	<u>Provider</u>	<u>Paid By</u>
• Cancer Insurance – Fire Fighters and Police Officers	Public Safety Retirement Sys	City
• Retirement Plan – Civilian	AZ State Retirement Sys	City/Employee
• Retirement Plan – Public Safety	Public Safety Retirement Sys	City/Employee
• Retirement Plan – Elected Officials	Elected Officials Retirement Plan	City/Employee
• Long Term Disability – Civilian	AZ State Retirement Sys	City/Employee

17. **AGREEMENT AMENDMENT:** Liberty Mutual Insurance Company, Inc.

APPROVED an Agreement Amendment with Liberty Mutual Insurance Company, Inc., for discounted group coverage for home and auto insurance for one year.

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Liberty Mutual Insurance Company offers employees and their dependents discounted group coverage for home and auto insurance to include an on-site representative on a quarterly basis and 24-hour claims service.

18. **AGREEMENT AMENDMENT:** Vision Service Plan Insurance Company

APPROVED an Agreement Amendment with Vision Service Plan Insurance Company for the vision insurance benefit in an amount not to exceed \$410,000.00 for one year.

City Staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. Vision Services Plan Insurance Company provides affordable vision services to include eye exams, frames, lenses and contact lenses.

The 2016 rates represent a monthly increase of \$1.68 (\$9.80) for employee only coverage and \$3.89 (\$21.26) for family coverage. City Staff was able to negotiate an increase in the allowance for contact lenses and/or eyeglass frames from \$150 to \$160 per year.

19. **AGREEMENT AMENDMENT:** Matrix Absence Management, Inc.

APPROVED an Agreement Amendment with Matrix Absence Management, Inc., for administration of the short-term disability income benefit plan and Family Medical Leave Act (FMLA) administration services in an amount not to exceed \$75,000.00 for one year.

The City provides a short-term disability income benefit as a piece of the employee benefits package. The plan is self-funded and administered by a contracted third party service provider. The City also utilizes Matrix for the administration of services as required under the Family Medical Leave Act.

20. AGREEMENT AMENDMENT: Anthem Life Insurance Company

APPROVED an Agreement Amendment with Anthem Life Insurance Company for the City-paid long-term disability insurance benefit for Public Safety personnel in an amount not to exceed \$145,000.00 for one year. This is the 12th extension of this agreement.

21. AGREEMENT AMENDMENT: Voya Financial

APPROVED an Agreement Amendment with Voya Financial for life insurance in an amount not to exceed \$775,000.00 for one year. This is the second extension of the agreement.

The City provides a life insurance benefit as a piece of the employee benefits package. The basic life and accidental death and dismemberment (ADD) insurance is funded by the City and all optional coverage is funded by the employee based on the benefit selected.

22. AGREEMENT AMENDMENT: Delta Dental Plan of Arizona, Inc.

APPROVED an Agreement Amendment with Delta Dental Plan of Arizona, Inc., for the dental insurance benefit in an amount not to exceed \$105,000.00 for one year.

23. AGREEMENT/GENERAL FUND TRANSFER: Northern Arizona Center for Entrepreneurship and Technology

APPROVED Agreement No. CM5-918-3561 with the Northern Arizona Center for Entrepreneurship and Technology (NACET) for Innovations Incubator Management services, in the amount of \$150,000.00 for one year with the option of up to four one-year extensions.

AUTHORIZED the transfer of Strategic Economic Development Opportunity (SEDO) appropriation from the General Fund Non-Departmental Capital Cost Center designated reserve to the Innovations Cost Center for Innovations Incubator Management in the amount of \$125,000.00.

In 2009, the City approved a lease for the establishment of the Innovations Incubator with the goal to support and accelerate the creation of high-wage technology jobs through the delivery of value-added services, equipment and physical space that entrepreneurs normally would not have access to.

While Innovations is a desirable real estate option for entrepreneurial companies, it lacks the value-added services needed to satisfy "Best Practice" standards. Beyond common sense, these best practices are supported by empirical research. For example, a statistically valid survey of U.S. business incubators found that "Top-performing incubation programs often share common management practices. Practices most represented among high-achieving programs are having a written mission statement, selecting clients based on cultural fit, selecting clients based on potential for success, reviewing client needs at entry, showcasing clients to the community and potential funders, and having a robust payment plan for rents and service fees. All of these practices are highly correlated with client success" (Lewis et al., 2011).

In an effort to provide a top of class business incubation program which truly supports the needs of the small business community, not just housed at Innovations, Staff issued a Request for Proposal (RFP) seeking a qualified incubator operator. NACET, a Flagstaff, AZ, based 501(c)3, that provides business incubation management consulting services was identified as the most advantageous submittal. NACET maintains multiple operations around Arizona and has a track

record of connecting with community stakeholders by aligning incubation activities with other business development activities already residing within the community. This unique approach of integrating stakeholders is especially relevant in Chandler as unique resources such as Gangplank and TechShop reside in the community and can benefit from a strong incubation partner, programing and services.

As part of the agreement, a Scope of Work has been established to ensure compliance with industry best practices and timely delivery of service. Major aspects of this planned Scope of Work include:

- Reporting
- Stakeholder introductions
- Mentor recruitment to develop a local mentor network of 25+ individuals
- Advisory Board development to build an 8-person local advisory board
- New client outreach and recruitment for both resident and non-resident clients
- Client counseling for existing clients transitioning to regular counseling and program requirements
- Outreach events, lunch seminars and training events
- Marketing and communications plan launch

The Fiscal Year (FY) 2015-2016 budget includes a designated reserve of \$1,000,000 for SEDO, primarily intended to provide funding for economic development agreements or other opportunities which were not known at the time the budget was adopted. The \$1,000,000 is appropriated in the Non-Departmental Capital cost center and requires Council approval to move the appropriation to the cost center in which it will be spent on a particular project or agreement. The Economic Development Division would like to utilize \$125,000 of this appropriation to fund a portion of the Innovations Incubator management services.

A budget of \$125,000 currently exists in the Innovations cost center and the remaining budget funding requires a Strategic Economic Development Opportunities reserve (SEDO) transfer of \$125,000 to the Innovations cost center.

24. On Action.

25. AGREEMENT: Gust Rosenfeld, P.L.C.

APPROVED Agreement No. MS5-961-3507 with Gust Rosenfeld, P.L.C., for bond counsel services for a term of three years, October 1, 2015, through September 30, 2018.

Gust Rosenfeld, P.L.C. has a proven record of providing excellent professional bond counsel services to the City for over 25 years. Bond counsel services are necessary when issuing bonds, holding a bond election and keeping the City informed of numerous State and Federal regulatory requirements.

Over the last 5 years, the regulation of the municipal securities industry has increased dramatically on both the State and Federal levels. State law is increasingly sensitive to debt, use of public funds and the election process; this sensitivity is manifested in annual changes to the statutes and new court rulings which make bond counsel services vitally important to protect the City.

On the Federal level in the last 5 years, new laws and regulations have permeated the municipal market. New tax-exempt products are continually entering the market. The IRS has stepped up enforcement efforts to insure issuers and their bond counsel were complying with all the requirements of the tax code through, among other things, post-insurance compliance procedures. The Securities and Exchange Commission (SEC) has also ramped-up their enforcement of the municipal industry, which adds a significant amount of additional time and effort by all members of the City's finance team.

Bond counsel fees associated with the issuance of debt and incidental expenses related to each bond issue will be paid from individual bond proceeds and are priced based on the type of issue. Counsel fees for bond elections are billed at a flat rate. Special projects such as audits, investigations or litigations are charged at a competitive hourly fee based on the team member providing the services and will be paid from the appropriate related fund.

26. AGREEMENT: Flexible Benefit Administrators, Inc.

APPROVED Agreement No. HR5-953-3517 with Flexible Benefit Administrators, Inc., for flexible spending account administration in an amount not to exceed \$12,000.00 for one year, January 1, 2016, through December 31, 2016, with the option of up to four one-year extensions.

A Flexible Spending Account (FSA) enables employees to put aside a portion of their gross income on a pre-tax basis in an FSA in order to pay qualified health care and/or dependent care expenses. The proposal from Flexible Benefit Administrators includes a rate of \$2.98 per employee per month and has been guaranteed for a five year contract period. This represents a significant savings of \$1.77 per employee per month as compared to the current provider. This benefit is paid by the City.

27. AGREEMENT: Blue Cross Blue Shield of Arizona

APPROVED Agreement No. HR5-948-3502 with Blue Cross Blue Shield of Arizona (BCBS) for group medical and pharmacy benefits, in an amount not to exceed \$900,000.00 for one year, January 1, 2016, through December 31, 2016, with the option of up to six additional one-year extensions.

The City's medical benefit is reviewed throughout the year by Staff and in collaboration and input from the City-wide Healthcare Task Force with assistance from a benefits consulting firm. Staff recommends the City continue to contract with BCBS of Arizona to provide the administration of the City's group medical and pharmacy program, to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management service and stop-loss coverage. There are no plan design changes for the Red and Blue plans. There is one plan change that is mandated by the Affordable Care Act in 2016 that impacts the White Plan only. The mandate requires an imbedded individual out-of-pocket maximum that will now allow an individual to meet a \$3,000.00 out-of-pocket maximum for in-network services instead of the current maximum of \$5,000.00 in order to maintain parity among all of the medical plans, the family out-of-pocket maximum for the White Plan will be changed from \$5,000 to \$6,000.00. Out-of-network, out-of-pocket maximums will change from \$7,500.00 to \$8,000.00 for an individual and from \$15,000.00 to \$16,000.00 for a family.

The 2016 premiums represent a 4.5% increase above 2015 largely as a result of national increases in medical services and pharmacy. The Health Care Trust Board recommended the 2016 rates by a majority vote.

28. AGREEMENT: E4 Health, Inc.

APPROVED Agreement No. HR5-948-3528 with E4 Health, Inc., for the employee assistance program (EAP) in an amount not to exceed \$38,000.00, for one year, with the option of up to four one-year extensions.

The Employee Assistance Program provides employees a no-cost, confidential counseling and referral service that is available 24 hours a day, 365 days a year. The EAP provides numerous resources and can help employees and their dependents with a wide range of personal challenges and issues. This benefit is paid by the City.

29. SERVICES AGREEMENT: BLINK N.A. II

APPROVED a services agreement with BLINK N.A. II allowing for the operation and maintenance of four Electric Vehicle charging stations at various City facilities for five years with an additional five-year renewal.

BACKGROUND/DISCUSSION

In 2012, the City of Chandler entered into an agreement with ECotality NA to host Electric Charging Stations at various City facilities. ECotality received funding from the U.S. Department of Energy to deploy vehicle charging infrastructure to promote the use of electric vehicles. ECotality worked with the Maricopa Association of Governments (MAG) to establish standards for siting and permitting. The original agreement called for a 50/50 sharing of revenues generated. The term of the agreement was to December 2012 and was extended to December 2013.

ECotality went out of business in 2013. At that time, BLINK acquired ECotality's network of assets. BLINK has been working with individual communities to develop new agreements for the operations of the existing car charging stations. The City has been working with BLINK to develop a new agreement that establishes new revenue sharing provisions as well as guaranteeing the City recovers our costs associated with the utilization of electricity by the charging stations.

There are currently four (4) charging station locations in Downtown Chandler with the ability of charging six vehicles. There are two stations at the San Marcos Hotel, two stations at Chandler Office Center, one station at the downtown Chandler Public Library and one station in the City Hall Parking Garage.

Most of the provisions of the original agreement with ECotality are the same with the BLINK agreement. The equipment is owned and maintained by BLINK. All operations and maintenance costs, as well as replacement costs, are paid for by BLINK. The major change to the agreement is the revenue provision. The agreement with BLINK provides for a new revenue sharing arrangement. The City will receive 5% of net profits and BLINK will pay the City \$0.15 per kilowatt hour (kWh) of electricity utilized at each charging station. With this new revenue agreement, the City will not incur any out of pocket costs for the stations. In addition, with increased success of the stations, the City will share in the net profits.

FINANCIAL IMPLICATIONS

The City will receive 5% of the total net profits generated by the vehicle charging stations. The City will also be paid \$0.15 per kilowatt hour utilized by the charging stations. There is no out of

pocket expense for the City. Since 2012, the City has received \$310.00 from the six existing charging stations.

30. AGREEMENT: Vehicle Purchase

APPROVED Agreement No. FD6-070-3592 for the purchase of vehicles with Peoria Ford in an amount of \$24,239.94, Thorobred Chevrolet in an amount of \$98,337.96, Courtesy Chevrolet in an amount of \$214,797.41 and Sanderson Ford in an amount of \$99,728.25, for a total amount of \$437,103.56.

The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. During the FY 2014/2015 budget process, the Municipal Utilities, Transportation and Development, Fire, Health & Medical, and Community & Neighborhood Services Departments submitted vehicles to be considered for replacement in FY 2015/2016. The FAC recommends replacing 15 light duty trucks utilizing Bid No. FD6-070-3592.

31. AGREEMENT: Emergency Vehicle Purchase

APPROVED Agreement No. FD6-070-3588 with Midway Chevrolet in an amount of \$144,950.18, and San Tan Auto Partners in an amount of \$90,877.46, for the purchase of emergency vehicles in a total amount of \$235,827.64.

The City's Fleet Advisory Committee (FAC) evaluates all vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements.

During the FY 2014/2015 budget process, the Police and Fire, Health & Medical Departments submitted vehicles to be considered for replacement in FY 2015/2016. The FAC recommends replacing seven emergency vehicles.

Ford Interceptors will be purchased from San Tan Auto Partners Ford and Chevrolet Police Tahoes will be purchased from Midway Chevrolet.

32. AGREEMENT AMENDMENT: Municipal Emergency Services, Inc.

APPROVED Agreement No. FD3-340-3133. Amendment No. 3, with Municipal Emergency Services, Inc., (MES), for the purchase of fire protective clothing and uniforms, for the term September 15, 2015, through September 14, 2016, in an amount not to exceed \$300,000.00. This is the third of four optional one-year extensions.

The Chandler Fire, Health & Medical Department (CFHMD) contracts with a vendor to provide Department approved uniforms and protective clothing to the members of the Department. The members use an annual uniform allowance to purchase their individual uniforms. The Department provides firefighters with protective clothing that includes turnout coats, turnout pants, firefighting boots and a firefighting helmet. The Department has an inspection program which ensures firefighting protective clothing is safe and is in compliance with the National Fire Protection Association (NFPA) guidelines. In FY 2015/2016, the Department has \$175,000.00 budgeted for uniforms and \$125,000.00 budgeted for protective clothing.

33. AGREEMENT AMENDMENT: Utility Construction Company, Inc.

APPROVED Agreement No. TD4-968-3404, Amendment No. 2, with Utility Construction Company, Inc., for streetlight pole replacement to extend the agreement for one year and approve Staff purchasing under the extended contract in an amount not to exceed \$225,000.00. This is the first of 4 optional on-year optional renewals.

34. PROJECT AGREEMENT: Dibble & Associates Consulting Engineers, Inc.

APPROVED Project Agreement No. WA1504.451 With Dibble & Associates Consulting Engineers, Inc., dba Dibble Engineering, Inc., for construction management services for Large Valve Replacement, pursuant to Annual Water and Wastewater Services Contract No. EN1520.101, in an amount not to exceed \$67,495.00.

35. PROJECT AGREEMENT: Carollo Engineers, Inc.

APPROVED Project Agreement No. WW1506.452 with Carollo Engineers, Inc., for construction management services, for the Downtown Sites 4, 5 and 6 Water-Wastewater Infrastructure, pursuant to Annual Water and Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$94,609.00.

36. PROJECT AGREEMENT: Wilson Engineers LLC

APPROVED Project Agreement No. WW1407.452 with Wilson Engineers, LLC, for construction management services for Ocotillo Recharge Facility Aquifer Storage and Recovery Wells 7, 8, 9 and 10, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed \$753,275.00, contingent upon written notification from Intel and appropriate funding.

37. PROJECT AGREEMENT: CH2M HILL Engineers, Inc.

APPROVED Project Agreement No. WA1302.452 with CH2M HILL Engineers, Inc., for construction management services, for the McDermott and Iris Wells Equipping, pursuant to Annual Water and Wastewater Services Contract No. EN1519.101, in an amount not to exceed \$318,740.00.

38. JOB ORDER CONTRACT: Felix Construction Company

APPROVED Job Order Contract No. JOC1501.401 to Felix Construction Company for two years, in an amount not to exceed \$1,000,000.00 per year with the option of one additional two-year extension.

39. JOB ORDER CONTRACT: Sundt Construction, Inc.

APPROVED Job Order Contract No. JOC1502.401 to Sundt Construction, Inc., for two years, in an amount not to exceed \$1,000,000.00 per year, with the option of one additional two-year extension.

40. PROFESSIONAL SERVICES CONTRACT: Carollo Engineers, Inc.

APPROVED Professional Services Contract No. WW1301.451 to Carollo Engineers, Inc. for construction management services, for Phase II of the Ocotillo Water Reclamation Facility Expansion and Related Facilities, in an amount not to exceed \$11,586,440.00.

41. CONSTRUCTION MANAGER AT RISK CONTRACT: Sundt-McCarthy

APPROVED Construction Manager at Risk Contract No. WW1301.402 to Sundt-McCarthy, an Arizona Joint Venture, for Phase II of the Ocotillo Water Reclamation Facility Expansion and Related Facilities, in an amount not to exceed \$122,645,250.00.

This contract is for the construction and commissioning of a new treatment system and supporting facilities to expand the Ocotillo Water Reclamation Facility (OWRF). The expansion of the OWRF will be located immediately north and west of the existing OWRF located at 333 S. Old Price Road. Currently, the OWRF has a ten million gallon per day (MGD) capacity. This phase of construction will add five MGD capacity. In future years, additional expansions to this facility will accommodate the Lone Butte Wastewater Treatment Facility replacement and the City's wastewater treatment build-out capacity.

42. CONSTRUCTION MANAGER AT RISK CONTRACT: CSW Contractors, Inc.

APPROVED Construction Manager at Risk Contract No. WA1504.401 to CSW Contractors, Inc., for large valve replace in an amount not to exceed \$1,154,604.20.

43. CONSTRUCTION MANAGE AT RISK CONTRACT: Achen-Gardner Construction, LLC

APPROVED Construction Manager at Risk Contract No. WW1506.402 to Achen-Gardner Construction, LLC, for the Downtown Sites 4, 5 and 6 Water-Wastewater Infrastructure in an amount not to exceed \$3,937,819.26.

The City is currently negotiating development agreements for Downtown Sites 1 through 7 with private developers. Previous assessments of the water and wastewater system in the Downtown area recommend improvements that are necessary to provide adequate levels of service for the proposed developments. This project scope of work consists of the replacement and upsizing of aged water lines and sanitary sewer infrastructure to support the development of downtown sites 4 and 5 and Phase I of Site 6.

44. CONSTRUCTION CONTRACT: PCL Construction, Inc.

APPROVED Construction Contract No. WW1407.402 to PCL Construction, Inc., for the Ocotillo Recharge Facility Aquifer Storage and Recovery Wells 7, 8, 9 and 10 in an amount not to exceed \$4,621,243.00, contingent upon written notification from Intel and appropriate funding.

45. CONSTRUCTION CONTRACT: Weber Water Resources, LLC

APPROVED Construction Contract No. WA1302.402 to Weber Water Resources, LLC, for the McDermott and Iris Wells Equipping in an amount not to exceed \$2,301,957.00.

46. CONSTRUCTION CONTRACT: DNG Construction, LLC

APPROVED Construction Contract No. WA1418.401 to DNG Construction, LLC, for the Airport Water Production Facility Landscape Site Improvements in an amount not to exceed \$133,708.06.

47. PURCHASE: Upfitting Emergency Vehicle Services

APPROVED the purchase of upfitting emergency vehicle services, utilizing City of Phoenix Contract No. 14-022 with Creative Communications, in the amount of \$122,079.81.

Public safety depends on specialized automobiles and trucks to provide service delivery. Upfitting modifies vehicles to provide emergency response warning devices, communication systems and equipment/personnel carrying capabilities. The vehicles must provide safe, dependable, effective and comfortable transportation for personnel as well as required equipment. The design engineers and installation technicians involved in upfitting must be highly skilled and experienced in order to design and build efficient, long lasting public safety vehicles. In FY 2015/2016, the City of Chandler is purchasing twenty (20) public safety vehicles that require upfitting; four (4) Fire Health and Medical and sixteen (16) Police vehicles.

48. CONSTRUCTION CONTRACT: Lejas Corporation

APPROVED Construction Contract No. PD1503.401 to Lejas Corporation for Police Interview Rooms Renovation in an amount not to exceed \$154,001.00.

This project is to provide sound mitigation between the four existing interview rooms and improved operations of the audio/visual observation room for the investigations area located on the second floor in the Police Building at 250 E. Chicago Street.

49. CONSTRUCTION CONTRACT: Woodruff Construction

APPROVED Construction Contract No. PD1501.401 to Woodruff Construction for the Chandler Police Department Indoor Firing Range in an amount not to exceed \$201,208.15.

The existing ventilation system does not adequately remove bullet fragments and smoke created while firing weapons at the police shooting range located on the first floor of the Police Building at 250 E. Chicago Street. This project is to remove the existing ventilation system and replace it with one that meets safety standards established by the United States Environmental Protection Agency, the National Institute for Occupational Safety and Health, and Occupational Safety and Health Administration.

50. PURCHASE: Freightliner of Arizona

APPROVED the purchase of a cab and chassis with asphalt patch body from Freightliner of Arizona, utilizing State of Arizona Contract No. ADSPO14-063242, in an amount of \$198,804.00

51. PURCHASE: Super Products, LLC

APPROVED the purchase of a combination sewer cleaner from Super Products, LLC, utilizing Houston Galveston Area Cooperative (HGAC) Contract No. SC01-15, in a total amount not to exceed \$392,244.00.

52. SOLE SOURCE PURCHASE: Flygt Pumps

APPROVED the sole source purchase of Flygt pumps, Flygt replacement parts and Flygt pump service from James, Cooke & Hobson, Inc., in an amount not to exceed \$510,000.00. James, Cooke & Hobson, Inc., is the sole authorized distributor for Flygt pumps, replacement parts and pump service for industrial and municipal markets in Arizona.

53. SOLE SOURCE PURCHASE: Allen-Bradley Electrical Equipment

APPROVED the sole source purchase of Allen-Bradley electrical equipment and service from Border States Electric Supply in an amount not to exceed \$540,000.00. Border States Electric Supply is the sole authorized distributor for Allen-Bradley electrical equipment and service for industrial and municipal markets in Arizona. The City receives a 13% discount off of the supplier's list price for Allen-Bradley electrical equipment.

54. SOLE SOURCE PURCHASE: Cardiac Monitor Refurbishment Services

APPROVED the sole source purchase of cardiac monitor refurbishment services with Philips Healthcare in the amount of \$67,650.00.

The Chandler Fire, Health & Medical Department (CFHMD) utilizes advanced cardiac monitor/defibrillators for cardiac monitoring, 12-lead ECG acquisition and transmittal, electrical therapy, oxygen saturation measuring, capnography measuring, blood pressure assessment and CPR quality feedback. All CFHMD front line response units maintain this advanced cardiac life support capability.

In FY 2012/2013, the department entered into a five-year service agreement to extend the anticipated life cycle of the monitors to ten years. With seven years of use, these monitors are showing excessive wear. While functionality is maintained under the service agreement, the unprofessional appearance of the monitors, along with wearing of identifiers from buttons, are becoming concerns to the providers.

This will provide for complete refurbishment of 15 CFHMD advanced cardiac monitor defibrillators to extend their life cycle to the end of the existing service agreement. These monitors are proprietary to Philips Healthcare; there are no other sources to provide the cardiac monitor services needed.

55. PURCHASE/CONTINGENCY TRANSFER: Smeal Fire Apparatus

APPROVED the purchase of three replacement fire engines from Smeal Fire Apparatus, utilizing the Houston-Galveston Area Council (HGAC) contract in the amount of \$1,563,040.83. AUTHORIZED the transfer of \$60,778.00 from the Vehicle Replacement Fund Non-Departmental Contingency Account to the Vehicle Replacement Fund Fire Capital Program.

Over the last few years, the Chandler Fire, Health & Medical Department (CFHMD) has been submitting fire engines that are 15 years old to be evaluated for replacement by the City's Fleet Advisory Committee (FAC). The FAC reviews all vehicles requested to be replaced with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. The FAC has deferred each of these engines on their first evaluation and two of the engines have been deferred for more than one year. The FAC has recommended the replacement of all three previously deferred engines in FY 2015/2016.

HGAC has been used by the City in the past to purchase various items. HGAC is a regional council of governments that operates as a cooperative authority for the purchase of various equipment and vehicles that are common to local, state and certain non-profit corporations. HGAC competitively solicited and awarded Contract FS12-13 for fire apparatus. The City has a current intergovernmental agreement with HGAC allowing for the cooperative use of HGAC's contracts.

In 2013, Staff issued a Request for Proposal (RFP) for the purchase of a fire apparatus. The City received offers from five firms. The proposal from Red Sky Fire apparatus was accepted. CFHMD is very satisfied with the engine now that it has been in service for a period of time. The possibility of purchasing similar fire engines has been explored and can be achieved through the use of the HGAC. CFHMD has worked with HGAC and the supplier to achieve a purchase price that is only 4% higher than the proposal price for the purchase in 2013. This price is well within what is acceptable for additional purchases reflecting a 2% inflation factor per year.

56. PURCHASE/CONTINGENCY TRANSFER: Vehicles

APPROVED the purchase of heavy duty trucks, undercover vehicles and administrative vehicles, utilizing the State of Arizona Contract, from Courtesy Chevrolet in an amount of \$172,673.86; Avondale Dodge in an amount of \$24,337.62; Peoria Ford in an amount of \$412,936.11 and Sanderson Ford in an amount of \$719,483.35, for a total amount of \$1,329,430.93.

AUTHORIZED the transfer of \$21,880.00 from the Vehicle Replacement Fund Non-Departmental Contingency Account to the Vehicle Replacement Fund Information Technology Infrastructure and Client Support Vehicle Account and the transfer of \$21,880.00 from the Vehicle Replacement Fund Transportation & Development Development Services Vehicle Account to the Vehicle Replacement Fund City Manager Planning Vehicle Account.

57. PURCHASE: Creative Bus Sales, Inc.

APPROVED the purchase of three 14-passenger wheelchair accessible buses, utilizing Mohave Contract No. 13N-CRBSI-0925 with Creative Bus Sales, Inc., in the amount of \$191,088.22.

58. USE PERMIT: Verizon wireless – NWC Arizona and Warner

APPROVED use Permit ZUP15-0008, Verizon Wireless – NWC Arizona and Warner, to install a 49-foot monopalm wireless communication facility located at 70 W. Warner Road. (Applicant: Garrett Jonilonis, Pinnacle Consulting.)

BACKGROUND

The request is for Use Permit approval to install a monopalm wireless communication facility located at 70 W. Warner Road within the East Valley Town Center. The proposed monopalm is 49 ft. tall, measured to the top of antennas. The nearest residential is the recently approved Avilla multi-family development located over 400 ft. west. The AZ Compass Prep school is approximately 300 ft. north and the Arborlane single-family residential subdivision is approximately 1,200 ft. northwest.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

A monopalm is a cell tower disguised as a palm tree. The monopalm would be a Date Palm design, having a minimum of 65 fronds, with the antennas painted to match the fronds. An 8-ft.

tall equipment enclosure, utilizing concrete masonry units painted to match the color of the adjacent building, will be constructed. A solid metal gate allows access for routine maintenance of the equipment within the new enclosure. Existing landscape would be relocated or replaced in-kind to accommodate the new wireless communication facility.

Within the immediate area, there are no other suitable alternatives for co-location of the wireless communication facility on existing poles or towers. An inventory of existing wireless facilities, vertical towers and structures located within an approximately one mile radius, was prepared by the applicant to assess alternative locations. Each location was analyzed to determine feasibility for collocation on utility poles, street and parking lot lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs.

Photographic simulations illustrating existing views and proposed views of the wireless communication facility were provided by the applicant. The simulations depict the equipment enclosure and monopalm as viewed from several locations.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 49-foot monopalm, measured to the top of antennas. The monopalm design is suitable at this location given the presence of palm trees within the shopping center. The separations from single-family and multi-family residential developments and the prep school are positives as the distance is greater than the approximately 160-ft. separation of recently approved wireless communication facilities.

Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 2, 2015. There was one resident in attendance seeking general information. Planning Staff has not received any correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 4 – 0 with Commissioners Cunningham Foley and Ryan absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Landscape shall be maintained at a level consistent with or better than at the time of planting.
3. All trees and shrubs removed shall be relocated or replaced with similar plant species.

59. USE PERMIT: Chandler Commons

COUNCILMEMBER HEUMANN VOTED NAY ON THIS ITEM. He stated he did not feel this was the best use at this time.

Approved (6-1 Heumann) Use Permit ZUP15-0010 Chandler Commons, to allow an indoor self-storage facility to locate within a Planned Area Development (PAD) district located at 1010 E. Ray Road, SWC of Cooper and Ray roads. (Applicant: Michael Withey, Withey Morris PLC.)

BACKGROUND

The site is located at 1919 E. Ray Road, at the southwest corner of Cooper and Ray roads, within the Chandler Commons shopping center. The subject building is the former Basha's grocery store. Ashley Park single-family residential subdivision is south and west, commercial and office developments are at the three corners and tenants within the shopping center include Brennan Dental, Jack-in-the-Box, Subway and Chevron. Retail shops located to the east remain within a new lot created through the Minor Land Division (MLD) process. The MLD approval is contingent on the final decision of this request.

The request is for Use Permit approval to allow an indoor self-storage facility to locate within a Planned Area Development (PAD) district. Storage uses are not permitted by-right within the PAD for Community Commercial (C-2) uses, however, are considerable under a Use Permit.

Tenant improvements to the approximately 57,200 sq. ft. building include a business center, a moving supply sales office and a packing and shipping retail center. Two floors totaling approximately 114,000 sq. ft. will be constructed within the existing building shell to accommodate 1,044 climate controlled storage units, support uses and the retail component. No changes to the footprint or to building height are proposed. Outdoor storage of any kind is not part of the request. Small moving trucks, limited to two trucks, will be available for client use and parked in the north or west parking lot.

Self-storage facilities require less parking than a shopping center. Existing parking totals 309 spaces; 155 parking spaces are required for the storage and office uses. Cross access and ingress/egress easements are in place for the shopping center.

Self-storage units are accessible from 6 a.m. to 10 p.m. seven days a week. Office and service hours are 9 a.m. to 6 pm. from Monday to Friday, 8:30 a.m. to 5 p.m. on Saturday and 11 a.m. to 3 p.m. on Sunday.

DISCUSSION

Planning Staff finds the proposed indoor self-storage facility to be a compatible use with the existing commercial development. The former Basha's building has been vacant approximately 8 years.

The Mayor's 4-Corner Retail report identified this location as one of seven key intersections for reuse and/or redevelopment. Self-storage is included on the list of potential reuses of vacant commercial retail space. Reuse with a self-storage business coupled with a retail component, aligns with the report recommendations and reduces the amount of vacant commercial space.

Planning Staff is not recommending at time condition with this request.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 6, 2015. There were two residents of the same household in attendance inquiring about hours of operation, loading/unloading and type of storage facility. Planning Staff received a phone call from an adjacent business owner who

voiced concerns on the request for a self-storage facility to locate within the retail shopping center indicating that it does not generate enough traffic. Planning Staff followed up with the business owner to verify if their concerns were addressed. The owner's response is in the attached letter. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 1 with Commissioner Wastchak dissenting and Commissioner Cunningham absent.

The Planning Commission asked Planning Staff to modify Condition No. 5 to include language that the two moving trucks are parked in the west parking lot when not in use. The moving trucks can temporarily park in the north parking lot when customers are loading and unloading.

The dissenting Planning Commissioner stated that a mini-storage use would not help other retail tenants in the shopping center.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Expansion or modification of the self-storage use and building beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The site shall be maintained in a clean and orderly manner.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Moving trucks shall be limited to two trucks and parked in the west parking lot when not in use for loading and unloading by customers.
6. Outdoor storage of recreational vehicles, trailers and personal automobiles shall not be permitted.

60. USE PERMIT: Sidelines Grill and Tavern

APPROVED Use Permit LUP15-0015 Sidelines Grill and Tavern, Series 12 Restaurant License, extension to allow liquor sales as permitted for on-premise consumption indoors and on an outdoor patio at an existing restaurant located at 2980 S. Alma School Road, Suite 2. (Applicant: Amy Nations; AZLIC.)

BACKGROUND

The subject restaurant is located west of the northwest corner of Alma School and Queen Creek roads, within the Ocotillo Plaza shopping center. The restaurant occupies the southern end of a pad building along Queen Creek Road. A vacant suite that previously housed a Washington Mutual Bank shares the building with the restaurant.

The restaurant first received a Use Permit for alcohol service under a Series 12 Restaurant License in 2002. It received a new Use Permit in 2009 to accommodate a patio expansion. In April 2011, it received a Use Permit, limited to one (1) year, to allow the addition of live music on the outdoor patio and received an extension 2012 for an additional three years. The request is to

extend the Use Permit indefinitely as the owners have decided to eliminate the live music component that historically generated complaints.

The restaurant has an estimated seating of 202 patrons including the outdoor patio. The restaurant is approximately 2,652 square feet; the patio provides an additional 800 square feet. The patio is enclosed with 36-inch tall decorative railing and includes a fireplace and six televisions. The restaurant has been in operation since 2002 (always under a Series 12 Restaurant License) and is open Sunday and Monday, 11 a.m. to 11 p.m., Tuesday through Thursday 11 a.m. to 12 a.m. and 11 a.m. to 1 a.m. on Fridays and Saturdays.

DISCUSSION

Planning Staff recommends approval of the request without a time limit. The restaurant has hosted live music many times over the past years, which has raised concerns; however, with the current application, the live music component is being eliminated allowing the restaurant to operate like any other restaurant with a Series 12 liquor license.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 27, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Cunningham absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit granted is for a Series 12 license only and any change of license shall require reapplication and new Use Permit approval.
2. Expansion beyond the approved Floor Plan shall void the Use Permit and require new Use Permit application and approval.
3. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require reapplication of the Use Permit.
4. The Use Permit is non-transferable to any other store location.
5. The patio and area adjacent to the restaurant entrance shall be maintained in a clean and orderly manner.

61. USE PERMIT: The Perch

APPROVED Use Permit LUP14-0021 The Perch, Series 6 Bar License and Series 3 domestic Microbrewery License to sell and serve all types of spirituous liquors as permitted, operate the microbrewery and have live entertainment indoors and outdoors for the expansion of the premise area to include a new roof-top area, the Hair Salon and Covo, located at 232 S. Wall Street, north and west of the NWC of Arizona Avenue and Frye Road. (Applicant: Jared Repinski, AATF Agent.)

BACKGROUND

The Perch is an existing restaurant and bar with outdoor courtyards, patios and roof-top areas located at 232 S. Wall Street. The previous Liquor Use Permit was approved by Council on

September 11, 2014. A new Liquor Use Permit is prompted due to the proposed expansion of the premise area.

The premise area expansion adds approximately 6,530 sq. ft. to the existing 30,200 sq. ft. for a total premise area of 36,730 sq. ft. The northeast expansion includes the rebuilding of the former 'Covo' building. The Hair Salon is an existing building and the new roof-top area was recently constructed above a storage building. Live entertainment concludes at 10 p.m. on Sunday through Thursday and 11 p.m. on Friday and Saturday. A time condition was not placed on the previous Liquor Use Permit and Planning Staff does not recommend a time condition on the current request.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 6, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Cunningham absent.

One speaker, representing the owner of Yoli's Café, commented on several items which are not related to the Liquor Use Permit and include The Perch's business sign facing Oregon Street, pedestrian access through The Perch site to their business and fencing constructed on a common property line. The speaker indicated that loud music came from The Perch and disturbed his patrons. Planning Staff or the Police were not contacted concerning the loud music/noise issue. The time of day and days of the week when loud music occurred cannot be verified since there is no record or correspondence of the incident(s).

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Liquor Use Permit granted is for a Series 6 Bar License and a Series 3 Domestic Microbrewery License and any change of license shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require a new Liquor Use Permit application and approval.
4. Music and entertainment shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
5. No noise shall be emitted from the live music and entertainment occurring outdoors that exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
6. No live entertainment shall occur after 11 p.m. on Friday and Saturday.
7. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
8. The site shall be maintained in a clean and orderly manner.

62. PERMANENT EXTENSION OF PREMISES: The Perch

APPROVED the permanent extension of premises for a Series 6 Bar Liquor License and a Series 3 Domestic Microbrewery Liquor License (Chandler #145511 L6 & L3) held by The Perch LLC, dba The Perch located at 232 S. Wall Street. A recommendation for approval of a permanent extension of premises for State Liquor License Nos. 06070316 and 03073070 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

63. USE PERMIT: Vintage 95

APPROVED Use Permit LUP15-0010 Vintage 95, Series 12 Restaurant License and Series 7 Beer and Wine Bar Liquor License to allow liquor sales as permitted for on-premise consumption indoors and outdoor consumption on an enlarged outdoor patio at an existing restaurant located at 94 W. Boston Street. (Applicant: Jared Repinski, Agent.)

BACKGROUND

The subject site is located at the southeast corner of Oregon and Boston streets within the City's City Center District (CCD). The CCD is a unique district that promotes specialty retail, cultural, dining, entertainment and other storefront businesses traditional to a downtown setting. A vacant suite shares the eastern wall of the subject site; plans for a restaurant are currently under review for the vacant suite.

The site first received Use Permit approval in 2010 for a Series 12 Restaurant license under the operation of a different restaurant. Vintage 95 first received Use Permit approval for a Series 12 Restaurant License in 2011 with a one-year time limit due to live music being added to the 2010 approval. An extension of the Use Permit was granted in 2012, indefinitely. The current request is to add an outdoor patio along the site's western side and to add a Series 7 Beer and Wine Bar License. The restaurant will continue to maintain the Series 12 Restaurant License.

Ratios of food to alcohol sales will be maintained under the Series 12 License, but with the stacked Series 7 License, the restaurant will be able to provide beer growlers and bottles of wine for sale for off-premise consumption.

The subject site includes an approximately 2,800 sq. ft. building interior with restaurant seating and a bar, a small front patio along Boston Street and a larger rear patio backing to the alley. The rear patio has restaurant seating, a bar and three raised "square" features (a fire pit, a water feature and a tree) that serve as gathering points. Seating is provided for approximately 174 patrons, including 100 in the interior, 16 on the front patio and 58 on the rear patio. The proposed western patio will connect the northern and southern patios, is 822 sq. ft. and will provide seating for approximately 20 patrons. With the addition of the patio, the restaurant and patios will provide a total square footage of 5,869. The colonnade, in which the proposed patio is located, is approximately 22 feet wide. With the addition of the seven-foot wide patio, the colonnade will maintain a clear width of 15 feet. Where columns are located adjacent to the patio, a clear area of just under six feet will be provided.

The site provides live music, both indoors and outdoors on the rear patio. The music may include amplified acoustic guitar and vocals (daily), or a small 3-piece jazz band (Thursday through Saturday only). Only the jazz bands will include a bass guitar. No drums or DJs are requested. The music schedule is 5 p.m. to 10 p.m. Monday through Wednesday, 11 a.m. to 1 a.m. Thursday through Saturday and 12 p.m. to 10 p.m. on Sunday. Conditions have been placed on

the Use Permit since 2011 to address noise concerns. Planning Staff is unaware of any noise complaints generated by noise stemming from the live music.

DISCUSSION

Planning Staff supports the request finding that the addition of the patio takes advantage of a large colonnade that has been unutilized and will offer an opportunity to provide more activity along a street frontage in the CCD. Additionally, with the stacked licenses, Planning Staff finds that while more opportunities for customers will be provided, the additional offering does not generate operational concerns nor negatively impact the underlying land use.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 3, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Cunningham absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Use Permit is granted for a Series 12 Restaurant and Series 7 Beer and Wine Bar license only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
2. The Liquor Use Permit is non-transferable to any other location.
3. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
4. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. persons with disabilities shall have direct access to all indoor and outdoor pedestrian spaces).
6. The outdoor patio shall be maintained in a clean and orderly manner.
7. Music shall be controlled so as to not unreasonably disturb area residents.
8. The restaurant shall provide contact information for a responsible person (restaurant owner and/or manager) to interested neighbors that will allow music complaints to be resolved quickly and directly.

64. PERMANENT EXTENSION OF PREMISES: Vintage 95

APPROVED a permanent extension of premises for a Series 12 Restaurant Liquor License (Chandler #136364 L12) held by Vintage 95 LLC, dba Vintage 95 located at 95 W. Boston Street. A recommendation for approval of a permanent extension of premises for State Liquor License #12078843 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax code.

65. LIQUOR LICENSE: Vintage 95

APPROVED a Series 7 Beer and Wine Bar Liquor License (Chandler #136364 L7) for Jared Repinski, Agent, Vintage 95 LLC, dba Vintage 95, located at 95 W. Boston Street. A recommendation for approval of State Liquor License #07070573 will be forwarded to the State Department of Liquor Licenses and Control. 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.

66. USE PERMIT: Mod Super Fast Pizza

APPROVED Use Permit LUP15-0014 Mod Super Fast Pizza, Series 12 Restaurant License, to sell and serve liquor for on-site consumption indoors and within an outdoor patio for a new restaurant in the Paseo Lindo development located at 3977 S. Arizona Avenue, Suite 4. (Applicant: Andrea Lewkowicz.)

BACKGROUND

The application requests Liquor Use Permit approval to sell liquor as permitted by a Series 12 Restaurant License within a new restaurant and outdoor patio. The building is currently under construction within the Paseo Lindo commercial center and will occupy one of three tenant spaces.

The restaurant will have approximately 70 seats indoors and 30 seats outside on a patio. Hours will be from 10:30 a.m. until 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday nights. There is no live entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 3, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, the Planning Commission and Planning 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 Liquor Use Permit and require new Liquor Use Permit re-application and approval.
2. The Liquor Use Permit is granted for a Series 12 (Restaurant License) only and any change of licenses shall require re-application and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. The site and patio shall be maintained in a clean and orderly manner.

67. LIQUOR LICENSE: MOD Pizza

APPROVED a Series 12 Restaurant Liquor License (Chandler #159104L12) for Andrea Lewkowicz, Agent, MOD Super Fast Pizza LLC, dba MOD Pizza, located at 3977 S. Arizona Avenue, Suite 4. A recommendation for approval of State Liquor License #207A273 will be forwarded to the State Department of Liquor Licenses and Control. 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.

68. LIQUOR LICENSE: Keegan's Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #160036 L12) for Amy S. Nations, Agent, White Stone Kitchens LLC, dba Keegan's Grill, located at 1095 W. Queen Creek Road. A recommendation for approval of State Liquor License #1207A352 will be forwarded to the State Department of Liquor Licenses and Control. 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. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Keegan's at Ocotillo LLC, dba Keegan's Grill.

69. LIQUOR LICENSE: Rick's Pub & Grub

APPROVED a Series 12 Restaurant Liquor License (Chandler #159939 L12) for Richard B. Stover, Agent, RS & RM Investments LLC, dba Rick's Pub & Grub, located at 4910 W. Ray Road, Suite 3. A recommendation for approval of State Liquor License #1207A336 will be forwarded to the State Department of Liquor Licenses and Control. 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. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as JJ's Restaurant Group LLC, dba Duke's Tavern.

70. LIQUOR LICENSE: Singing Pandas Asian Restaurant & Bar

APPROVED a Series 12 Restaurant Liquor License (Chandler #159666 L12) for Xing Ling Chen, Agent, Singing Pandas LLC, dba Singing Pandas Asian Restaurant & Bar, located at 757 E. Chandler Boulevard. A recommendation for approval of State Liquor License #1207A341 will be forwarded to the State Department of Liquor Licenses and Control.

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. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Byliel, Inc., dba Rancho Mexican Grill 2.

71. SAMPLING PRIVILEGES LIQUOR LICENSE: Wal-Mart Supercenter #3360

APPROVED the addition of sampling privileges for a Series 9 Liquor Store Liquor License (Chandler #101751 L9) for Clare Hollie Abel, Agent, Wal-Mart Supercenter #3360, located at 2750 E. Germann Road. A recommendation for approval to add sampling privileges to existing State Liquor License #09070686s will be forwarded to the State Department of Liquor Licenses and Control.

Wal-Mart Supercenter #3360 has been in business at this location since August 29, 2005, at which time Council approved a Series 9 Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their current Series 9 Liquor License. The Arizona State Legislature amended A.R.S. §4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

72. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Celebrate Arts event on September 30, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

73. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Mariachi Festival on October 3, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

74. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Center State Dinner on October 24, 2015, at the Chandler Center for the Art, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

75. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Concert Series Concert #1 on October 31, 2015, at the Library Plaza, 125 E. Commonwealth Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

76. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Tower of Power concert on November 7, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic

beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

77. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the 6th Annual Rock the Block Party on November 14, 2015, at the Library Plaza, 125 E. Commonwealth Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

78. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Holiday Enchantment Gala on November 20, 2015, at Big Two Toyota Scion of Chandler, 1250 S. Gilbert Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

79. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License of the Chandler Cultural Foundation for the Gaelic Storm Fundraiser event on November 20, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue.

A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

80. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Downtown Chandler Concert Series Concert #2 on November 21, 2015, at the Library Plaza, 125 E. Commonwealth Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

81. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Texas Tenors event on December 18, 2015, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

82. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Downtown Chandler New Year's Eve Concert, December 31, 2015, at the Library Plaza, 125 E. Commonwealth Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

83. SPECIAL EVENT LIQUOR LICENSE: World Class Urban Foundation

APPROVED a Special Event Liquor License for the World Class Urban Foundation for the 2nd Annual Halloween Party, October 16, 2015, at the Tech Shop, 249 E. Chicago Street. . A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

84. PRELIMINARY PLAT: Ray Road Apartment Homes (Brio Apartments)

APPROVED Preliminary Plat PPT15-0011 Ray Road Apartment Homes (Brio Apartments), for a multi-family residential development located east of the NEC of Arizona Avenue and Ray Road. (Applicant: Jeff McIntosh, Terrascape Consulting.)

BACKGROUND

This Preliminary Plat is for a multi-family residential development that was approved by Council on June 12, 2014. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioner Cunningham absent and Commissioner Ryan abstaining.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

85. FINAL PLAT: Chandler Heights

APPROVED Final Plat FPT15-0013 Chandler Heights, for an 84-lot single-family residential subdivision located east of the SEC of Cooper and Chandler Heights roads. (Applicant: Michael Cronin, TerraWest Communities.)

The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way. Planning Staff recommends approval.

86. FINAL PLAT: Maderas

APPROVED Final Plat FPT-15-0022 Maderas, for a 22-lot single-family residential subdivision located south of the SWC of Cooper and Queen Creek roads. (Applicant: Bowman Consulting.)

BACKGROUND

This Final Plat is a re-plat for the single-family subdivision Maderas originally approved by Council in 2006. In July 2015, Council approved zoning conditions which modified development standards related to the location of one- and two-story homes. Due to these changes, the originally approved Final Plat's typical lot setback details and notes were no longer applicable. The proposed re-plat removes this information and maintains the subdivision design previously established. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Staff recommends approval.

ACTION AGENDA

24. AGREEMENT: American Traffic Solutions, Inc.

Agreement No. PD-961-3521 with American Traffic Solutions, Inc., for photo enforcement in an estimated amount of \$2,500,000.00 for the initial five-year contract term, April 1, 2016, through March 31, 2021, with the option of one five-year extension.

Background:

The City entered into an agreement for the photo enforcement program in February 2007 and has exercised the final extension option through March 31, 2016. The recommended agreement will allow the City to continue providing the photo enforcement program.

On July 22, 2015, the Public Safety Subcommittee met and was briefed on the history of the photo enforcement program, the proposed new locations and the potential new vendor.

The Police Department's goal is to reduce accidents overall and further reduce the severity of the accidents that do occur. Studies conducted in Chandler show that there is a statistically significant reduction in accidents at intersections that are photo enforced. The Police

Department's experience with photo enforcement as a tool to reduce accidents and increase traffic safety has been positive.

A review of the crash data and traffic flow revealed that some of the current enforcement cameras should be relocated to different intersections to have the greatest impact on the safety of the motoring public. This contract will not increase the number of photo enforcement locations or approaches, which will remain at 12 intersections and 7 approaches. Intersections recommended to be monitored by photo enforcement were selected based on three criteria: volume of accidents, increase in accidents and severity of the accidents occurring at the intersection. Approaches will be monitored with a combination of speed and red light enforcement based on the accident data.

In the event this program generates a positive cash flow, all funds will be used by the Police Department and Traffic Engineering for traffic safety enhancements including signage, roadway improvements and other items that increase traffic safety in Chandler.

Before the new locations go live, there will be a 60-day public information campaign to make drivers aware of the location changes. Speed reader boards will be installed at all four approaches at each intersection advising drivers of their speeds. Additionally, for the first 30 days of the program, warnings will be issued instead of citations.

If the contract is terminated for convenience, the contractor will be compensated for unamortized costs incurred for installation. Staff and the contractor will collaborate for a seamless transition.

DISCUSSION:

COUNCILMEMBER ROE stated there are efforts on behalf of the state to eliminate photo radar throughout the state, and inquired if the State succeeds will Chandler be responsible for the entire funding of the contract.

KAY BIGELOW, City Attorney, stated if the State of Arizona passes a law banning the use of photo radar, any contracts in existence would still be enforceable. State law cannot impair an existing contract.

COUNCILMEMBER ROE said he is opposed to continuing with photo enforcement in Chandler due to the cost of the program, and low numbers of accidents in those intersections identified as the highest traffic intersections. He said from 2012-2014 in each of the top ten accident locations in Chandler, there were fewer than 3 accidents per month at each intersection. He said this occurs in intersections where close to 2 million vehicles safely past each month without incident. He said points to consider would be street engineering which lead to be one of the primary reasons our roads are as safe as they are.

He recommended the expansion of digital speed signs. He reported the digital speed signs are effective according to the City's Transportation Engineer. Councilmember Roe said he would like to experiment with larger digital countdown signs, similar to the ones at pedestrian crossings as a study has discovered many drivers use these to slow down before the traffic light even turns yellow. He suggested keeping the extended time on the yellow traffic light as it gives drivers a longer period to slow down. He encouraged the research to identify how many red light violations have occurred, peak months, days of the week or time of the day where extra measures can make a difference. Research and educate which groups are having more accidents and what is causing them.

Councilmember Roe stated photo enforcement was adopted in 2006 and he purported to date, the city has collected more than \$6 million. More than \$3 million went to a private contractor. He stated there are those who do not support photo enforcement in our community including, Representative LD-17 J.D. Mesnard, State Representative LD-17 Jeff Weninger, State Representative LD-18 Bob Robson. He noted State Senator Kelly Ward introduced legislation banning photo radar use statewide. He stated the Town of Gilbert has adopted a no photo enforcement policy.

He encouraged the Council to adopt solutions that do not include photo enforcement.

MAYOR TIBSHRAENY asked Chief Duggan to address the cost vs. expense of the program.

POLICE CHIEF DUGGAN stated Chandler's intention was to be a cost neutral program, however the cost versus revenue generated varies every year. Since 2006, when the program started, the city has received \$300,000 in revenue, although that number fluctuates. It is designed to complement the technology, education, and prevention efforts. It does not replace officers, but enhances the enforcement component.

COUNCILMEMBER HEUMANN stated he and former Councilmember Weninger sat on a subcommittee that discussed photo radar and stated that any money generated from photo radar is used for reader boards and other safety and traffic calming enhancements. Chief Duggan replied when there is an overage, that funding is earmarked specifically for those enhancements such as reader boards.

COUNCILMEMBER SELLERS asked Chief Duggan to comment on the enhanced safety the previously mentioned measures have provided and whether the speed indicator boards truly impact the driver and their speed.

CHIEF DUGGAN responded that it is one of many tools they utilize to reduce the number and severity of accidents. Photo Radar is just one of those many tools used to achieve this goal, and he supports the continued use of the program.

In response to a question from Vice Mayor Hartke, CHIEF DUGGAN stated he believes it has a significant impact on decreasing accidents and as a result, most likely saves lives. Chandler uses a wide variety of tools, technology and educational measures and it all makes a difference.

COUNCILMEMBER LOPEZ stated that while he is not a big fan of Photo Radar, he believes that by having a variety and available resources to increase the safety of citizens is what is important.

COUNCILMEMBER HEUMANN MOVED, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THE AGREEMENT NO. PD5-961-3521 FOR PHOTO ENFORCEMENT AS RECOMMENDED BY STAFF.

COUNCILMEMBER ELLEN thanked the Chief for the department's efforts to keep the citizens safe. She believes photo radar is a punitive tool towards the residents and does not feel it is Chandler's job to use cameras on the residents. She commented when the camera's flash at night, it blinds drivers. She believes there are other measures that could be used for safety and she will be voting no.

MAYOR TIBSHRANEY stated he had received a letter and read it into the record. The letter was from Dennis and Jeanie Wells and encouraged the installation of photo radar at Chandler's major intersections. They have observed approximately 15% of their neighborhood residents no longer stop at the stop sign when leaving the neighborhood, and have frequently observed several cars running red lights, and some of them up to 3-5 cars in succession at one red light.

The Mayor stated photo radar is just another tool in the tool box to increase the safety at intersections. There are several tragic stories about red light running.

THE MOTION CARRIED BY MAJORITY (5-2) WITH COUNCILMEMBER ELLEN AND ROE VOTING NAY.

PUBLIC HEARINGS

PH1. **ANNEXATION** of a parcel of approximately 7.83 acres located at the SEC of Arizona Avenue and Queen Creek Road. (Applicant: Ralph Pew, Pew & Lake, PLC.)

Open Public Hearing

The Mayor opened the public hearing at 7:28 p.m.

Staff Presentation

Ms. Lauren Schumann, City Planner, provided an overview of the annexation request.

Background:

The property is located at the southeast corner of Arizona Avenue and Queen Creek Road. The subject site is zoned General Commercial (C-3) within the County, but is currently being used for agricultural uses and contains a single-family home with ancillary structures. The site is bordered by Arizona Avenue to the west and Queen Creek Road to the north. The land adjacent to the east is zoned Agricultural and the land adjacent to the south is vacant zoned as Planned Area Development (PAD) for professional offices.

The Chandler Land Use Element of the General Plan designates the site as Employment, a Commercial Node and located within a Large Tract Growth Area. The Chandler Airpark Area Plan designates a more specific land use category of Neighborhood Commercial and within the Light Rail Corridor Overlay Planning Area. A rezoning and preliminary development plan application will be submitted for the subject site for a medical facility which will be forthcoming following approval of the requested annexation.

Existing municipal water service, waste water service and reclaimed water are available in Queen Creek Road.

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

Council discussion: None.

Discussion from the Audience: None.

The Mayor closed the public hearing at 7:30 p.m.

PH2. **ANNEXATION** of two parcels totaling approximately 20 acres located at the NEC of 138th Street and Ocotillo Road. (Applicant: Scott W. Morrison.)

Open Public Hearing

The Mayor opened the public hearing at 7:30 p.m.

Staff Presentation

Ms. Lauren Schumann, City Planner, gave an overview of the annexation request.

Background:

The property is located at the northeast corner of 138th Street and Ocotillo Road. The subject site is undeveloped and used for horses to graze. The property is currently zoned Rural-43 (RU-43) within the County. The site is bordered by unincorporated rural residential properties zoned RU-43 to the north and east. Ocotillo Road is adjacent to the south and Layton Lakes Parcel 28, which is under development, is located west of 138th Street. The Chandler Land Use Element of the General Plan designates the site as Residential. The property owner has no immediate plans to subdivide the property.

Existing municipal water service, waste water and reclaimed water are available in Ocotillo Road.

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

Council Discussion

None.

Discussion from the Audience

A member from the audience inquired how residents would be able to keep up to date with the request.

CITY PLANNER SUSAN FIALA stated the request is for annexation into the City. Once land is annexed into the city, the city is required to zone it comparable to the existing county zoning. If the property owners want to change the zoning they would have to apply to the city and residents within 600 feet would have to be notified.

The Mayor closed the public hearing at 7:33 p.m.

PH3. **ANNEXATION** of three parcels totaling approximately 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road. (Applicant: James H. Kean.)

Open Public Hearing

The Mayor opened the public hearing at 7:33 p.m.

Staff Presentation

The property is located south of the southeast corner of Arizona Avenue and Chandler Heights Road. The subject site is undeveloped land currently zoned Light Industrial (Ind-2) within the County. The property borders Arizona Avenue to the west and the Union Pacific Railroad is adjacent to the east. North of the property is zoned for multi-family residential and a manufacturing business within the County zoned Heavy Industrial (Ind-3) is adjacent to the south.

The Chandler Land Use Element of the General Plan designates the site as employment, within a Commercial Node, and Large Tract Growth Area. The Southeast Chandler Area Plan designates a more specific land use category of Mixed Use/Employment. This annexation was scheduled for a previous public hearing on May 14, 2015, but was withdrawn to allow more time to evaluate a conceptual site plan. The property owner plans to build a self-storage facility after annexation.

Existing municipal water service is available from Arizona Avenue and sewer will be extended from Chandler Heights Road.

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

Per Arizona Revised Statutes, the City Council must hold a Public Hearing to gather input regarding a proposed annexation prior to taking action on the request. No action is required of Council at this time.

Council Discussion

COUNCILMEMBER LOPEZ requested a clarification of the zoning once the land is annexed into the city. He asked if the zoning of this property will be different because of the location.

CITY PLANNER SUSAN FIALA stated once property has been annexed from the county, the city zoning must reflect comparable zoning as it was in the county. It can be less, but never more than what the county zoning was. The property is currently zoned High Industrial within the county, it will be zoned Light Commercial within the City.

Discussion from the Audience

None.

The Mayor closed the public hearing at 7:35 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

- In partnership with the DCCP, the permanent, covered stage was dedicated tonight and will attract high-profile entertainment and its placement in the Downtown Library plaza will allow up to 17,000 visitors.
- The City of Chandler and the Human Relations Commission, in partnership with the Miss Indian Arizona Scholarship Program, will host the Chandler Indian Art Market, October 10 and 11, at Dr. A.J. Chandler Park. This free, two-day event is a unique way to experience Native American culture and a way of life. Also, contestants in the 2015 Miss Indian Arizona Scholarship Program will compete for the title of Miss Indian Arizona at 6:30 p.m., Saturday, Oct. 10, at the Chandler Center for the Arts. The event provides scholarships to young American Indian women, encouraging them to pursue their educational goals
- The Mariachi Festival will take place Oct 3rd starting at 7 p.m. at the Chandler Center for the Arts.
- Census will kick off starting October 1st, through end of November. Chandler is one of seven cities in the State conduction the mid-census.
- The Mayor addressed the increase of violence against police or public safety officers, and asked residents to be cognoscente and report anything suspicious.

B. Councilmembers' Announcements

COUNCILMEMBER SELLERS announce he attended the inauguration of "Kiko" Munro, the new Mayor of Puerto Penasco. He then drove to Tombstone for the Arizona Department of Transportation meeting. Councilmember Sellers stated he toured the new Wells Fargo buildings and noted they were Gold Leed certified although designed to Platinum standards. He said soon will be traveling with the Chandler National Little League All-Stars to Taiwan for the tournament.

VICE MAYOR HARTKE echoed the Mayors comments regarding the safety of Chandler's police. On October 24th there are several events: Community Clean up, the Mayor's Day of Play, and then Chandler will hold its G.A.I.N. event.

COUNCILMEMBER HEUMANN commented on the new Wells Fargo campus and the approval for two future buildings. He announced the Desert Cancer Foundation will hold its annual luncheon at the San Marcos Hotel on October 29th.

COUNCILMEMBER ELLEN announced September is the National Emergency Month.

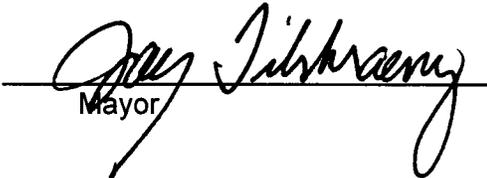
COUNCILMEMBER ROE attended a Junior Achievement open house in Tempe, and asked everyone to support youth programs when they can.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:47 p.m.

ATTEST: 
City Clerk


Mayor

Approved: October 19, 2015

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 24th day of September 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 21 day of October, 2015.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, October 19, 2015 at 7:10 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
*Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

* Councilmember Ellen participated by phone.

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Mark Rossington – Epiphany Lutheran Church

PLEDGE OF ALLEGIANCE: Councilmember Heumann let the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Special Meeting (Exec – a.m.) of September 21, 2015.
- 1b. Special Meeting (Exec – p.m.) of September 21, 2015
- 1c. Regular Meeting of September 21, 2015.
- 1d. Study Session of September 21, 2015.
- 1e. Regular Meeting of September 24, 2015.

2. REZONING: Gila Springs

Ord. #4654

ADOPTED Ordinance No. 4654, DVR15-0021 Gila Springs, rezoning from Planned Area Development (PAD) for mini-storage to PAD for light industrial and office.

3. REZONING: Habitat for Humanity Ord. #4655

ADOPTED Ordinance No. 4655, DVR15-0021 Habitat for Humanity, rezoning from Medium Density Residential (MF-1) to Planned Area Development (PAD) for single-family residential.

4. RIGHT-OF-WAY VACATION: SEC Cooper and Germann Roads Ord. #4658

ADOPTED Ordinance No. 4658 authorizing the vacation of a portion of road right-of-way located south of the SEC of Cooper and Germann roads.

5. REZONING: Avalon Ord. #4659

ADOPTED Ordinance No. 4659, DVR15-0013 Avalon, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a 14-lot custom single-family residential subdivision.

6. REZONING: Wells Fargo Chandler Campus Ord. #4660

ADOPTED Ordinance No. 4660, DVR15-0015 Wells Fargo Chandler Campus, rezoning from Planned Area Development (PAD) for office, retail and data center uses, to Planned Commercial Office (PCO) with a PAD Overlay on approximately 15.5 acres of the approximately 68-acre Wells Fargo Chandler campus. In addition, request PAD Mid-Rise Overlay amendment for buildings up to 200 feet in height.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

- A. Mayor's Announcements

None.

- B. Councilmembers' Announcements

None.

- C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:13 p.m.

ATTEST: Marel Padua
City Clerk

Jay Subway
MAYOR

Approved: November 16, 2015

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 19th day of October 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 17 day of November, 2015.

Marel Padua
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, October 22, 2015 at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Susan Stevens Clarke – Chandler Bahai Faith

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

CONSENT:

MOVED BY COUNCILMEMBER LOPEZ, SECONDED BY VICE MAYOR HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER HEUMANN COMMENTED ON ITEM #73, discussion is listed under that item.

A Request to Speak card was received for item No. 22 by Jim West. Discussion is under that item.

MOTION CARRIED UNANIMOUSLY (7-0).

1. SITE LEASE AND WIRELESS LICENSE: Verizon Ord. #4580

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4580 authorizing a Telecommunication Site Lease and Wireless License with Verizon Wireless LLC, dba Verizon Wireless (Verizon) for a parcel of land that is a portion of Pima Park and authorizing the Mayor to execute the lease and authorizing the City Manager or designee to execute other implementing documents as needed.

BACKGROUND

At the October 23, 2014, Council meeting, City Council approved a Use Permit for Case #ZUP14-0015, Verizon and Pima Park, to install wireless communication facilities on a ball field light pole within the City of Chandler Pima Park at 625 N. McQueen Road. Ordinance #4580 authorizes

the terms of a five-year Site Lease to Verizon which is renewable for up to four (4) successive five-year periods. It also grants a "Construction Access Easement", a "Driveway Easement", a "Path Easement" and a "Maintenance Access Easement" as detailed in Section 3B and Exhibit C. The base lease payment will be \$1,899.00 per month with a provision for a 12% increase at the start of each new lease period.

The Police and the Fire, Health and Medical Departments have determined that the installation of this wireless facility will not cause any interference with the City's public safety communication systems. The Community and Neighborhood Services Department Staff have also approved the location of the wireless facilities and does not have any issues regarding its impact on the City's operations of the property. Staff has concluded that the lease would be in the best interests of the City of Chandler and its citizens and would satisfy the license provisions of Chapter 46 of the City Code.

FINANCIAL IMPLICATIONS

The Company will pay permit, inspection and pavement damage fees, if applicable. Verizon will also pay \$1,899.00 per month rent for the site with provisions for rent increases of 12% as detailed in the Agreement. Verizon will also pay any applicable transaction privilege, sales, excise, rental and other taxes.

2. ANNEXATION: SEC Arizona Avenue and Chandler Heights Road Ord. #4632

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4632 annexing approximately 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road. (Applicant: James H. Kean.)

BACKGROUND

The property is located south of the southeast corner of Arizona Avenue and Chandler Heights Road. The site is undeveloped land currently zoned Light Industrial (Ind-2) and Heavy Industrial (Ind-3) within the County. The property borders Arizona Avenue to the west and the Union Pacific Railroad is adjacent to the east. North of the property is zoned for multi-family residential and a manufacturing business within the County zoned Heavy Industrial (Ind-3) is adjacent to the south.

The Chandler Land Use Element of the General Plan designates the site as Employment within a Commercial Node and Large Tract Growth Area. The Southeast Chandler Area Plan designates a more specific land use category of Mixed Use/Employment. The property owner plans to build an RV and self-storage facility after annexation and initial City zoning.

UTILITY SERVICES

Existing municipal water service is available from Arizona Avenue and sewer will be extended from Chandler Heights Road.

STAFF COMMENTS

A public hearing for this annexation was held at the September 24, 2015, City Council meeting. As of this writing, Planning Staff is unaware of any opposition. Planning Staff circulated the request among City Departments and received no negative comments relative to the property's annexation.

RECOMMENDED ACTION

Planning Staff recommends approval.

3. INITIAL CITY ZONING: SEC Arizona Ave & Chandler Heights Road Ord. #4633

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4633, DVR15-0017 south of the Southeast Corner of Arizona Avenue and Chandler Heights Road, establishing initial City zoning of Industrial on approximately 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road. (Applicant: City of Chandler.)

BACKGROUND

The property is located south of the southeast corner of Arizona Avenue and Chandler Heights Road. The site is undeveloped land currently zoned Light Industrial (Ind-2) and Heavy Industrial (Ind-3) within the County. The property borders Arizona Avenue to the west and the Union Pacific Railroad is adjacent to the east. North of the property is zoned for multi-family residential and a manufacturing business within the County zoned Heavy Industrial (Ind-3) is adjacent to the south.

The Chandler Land Use Element of the General Plan designates the site as Employment within a Commercial Node, and Large Tract Growth Area. The Southeast Chandler Area Plan designates a more specific land use category of Mixed Use/Employment. The property owner plans to build an RV and self-storage facility after annexation and initial City zoning.

In accordance with State Statute, Planning Staff is proposing an initial City zoning of Planned Industrial (I-1) and Planned Area Development (PAD), which is consistent with the previous Light (Ind-2) and Heavy (Ind-3) Industrial zoning in the County. Arizona Revised Statute §9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

The request includes a PAD overlay to reduce the north building setback from fifty (50) feet to thirty (30) feet.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the condition listed in the ordinance.

4. CONTINUED REZONING/PRELIMINARY DEVELOPMENT PLAN: RMB Business Park
Ord. #4653

CONTINUED TO JANUARY 14, 2016, Introduction of Ordinance No. 4653, DVR15-0010, RMB Business Park, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial. (Applicant: Lyle S. Richardson.)

CONTINUED Preliminary Development Plan (PDP) for site layout and building architecture located north of the NEC of Ryan Road and Arizona Avenue.

This case was continued from the September 24, 2015, Council meeting to the October 22, 2015, Council meeting. The applicant requests further continuance to the January 14, 2016, Council meeting due to their need for additional time to address certain project issues.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: Arizona Eye Center Ord. #4657

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4657, DVR15-0014 Arizona Eye Center, rezoning from Planned Area Development (PAD) for general office to PAD for medical and general office. (Applicant: Larry Talbott, Hunter Engineering.)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture on approximately 1.55 acres located at the NWC of Ray Road and Arrowhead Drive.

BACKGROUND

The property is located at the intersection of an arterial and collector street that provides access to the adjacent neighborhoods. The property is surrounded on all sides by the residential subdivisions Andersen Springs and Festival which developed in the earlier 1980's and 1990's. The site was a remaining out-parcel held by the Andersen family at the time the property was sold and the adjacent subdivisions developed. The site was previously zoned PAD for general office in 2004.

SITE LAYOUT AND ARCHITECTURE

The site will consist of a new 9,000 square foot, single-story office used for an ophthalmology facility. In order to integrate with the surrounding residential, the proposed exterior architectural design represents a west coast Mediterranean theme and will use a combination of stucco, stone, and clay roof tiles similar to the adjacent homes. Flat walls have been minimized with façade bump-outs, trellis features and private patio areas. A canopy has been provided on the west façade, which will service as the main entrance. The highest point of the building will measure 27'-4" above finished floor. The proposed location of the building footprint at the southeast corner of the lot creates the greatest distance possible from the adjacent residential properties, while maintaining adequate setbacks from both street rights-of-way and, in addition to the ten-foot landscape buffer surrounding the north and west property lines. A minor setback encroachment is requested along Ray Road.

Arizona Eye Center hours of operation will be 8 a.m. to 5 p.m., Monday through Friday and will have seven employees. The facility will provide procedures such as medical eye exams, cataract surgery, laser vision correction, corneal surgery and eye lid rejuvenation. The site provides sixty parking spaces with a covered parking structure along the north property line.

Signage will include a freestanding monument sign along Ray Road as well as building mounted signage along Ray Road and Arrowhead Drive. The building mounted signage, for both text and logo, will be individually cut reverse pan channel brushed aluminum. All signage will be externally illuminated. Building mounted signage will be lit by goose-neck exterior building lighting. Ground mounted, directional up lighting will be used to illuminate the monument sign.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on July 20, 2015. There were five residents in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Arizona Eye Center" and kept on file in the City of Chandler Planning Division in File No. DVR15-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Landscaping shall be in compliance with current commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than that at the time of planting.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler shall apply.
6. WITHDREW ANNEXATION: SEC Arizona Avenue and Queen Creek Road Ord. #4661

WITHDREW INTRODUCTION AND TENTATIVE APPROVAL of Ordinance No. 4661, annexation of approximately 7.83 acres located at the SEC of Arizona Avenue and Queen Creek Road for the purpose of re-advertising.

7. WITHDREW INITIAL CITY ZONING: SEC Arizona Ave and Queen Creek Rd Ord #4662

WITHDREW INTRODUCTION AND TENTATIVE APPROVAL of Ordinance No. 4662, DVR15-0029 Southeast Corner of Arizona Avenue and Queen Creek Road, establishing initial City zoning for Regional Commercial (C-3) on approximately 7.83 acres located at the SEC of Arizona Avenue and Queen Creek Road for the purpose of re-advertising.

8. ANNEXATION: NEC 138th Street and Ocotillo Road Ord. #4663

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4663 annexing approximately 19 acres located at the NEC of 138th Street and Ocotillo Road. (Applicants: Scott Morrison & Karen Panietz, Property Owners.)

BACKGROUND

The site is undeveloped and used for horses to graze. The property is currently zoned Rural-43 (RU-43) within the County. The site is bordered by unincorporated rural residential properties zoned RU-43 to the north and east. Ocotillo Road is adjacent to the south and Layton Lakes Parcel 28, which is under development, is located west of 138th Street. The Chandler Land Use

Element of the General Plan designates the site as Residential. The property owner has no immediate plans to subdivide the property.

UTILITY SERVICES

Existing municipal water service, waste water service and reclaimed water are available in Ocotillo Road.

STAFF COMMENTS

A public hearing for this annexation was held at the September 24, 2015, City Council meeting. Planning Staff is unaware of any opposition. Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

RECOMMENDED ACTION

Planning Staff recommends approval.

9. INITIAL CITY ZONING: NEC 138th Street and Ocotillo Road Ord. #4664

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4664, DVR15-0030 Northeast Corner of 138th Street and Ocotillo Road, establishing initial City zoning of Agricultural (AG-1) on approximately 19 acres located at the NEC of 138th Street and Ocotillo Road. (Applicant: City of Chandler.)

BACKGROUND

The site is undeveloped and used for horses to graze. The property is currently zoned Rural-43 (RU-43) within the County. The site is bordered by unincorporated rural residential properties zoned RU-43 to the north and east. Ocotillo Road is adjacent to the south and Layton Lakes Parcel 28, which is under development, is located west of 138th Street. The Chandler Land Use Element of the General Plan designates the site as Residential. The property owner has no immediate plans to subdivide the property.

In accordance with State Statute, Planning Staff is proposing the initial City zoning of AG-1, which is consistent with the previous RU-43 zoning in the County. Arizona Revised Statutes § 9-471 states that "a city or town annexing an area shall adopt zoning classifications that permit densities and uses no greater than those permitted by the county immediately before annexation. Subsequent changes in zoning of the annexed territory shall be made according to existing procedures established by the city or town for the rezoning of land".

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval.

10. CITY CODE AMENDMENT: Chapter 15 Ord. #4667

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4667 amending Chandler City Code, Part III – Public Safety, Chapter 15 – Auctioneers and Pawnbrokers, Sections 15-1, 15-2, 15-3, 15-4 and 15-6.

BACKGROUND

As of April 2014, Firebird, the old pawn data entry system used by the Chandler Police Department, no longer functioned with the City of Chandler upgraded computer system. As a result, the Chandler Police Department's pawn specialist began manually entering tickets directly in the Maricopa County Jail Management System. Data entry of pawn slips by hand is insufficient. The timely entry of these tickets is of the utmost importance for several reasons. The pawn data is a critical component to locating and recovering stolen property as well as identifying those involved in trafficking of stolen property. Having quicker access to this information is essential to the investigative process and simplifies the recovery of a victim's property.

The Chandler Police Department recently purchased a new pawn data system, Leads Online, after demonstrating its capabilities to Councilmembers at a Public Safety Subcommittee meeting on January 29, 2015. It is currently utilized by several cities including Mesa, Scottsdale, Tempe, Gilbert and several west valley agencies. The system allows the pawn shops and secondhand dealers to electronically send their transactions to Leads Online. The information is then transferred to the County system, which eliminates the need for manual data entry at the department level.

The main revision to Chapter 15 of the City Code requires businesses covered by the ordinance to transmit transactions electronically by the method approved by the Chandler Police Department. All pawn shop and secondhand dealers in the City of Chandler were contacted and notified of the electronic transaction requirement. Training will be provided to dealers by the Chandler Police Department and Leads Online to assist with the transition. Additional changes to this chapter include updating exempt transactions; establishing a uniform holding period for pawn shops and second hand dealers; and, for businesses holding items outside the City of Chandler, authorizing other designated law enforcement agencies having jurisdiction over the business premises to inspect the premises.

11. **DEVELOPMENT AND OPTION AGREEMENT:** VPK The Row, LLC Ord. #4668

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4668 authorizing the City of Chandler to adopt the provisions of a development and option agreement with VPK The Row, LLC, for redevelopment of Site 3 and option to purchase Sites 1 and 2 for redevelopment.

BACKGROUND/DISCUSSION

On July 21, 2014, the City of Chandler opened a Request for Proposal (RFP) for a mixed-use development project on the 4.6-acre City-owned property located on the southwest corner of Chandler Boulevard and Arizona Avenue, commonly known as Sites 1-2-3. This property acts as the northern gateway to Chandler's vibrant Downtown and is expected to be a catalyst for future development.

On December 11, 2014, the City Council adopted Resolution No. 4829 authorizing the award of the RFP to Vintage Partners for Sites 1-2-3, and authorizing Staff to begin Development Agreement deal terms with Vintage Partners.

The Development Agreement addresses Phase 1 (Site 3), with the option for Vintage Partners to purchase Sites 1 and 2 within 36 months of the completion of Phase 1 with approved site plans.

Phase 1 will consist of a two-story retail/entertainment development, including an approximately 30,000 square foot, 6-screen, Red's Draffhouse Cinema on the second level, and approximately 25,000 sq. ft. of retail/restaurants on the street level. The development will also include approximately 6,000 sq. ft. of open space at the northwest corner of Arizona Avenue and Buffalo Street.

As part of the development requirements, the City of Chandler will provide adequate water and sewer infrastructure to the site, which was completed as part of the Downtown Infrastructure Project; the undergrounding of a power line in the alley; and on-street parking on Sites 1 and 2 until a parking garage is warranted. The City of Chandler will also pay the impact fees; lease Site 3 for \$10 per year for a period of 10 years; and allow for digital display boards on Chandler Boulevard and Arizona Avenue.

In addition to the approximately 55,000 sq. ft. of retail/entertainment development and public gathering space, Vintage Partners will maintain day-to-day cleanup of the paved parking on Sites 1 and 2, specifically bringing Red's Draffhouse Cinema to the Downtown market; pay into the Enhanced Municipal Services District; will commence construction by December 31, 2016; and receive their Certificate of Occupancy by June 30, 2017.

FINANCIAL IMPLICATIONS

The financial implications to the City of the proposed development agreement for Site 3 with Vintage Partners includes the estimated costs of providing surface parking on Sites 1 and 2 of \$360,000.00; undergrounding an overhead Arizona Public Service (APS) line for \$130,000.00; payment of impact fees on the development of \$420,500.00; and the waiving of \$32,250.00 in building, civil and site development review fees, for a total of \$942,750.00.

Additionally, Vintage Partners will lease Site 3 for a period of 10 years at \$10 per year, with an option to purchase during such time at \$1,132,710.00 (89,152 sq. ft. at \$13/square foot). Should Vintage Partners continue to lease between years 10-25, the property will be revalued prior to their purchase. Compaction costs of on-site material will be assessed and agreement will be made between both parties as to the construction method for the re-compaction of the site and with the final cost to be taken off of the purchase price.

The FY 2015-16 budget includes carry-forward funding for parking and development on the southwest corner of Arizona Avenue and Chandler Boulevard. This capital project is budgeted in the Capital Improvement Program Fund, Non-Department Capital Cost Center and would be used to fund this project.

12. REZONING/PRELIMINARY DEVELOPMENT PLAN: Spectrum Assisted Living
Community Ord. #4669

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4669, DVR15-0018 Spectrum Assisted Living Community, rezoning from Planned Area Development (PAD) for commercial uses to PAD for an assisted living facility. (Applicant: Brennan Ray; Burch & Cracchiolo, P.A.) APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture located at the NEC of Rural Road and Chandler Boulevard.

BACKGROUND

The subject parcel is located at the northeast corner of Rural Road and Chandler Boulevard and is part of the Village at Wild Tree mixed-use development. Arterial streets are west and south of the site, with the Biagio at The Village at Wild Tree condominium development north and northeast of the site. East of the site is a bank with undeveloped commercially zoned land east of the bank.

With the initial approval in 2001, the subject site included a drugstore at the intersection corner, a drive-thru pad on the eastern portion and mixed ground floor retail and apartments above along the north side of the subject site. The request is to rezone the site for an assisted living facility that provides independent living, assisted living and memory care options. An existing facility developed by the same ownership group is located at the southeast corner of Pennington Drive and Queen Creek Road.

The 6.3-acre site is unique as street frontages are adjacent on all sides, with arterial streets west and south and a private drive that loops around the north and east. The main entry will be provided off of Chandler Boulevard with a secondary access point off of the shared drive.

The building is designed in an 'H' pattern with an approximate area of 175,074 sq. ft. providing 160 residential units. Massing of the building is broken up through the use of incorporating residential wings with one, two and three-story elements and is further articulated through the combination of flat-roof and gable roof elements. A fitness center, theater, library, beauty salon, two dining rooms, two outdoor patios, green house and outdoor gardening areas, memory garden and swimming pool are provided. The three-story elements are located adjacent to Rural Road. Design elements are taken from the Biagio development incorporating arched patio openings, flat roof elements and architectural treatment, color palette and stacked stone.

Three monument signs are provided; one along each entrance and one at the intersection corner. The signs are similar in design with the exception that the lettering of the intersection sign is backlit, whereas the two monument signs are ground lit. Design elements incorporate color and materials from the development; however, Planning Staff is recommending Condition No. 5 of the Preliminary Development Plan recommendation of approval to ensure that the design is more commensurate with the Village at Wild Tree signage.

DISCUSSION

Planning Staff recommends approval of the request citing that the proposal makes good use of a site that has historically been a challenge to develop. Furthermore, the higher density residential element provides a transition from residential densities from the single-family Wild Tree, to the Biagio condominium development, to the subject site.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on May 21, 2015. There were nine neighbors in attendance with general questions. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit No. 4, Development Booklet, entitled "SPECTRUM ASSISTED LIVING COMMUNITY" kept on file in the City of Chandler Planning Division in File No. DVR15-0018, except as modified by condition herein.
 2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
 3. The site shall be maintained in a clean and orderly manner.
 4. The applicant shall work with Planning Staff to ensure that all parking along the site's south and west are screened from street view.
 5. The applicant shall work with Planning Staff to ensure that the monument signs are commensurate with the Village at Wild Tree signage.
 6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
 7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
13. CITY CODE AMENDMENT: Chapter 12 Ord. #4671

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4671 adding Section 12-6, relating to Pedestrian Regulations to the Chandler City Code; and amending Section 1-8.5 relating to General Penalty; Continuing Violations of the Chandler City Code.

BACKGROUND

As part of the effort to look at the increased activities of pedestrians in the roadway and welfare concerns regarding the safety of individuals standing or stopping on medians, the Chandler Police Department reviewed the issue and current considerations concerning these types of calls. Upon review, it was found that individuals were often standing in the median, stepping into the roadway and were unilaterally approaching cars in lanes of traffic. These individuals were often on medians built in the middle of the road and designed as traffic barriers. Medians varied in size with some of them in highly congested areas and only several feet in width. The hazard increased when people stepped in the roadway to approach drivers causing a danger to themselves and distracting drivers by the activity, consequently impacting the flow of traffic.

During a recent study from January 2014 until May 5, 2015, the Police Department responded to 115 reports for calls for service relating to this issue. Consistently, officers found it involved individuals standing next to or on the road or in medians on major traffic corridors that were engaged in some type of activity unrelated to crossing the roadway or for any other traffic related reason. The largest concentration of these calls was located along Chandler's major transit corridors and intersecting roadways. Also, absent another violation of law, enforcement options were lacking for those who use the medians and hazardous areas for other than crossing the street or waiting for traffic to clear.

The proposed ordinance clarifies that pedestrians shall cross the street where designated and not contrary to appropriate signs, markings, and devices or by law. Additionally, pedestrians will not

be allowed to stop or remain on the roadway, or traffic median or island not designated for use by pedestrians except to wait to cross the roadway.

The first violation of this section is a civil traffic offense. Subsequent violations for the same offense that are committed within a 24-month period may be subject to a criminal misdemeanor citation or complaint. A first offense would be consistent with state law regarding the obstruction of a roadway or thoroughfare, and increased penalties are intended to deter habitual offenders.

14. AGREEMENT: Overtime Res. #4887

ADOPTED Resolution No. 4887 authorizing the provisions of an agreement with the Federal Government for provision of overtime reimbursements for ongoing investigations.

DISCUSSION

The Police Department has been awarded funding for reimbursement of overtime incurred during the department's cooperation with federal programs (organized Crime Drug Enforcement Task Forces Program). These are one-time funds and the amount is currently \$25,000.00.

FINANCIAL IMPLICATIONS

This grant covers overtime only for participating officers up to a total of \$25,000.00. The Department will cover the overtime benefits.

15. EXEMPTION CONTINUATION: Industrial Commission Res. #4898

ADOPTED Resolution No. 4898 requesting continuation of exemption from the Industrial Commission of Arizona's (ICA) requirement of posting a security bond for the City of Chandler Self-Insured Workers' Compensation program.

BACKGROUND/DISCUSSION

The City of Chandler was approved by the ICA to self-insure workers' compensation benefits on January 1, 2003. A requirement of self-insured programs is to post a security bond with the ICA in order to ensure performance in the event that a self-insured program becomes insolvent.

On April 4, 2005, the ICA implemented new rules governing management of the workers' compensation self-insurance program. The new rule, R20-1114, includes an "Exemption from Requirement to Post Security":

"A public entity applicant or public entity self-insurer is exempt from the requirement under this Article to post or provide security if the public entity:

1. Has a fully funded risk management fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10; and
2. Provided funding to the risk management fund each year sufficient to cover actuarial Liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10."

FINANCIAL IMPLICATIONS

Since the inception of the City's self-insured program in January 2003, a total of \$16,745.00 has been expended to purchase Security Bonds. The City's application for exemption to post security was accepted and it is no longer necessary to incur expenditures for bonds.

16. GRANT ACCEPTANCE: U.S. Department of Homeland Security Res. #4903

ADOPTED Resolution No. 4903 accepting a grant from the U.S. Department of Homeland Security – FY 2014 Assistance to Firefighters Grants – Fire Prevention and Safety Grants, in an amount of \$169,759.00.

BACKGROUND

The Assistance to Firefighters Grant Program – Fire Prevention and Safety Grants (FP&S) awards grants directly to fire departments to enhance their abilities to reach high-risk target groups and mitigate incidences of deaths and injuries caused by fire and related hazards. On August 28, 2015, the Fire, Health & Medical Department (CFHMD) was awarded this \$169,759.00 grant which will allow the Department to hire a temporary research and statistical analyst for a period of 18 months. This temporary employee will be responsible for conducting a community risk assessment and creating a community risk reduction plan for Chandler. The primary goal of this project will be to identify and prioritize fire and life safety and health risks in Chandler and to reduce, mitigate and/or eliminate those risks. The temporary position will not extend beyond the grant.

FINANCIAL IMPLICATIONS

The grant required \$8,487.00 in matching funds. CFHMD has sufficient funds in the FY 2015/16 budget to meet the matching requirement. CFHMD will request reimbursement from USDHS in the amount of \$169,759.00 once the project is completed.

17. SALE AND ISSUANCE OF BONDS: Excise Tax Revenue Obligations Res. #4904

ADOPTED Resolution No. 4904 ordering the sale and issuance of not to exceed \$70,000,000.00 Excise Tax Revenue Obligations, Series 2015 and authorizing the Management Services Director to determine whether it is in the City's best interest to sell the ETROs in a competitive bid or through a negotiated sales.

BACKGROUND

Municipal Utilities performs long range analysis annually updating their capital improvement program based on expanded growth and existing infrastructure improvements and maintenance required. Management Services then performs financial analysis on the water and wastewater systems and determines funding sources and bond needs based on the estimated costs and timing of capital projects. It has been determined that up to \$70,000,000 in ETROs will be needed to support the water and wastewater systems to enhance performance, efficiency and support growth.

FINANCIAL IMPLICATIONS

The ETROs will be backed by the City's excise taxes which include local sales tax, state shared revenues, franchise fees, licenses and permits and fines and forfeitures. Although the ETROs first pledge is excise taxes, the debt service on the ETROs will be paid from water and wastewater operating funds. This is part of the reason for the recent wastewater rate increase that will ensure water and wastewater revenues are sufficient to meet the repayment schedules. The City's Excise Taxes are pledged to ensure payment of the debt in the unlikely situation that the water and wastewater revenues are insufficient to make those payments.

18. 2015 HOMELAND SECURITY GRANT PROGRAM AWARDS

Res. #4906

ADOPTED Resolution No. 4906 authorizing 2015 Homeland Security Grant Program awards between the City of Chandler and the State of Arizona Department of Homeland Security.

DISCUSSION

The Police Department has been awarded two grants under the FFY 2015 Homeland Security Grant Program. These grants provide funds on a reimbursement basis to support training and equipment for the Police Department's Rapid Response Team (RRT) and Terrorism Liaison Officer (TLO) programs. These programs enhance the Police Department's ability to be prepared and equipped to respond to large scale emergencies, terrorist events and natural and/or man-made disasters. The RRT award is for \$100,000.00, and the TLO award is for \$7,705.00. Both programs are awarded for October 1, 2015, through September 30, 2016.

FINANCIAL IMPLICATIONS

Both grants are reimbursements and have no match requirements.

19. SECOND AMENDED DEVELOPMENT AGREEMENT: Wells Fargo Bank Res. #4907

ADOPTED Resolution No. 4907 authorizing a second amended development agreement with Wells Fargo Bank, National Association for property located at the northwest corner of Queen Creek and Price roads.

BACKGROUND/DISCUSSION

In 2002, the City of Chandler approved the rezoning and entered into a Development Agreement with Wells Fargo for development of the Wells Fargo campus. In September of 2008, City Council approved amendments to the Development Agreement as a result of an updated Preliminary Development Plan (PDP) that generally increased the amount of square footage to be developed. The basic amended terms of the 2008 agreement included the following:

- Allowed Wells Fargo to modify the 2002 Development Agreement to construct a Service Center as well as future building
- Provided an assured supply of reclaimed water or other sources in the event reclaimed is not available
- Provided for the coordination of public and private roadway improvements at Old Price and Queen Creek roads
- Sought increased transit service along Price Road

This second Amended Agreement is entered into by and between for the purpose of:

- Amending the Original Agreement and Amended Agreement
- Affirming the Second Development Plan approved in October 2013
- Incorporating the 2015 Rezoning PAD Overlay Amendment and PDP Master Development Plan for the Property approved by the City Council concurrently with the approval of this Second Amended Agreement
- Confirming the respective rights and obligations of the parties, including the City's obligation to complete the installation of a traffic signal at Price Road and Wells Fargo's northernmost driveway when necessary, as well as an extended reimbursement period

FINANCIAL IMPLICATIONS

At such time the results of a traffic signal warrant study is approved by the City, the City, at no cost or expense to Wells Fargo, will install a signalized intersection where the northernmost driveway of the Wells Fargo campus connects to Price Road.

20. SOUTHEAST CHANDLER AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN: Dollar Self Storage Res. #4909 & Ord. #4670

ADOPTED Resolution No. 4909, APL15-0003 Southeast Chandler Area Plan Amendment, from Envisioned Community/Regional Open Space to Traditional Suburban Character.
INTRODUCED AND TENTATIVE APPROVED Ordinance No. 4670, DVR15-0022 Dollar Self Storage, rezoning from Agricultural to Planned Area Development for a mini-storage facility. (Applicant: Stephen Earl; Earl, Curley & Lagarde, P.C.)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture located at the NWC of Gilbert Road and the Brooks Farm Road alignment.

BACKGROUND

The subject site is located at the northwest corner of Gilbert Road and the Brooks Farm Road alignment and is currently zoned AG-1. Gilbert Road is along the site's eastern boundary. North is vacant land and an Olympic training facility, both under County jurisdiction. West is the Roosevelt Water Conservation District (RWCD) canal. South is the unimproved Brooks Farm Road alignment and a retention pond.

AREA PLAN AMENDMENT

The site is located within the Southeast Chandler Area Plan (SECAP) and designated as Envisioned Community/Regional Open Space. The request is to amend the area plan to Traditional Suburban Character, allowing commercial uses to be considered. The Envisioned Community/Regional Open Space designation was implemented at a time when the City owned property along the canal; however, with the recent sale of the property combined with privately held property, the development of a regional open space area is no longer feasible.

SITE LAYOUT/BUILDING ARCHITECTURE

The site is unique in its location and layout with the west side being adjacent to the RWCD canal, an unimproved street along the south and vacant property within the County north of the site. Development of the site occurs up to the property lines and is consistent with other exterior loaded mini-storage facilities.

A total of 853 units are provided for the 4.8-acre site. Units range in size from 5'x5' up to 12'x40'. Six buildings are provided, with buildings D and F providing climate controlled unit options. Staggering is provided along Gilbert Road with building setbacks ranging from 50'-77'. Staggering along the southern wall plane occurs every 30-40 feet for a depth of five feet. The building's architecture incorporates concrete block, stacked stone, E.I.F.S., and stucco elements. Varied parapet heights are provided along Gilbert Road with the main entry element reaching 30' and wall planes providing heights of 14', 16', 20' and 26'. Stucco wall plane pop-outs are softened with the inclusion of green screen elements.

Building mounted signage is provided at the north and south end adjacent to Gilbert Road. A single monument sign is provided at the main entrance. The Development Book provides a height of ten feet; however, a maximum height of eight feet to the top of the sign will be provided. Lettering will be push-thru on a routed aluminum face. Signage is consistent with recent similarly designed developments.

DISCUSSION

Planning Staff recommends approval of the request citing that the site is unique in its location and layout, with the proposal offering a beneficial solution to a difficult site. Commercial development at half-mile intersections is generally discouraged; however, in this case, with the site having concrete confines for development, the low traffic generated by a mini-storage facility creates an opportunity for development with a limited impact on surrounding properties.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with two neighborhood meetings being held; one on August 27, 2015, and the second on September 22, 2015. There were no neighbors in attendance at either meeting. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTIONS

Area Plan Amendment

The Planning Commission and Planning Staff recommend approval.

Rezoning

The Planning commission and Planning Staff recommend approval subject to conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "DOLLAR SELF STORAGE" and kept on file in the City of Chandler Planning Division in File No. DVR15-0022, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The commercial development standards shall be in accordance with the requirements of the Southeast Chandler Area Plan.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Raceway signage shall be prohibited within the development.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

21. AGREEMENT: Arizona Department of Transportation Res. #4910

ADOPTED Resolution No. 4910 authorizing the Data Access/Exchange Agreement with the Arizona Department of Transportation (ADOT) for the exchange of electronic crash data between the Chandler Police Department and ADOT.

BACKGROUND/DISCUSSION

The Chandler Police Department wishes to exchange mandated vehicular crash data with ADOT via electronic means. The Chandler Police Department currently reports this data by submitting hardcopy reports to ADOT. ADOT houses this data on servers using the TraCS software system. ADOT will supply a TraCS licensing agreement free of charge. This software will provide the Chandler Police Department the means to electronically complete accident reports and automate the transfer of crash data to ADOT. The Data Access/Exchange Agreement outlines the terms of the data exchange. Once implemented, this system will improve accuracy and efficiencies within the Chandler Police Department while also meeting mandated reporting requirements.

The Agreement is for a five-year term commencing on the approval and execution by both parties.

22. PRELIMINARY DEVELOPMENT PLAN: Layton Lakes Parcel 28

Jim West, 21445 S. 138th St, Chandler, stated that new home buyers don't read the disclosure documents when they purchase their home. It is later they discover a dairy is in operation nearby, or there is an airport nearby and they are bothered with too much air traffic, or the smell from the cows. It is not uncommon for residents to ban together and complain about a condition they do not like, even though the existence of that condition has been there for years and years. One of the most notable of neighborhood unity is the stalemate on the completion of the major freeway around South Mountain. There was plenty of notification that the freeway was going to be built yet somehow the developer was able to build where it should not have. He said it would be greatly appreciated if the Chandler City Council would require the developer of this new neighborhood to pave the dirt road that he and his neighbors drive on. He stated it would not be too long before the complaints start adding up regarding the dust caused by this dirt road. He is not asking for curb, gutters or street lights, just to have the developer pave the dirt road.

ERIC SWANSON, Sr. Planner stated the request tonight is just for the housing product. Initially when Layton lakes was proposed, there was proximity to agricultural and ranchette type uses, and there is a clause in the documents that address this use. Whether the home buyer reads their documentation is out of Chandler's control. With regards to 138th street, the dirt road, this is on a "County Island" and is not within the City limits. The City cannot require the developer to pave the road. It would have to be a requirement of the County.

Vice Mayor Hartke inquired if the County has a process in place where residents could ask for millings to decrease dust on county dirt roads. Mr. Swanson said he has worked with the Department of Environmental Quality in the past. He offered to work with Mr. West on this.

APPROVED Preliminary Development Plan (PDP), PDP15-0007 Layton Lakes Parcel 28, for housing product for a 17-lot single-family residential subdivision located east of the NEC of Gilbert and Ocotillo roads. (Applicant: Brennan Ray; Burch & Cracchiolo, P.A.)

BACKGROUND

The subject parcel is located east of the northeast corner of Gilbert and Ocotillo roads and is the most southern parcel in the Layton Lakes community. The Layton Lakes community encompasses 832 acres within the City of Chandler and the Town of Gilbert. Within Chandler, Layton Lakes is bound by Queen Creek, Gilbert, Ocotillo and Lindsay roads. Thirteen parcels are within Chandler's jurisdiction; eight parcels are residential. The subject parcel, Parcel 28, provides the largest lots within the Layton Lakes community.

Parcel 28 is bordered by the RWCD canal to the west, Ocotillo Road to the south, 138th Street with a County island to the east that is currently in the annexation process and the Appleby Road alignment to the north which will function as an equestrian and pedestrian access point to the canal.

Parcel 28 is gated with a single access point off of Ocotillo Road and a secondary access point through Parcel 22 connecting to Layton Lakes Boulevard. Lot sizes within the 17-lot parcel range from a minimum of 32,000 sq. ft. up to 33,958 sq. ft. Two single-story plans are provided with four elevations for each plan.

Plan 8511 is approximately 7,640 sq. ft. and provides two, two-car garages, four bedrooms with varying options and the NextGen suite. The NextGen suite provides standard living amenities (bedroom, kitchen, living room, bathroom and outdoor patio) along with a separate garage. The NextGen suite has an internal connection to the main portion of the home and maintains architectural integration so that the home is viewed as a single structure. The NextGen suite provides multigenerational families with an option of living together while maintaining private living quarters. An option is provided for a large game room in lieu of the NextGen kitchen and living room. Plan 8590 is approximately 6,440 sq. ft. and provides a three-bay garage and a two-bay tandem garage for RV or boat storage and five bedrooms and four and one-half bathrooms.

Due to all lots exceeding 10,000 sq. ft., the Residential Development Standards for housing product to not apply; however, a number of architectural elements required for the standards are provided. Four elevations are provided for each floor plan. Each elevation style provides a design that distinctly separates it from the other architectural styles. Elements include window muntins per architectural style, window framing and wrought iron detailing and garage and front door designs.

DISCUSSION

Planning Staff recommends approval of the request citing that the housing product continues to complement the Layton Lakes community and provide additional housing opportunities for Chandler residents. Based on the small number of lots for this particular parcel and the limited housing product, concerns with maintaining diversity within the subdivision are warranted. In working with the development team, two additional conditions are provided that are comparable to standard conditions of approval for residential development, however, are a little more detailed to ensure diversity. Planning Staff finds that with the four elevations per plan, along with the additional conditions, diversity is ensured.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request as noticed in accordance with the requirements of the Chandler Zoning code with a neighborhood meeting being held on August 11, 2015. There were six neighbors in attendance with general questions. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original conditions adopted by the City Council in Ordinance Nos. 3250 and 3987 in cases DVR00-0025 LAYTON LAKES and DVR07-0012 LAYTON LAKES.
2. Development shall be in substantial conformance with the Development Booklet entitled "Layton Lakes Parcel 28" and kept on file in the City of Chandler Planning Division in File No. PDP15-0007, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
3. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
4. For lots 1-12, the same floor plan and elevation shall not be built side-by-side or across the street from each other.
5. For lots 1-12, the same color scheme shall not be used side-by-side or across the street from each other.
6. For lots 13-17, no more than two of the same floor plan shall be built side-by-side.
7. For lots 13-17, the same elevation and color scheme shall not be built side-by-side.

23. ARCHITECTURAL EXCELLENCE AWARD COMMITTEE RECOMMENDATIONS

APPROVED the following recommendations of the Architectural Excellence Award Committee (AEAC) for 2013 and 2014 projects to receive awards in 2015:

Alliance Bank
Chandler Regional Hospital Expansion
Ironwood Cancer and Research Center
Ocotillo Village Health Club
Premier Cardiovascular Center

BACKGROUND

The AEAC was created in 2003 through Ordinance No. 3428 to recognize projects that add to Chandler's reputation as a community that appreciates quality in the built environment. This awards program is an opportunity to highlight those projects that have exceeded the City's high quality development standards. This is the ninth year for the awards program. There were no awards events in 2009 or 2011. The last awards event was in 2012 recommending projects developed in 2009, 2010 and 2011. Four projects received recognition. The AEAC did not make any recommendations in 2012, 2013 and 2014. The AEAC continued their work in 2015 by meeting and reviewing 18 projects which were narrowed from a list of over 45 eligible projects from 2012, 2013 and 2014, and then toured 12 projects. The AEAC recommends City Council recognize five projects in 2015.

The 2010 Revised Bylaws establish seven possible categories for projects and five award levels. The possible categories include Commercial Retail, Commercial Office, Industrial, Redevelopment, Public/Semi-Public, Neighborhood Maintenance and Infill. The award levels include the Hank Pluster Award, the Mark Irby Award and the Benchmark, Excellence and Merit Awards. The Bylaws also allow the AEAC to choose up to the three other additional awards categories. This year, the AEAC did not choose to add any additional categories.

The awards event intends to be scheduled for December 2015. The AEAC wishes to reserve the announcement of the awards level and project categories which will be presented at the event.

24. RENT ABATEMENT: Chandler Innovations Incubator

AUTHORIZED a three-month rent abatement or refund relating to ARM's occupancy at the Chandler Innovations Incubator and authorized the Acting City Manager to take all steps necessary to effectuate said approval.

BACKGROUND/DISCUSSION

ARM is the world's leading semiconductor/intellectual property supplier and desires to establish a presence in Arizona. After discussions with ARM representatives, Staff learned ARM was in urgent need of office space to locate 33 current ARM employees on an interim and immediate basis while ARM representatives attempted to locate a permanent location suitable for its operations in Arizona. ARM further indicated their expectation that their Arizona workforce could swell to as many as 55 employees as soon as one year from the date of this memorandum.

In light of ARM's emerging need for interim office space, Staff advised ARM representatives that the City of Chandler had office space available at the Chandler Innovations Incubator building that had been vacant for approximately 12 months and immediately began preliminary discussions to determine if the Chandler Innovations space might be a suitable interim office location for ARM's 33 employees. ARM representatives expressed their willingness to temporarily locate their employees to the Chandler Innovations Incubator building and have the City and ARM enter into a short-term Chandler Innovations Sublease Agreement. The ARM lease for Suite 48 at the Chandler Innovations building has been executed as the company needed immediate access of office space. The sublease runs through April 30, 2016.

As part of Staff's conversations with ARM representatives regarding their future operations in Arizona, Staff discussed the benefits of permanently locating their Arizona operations in Chandler. In an effort to further encourage ARM to permanently locate their Arizona operations to Chandler, Staff proposed a modest rent abatement or refund of ARM's monthly rent payment for Suite 48 leased at the Chandler Innovations Incubator. Specifically, Staff proposed, subject to Council approval, to abate or refund ARM's monthly lease rent payments for the months of October, November and December 2015, on the condition that ARM locates its Arizona operations within the City limits of the City of Chandler. In the event ARM does not locate its Arizona operations in Chandler, no rent abatement or refund would occur.

FINANCIAL IMPLICATIONS

The gross lease revenue is approximately \$41,685 (\$5,955 monthly rent x 7 months = \$41,685) with an abated or refunded rent, if applicable, valued at approximately \$15,560.00. This abated or refunded rent is contingent on ARM ultimately signing a permanent lease in Chandler; otherwise, no rent abatement will be provided.

25. ACCOUNTS PAYABLE CLAIMS REPORT

APPROVED the Accounts Payable Claims Report for the quarter ended September 30, 2015.

26. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Architectural Review Committee
Matt Eberle

Board of Appeals
David Love

General Plan Update Committee
Lloyd Harrell (Appointing to Vice Chair)

Housing and Human Services Commission
Irene Artigas

Mayor's Committee for People with Disabilities
James Michael Miller

Museums Advisory Board
Brenda Abney

27. AGREEMENT AMENDMENT: Plumbing and Irrigation Supplies

APPROVED Agreement No. WH4-670-3284, Amendment No. 2, with Central Arizona Supply, Horizon Distributors, Inc., Sprinkler World of Arizona, Inc., and Ryan Herco Flow Solutions, for the purchase of plumbing and irrigation supplies, in a total combined amount not to exceed \$160,000.00 for one year. This is the second of four one-year extensions.

28. AGREEMENT AMENDMENT: MR Tanner Development & Construction, Inc.

APPROVED Agreement No. ST5-745-3434, Amendment No. 1, with MR Tanner Development & Construction, Inc., for asphalt patch maintenance and repair, in an amount not to exceed \$250,000.00 for one year. This is the first of four one-year extensions.

29. AGREEMENT AMENDMENT: Vincon Engineering Construction, LLC

APPROVED Agreement No. ST5-745-3435, Amendment No. 1, with Vincon Engineering Construction, LLC, for concrete repair and maintenance, increasing the exiting annual spending limit amount by \$350,000.00 for a revised not-to-exceed amount of \$3,850,000.00 for the current term ending November 30, 2015.

The City has an existing agreement with Vincon Engineering Construction, LLC, for concrete repair and maintenance. This agreement is necessary to cover essential concrete work performed prior to any required street rehabilitation projects within the City of Chandler. Street rehabilitation projects are selected based on a pavement rating system and are typically a

minimum of 20 years old. Necessary concrete work includes standard maintenance and repair of damaged existing concrete sidewalks, curb and gutters, valley gutters, and the upgrading of existing handicap ramps and driveways to satisfy the Americans with Disability Act (ADA) Accessibility Guidelines. This short term increase will allow City contractors to remain working on necessary ADA concrete work and enable upcoming repaving projects to stay on schedule.

On October 23, 2014, City Council approved an agreement for concrete repair and maintenance with Vincon Engineering Construction, LLC, for a one-year period with the option of up to four (4) one-year extensions. The current term of this agreement is still in effect, however, Staff is requesting an increase to the annual spending limit that was previously approved by Council for a significant amount of ADA concrete work to complete prior to the spring 2016 mill and inlay project. The increase in the limit of the current contract will allow the City to stay on schedule. All terms of the original agreement remain unchanged.

30. INTERGOVERNMENTAL AGREEMENT: Gila River Indian Community

APPROVED an Intergovernmental Agreement (IGA) with the Gila River Indian Community for the period October 1, 2015, to September 30, 2017, for Fire and Emergency Medical Training.

BACKGROUND/DISCUSSION

The Gila River Fire Department (GRFD) is a mutual aid partner with the City of Chandler. Under the mutual aid process, Chandler Fire, Health & Medical Department (CFHMD) responds into the Gila River Community and Gila River Fire responds into the City of Chandler for emergency calls. Training together helps each department work safe and efficiently with each other. Members of the GRFD travel to Chandler's Fire Training Facility to participate in fire and emergency medical drills and classroom training with the members of CFHMD. GRFD has been training with CFHMD since 2001. This renewal agreement provides direct payment for the training provided. CFHMD also has training agreements with Sun Lakes Fire District and the Town of Maricopa.

FINANCIAL IMPLICATIONS

GRFD agrees to pay \$300 per firefighter trained, up to an amount not to exceed \$27,000 per year (or 90 GRFD firefighters). For Fiscal Year 2015/16, GRFD will pay the City of Chandler \$24,600 for 82 firefighters. The funds will be used to support fire and emergency medical training programs conducted at the Fire Training Facility.

31. GRANT AGREEMENTS: Arizona Department of Homeland Security

APPROVED Grant Agreements with the Arizona Department of Homeland Security for the period October 1, 2015, to September 30, 2016, for emergency preparedness in the total amount of \$169,468.00.

BACKGROUND/DISCUSSION

The City of Chandler established a Fire/Police Rapid Response Team and Fire/Police Terrorism Liaison Officer program in 2003 with federal funding from the State Homeland Security Grant program. Each of these programs ensure that Fire and Police personnel are prepared and equipped to respond to large scale emergencies, terrorist events, and natural and/or man-made disasters. The awards listed below are being made under the 2015 State Homeland Security Grant Program to Chandler Fire, Health & Medical Department (CFHMD). The purpose of the awards is to provide equipment and training to sustain these emergency preparedness programs:

- Chandler Emergency Response Team Training \$ 13,500
- Emergency Operations Center Radios 38,968

- Enhance Rapid Response Teams – Fire, Health & Medical 100,000
 - Urban Area Security Initiative Assessment Teams -
Terrorism Liaison Officers (Chandler Fire) 17,000
- \$169,468

FINANCIAL IMPLICATIONS

These grants have no match requirements. CFHMD has the appropriation allocation for these grants in the FY 2015/16 Budget.

32. CONSTRUCTION CONTRACT: Tri-Com Corporation

APPROVED Construction Contract No. CS1601.401 to Tri-Com Corporation for the Aquatic Facility ADA Improvements – Desert Oasis Aquatic Center in an amount not to exceed \$129,372.00.

Desert Oasis Aquatic Center is located at 1400 W. Summit Place and sits on the campus of the Mesa Unified School District Summit Academy. The project includes upgrades throughout the facility necessary to meet Americans with Disabilities Act 2010 (ADA) requirements. Upon completion of this work, five of the six City aquatic centers will be ADA compliant.

33. SOLE SOURCE AGREEMENT: Stantec Consulting Services, Inc.

APPROVED a sole source agreement for data collection and analysis services for the City's Stantec RoadMatrix pavement management system from Stantec Consulting Services, Inc., in an amount not to exceed \$142,250.00. The term of this agreement will be 165 calendar days from the issuance of the notice to proceed.

The City uses Stantec RoadMatrix, a computerized pavement management system that tracks, programs and stores data for the City's street pavement infrastructure. The software has helped to manage the City street maintenance program by utilizing the stored roadway condition data for assessing, tracking and scheduling street maintenance in the most efficient manner.

The City needs to collect this data approximately every three years to make sure we are accurately representing the current status of pavements and to make timely and accurate roadway maintenance budget projections. Staff will receive training on pavement performances analysis and interpreting pavement maintenance and rehabilitation reports generated by Stantec RoadMatrix. Additionally, the software will receive configuration updates to ensure pavement analysis reflects true pavement conditions.

Stantec RoadMatrix, a Stantec Consulting Services, Inc., product is protected under a copyright patent. The product is proprietary and Stantec Consulting Services, Inc., is the only vendor able to provide training, software upgrades and technical support. If problems occur in the collection and upload of the data to City servers, Stantec Consulting Services, Inc. will assume all responsibility for problems incurred in the data collection and make the necessary corrections.

34. PURCHASE: Home Depot and HD Supply Facilities Maintenance

APPROVED the purchase of miscellaneous supplies, building materials and related services from Home Depot and HD Supply Facilities Maintenance utilizing the U.S. Communities Government Purchasing Alliance Contract No. 11019-RFP in an amount not to exceed \$250,000.00. The current contract with U.S. Communities Government Purchasing Alliance is expiring November

30th, but provides for the option to renew for two additional one-year periods. This request is to utilize the existing Contract for an additional one-year period beginning December 1, 2015.

35. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED a Special Event Liquor License for the Downtown Chandler Community Foundation for the Downtown Chandler Concert Series Concert #3 on November 28, 2015, at the Library Plaza, 125 E. Commonwealth Avenue. A recommendation of approval will be forwarded to the Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a nonprofit organization, no sales tax license is required.

36. SPECIAL EVENT LIQUOR LICENSE: Si Se Puede Foundation

APPROVED a Special Event Liquor License for Si Se Puede Foundation for the College Shoot-Out 2016 event on February 6, 2016, at the Library Plaza, 125 E. Commonwealth Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a nonprofit organization, no sales tax license is required.

37. USE PERMIT: The Brickyard Downtown

APPROVED Use Permit LUP15-0016 The Brickyard Downtown, Series 12 Restaurant License, to sell and serve liquor as permitted for on-site consumption indoors and within outside patios along with an extension of premises for an outdoor patio along Boston Street and live entertainment indoors and outdoors at a new bar/restaurant in downtown Chandler. (Applicant: Jared Repinski.)

BACKGROUND

The bar/restaurant will have approximately 68 seats inside and 35 seats outside. Hours of operation will be 3 p.m. to 11 p.m. Sunday through Wednesday and 3 p.m. to 2 a.m. Thursday through Saturday. Live entertainment is proposed seven days a week during business hours which may include acoustic guitar, bass, vocals and small jazz bands. Music will occur both indoors and on the rear outside patio. A one-year time limit condition is recommended for the live music/entertainment.

In September 2013, Planning Staff managed an Architectural Review Committee (ARC) application for façade renovations. The ARC request was approved and the building is currently undergoing renovations. There is a patio in the rear of the property and one along Boston Street. The front patio is designed to meet the CCD zoning standards including location, distance from public infrastructure, passing space and fence height as required for an extension of premises with liquor in the City's right-of-way.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held September 29, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION

Upon finding consistency with the General Plan and CCD zoning, the Planning Commission and Planning 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 Liquor Use Permit and require new Liquor Use Permit reapplication and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant License only and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. Liquor Use Permit is non-transferable to other store locations.
4. The site shall be maintained in a clean and orderly manner.
5. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
6. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

38. **LIQUOR LICENSE:** The Brickyard

APPROVED a Series 12 Restaurant Liquor License (Chandler #160329L12) for Jared Michael Repinski, Agent, The Brickyard LLC, dba The Brickyard, 85 W. Boston Street. A recommendation for approval of State Liquor License #1207A386 will be forwarded to the State Department of Liquor Licenses and Control. 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.

39. **LIQUOR LICENSE:** GND Market/Water and Ice

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #160286L10) for Sanjay Khatri, Agent, Khatri LLC, dba GND Market/Water and Ice, 995 W. Ray Road. A recommendation for approval of State Liquor License #10076702 will be forwarded to the State Department of Liquor Licenses and Control. 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. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Rayat LLC, dba GND Market/Water and Ice.

40. **CONTINUED LIQUOR LICENSE:** Eklectic Pie

CONTINUED TO NOVEMBER 19, 2015, a Series 12 Restaurant Liquor License for Jay Lawrence Johnson, Agent, FX4Success LLC, dba Eklectic Pie, 2990 E. Germann Road, Suite 1, to allow the applicant time to complete the requirements for a new Use Permit.

41. **CONTINUED LIQUOR LICENSE:** Hot Wok Feng

CONTINUED TO DECEMBER 10, 2015, a Series 12 Restaurant Liquor License for Hin Tian Feng, Agent, Feng's Enterprises LLC, dba Hot Wok Feng, 1050 E. Ray Road, Suite 6, to allow the applicant time to complete the requirements for a new Use Permit.

42. SAMPLING PRIVILEGES: Wal-Mart Market #2657

APPROVED the addition of Sampling Privileges to a Series 9 Liquor Store Liquor License (Chandler #145128L9) held by Clare Hollie Abel, Agent, Wal-Mart Market #2657, 6085 W. Chandler Boulevard. A recommendation for approval of the addition of Sampling Privileges to State Liquor License #09070252s will be forwarded to the State Department of Liquor Licenses and Control.

Wal-Mart Market #2657 has been in business at this location since April 18, 2013, at which time Council approved a Series 9 Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 9 License. The Arizona State Legislature amended A.R.S. §4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

43. SAMPLING PRIVILEGES: Wal-Mart Neighborhood Market #4324

APPROVED the addition of Sampling Privileges to a Series 9 Liquor Store Liquor License (Chandler #119730L9) held by Clare Hollie Abel, Agent, Wal-Mart Neighborhood Market #4324, 1900 E. Chandler Boulevard. A recommendation for approval of the addition of Sampling Privileges to State Liquor License #09070050s will be forwarded to the State Department of Liquor Licenses and Control.

Wal-Mart Neighborhood Market #4324 has been in business at this location since November 19, 2012, at which time Council approved a Series 9 Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 9 License. The Arizona State Legislature amended A.R.S. §4-206.01(J), effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

44. TEMPORARY EXTENSION OF PREMISES: Jolie's Place

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #139148L15) held by JoJotender LLC, dba Jolie's Place, 140 W. Warner Road for the 3rd Annual Prostate Cancer Corn Hole Tournament, November 21 & 22, 2015. A recommendation for approval of a temporary extension of premises for State Liquor License #06070566 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

45. TEMPORARY EXTENSION OF PREMISES: Murphy's Law Irish Pub and Ale House

APPROVED a Temporary Extension of Premises for a Series 6 Bar Liquor License (Chandler #120887L6) held by Murphy's Law 58 LLC, dba Murphy's Law Irish Pub and Ale House, 58 S. San Marcos Place for a St. Patrick's Day event on March 17 & 18, 2016.

A recommendation for approval of a temporary extension of premises for State Liquor License #06070685 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

46. WINE FESTIVAL/WINE FAIR LICENSE: Hannah's Hill Vineyard

APPROVED a Wine Festival/Wine Fair License for Ann Gardner, Agent, Hannah's Hill Enterprises LLC, dba Hannah's Hill Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13123012 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

47. WINE FESTIVAL/WINE FAIR LICENSE: Lightning Ridge Cellars

APPROVED a Wine Festival/Wine Fair License for Ann Roncone, Agent, Lightning Ridge Cellars, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13123011 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

48. WINE FESTIVAL/WINE FAIR LICENSE: Passion Cellars

APPROVED a Wine Festival/Wine Fair License for Arlene Domanico, Agent, Passion Cellars LLC, dba Passion Cellars, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023033 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for

consumption on the premises and sell their products in original containers for consumption off the premises.

49. WINE FESTIVAL/WINE FAIR LICENSE: Four Tails vineyard

APPROVED a Wine Festival/Wine Fair License for Barbara Coons, Agent, Four Tails LLC, dba Four Tails Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023037 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

50. WINE FESTIVAL/WINE FAIR LICENSE: Pierce Wines Arizona

APPROVED a Wine Festival/Wine Fair License for Barbara J. Pierce, Agent, Pierce Wines Arizona LLC, dba Pierce Wines Arizona, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023027 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

51. WINE FESTIVAL/WINE FAIR LICENSE: Alcantara Vineyards and Winery

APPROVED a Wine Festival/Wine Fair License for Brian Predmore, Agent, Alcantara Winery LLC, dba Alcantara Vineyards and Winery, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133010 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

52. WINE FESTIVAL/WINE FAIR LICENSE: Kief Joshua Vineyards

APPROVED a Wine Festival/Wine Fair License for Charlene Manning, Agent, Manning and Manning, Inc., dba Kief Joshua Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place.

A recommendation for approval of State Wine Festival/Wine Fair License #13123006 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

53. WINE FESTIVAL/WINE FAIR LICENSE: SU Vino Winery

APPROVED a Wine Festival/Wine Fair License for Cory Whalin, Agent, Su Vino Winery Scottsdale, Inc., dba Su Vino Winery, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13073002 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

54. WINE FESTIVAL/WINE FAIR LICENSE: Oak Creek Vineyards and Winery

APPROVED a Wine Festival/Wine Fair License for Dubravka Wahl, Agent, Oak Creek Vineyards Winery, Inc., dba Oak Creek Vineyards and Winery, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133006 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

55. WINE FESTIVAL/WINE FAIR LICENSE: Page Springs Cellars and Vineyards

APPROVED a Wine Festival/Wine Fair License for Eric Glomski, Agent, Page Springs Cellars and Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133004 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant

has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

56. WINE FESTIVAL/WINE FAIR LICENSE: Winery 101

APPROVED a Wine Festival/Wine Fair License for Gavin R. Gallifant, Agent, Gallifant Cellars LLC, dba Winery 101, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13073018 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

57. WINE FESTIVAL/WINE FAIR LICENSE: Sierra Bonita Vineyards

APPROVED a Wine Festival/Wine Fair License for Gerald K. Smith, Agent, Sierra Bonita Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023013 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

58. WINE FESTIVAL/WINE FAIR LICENSE: Coronado Vineyards

APPROVED a Wine Festival/Wine Fair License for Jacquelyn Cook, Agent, Coronado Vineyards, Inc., dba Coronado Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023009 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for

consumption on the premises and sell their products in original containers for consumption off the premises.

59. WINE FESTIVAL/WINE FAIR LICENSE: Chateau Tumbleweed

APPROVED a Wine Festival/Wine Fair License for Joseph Michael Bechard, Agent, Cottontucky LLC, dba Chateau Tumbleweed, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133049 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

60. WINE FESTIVAL/WINE FAIR LICENSE: Wilhelm Family Vineyards

APPROVED a Wine Festival/Wine Fair License for Karyl L. Wilhelm, Agent, Wilhelm Family Vineyards LLC, dba Wilhelm Family Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13123010 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

61. WINE FESTIVAL/WINE FAIR LICENSE: Deep Sky Vineyard

APPROVED a Wine Festival/Wine Fair License for Kimberly Asmundson, Agent, Asmundson Family Vineyard LLC, dba Deep Sky Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023031 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

62. WINE FESTIVAL/WINE FAIR LICENSE: Sonoita Vineyards

APPROVED a Wine Festival/Wine Fair License for Lori Marie Reynolds, Agent, Sonoita Vineyards Ltd., dba Sonoita Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place.

A recommendation for approval of State Wine Festival/Wine Fair License #13120002 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

63. WINE FESTIVAL/WINE FAIR LICENSE: Flying Leap Vineyards

APPROVED a Wine Festival/Wine Fair License for Mark Beres, Agent, Flying Leap Vineyards, Inc., dba Flying Leap Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13123014 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

64. WINE FESTIVAL/WINE FAIR LICENSE: Burning Tree Cellars

APPROVED a Wine Festival/Wine Fair License for Mitchelle D Levy Agent, Burning Tree Cellars LLC, dba Burning Tree Cellars, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133032 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

65. WINE FESTIVAL/WINE FAIR LICENSE: Freitas Vineyard

APPROVED a Wine Festival/Wine Fair License for Ray Freitas, Agent, Freitas Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133002 will be forwarded to the State Department of Liquor Licenses and Control.

The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

66. WINE FESTIVAL/WINE FAIR LICENSE: Zarpara Vineyard

APPROVED a Wine Festival/Wine Fair License for Rhona MacMillan, Agent, Jorve Macmillan Vineyards LLC, dba Zarpara Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023026 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

67. WINE FESTIVAL/WINE FAIR LICENSE: Carlson Creek Vineyard

APPROVED a Wine Festival/Wine Fair License for Robert Carlson, Agent, Carlson Creek Vineyard LLC, dba Carlson Creek Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023018 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

68. WINE FESTIVAL/WINE FAIR LICENSE: Javelina Leap Estate Vineyard

APPROVED a Wine Festival/Wine Fair License for Rodney Fletcher Snapp, Agent, Javelina Leap Estate Vineyard, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133009 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for

consumption on the premises and sell their products in original containers for consumption off the premises.

69. WINE FESTIVAL/WINE FAIR LICENSE: Keeling Schaefer Vineyards

APPROVED a Wine Festival/Wine Fair License for Rodney Keeling, Agent, Keeling Schaefer Vineyards LLC, dba Keeling Schaefer Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023006 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

70. WINE FESTIVAL/WINE FAIR LICENSE: Arizona Stronghold Vineyards

APPROVED a Wine Festival/Wine Fair License for Rodney Young, Agent, Arizona Stronghold Vineyards LLC, dba Arizona Stronghold Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13133015 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

71. WINE FESTIVAL/WINE FAIR LICENSE: Golden Rule Vineyards

APPROVED a Wine Festival/Wine Fair License for Ruth E. Graham, Agent, Cochise Groves Investments LLC, dba Golden Rule Vineyards, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place. A recommendation for approval of State Wine Festival/Wine Fair License #13023032 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

72. WINE FESTIVAL/WINE FAIR LICENSE: Pillsbury Wine Company

APPROVED a Wine Festival/Wine Fair License for Sam Pillsbury, Agent, Pillsbury Wine Company, for The Grand Wine Festival on November 21 & 22, 2015, at the Crowne Plaza San Marcos Golf Resort, 1 N. San Marcos Place.

A recommendation for approval of State Wine Festival/Wine Fair License #13023010 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

With a Wine Festival License, a licensed domestic farm winery, within the confines of the event during the designated event periods, can serve samples of its products, sell such products for consumption on the premises and sell their products in original containers for consumption off the premises.

73. ZONING EXTENSION: T-SYS Western Operations Center

Ord. #4641

Staff requests continuance of the public hearing to DECEMBER 10, 2015.

COUCILMEMBER HEUMANN said while a continuance is requested on this item, he wanted the applicant to understand that Council has asked staff to work together to come up with a solution for a site on which the zoning has expired. The project needs to fit to the Price Road Corridor philosophy is for that Corridor. He urged the applicant to work toward a resolution before December 10 as he would most likely vote to rescind if a resolution could not happen.

Ordinance No. 4641, DVR05-0036 T-SYS Western Operations Center, to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former classification.

BACKGROUND

The subject 15.6-acre site located on the west side of Price Road, one-half mile north of Queen Creek Road, received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740. The current PAD zoning and subsequent Preliminary Development Plan (PDP) permits a single-user campus that includes an approximately 102,000 sq. ft. data center and an approximately 60,000 sq. ft. two-story office building.

Ordinance No. 3740 included the three-year time limit Condition No. 6 which expired on January 12, 2009. Council approved a three-year time extension in 2009 which expired in January 2012, and again in 2013, which expired in January 2015.

On July 9, 2015, City Council approved a continuance of this matter to the October 22, 2015, City Council meeting in order to allow Staff and the property owner time to consider alternatives to the current zoning approvals for the property.

From the initial zoning approval in 2005 through the present, there have not been any applications requesting the City approve any building plans, site design plans or any other submittal evidencing an intent to comply with the Conditions of Approval contained in Ordinance No. 3740.

Notice of the time, place and date of the public hearing has been sent by certified mail to the owners and applicants of the property in accordance with Arizona Revised Statutes §9-462.01(E) and Article XXVI of the Chandler Zoning Code.

STAFF COMMENTS

Following the most recent time extension approval, the City of Chandler commissioned The Maguire Company to study the South Price Road Employment Corridor. A final report was issued in October 2013 which outlined the historical development policies, identified a basic inventory of available land for development within the Corridor and provided a series of recommendations to guide future policy decisions.

A key theme found within the recommendations was the 'high value employment' reputation and employment density within the Corridor should be actively preserved and enhanced. As an example, data centers were identified as not generating the desired employment density or high value employment environment envisioned for the Corridor and that the inclusion of future data centers should be limited within the Corridor.

The City has the following options when a zoning district's timing condition expires. The City could, by administrative action, extend the timing condition for another period of time, eliminate or determine compliance with the schedule for development, or by legislative action revert the zoning to its former zoning classification. If an additional time extension is granted, all other conditions in the original approval would remain in effect.

Since the July 9, 2015, City Council continuance of this matter, Staff and the property owner met to discuss development alternatives for the site. Following the initial meeting with the property owner, the property owner has submitted a zoning amendment pre-application to the Planning Department and a pre-application meeting with Staff and the property owner was held on October 6, 2015. Staff and the property owner desire to continue discussing development alternatives for the site with the goal of identifying options for site development acceptable to the owner that can be brought forward to Council for consideration.

RECOMMENDATION

Per Arizona Revised Statutes, the City Council must hold a public hearing to address Condition No. 6 or Ordinance No. 3740. Upon finding the PAD zoning to no longer be consistent with the strategic growth policies for the South Price Road Employment Corridor, and therefore not consistent with the General Plan, Planning Staff recommends the property revert to its former zoning classification of AG-1.

PUBLIC HEARINGS

PH1. PUBLIC HEARING TO TAKE ADMINISTRATIVE ACTION ON DVR05-0036, T-SYS WESTERN OPERATIONS CENTER TO EXTEND, REMOVE OR DETERMINE COMPLIANCE WITH THE SCHEDULE FOR DEVELOPMENT OR TAKE LEGISLATIVE ACTION TO CAUSE THE PROPERTY TO REVERT TO ITS FORMER ZONING CLASSIFICATION.

Mayor Tibshraeny stated the public hearing was continued as part of the consent agenda.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny announced the following events:

The annual Mayor's Day of Play is Saturday, October 24th from 9 a.m. to 1 p.m. at Tumbleweed Park. There will be close to 100 vendors and dozens of activities for the whole family.

- Veterans Health Care and Benefits Expo. The free expo runs from 9 a.m. to noon at the Chandler Center for the Arts. This year Chandler is partnering with the Department of Veterans Services and the Phoenix VA Health Care System.
- Halloween Spooktacular takes place on Friday, October 30, in the plaza in front of the downtown Community Center from 5:30-8:30 p.m.
- Celebration Plaza - This year's Celebration Plaza ceremony will honor the late Chandler Police officer David Payne and the Chandler Kiwanis Club. The ceremony will take place November 14, 9 a.m., at Celebration Plaza, located at Tumbleweed Park.
- Rock the Block - Rock the Block returns to Downtown Chandler November 14.
- Woofstock - Tumbleweed Park on November 21st.

The Mayor noted details on all of these events can be found at the City's website. Chandleraz.gov.

B. Councilmembers' Announcements

Councilmember Lopez announced the Chandler Symphony Orchestra will perform on November 8th at the Center for the Arts. The concert is entitled "Gypsy Life". He also noted the holiday performances occurring at the Center. He announced the Streetlight USA fundraiser would be held on November 6.

Councilmember Sellers noted that several of the Council attended the Education Forum recently. Google's chief education evangelist was a featured speaker. Mr. Sellers reported that the Chandler National Little League Team recently went to Taiwan to participate in a tournament. The Team will be honored at the November 16 Council meeting.

Vice Mayor Hartke announced asked for assistance with the For Our City – Chandler Day where many volunteers are in the community to assist with many identified projects in the Chandler community.

Vice Mayor announced the next Downtown Concert series will feature "Sugar Ray".

Councilmember Heumann reminded voters of the bond elections for school districts. He reminded voters that it is an all-mail ballot election and ballots need to be received by 7 p.m. on November 3.

Councilmember Heumann highlighted one of the projects approved is a Harkins Theatre at the corner of Chandler Boulevard and Arizona Avenue.

He announced on October 29, the Desert Cancer Foundation would hold their annual fundraising luncheon.

He asked everyone to have a safe Halloween.

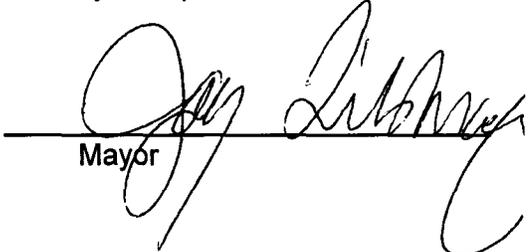
Councilmember Roe said at this time of year, it is good to remember the food banks are collecting now to be prepared for the holidays. He thanked the Boy Scouts in the audience for attending the Council meeting. Mr. Roe stated he had lunch at Jr. Achievement today and stated his appreciation for companies that support that.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:24 p.m.

ATTEST: 
City Clerk


Mayor

Approved: November 16, 2015

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 22nd day of October 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 17 day of November, 2015.


City Clerk

MINUTES OF REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, November 16, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 7:02 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Rick Heumann	Councilmember
René Lopez	Councilmember
Jack Sellers	Councilmember
Terry Roe	Councilmember
Nora Ellen	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was given by Pastor Victor Hardy - Congregational Church of the Valley

PLEDGE OF ALLEGIANCE: Councilmember Nora Ellen led the Pledge of Allegiance.

Mayor Tibshraeny asked for a moment of silence to remember all those who lost their lives, those injured, their families and France as a result of a terrorist act which took place on Friday, November 13th.

CONSENT:

MOVED BY COUNCILMEMBER ELLEN, SECONDED BY COUNCILMEMBER SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

- 1a. MINUTES of the Chandler City Council Regular Meeting of October 19, 2015.
- 1b. MINUTES of the Chandler City Council Study Session of October 19, 2015.
- 1c. MINUTES of the Chandler City Council Special Meeting (Exec Session) of October 22, 2015.
- 1d. MINUTES of the Chandler City Council Regular Meeting of October 22, 2015.

2. FINAL ADOPTION OF ORDINANCE NO. 4580 authorizing a Telecommunication Site Lease and Wireless License with Verizon Wireless LLC, dba Verizon Wireless (Verizon) for a parcel of land that is a portion of Pima Park, and authorizing the Mayor to execute the lease and authorizing the City Manager or designee to execute other implementing documents as needed.

3. FINAL ADOPTION OF ORDINANCE NO. 4632, annexation of approximately 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road.

4. FINAL ADOPTION OF ORDINANCE NO. 4633, DVR15-0017 SOUTH OF THE SOUTHEAST CORNER OF ARIZONA AVENUE AND CHANDLER HEIGHTS ROAD, establishment of initial City

zoning of Industrial on approximately 11.56 acres located south of the SEC of Arizona Avenue and Chandler Heights Road

5. FINAL ADOPTION OF ORDINANCE NO. 4657, DVR15-0014 ARIZONA EYE CENTER, rezoning from Planned Area Development (PAD) for general office to PAD for medical and general office.
6. FINAL ADOPTION OF ORDINANCE NO. 4663, annexation of approximately 19 acres located at the NEC of 138th Street and Ocotillo Road.
7. FINAL ADOPTION OF ORDINANCE NO. 4664, DVR15-0030 NORTHEAST CORNER OF 138TH STREET AND OCOTILLO ROAD, establishment of initial City zoning of Agricultural (AG-1) on approximately 19 acres located at the NEC of 138th Street and Ocotillo Road.
8. FINAL ADOPTION OF ORDINANCE NO. 4667, amending Chandler City Code, Part III – Public Safety, Chapter 15 – Auctioneers and Pawnbrokers, Sections 15-1, 15-2, 15-3, 15-4, and 15-6.
9. FINAL ADOPTION OF ORDINANCE NO. 4668 authorizing the City of Chandler to adopt the provisions of a development and option agreement with VPK the Row, LLC, for redevelopment of Site 3 and option to purchase Sites 1 and 2 for redevelopment.
10. FINAL ADOPTION OF ORDINANCE NO. 4669, DVR15-0018 SPECTRUM ASSISTED LIVING COMMUNITY, rezoning from Planned Area Development (PAD) for commercial uses to PAD for an assisted living facility.
11. FINAL ADOPTION OF ORDINANCE NO. 4670, DVR15-0022 DOLLAR SELF STORAGE, rezoning from Agricultural to Planned Area Development for a mini-storage facility.
12. FINAL ADOPTION OF ORDINANCE NO. 4671 adding Section 12-6, relating to Pedestrian Regulations, to the Chandler City Code; and amending Section 1-8.5, relating to General Penalty; Continuing Violations, of the Chandler City Code.

INFORMATION:

1. Minutes of the October 7 and November 4, 2015, Planning and Zoning Commission meetings.

CURRENT EVENTS:

The Mayor stated current events will be announced on Thursday at the next Council meeting.

ADJOURNMENT: The meeting was adjourned at approximately 7:08 p.m.

ATTEST: 
City Clerk


Mayor

Approved: December 7, 2015

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 16th day of November 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7th day of December, 2015.


City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Thursday, November 19, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:00 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance: Marsha Reed, Acting City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Marian Norris, Asst. to the City Manager; Chris Andres, Airport Manager; Matt Burdick, CAPA Director; Micah Miranda, Economic Development Director; David Bigos, Mayor & Council Asst., Pamela Keidel-Adams, Kimley Horn; and Dr. Lee McPheters, ASU W.P. Carey School of Business.

Airport Economic Impact Analysis

ACTING CITY MANAGER MARSHA REED reminded the Council that at the August 2014 Council Micro Retreat, one of the points discussed was the role of the Airport in the National Airspace System, and the value and economic impact of our airport at a local level.

Ms. Reed introduced Chris Andres, Airport Administrator who began employment with the City in March.

Mr. Andres gave a brief background of the ADOT Study (2012) that identified the economic impact. He reported in that study, they attributed about \$24 million of impact to the Chandler Airport. In November 2014, the City issued a Request for Proposal for an Economic Impact Study. He then introduced Pamela Keidel-Adams of Kimley Horn and Dr. Lee McPheters of Arizona State University.

Mr. Andres explained the Study started in March 2015. The Analysis and Economic Benefit will be presented tonight and the self-sustaining evaluation is being completed. Phase 2, currently unfunded, is Strategic Recommendations and Potential Outcomes.

He explained the Study process consisted of a survey conducted with airport employers, which includes 17 private and 3 agencies, and an estimate of the impact of visitors arriving at the Chandler Airport using state and hospitality industry data. The data was evaluated through an IMPLAN economic input/output model. Mr. Andres said that is important as that is an FAA recognized methodology and the advantage is it allows an “apples to apples” comparison with other airports. It measures revenue, payroll and employment, in addition to on-airport businesses, capital improvement, and visitor spending.

Councilmember Heumann asked if the “visitor impact” was determined by amount of days stayed, etc. Mr. Andres stated that was correct.

Mr. Andres reviewed the economic activities of the Chandler Airport: aircraft maintenance, fuel sales, flight training, new construction or repair, lodging, food/drink, retail, entertainment, car rental, and businesses supplying the airport or benefitting from airport-initiated activity. He added the model also takes into the impact on the supply chain – fuel company, parts company. It also includes the impact of employee salaries throughout the community. He explained the model takes the “Direct Airport Employer Impacts” and “Direct Air Visitor Impacts” (the tourism impact) and measures the “Secondary Indirect and Induced Impacts” (goods, services) and adding that together will produce the “Total Economic Impacts”

Mr. Andres said based upon what is “inside the fence”, the 20 employers and related activity, this together generates approximately \$32.5 million in annual revenues. Payroll is \$6.89 million and 163 direct jobs. The “Direct Air Visitor Impact” (outside of the fence) is \$34 million in additional business revenue. About \$9.4 million in payroll and an additional 312 jobs. This activity combined, when it gets into the supply chain and the impact ripples through the economy, creates an additional \$42.5 million in revenues, \$15 million in payroll, and 320 jobs to support that activity. The Total Economic Impacts result is close to \$110 million annually, almost \$32 million in payroll, and almost 800 jobs.

Mr. Andres detailed the “On-Airport Impacts” Powerpoint slide and noted the Sources of Aviation Impacts: Government Agencies: includes the Airport Administration, the portion of the Chandler Police that are supporting the Airport, and the Air Traffic Control Tower. He explained the Capital Improvement Project is a three year average. The total “On-Airport Impacts” are approximately \$54 million in revenues and 331 jobs.

Mr. Andres showed where Chandler ranks compared to Deer Valley and Goodyear using a FAA methodology. Chandler is at \$32,522,000 million in revenue compared to Deer Valley at \$42,632,000 and Goodyear at \$59,601,000. He noted Deer Valley is the busiest general aviation airport in the country. They have many FAA staff and Phoenix Police has a helicopter base at that location. Goodyear has pilot training for Lufthansa.

He reported the direct off-airport impact of visitors at Chandler Airport is \$34 million. Key variables include the type of plane arriving and the number of passengers. Length of stay is also important. Councilmember Heumann asked if this model assumes that everyone who lands here stays at a hotel. Dr. Lee McPheters said the visitor spending numbers used are not directly from surveys of arriving passengers. Work is done with the Arizona Office of Tourism and there was also available an unpublished air travel expenditure data for 2014. He said the important assumption is general aviation visitors spend comparable like the air travelers to Phoenix Sky Harbor. He noted that not all of them use a hotel, but the same assumptions are used for all air travelers. Mr. Andres reviewed other assumptions made with travelers and discussed the breakdown of “direct air visitor” expenditures. Mr. McPheters noted that on jet travel, there is often a two person crew in addition to the passengers that factors into the spending estimates.

Mr. Andres showed a slide depicting the origins and destination of air traffic into Chandler Municipal. That it is heavily oriented to Southern California and exposure to the southern Nevada and Las Vegas market.

The average daily activity was reviewed:

All Aircraft Operations: 610 Aircraft Operations Daily
Itinerant Aircraft Arrivals: 110 Itinerant Arrivals Daily
Airport Firms & Agencies: 163 On-airport jobs & 20 employers
On-Airport Direct Revenues: \$89,000 Revenues Daily
Air Visitors: 324 visitors in the region daily
Air Visitor Spending: \$93,000 Visitor Spending Daily
Total Employment in the Region: 795 Regional Jobs supported
Total Economic Impact: \$299,000 Economic Impact Daily

Mr. Andres said there is quite a bit of quality of life support activity that is not necessarily economic activity, but very important as social support. There is much medical patient and medical doctor transport from Chandler to other areas of the state.

Mr. Andres highlighted the \$300,000 in total economic impact each day. Eight hundred jobs are created by the activities. Southern California and southern Arizona are the two primary destinations/origins for Chandler Airport.

The next steps are to complete Phase 1 consisting of the self-sustaining evaluation. With Council approval, Phase 2 would begin that includes the strategic recommendations to support economic development goals and potential outcomes.

Councilmember Roe asked how much of the daily operations contain training operations. Mr. Andres said there is a significant number of training activities. Mr. McPherson confirmed those activities were separated out. He added "itinerant" refers to the arrivals or departures of the non-based aircraft that were coming or going.

Councilmember Lopez asked if the based aircraft was figured in. Mr. McPherson said they are in there as they create revenue from the FBO, fuel sales, and included in the "on airport" revenue.

Councilmember Lopez asked if there is a budget for Phase 2. Ms. Reed said approximately \$30,000 was included for Phase 2 if authorized by Council.

In response to a question from Mayor Tibshraeny, Mr. Andres said the Airport does require a subsidy from the General Fund to cover our operating expenses to cover expenses assuming a level of service. If there were additional service or maintenance required, that would be an increase that would need to be covered. Ms. Reed said on average over the last several years, it has required about \$250,000 from the General Fund.

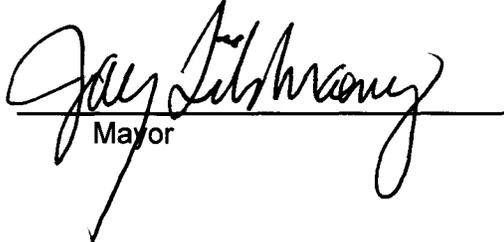
The Mayor noted there were some good trends identified and asked if that equates to self-sustaining in the future. Ms. Reed said the initiation of the next phase and further direction from the Council will help lead towards that.

Councilmember Heumann asked for clarification on the assumptions for overnight stays. Mr. McPherson said not all the overnights are Chandler.

Councilmember Sellers asked if the study would look at what things would pay for operation and support from an economic development standpoint. Mr. Andres said the study would further how the Chandler Airport can optimize it's economic development value.

Adjournment: The meeting was adjourned at approximately 6:31 p.m.

ATTEST: 
City Clerk


Mayor

Approved: January 14, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 19th day of November 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 19 day of January, 2016.


City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, December 7, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 5:30 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance: Marsha Reed, Acting City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Matt Burdick, CAPA Director; Greg Westrum, Budget Manager; Dawn Lang, Management Services Director; Kay Bigelow, City Attorney; David Bigos, Mayor & Council Asst., Representative (District 20) Bob Robson.

Phoenix Veterans Administration Pilot Program:

Fire Chief Jeff Clark introduced Manny Moneda and Dr. Hamed Abbaszadegan from the Veterans' Administration (VA).

Chief Clark explained that in February (2015), Rep. Robson brought the VA and Chandler Fire, Health and Medical together to discuss a joint effort to promote telemedicine. Chief Clark said Battalion Chief Gale, Assistant Chief Tom Dwiggin and their staff have been building this program. Now proposed is a 6 month pilot program that will assist veterans in receiving the health care they need. At the end of the pilot, a report will be made to Council along with recommended next steps.

He explained that when responding to a medical call, they have an option to treat and refer if the patient does not need hospitalization. He said while this is a new program, they respond to patients that are veterans every day. This is about coordinating the care to a higher level. The plan is to identify the veterans and so every patient is asked if they are a veteran. Plan is to let the patient know what benefits are available to them through the VA. If they do not have VA benefits or are not aware they are eligible for benefits, they are connected through the registration process through the VA. Coordination between the VA and the patient as well as the care is critical. If they are on scene and the patient does not need the emergency room, what resources are available to them. Can connect the patient to the VA via an IPAD or I phone and through telemedicine, connect them with one of the two dedicated nurse practitioners through the VA.

Councilmember Ellen asked if the dedicated nurse practitioners are for Chandler. Chief Clark replied, at this time they are dedicated to Chandler, but the nurses have other roles within the VA

In response to a question on availability, Chief Clark said the nurse practitioners were available Monday-Friday, during certain times.

Chief Clark said at the moment, the VA does not know when Chandler responds to patients. The Community Paramedic Unit gives the ability to follow-up with the patients. He explained the idea

behind the Community Paramedic unit is to approach the patients who have a high frequency of calling 9-1-1. We are trying to manage the 9-1-1 calls before they occur. Obtain data and information provides a tool to identify patients and can see, statistically, those who call 9-1-1. By proactively sending out the Community Paramedic Unit on a scheduled manner to those individuals to reduce or eliminate the 9-1-1 calls. Chief Clark said there are about 10,000 vets in Chandler and about 2,000 are enrolled with VA benefits.

Chief Clark explained the Community Paramedicine Unit began in January 2015 and complete scheduled visits with patients who frequently call 9-1-1. They follow-up with the patients they have treated and referred to ensure the quality of care was delivered. The four employees came from existing resources. This was also explained in a subcommittee meeting in December. The City obligations to this pilot are the human resource component, physical resources, reviewing potential patients, and conducting in-home visits. Some internal fire staff work on the administrative piece.

They will review potential patients and conduct in home visits, things they already do today and they have capacity to do more. Besides delivering better care, the idea behind this program is to prevent the 9-1-1 system from growing and being a reactionary to being more preventative. In response to a question from Councilmember Ellen, Chief Clark said there are all spectrums to response needs including behavioral and mental issues.

Councilmember Lopez asked if there was an increase in utilization for the 4 member team. Chief Clark said they have done preliminary work with insurance companies to get this kind of an idea off the ground. He said while some of panned out, most have not. He said they have limited some of this units potential for running calls in this type of call. This is the first formal agreement. When this unit is not handling their pre-scheduled visits, is filling in the 9-1-1 response calls. The goal is to have this unit for 100% prevention. Chief Clark said there are currently two, 2-man teams that respond to low acuity calls. This pilot unit currently is a back up to them when they do not have prescheduled appointments. He said like the Fire Prevention Office, this unit is the EMS Prevention Office.

Councilmember Lopez asked if the VA was supplying any tablets, hardware and maintenance. Chief Clark replied that the VA houses the system; the City is just signing into their system and we can do from any mobile device with internet access.

In response to a question from Mayor Tibshraeny, Chief Clark explained the Unit provides the prevention component to the patients that can be identified through their use of Chandler services. They also follow-up as part of the treat and refer element. When not doing that, they provide back up to the 9-1-1 low acuity calls. Chief Clark said this pilot will measure the metrics and based on value demonstrated, then cost recovery can be addressed.

Chief Clark continued saying the VA will be responsible for providing patient information, tele-health resources, nurse practitioners. He said the VA is providing more than the city could with their telemedicine program. He added the mutual obligations will be documentation, data sharing and training.

Chief Clark clarified that the dedicated unit has four members, but it is a two person crew split throughout the week. They cover 11 hours a day Monday- Friday with overlap on Wednesday to maximize training opportunity.

He said the final program metrics will be briefed to the Council in June. He said Dr. Abbaszadegan will offer resources and a couple of doctoral students to help with the analysis with the U of A.

In response to a question from Councilmember Ellen, Chief Clark said Chandler is in the Phoenix's Veterans Administration region. He said he hopes that if this is successful, it can be replicated throughout the country as the VA has these resources nationwide. There is no other health care system that goes region to region.

She asked what is the capacity if more cities come on. Mr. Moneda stated they are using two existing nurses because of the pilot. No additional people with the pilot. We aren't going to get any more patients outside of Chandler right now as they are committed through the MOU. The pilot gives the opportunity to determine what is out there.

Dr. A. the expansion of tele-health will happen anyway. This is a natural progression. Starting with one city and reassess in 6 months.

The Mayor thanked Chief Clark, Mr. Moneda, Dr. Abbaszadegan and Rep. Bob Robson for their work on this program.

Updated/New Chandler Financial Policies

Ms. Lang, Management Services Director said while the policies are reviewed annually, this was a more comprehensive review. She said the only new policy being added is the Grant Management Policy.

Ms. Lang explained one of the 2105 Council Strategic Policy Goal/ Action Plan, one of the goals was to continue adherence to and improve upon fiscal policies. She stated the goal is to review them before the budget process starts, and presenting them before Council for adoption by Resolution. They will be shown separately on the city's website to make them readily available. Ms. Lang said there has been guidance from the Government Finance Officers Association on policy development as well as best practices.

Ms. Lang reviewed the Operating Management Policy and explained this policy was to ensure ongoing financial sustainability and operating practices through guidance and clarification of budget structure, development, control system, and amendment process, as well as revenue and expenditure principles. The detail includes: scope and length of budget period, level of control, balanced budget definition, basis of budgeting, cost allocation, long-term financial forecasts and performance measurement, includes link of budget to strategic financial plans, examination of spending patterns, prioritization of services, funding liabilities, and clarifies essential budget processes. Includes explanation of Modified Expenditure Control Budgeting (MECB), Revenue and Expenditure Principles.

The Capital Management Policy provides guidance on capital planning, budgeting, and management to ensure well maintained infrastructure. Components of the Policy include: Timing and Scope, City Charter direction on Capital Improvement Program (CIP) approval and that City projects out further than required; and defines amount and useful life to be capital. It includes Project Identification and Review and the CIP Coordination Team purpose. Additionally, it defines a balanced CIP, including review of bond capacity and related secondary tax, as well as

utility rate impacts, and includes direction to prioritize existing asset maintenance/replacement and maintaining replacement funds.

Ms. Lang said the Reserves Policy changes were discussed with Council at the October 19, 2015 meeting.

Ms. Lang explained the Debt Management Policy provides guidelines for issuance of bonds and other forms of indebtedness to finance future capital programs and guidelines for monitoring outstanding debt. It defines appropriate uses of debt financing and sets debt mgmt. goals, assists with maintaining or improving credit ratings, assuming prudent levels of financial risk and preserving flexibility.

The policy documents the fines the debt issuance process including the method of sale, use of financial service providers, and obtaining credit ratings. It establishes limitations on City indebtedness. It includes direction on when voter and nonvoter authorized debt can be used and conditions to consider. Describes the Debt Management Process, including direction on debt service structuring, maturity, investment of bond proceeds, refunding bonds, continuing disclosure & post issuance compliance, arbitrage rebate, issuance & post-issuance compliance procedures, continuing disclosure undertaking (CDU), and declaration of official intent.

Ms. Lang then reviewed the Long Range Financial Planning Policy that establishes a consistent practice for financial planning that results in stable tax rates and services to the community over a multi-year period. □ Timing and Scope – Includes direction to update long-range financial forecasts prior to preparation of CIP and Annual Budget, as well as funds/elements to be forecasted for 10 years into the future. A new section is “Principles” and gives direction on how to forecast (i.e. baseline service assumption, ongoing/one-time, trends), issue/solution identification and discussion, and goal of maintaining structurally balanced plans.

Ms. Lang said the Grant Management Policy was new. A citywide committee was formed to assist in forming the policy. She said there are many types of grants with different requirements. The next phase will be to create procedures to address the different types of grants.

She explained the policy helps ensure grant oversight to support creativity and innovation in identifying and addressing existing and desired City program or partnership needs that cannot be resolved with existing resources, but may be suitable areas for seeking grant funds. Sets standards for consistent acquisition and administration of grants. Provides guidance on Grant Identification, Evaluation and Application – includes evaluation of consistency with City strategic goals and Department goals, funding evaluation and other factors to consider. Identifies Grant Approval, Administration and Operational Oversight.

The Mayor asked if grants under \$30,000 and over \$30,000 go through the Grant Committee. Ms. Lang said most of it is done at the department level, but they will be tracking all of the grants throughout the City.

Ms. Lang stated the Investment Policy is one of the frequently requested policies and will now be available online. She reviewed the revisions to the Investment Policy which defines the parameters within which public funds are to be managed. There is direction in City Code and applies to all public funds, excluding bond proceeds since governed by indentures. It defines Standards of Care – Includes standard of prudence, ethics and conflicts of interest, and delegation of authority and responsibilities (including use of external investment manager).

Identifies Permitted Investment Instruments – Includes alignment with A.R.S., credit requirements from Nationally Recognized Statistical Ratings Organization (NRSRO), and allocation limits (30% each commercial paper, negotiable CDs and medium corporate notes). Investment Parameters – Includes diversification and max maturity of 5 years from date of purchase (A.R.S. limit). Portfolio Management, Purchase and Sales of Securities. The Policy includes a new section that sets standards for monitoring and use of brokers/dealers by City and external investment advisors. Addresses Safekeeping and Custody and Performance Evaluation and Reporting.

Ms. Lang reviewed the ACCOUNTING, AUDITING, AND FINANCIAL REPORTING POLICY that will set guidelines on how the City will account for its financial resources and be accountable for making financial information available to the public. It contains GFOA recommended components including: Accounting and Internal Control, Independent Audit, and Financial Reporting.

Next steps:

Ms. Lang stated the updated financial policies will be presented to Council at its January 14th meeting. It will be posted on the website and be used as a baseline standard for stewardship over financial resources.

Adjournment: The meeting was adjourned at approximately 6:55 p.m.

ATTEST:


City Clerk


Mayor

Approved: January 28, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 7th day of December 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 29 day of January, 2016.


City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Thursday, November 19, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:00 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance: Marsha Reed, Acting City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Marian Norris, Asst. to the City Manager; Chris Andres, Airport Manager; Matt Burdick, CAPA Director; Micah Miranda, Economic Development Director; David Bigos, Mayor & Council Asst., Pamela Keidel-Adams, Kimley Horn; and Dr. Lee McPheters, ASU W.P. Carey School of Business.

Airport Economic Impact Analysis

ACTING CITY MANAGER MARSHA REED reminded the Council that at the August 2014 Council Micro Retreat, one of the points discussed was the role of the Airport in the National Airspace System, and the value and economic impact of our airport at a local level.

Ms. Reed introduced Chris Andres, Airport Administrator who began employment with the City in March.

Mr. Andres gave a brief background of the ADOT Study (2012) that identified the economic impact. He reported in that study, they attributed about \$24 million of impact to the Chandler Airport. In November 2014, the City issued a Request for Proposal for an Economic Impact Study. He then introduced Pamela Keidel-Adams of Kimley Horn and Dr. Lee McPheters of Arizona State University.

Mr. Andres explained the Study started in March 2015. The Analysis and Economic Benefit will be presented tonight and the self-sustaining evaluation is being completed. Phase 2, currently unfunded, is Strategic Recommendations and Potential Outcomes.

He explained the Study process consisted of a survey conducted with airport employers, which includes 17 private and 3 agencies, and an estimate of the impact of visitors arriving at the Chandler Airport using state and hospitality industry data. The data was evaluated through an IMPLAN economic input/output model. Mr. Andres said that is important as that is an FAA recognized methodology and the advantage is it allows an “apples to apples” comparison with other airports. It measures revenue, payroll and employment, in addition to on-airport businesses, capital improvement, and visitor spending.

Councilmember Heumann asked if the “visitor impact” was determined by amount of days stayed, etc. Mr. Andres stated that was correct.

Mr. Andres reviewed the economic activities of the Chandler Airport: aircraft maintenance, fuel sales, flight training, new construction or repair, lodging, food/drink, retail, entertainment, car rental, and businesses supplying the airport or benefitting from airport-initiated activity. He added the model also takes into the impact on the supply chain – fuel company, parts company. It also includes the impact of employee salaries throughout the community. He explained the model takes the “Direct Airport Employer Impacts” and “Direct Air Visitor Impacts” (the tourism impact) and measures the “Secondary Indirect and Induced Impacts” (goods, services) and adding that together will produce the “Total Economic Impacts”

Mr. Andres said based upon what is “inside the fence”, the 20 employers and related activity, this together generates approximately \$32.5 million in annual revenues. Payroll is \$6.89 million and 163 direct jobs. The “Direct Air Visitor Impact” (outside of the fence) is \$34 million in additional business revenue. About \$9.4 million in payroll and an additional 312 jobs. This activity combined, when it gets into the supply chain and the impact ripples through the economy, creates an additional \$42.5 million in revenues, \$15 million in payroll, and 320 jobs to support that activity. The Total Economic Impacts result is close to \$110 million annually, almost \$32 million in payroll, and almost 800 jobs.

Mr. Andres detailed the “On-Airport Impacts” Powerpoint slide and noted the Sources of Aviation Impacts: Government Agencies: includes the Airport Administration, the portion of the Chandler Police that are supporting the Airport, and the Air Traffic Control Tower. He explained the Capital Improvement Project is a three year average. The total “On-Airport Impacts” are approximately \$54 million in revenues and 331 jobs.

Mr. Andres showed where Chandler ranks compared to Deer Valley and Goodyear using a FAA methodology. Chandler is at \$32,522,000 million in revenue compared to Deer Valley at \$42,632,000 and Goodyear at \$59,601,000. He noted Deer Valley is the busiest general aviation airport in the country. They have many FAA staff and Phoenix Police has a helicopter base at that location. Goodyear has pilot training for Lufthansa.

He reported the direct off-airport impact of visitors at Chandler Airport is \$34 million. Key variables include the type of plane arriving and the number of passengers. Length of stay is also important. Councilmember Heumann asked if this model assumes that everyone who lands here stays at a hotel. Dr. Lee McPheters said the visitor spending numbers used are not directly from surveys of arriving passengers. Work is done with the Arizona Office of Tourism and there was also available an unpublished air travel expenditure data for 2014. He said the important assumption is general aviation visitors spend comparable like the air travelers to Phoenix Sky Harbor. He noted that not all of them use a hotel, but the same assumptions are used for all air travelers. Mr. Andres reviewed other assumptions made with travelers and discussed the breakdown of “direct air visitor” expenditures. Mr. McPheters noted that on jet travel, there is often a two person crew in addition to the passengers that factors into the spending estimates.

Mr. Andres showed a slide depicting the origins and destination of air traffic into Chandler Municipal. That it is heavily oriented to Southern California and exposure to the southern Nevada and Las Vegas market.

The average daily activity was reviewed:

All Aircraft Operations: 610 Aircraft Operations Daily
Itinerant Aircraft Arrivals: 110 Itinerant Arrivals Daily
Airport Firms & Agencies: 163 On-airport jobs & 20 employers
On-Airport Direct Revenues: \$89,000 Revenues Daily
Air Visitors: 324 visitors in the region daily
Air Visitor Spending: \$93,000 Visitor Spending Daily
Total Employment in the Region: 795 Regional Jobs supported
Total Economic Impact: \$299,000 Economic Impact Daily

Mr. Andres said there is quite a bit of quality of life support activity that is not necessarily economic activity, but very important as social support. There is much medical patient and medical doctor transport from Chandler to other areas of the state.

Mr. Andres highlighted the \$300,000 in total economic impact each day. Eight hundred jobs are created by the activities. Southern California and southern Arizona are the two primary destinations/origins for Chandler Airport.

The next steps are to complete Phase 1 consisting of the self-sustaining evaluation. With Council approval, Phase 2 would begin that includes the strategic recommendations to support economic development goals and potential outcomes.

Councilmember Roe asked how much of the daily operations contain training operations. Mr. Andres said there is a significant number of training activities. Mr. McPherson confirmed those activities were separated out. He added "itinerant" refers to the arrivals or departures of the non-based aircraft that were coming or going.

Councilmember Lopez asked if the based aircraft was figured in. Mr. McPherson said they are in there as they create revenue from the FBO, fuel sales, and included in the "on airport" revenue.

Councilmember Lopez asked if there is a budget for Phase 2. Ms. Reed said approximately \$30,000 was included for Phase 2 if authorized by Council.

In response to a question from Mayor Tibshraeny, Mr. Andres said the Airport does require a subsidy from the General Fund to cover our operating expenses to cover expenses assuming a level of service. If there were additional service or maintenance required, that would be an increase that would need to be covered. Ms. Reed said on average over the last several years, it has required about \$250,000 from the General Fund.

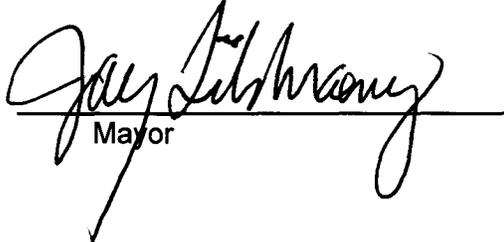
The Mayor noted there were some good trends identified and asked if that equates to self-sustaining in the future. Ms. Reed said the initiation of the next phase and further direction from the Council will help lead towards that.

Councilmember Heumann asked for clarification on the assumptions for overnight stays. Mr. McPherson said not all the overnights are Chandler.

Councilmember Sellers asked if the study would look at what things would pay for operation and support from an economic development standpoint. Mr. Andres said the study would further how the Chandler Airport can optimize it's economic development value.

Adjournment: The meeting was adjourned at approximately 6:31 p.m.

ATTEST: 
City Clerk


Mayor

Approved: January 14, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 19th day of November 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 19 day of January, 2016.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, December 7, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Vice Mayor Hartke gave the invocation.

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

Mayor Tibshraeny asked for a moment of silence to remember the victims and their family members of the December 2nd shooting at the Inland Regional Center in San Bernardino, Ca.

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

- 1a. Study Session of November 16, 2015.
- 1b. Regular Meeting of November 16, 2015.

2. CITY CODE AMENDMENT: Chapter 20 Ord. #4636

ADOPTED Ordinance No. 4636 amending Chapter 20 of the City Code, Transient Merchants, Peddlers, Canvassers, and Solicitors, amending Sections 20-1 and 20-3 and amending the City Code by adding a new Chapter 21, Mobile Food Units, all relating to City of Chandler regulations specifically surrounding the licensing and allowable operations of Mobile Food Units.

3. ANNEXATION/INITIAL CITY ZONING: SEC Arizona Avenue and Queen Creek Road
Ord. #4661

ADOPTED Ordinance No. 4661, Annexation and Initial City Zoning – Southeast Corner of Arizona Avenue and Queen Creek Road, annexation of approximately 7.83 acres located at the SEC of Arizona Avenue and Queen Creek Road.

4. CITY CODE AMENDMENT: Chapter 32 Ord. #4672

ADOPTED Ordinance No. 4672 amending Chapter 32 of the City Code to adopt the changes and updates relating to Special Events.

5. AMENDED & RESTATED GROUND LEASE: WingSpan Business Investments, LLC
Ord. #4673

ADOPTED Ordinance No. 4673 entering into an amended and restated ground lease with WingSpan Business Investments, LLC; authorizing the Mayor to sign the lease and authorizing the City Manager to sign all related documents needed to implement this ordinance.

6. IGA: Veterans Administration/Phoenix Res. #4919

ADOPTED Resolution No. 4919 authorizing the Intergovernmental Agreement (IGA) with the Veterans Administration/Phoenix (VA/P) providing for a six-month pilot program that allows the Chandler Fire, Health & Medical Department (CFHMD) to better manage emergency services and the delivery of healthcare and follow up medical services for Chandler Veterans and that the Mayor is hereby authorized to execute that IGA on behalf of the City of Chandler.

BACKGROUND/DISCUSSION

The VA/P and CFHMD are entering into this IGA to conduct a pilot program to help ensure Veterans are receiving appropriate healthcare and follow up medical services, CFHMD provides emergency medical responses to Veterans on a daily basis. These calls vary from serious medical issues and behavior related issues to calls less serious in nature. This pilot program will allow for CFHMD paramedics to identify Veterans and connect them to VA/P services in a proactive manner. If stay-at-home treatment is appropriate, they can be referred to CFHMD's Community Paramedic program for paramedic facilitated VA/P tele-health appointments.

FINANCIAL IMPLICATIONS

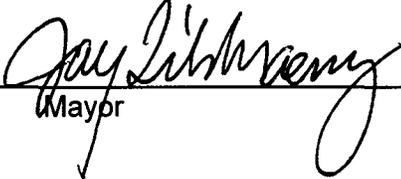
There are no financial implications, additional personnel or overtime hours associated with this IGA.

CURRENT EVENTS:

Mayor stated current events would be heard on Thursday, December 10.

Adjournment: The meeting was adjourned at approximately 7:10 p.m.

ATTEST: 
City Clerk


Mayor

Approved: January 14, 2016

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 7th day of December 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14 day of January, 2016.


City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, December 10, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Also in attendance:

Marsha Reed	Acting City Manager
Nachie Marquez	Assistant City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor J.C. Baysinger of the Desert Palms Church.

PLEDGE OF ALLEGIANCE: Mason representing Boy Scout Troop # 425, led the Pledge of Allegiance.

CONSENT:

Mayor Tibshraeny stated he had three speaker cards.

Lisa Leon-Hodges, 4580 S. Fresno St. Chandler AZ., stated she was in support of Item #2, but had not comments.

David Miller, 20750 N 87th St #1040, Scottsdale AZ., addressed Item 11 (Cobblestone Auto Spa) and stated in October of 2014 he had presented Council with plans for his convenient store and express wash on the southeast corner of Alma School and Pecos. He has been working on this since 2012 and recently became aware of the Cobblestone Auto Spa application. This application puts another convenient store and express car wash within a mile radius of their parent company and with the addition of his, puts three convenient stores and car washes all within a 1-mile radius of each other. He expressed concern for the already heavily trafficked area, stating this application only adds to the congestion, especially since it is the same type of business.

Fredrik Darbrodi, 870 E Chandler Blvd., Chandler AZ., stated he is the owner of Fredriks Auto located at 870 E. Chandler Blvd., and while he is in favor of the overlay district (Item # 13), his business is in a building that was built in 1950 and the requirements under the zoning classification would require approximately \$80,000 to bring it up to code. He would appreciate if the Council would find a solution because his business has been shut down for almost three years because he cannot afford the improvements.

COUNCILMEMBER HEUMANN inquired with Sr. Planner Erik Swanson about the changes to the wash station in Item 11 (Cobblestone), Mr. Swanson stated Cobblestone is proposing to add stations for the express self-serve vacuuming, and depending on which option the customer chooses, decides which direction they turn once exiting the car wash. In response to a question from the Mayor, Mr. Swanson stated that it doesn't change the intensity in the sense that they are adding a new use; but, it may have the potential of increasing traffic due to the express vacuuming area, but he did not think it would be a significant increase.

COUNCILMEMBER LOPEZ asked about additional spaces for the self-serve vacuuming. Mr. Swanson noted on the map where the additional vacuuming stalls are. He said the other component was the covered parking aspect which is staging for the vehicles that are complete for the full service.

MOVED BY COUNCILMEMBER ROE, SECONDED BY VICE MAYOR HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER HEUMANN STATED HE WOULD BE VOTING NAY ON ITEM #5.

He thanked the developer of Item #12 for clarifying some of his concerns with the project.

He noted on Item #41 he understands the applicant is working with staff, but he hopes to see this brought to Council in February for final action as he does not want to see this be continued indefinitely.

MAYOR TIBSHRAENY STATED HE WOULD BE VOTING NAY ON ITEM #11.

COUNCILMEMBER ELLEN STATED SHE WOULD BE VOTING NAY ON ITEM #12.

MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTIONS NOTED.

1. CITY CODE AMENDMENTS: Chapter 43

Ord. #4676

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4676 adopting updated Public Works design and construction standards and amending Chapter 43, Section 43-5, Subsections 43-4.5.A, 43-4.5.B, 43-4.5.C, 43-4.5.D, 43-4.5.E, 43-4.5.G and 43-4.5.I of the Code of the City of Chandler.

BACKGROUND/DISCUSSION

The City maintains and publishes Engineering Standard Details and Specifications, and Technical Design Manuals which have been developed to guide developers and City Staff on the design and construction of the City's infrastructure. These documents are adopted by the City Council.

In addition to general revisions, this updated package includes changes to private reclaimed water system design requirements, new drainage design requirements for recessed loading docks, revisions to clarify taper length requirements for traffic barricading and continued updates for Americans With Disabilities Act (ADA) compliance.

The Engineering Design Standards Committee, with cross-departmental representation, reviews proposed changes to design standards and makes recommendations for annual updates. This process also involves reviewing the Maricopa Association of Governments (MAG) Specifications

and Standards and their annually-proposed revisions to determine if City standards could be removed in favor of MAG standards.

This ordinance would amend the following design standards:

- July 2015 Standard Details and Specifications Manual
- July 2015 Technical Design Manual #1 & 2, Water & Wastewater System Design
- July 2015 Technical Design Manual #3, Drainage Policies and Standards
- July 2015 Technical Design Manual #4, Street Access and Design Control
- January 2014 Technical Design Manual #5, Traffic Signal Design
- February 2012 Technical Design Manual #7, Traffic Barricade Design
- In addition, this ordinance would adopt the 2016 revisions to the MAG Uniform Standard Specifications and Details with certain modifications.

The recommended revisions have been reviewed and approved by the Engineering Design Standards Committee consisting of Engineering, Offsite Inspection, Transportation, Water/Wastewater and Planning divisions. The revisions were provided to members of the industry including the Homebuilders Association, Multi-housing Association, utility providers and engineering design consultants. Comments received were incorporated into these revisions where appropriate.

The complete set of revised Standard Details and Specifications are on file with the City Clerk and available for review.

2. REZONING/PRELIMINARY DEVELOPMENT PLAN: Bogle House Ord. #4677

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4677, DVR15-0023 Bogle House, rezoning from Single-Family District (SF-10) to Planned Area Development (PAD) for Single-Family Residential with a bed and breakfast. (Applicant: Paul Hodges)
APPROVED a Preliminary Development Plan (PDP) for site layout and building architecture located at 275 W. San Marcos Drive, south and west of the southwest corner of Arizona Avenue and Chandler Boulevard.

BACKGROUND

The property known as the Bogle House is located at 275 W. San Marcos Drive, south and west of the southwest corner of Arizona Avenue and Chandler Boulevard. The San Marcos Hotel is northeast, San Marcos Fairways golf course and vacated casitas are west, vacant land is south and the future DC Heights multi-family residential development is east.

The main house was built in 1958 with an 800 square foot addition completed in 1998. A 300 square foot, detached casita/guest house and swimming pool are also contained within the property. Access to the property is via San Marcos Drive, a privately owned parcel of the San Marcos Fairway Association. The current property owner purchased the home in March 2015, with the intention to redevelop the single-family property into a bed and breakfast with ancillary uses.

The existing property does not comply with the SF-10 zoning regulations. Accordingly, this rezoning request reconciles existing building setback nonconformities. Existing structures include the main house containing three bedrooms, each with their own bathroom, plus two additional bathrooms. These three bedrooms would allow a maximum of three overnight guests per room.

The casita/guest house has a bathroom and kitchenette and would be used by the owner. Future development is phased and includes construction of a ramada, a 3,200 square foot multi-use garage/barn structure and parking areas.

In conjunction with the bed and breakfast operation, small wedding and birthday events, rental bikes for guest use and live musical entertainment such as a disc jockey or acoustical performances are elements of the business plan. Live music and entertainment and on-site liquor will be reviewed through a separate Liquor Use Permit application.

Events would be limited to 30 guests based on available on-site parking. The Zoning Code does not have a specific parking requirement for a bed and breakfast. A ratio of 2.5 guests per parking space was used based on similar uses located in local jurisdictions and equates to 12 required spaces. Existing drives and new parking areas in the northeast section of the property and adjacent to the garage/barn, would provide a maximum of 16 on-site parking spaces. To address future parking demands, it is suggested that prior to each phase, the applicant works with Planning Staff to evaluate parking requirements related to the intensity of the use. At such time that on-site parking no longer accommodates required parking, the applicant will need to prepare a parking agreement for off-site parking with the San Marcos Hotel.

The business's operational plan requires minimal staffing, consisting of the owner and wife with housecleaning and caterers to be contracted out as needed. Given the conceptual nature of the proposal, the garage/barn, ramada and other site amenities will be reviewed administratively. Signage, uniquely designed to market the quaintness of the bed and breakfast, is conveyed in the Development Booklet.

DISCUSSION

Planning Staff finds the reuse of the home as a bed and breakfast to be a creative redevelopment of the property. The adjacency to the San Marcos Hotel, the golf course and to Downtown Chandler furthers the economic vitality of the area as well as affording an untapped offering to visitors and residents. The small, intimate venue of a three-bedroom bed and breakfast with wedding, baby shower and birthday events is found to be compatible with the surrounding developments.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 12, 2015. There was one resident in attendance with general inquiries about the request and the status of the property located south. Planning Staff received several phone calls from property owners with general inquiries on what is proposed. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approved passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "BOGLE HOUSE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0023, except as modified by condition herein. The Development Booklet provides that building layout, architecture and design for future development, and related onsite site layout related to such future development, will be reviewed and approved administratively.
 2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner.
 3. Building architecture shall promote consistent architectural character and detail on all sides of the structure.
 4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
 5. All outdoor events shall end no later than 11 p.m.
 6. The applicant shall work with Planning Staff to insure adequate parking is provided during each project phase including new construction, altering an existing floor plan, additions to existing structures, and wedding and special events. When parking demands exceed available on-site parking as phases and/or modifications occur, off-site parking shall be provided through a parking agreement with the San Marcos Hotel. Details of the parking agreement shall be developed by the property owners in consultation with Staff.
 7. The property shall be maintained in a clean and orderly manner.
3. PLANNED AREA DEVELOPMENT ZONING STIPULATION AMENDMENT: Allred
Chandler Airport Center Ord. #4678

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4678, DVR15-0036 Allred Chandler Airport Center, amending Planned Area Development (PAD) zoning Stipulation No. 3 to allow athletic training facilities and/or recreation/instructional uses to locate within Building B and modify Stipulation No. 4 for adjacency of uses in suites where "H" occupancy related businesses locate. The existing development is located at the northeast corner of Germann Road and Piper Drive, east of Cooper Road and south of the Loop 202 Santan Freeway. (Applicant: Stephen C. Earl of Earl, Curley & Lagarde P.C.)

BACKGROUND

The subject site is part of the 245-acre Chandler Airport Center master planned employment center near the Chandler Municipal Airport. Chandler Airport Center is located at the intersection of Cooper and Germann roads and includes one mile of frontage along the Loop 202 Santan Freeway with property on both southern sides of the interchange at Cooper Road and the Santan Freeway. Chandler Airport Center received conceptual PAD zoning in April 2005, and includes commercial retail, office, showroom, warehouse, light industrial, hotel and airplane hangar uses.

The 14.6-acre parcel is located along the eastern edge of the master plan adjacent to the Crossroads Towne Center commercial center. Allred Chandler Airport Center, formerly known as Hewson, received Preliminary Development Plan (PDP) approval in June 2006, for three multi-tenant office warehouse buildings of approximately 50,000 to 75,000 square feet in size and totaling 186,826 square feet. Uses for the subject site were approved to include those allowed by right within the I-1 Light Industrial zoning district, as well as office and showroom/warehouse uses.

In April 2009, the PAD was amended to allow additional uses that would otherwise require a Use Permit within an I-1 zoning district. Such uses included manufacturing/assembly of products,

repair or manufacturing of small-scale equipment or goods, sign-making companies, and motor vehicle customization with aftermarket products (sales and installation).

In 2010, the PAD was again amended to allow 'athletic training facilities' and/or 'family recreational/instructional' uses within buildings A and C only and not building B. Similarly, the adjacency of the additional uses in suites where "H" occupancy rated businesses locate was also stipulated for buildings A and C. Current language restricts "H" occupancies from locating within the same building that contains any of the 'athletic training facilities' and/or 'family recreational/instructional' uses. Conversely, these uses could not locate within a building that contains an "H" occupancy rated business. For this request, the condition is modified to allow these uses to locate in the same building but not in adjacent suites of the same building.

As part of the 2010 amendment, a parking study was prepared to identify parking demands for the new uses and determined the site serves the anticipated parking demands. Additionally, the previous amendment identified that sections of the service court between the buildings could be reconfigured and restriped creating up to 100 additional parking spaces. Staff is confident that the previous parking demand study as well as the contingency plan to add parking spaces remains valid with the current request. The final element of the previous amendment was to reconfigure the drive aisle located between buildings A and C to address pedestrian safety at the crossing and discourage truck traffic use. The drive aisle was modified including a reduced 24-foot wide drive aisle, additional landscape planters, nine additional parking spaces and a raised pavement speed table.

The current request is to amend Planned Area Development (PAD) zoning Stipulation No. 3 to allow athletic training facilities and/or recreation/instructional uses to locate within building B and modify Stipulation No. 4 for adjacency of uses in suites where "H" occupancy rated businesses locate. With the all-inclusive ordinance coming forward with the request, Stipulations No. 3 and No. 4 of Ordinance No. 4248, approved in 2010, are renumbered as No. 17 and No. 18 in the new ordinance. No other changes to the approved zoning are requested.

Planning Staff finds the modified stipulations to be appropriate given the success of the compatibility of the current uses, no evidence of parking conflicts or increase in parking demands, and no apparent safety conflicts. Typical concerns of incompatibility of these aforementioned uses have been shown to be adequately mitigated. While the uses are currently permitted in buildings A and C, the additional permission to located in building B allows flexibility for existing and future tenants.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notification letter was mailed out in lieu of a meeting. Planning Staff received one inquiry on the scope of the request, but has received no correspondence in opposition.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Chandler Airport Center Zoning Application", kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0037 Chandler Airport Center, except as modified by condition herein.
 2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Hewson Chandler Airport Center", kept in file in the City of Chandler Planning Services Division, in file No. DVR08-0026, except as modified by condition herein.
 3. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR10-0005, except as modified by condition herein.
 4. Development shall be in substantial conformance with Exhibit a, Development Booklet, entitled "Allred Chandler Airport Center", kept on file in the City of Chandler Planning Services Division, in File No. DVR15-0036, except as modified by condition herein.
 5. The development shall provide additional landscaping to include one (1) 24-inch box tree and three (3) 5-gallon shrubs for every 20 feet of freeway frontage to be installed in the freeway right-of-way.
 6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
 7. Monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
 8. The landscaping shall be maintained at a level consistent with at the time of planting.
4. LAND USE LICENSE AGREEMENT: Salt River Project Res. #4888

ADOPTED Resolution No. 4888 authorizing execution of the Land Use License Agreement between the City and the Salt River Project Agricultural Improvement and Power District and authorizing the Municipal Utilities Director to execute any other documents and to take such other actions as are necessary to carry out the intent of this Resolution.

BACKGROUND/DISCUSSION

In 1902, the Salt River Project Valley Water Users' Association was formed to partner with the United States Bureau of Reclamation (USBR) to construct the Salt River Project (SRP) dams and water delivery system. As part of the water system, SRP installed several hundred water wells throughout its service area. In 1994, Chandler and SRP agreed to the Water Delivery and Use Agreement (WDUA), allowing Chandler to use specific SRP wells to provide potable water to its residential and commercial/industrial water customers. Chandler is currently using seven SRP wells. These SRP wells are located on land owned by the USBR. The USBR's policy requires a land use license to use the SRP wells. Chandler worked with several other valley cities and SRP staff to develop a Land Use License Agreement which meets the USBR's requirements. The Land Use License Agreement allows Chandler to use the USBR land and clarifies what materials are allowed on the SRP well sites, as well as the roles and responsibilities of Chandler, SRP, and the USBR. It also provides the parties with flexibility to agree to the City's use of additional SRP well sites in the future.

FINANCIAL IMPLICATIONS

The City is required to pay a fee of one dollar (\$1.00) to SRP in consideration for the Land Use License Agreement.

5. LAND PURCHASE: Snedigar Sportsplex Res. #4914

COUNCILMEMBER HEUMANN VOTED NAY.

ADOPTED (6-1 Heumann) Resolution No. 4914 approving the purchase of approximately 28,120 square feet of land located within the Snedigar Sportsplex for the appraised value of \$125,970 plus environmental and closing costs in the approximate amount of \$8,500; and authorizing the Real Estate Manager to execute the purchase agreement and any other necessary documents.

BACKGROUND/DISCUSSION

The owners, Bogle Farms I, LLC, Shannon Bogle Douds, Trustee, and William H. Bogle, Trustee, have agreed to sell their property that is located within the Snedigar Sportsplex to the City for the appraised value of \$125,970. In the past, the property was improved with a well site and a water tower. The well site was abandoned in 2007 and the water tower was removed from the property in 2014. Following the removal of the water tower, Staff approached the owners to discuss the possibility of purchasing this property and incorporating it into the larger Snedigar complex. Presently, the property is minimally maintained and enclosed with chain link fencing.

The Snedigar Sportsplex is a 90-acre community park. Since its construction in 1991, this park has become known for its wide variety of leisure and recreation opportunities. From baseball to skateboarding, this park has become very popular and is well utilized by the citizens of Chandler.

Because the majority of the existing open space is primarily utilized for sports fields, currently there is no space available to add additional amenities adjacent to the soccer fields. While the Snedigar Sportsplex has 5 ramadas located throughout the park, unfortunately none of these ramadas are in close proximity to the soccer fields. As a part of the 2016-25 CIP, funding has been allocated to improve this site which will include irrigation, turf, ramadas and sidewalks.

6. **No item.**

7. EXTINGUISH DRAINAGE EASEMENT: NWC Gilbert & Germann Roads Res. #4916

ADOPTED Resolution No. 4916 authorizing the extinguishment of a drainage easement no longer needed for public use near the northwest corner of Gilbert and Germann roads; and authorizing the Mayor to execute and deliver all documents necessary to effect the extinguishment of the drainage easement.

BACKGROUND/DISCUSSION

In 2004, the City acquired a drainage easement on a parcel of land located near the northwest corner of Gilbert Road and Germann Road as part of the Germann Road from Airport Boulevard to Gilbert Road Improvement Project. The easement encumbers portions of lots 27 and 28 of the Crossroads Towne Center development. Crossroads incorporated the required retention provide by this easement into their development. The property owner has requested that the City extinguish this easement in order to clear up their title. Staff concurs that the easement is no longer required and can be extinguished.

8. MOU: Arizona High Intensity Drug Trafficking Area Investigative Support Center Res. #4917

ADOPTED Resolution No. 4917 authorizing the provisions of a Memorandum of Understanding (MOU) between the Arizona High Intensity Drug Trafficking Area (HIDTA) Investigative Support

Center and the City of Chandler, through its Police Department, for assignment of a Chandler Police Department (CPD) analyst at HIDTA for a period of not less than two years, and authorizing and approving the provisions of the City of Tucson HIDTA Grant Agreement.

DISCUSSION

This MOU assigns a CPD Analyst of Arizona HIDTA ISC to work in conjunction with federal, state, local and tribal intelligence working to identify, exploit, deconflict, analyze and expand information to reduce drug trafficking and production in Chandler, Arizona, and throughout the United States. The MOU requires the Analyst to report to the CPD no less than two days per month in order to cover CPD related duties as directed by the Analyst's chain of command.

The Grant Agreement supplements the MOU. It designates the City of Tucson, through its Police Department, as the pass-through agency overseeing the federal HIDTA funds used to reimburse the City of Chandler as Grantee for the Analyst position. The Grant Agreement, effective from January 1, 2015, through December 31, 2016, lists the approved line item budget for the Analyst position as \$64,841.00 for salary and \$21,614.00 for fringe benefits. Finally, the Grant Agreement lists several specifications for monitoring and assessing performance, reporting, record keeping, accounting, insurance/workers compensation requirements and confidentiality certifications.

FINANCIAL IMPLICATIONS

Arizona HIDTA would cover the Analyst's current salary and 25% of employee benefits, for a total of \$86,455.00, with the City covering the remaining employee benefits.

9. CITY OF CHANDLER AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN 2015 Res. #4918

ADOPTED Resolution No. 4918 adopting the City of Chandler Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan 2015.

BACKGROUND

In March 2014, the City contracted with a consultant to complete a comprehensive update of the City's existing ADA Transition Plan as well as the completion of a Self-Evaluation of all City programs to ensure the City's programs and facilities are in compliance with the federal ADA law. The purpose of the Transition Plan is to identify and recommend corrections to programmatic, building and infrastructure obstacles that prevent full access to City programs and services.

The consultant, Cole & Associates, Inc., conducted an analysis of Citywide and departmental policies, twenty facilities and an additional five miles of Public Right-of-Way (PROW). The facilities list included a number of parks and three transit stations and was determined based on the frequency of use by the public and age of the facility. The PROW analysis was focused on the downtown area and a sampling of areas based on the amount of pedestrian traffic, length of time since last ADA improvements and type of street such as arterial or residential.

DISCUSSION

The Transition Plan consists of a list of physical barriers present at the time of the Self-Evaluation and a detailed outline of the methods to be used to remove these barriers. From the list, a twenty-year barrier removal plan was created. This plan is meant to serve as a guide as the City further develops a more detailed removal schedule and cost estimates. It is anticipated that this schedule will be updated each year as new projects are assessed. In addition, the schedule may be altered due to funding availability and timing with larger projects that have ADA components.

For example, during the Self-Evaluation process, Staff began removing some of the identified barriers based on construction schedules that were already in place prior to the Self-Evaluation.

The City has a process for removal of PROW barriers based on observation of usage by people with disabilities, complaints and regularly scheduled maintenance. An example of regularly scheduled maintenance is the City's annual Mill and Overlay program. The program triggers the ADA requirement that impacted ramps, driveways and sidewalks be made compliant with current ADA standards. The Transportation and Development Department estimates that a minimum of three million dollars is spend on ADA improvements each year as part of the Mill and Overlay program.

As part of the Transition Plan process, Transportation and Development Department Staff established criteria to assess PROW and a barrier removal schedule was developed. Currently, Staff is analyzing the benefits of applying similar barrier criteria to other City infrastructure with identified barriers, such as sidewalks internal to parks and facilities. A portion of the \$500,000 that was budgeted in the FY 2015-2016 CIP for ADA related projects, will be used for this type of barrier removal in addition to other ADA improvements inside City facilities.

The work being completed to date speaks to the City's' proactive response to the Self-Evaluation findings. In addition to physical barrier removal, City Staff is already working on processes for tracking requests for accommodations, complaints, barrier removal costs and developing training for all City Staff, as well as specialized training for specific divisions and departments.

A public outreach component was utilized during the creation of the updated Transition Plan and will continue as the City moves forward with plan implementation. Staff presented information to the Mayor's Committee for People with Disabilities, the Mayor's Committee on the Aging, and the Human Relations Commission at a public meeting specifically on the Plan and in other public venues. It should be noted that overall, the City received positive feedback for its amenities and services for people with disabilities. There were a few specific suggestions received from the public and Staff is in the process of addressing those suggestions.

Beginning in 2017, Staff will present an annual update to Council that will include progress towards barrier removal, results of future assessments, and information on training, complaints and public outreach efforts. In addition, during the budget process, Staff will present current and future budget impacts of the implementation of the ADA Transition Plan.

FINANCIAL IMPLICATIONS

All costs associated with future assessment and the removal of barriers that limit program and building accessibility will be included in the City of Chandler annual budget. In addition, the City may apply for federal funding to assist with these efforts.

10. PRIVATE ACCESS AND RIGHT-OF-WAY EASEMENT AGREEMENT AMENDMENT:
Focus Development Plaza Res. #4920

ADOPTED Resolution No. 4920 authorizing the City Manager to execute the City's written consent to an amendment of an existing private access and right-of-way easement agreement related to Focus Development Plaza.

BACKGROUND/DISCUSSION

Focus Development Plaza is on the south side of Chandler Boulevard near Hartford Street and is otherwise surrounded on three sides by San Marcos golf course property. In 1998, the owner of

the golf course granted a 30'-wide, private easement for access and right-of-way along the portion of the golf course bordering the east line of the Plaza for use as a secondary means of access to the Plaza. In 2002, the parties and/or their successors, re-recorded the easement document to add additional provisions stating that (a) the City of Chandler was acknowledged as holding an irrevocable beneficial interest in the Access Easement, and (b) the Access Easement could not be terminated, modified, assigned or altered without the written approval of the City. Thereafter, the Plaza was platted as a commercial office condominium project.

The present owner of the golf course and the Focus Corporate Plaza Condominium Association desire to amend the easement document for their purposes, which includes the partial release or abandonment of a part of the easement property no longer needed. A copy of the proposed amendment has been provided to the City. Staff in Planning, Civil Review and the City Attorney's office have reviewed the document, find it acceptable, find no impact on existing utility services and recommend that written consent be given. Resolution No. 4920 authorizes the City Manager to provide the written consent in such form as drafted by the City Attorney's office.

11. PRELIMINARY DEVELOPMENT PLAN: Cobblestone Auto Spa

MAYOR TIBSHRAENY VOTED NAY ON THIS ITEM.

APPROVED (6-1 Tibshraeny) Preliminary Development Plan PDP15-0011, Cobblestone Auto Spa, for site layout and building modifications including additional parking, shade canopies, monument signage and building color located at the southeast corner of Alma School and Germann roads. (Applicant: Jesse Macias, PM Design Croup, Inc.)

BACKGROUND

The subject site is located at the immediate southeast corner of the Alma School and Germann roads intersection. East and south are properties zoned Agricultural (AG-1). At the northeast, northwest and southwest corners of the intersection are existing commercial centers. The site received an Area Plan Amendment, Rezoning and PDP approval in 2001. In November of 2004, Enterprise Rent-a-Car was approved to locate on the site and in May of 2006, the existing tan shade canopies were approved. In 2009, Planning Staff administratively approved modifications to the monument signs, resulting in their current design.

The current request is to allow modifications to the site layout and building including additional parking, shade canopies, monument signage and building color. Located at the northeast corner of the site is the existing vacuum canopy where customers, following a carwash, pull into the vacuuming stalls on the east side of the area. The vacuum areas are only for drive-thru carwash customers and not a part of the full-service carwash operations. The request includes modifications to this area resulting in the removal of landscape materials along the west, providing an additional two parking stalls adjacent to the existing stalls, and four new stalls on the west side of the area.

At the north and northwest corner of the site, staging for completed vehicles receiving the full-service carwash is provided. Along the north are existing tan shade canopies. The existing canopies will be replaced with a more arched design providing shade for both the north and northwest staging areas. The existing shade canopy color is tan in an effort to hide the canopies along the street frontage; the request is to change the color to "Aquatic Blue".

Three monument signs were provided with the original approval, two along Alma School Road and one along Germann Road, all at a six-foot height to the top of the copy; architectural projection provided an additional 18-inches in height. Administratively approved modifications were made in 2009. The request is to add a third panel to the signs along Alma School Road and to change the design of the sign along Germann Road. The sign, as proposed along Germann Road, is to create a v-shaped sign allowing visibility from south, north and east bound traffic, and to raise the height to eight feet to the top of the sign panel; an architectural projection would take the height up an additional 20 inches. Staff is not supportive of the modification to the sign along Germann Road.

Lastly, the proposal includes a color addition to the main building. The main tower elements of the building, when originally approved, were an earth tone color; a couple of years ago, the building was repainted and the blue that is currently on the building was provided without approval. The current request seeks to solidify the approval of the color.

DISCUSSION

Planning Staff supports the modifications to the site by adding the additional parking stalls, parking canopies and building color. The item was discussed at length due to the applicant disagreeing with recommended conditions 9-11 and 13. The Planning Commission discussed the proposed modifications to the canopies along the arterials and the integration of the stacked stone element and whether or not the color of the canopies as recommended was appropriate versus the proposed color of "aquatic blue". Additionally, there was a significant amount of conversation pertaining to the monument sign. The Planning Commission unanimously disagreed with the signage as proposed, but discussed options allowing for modification to the signs along Alma School Road and whether that would resolve the issue of low visibility that the applicant had concerns with. After a lengthy discussion, the Planning Commission recommended approval of the request as presented by Planning Staff.

Following the Planning Commission hearing, the design team reevaluated the proposed signage and shade canopy color. The v-shaped monument sign has been modified to be a standard monument sign located at the intersection corner with a reduced height of six feet to the top of copy which is similar to the existing sign; however, it will be relocated to be perpendicular to Alma School Road versus the current parallel position. The height of the middle monument sign along Alma School Road has been increased to ten feet in height and will have three tenant panels. The design is consistent with the other monument signs and meets design criteria for the additional height and panel. Condition no. 12 will remain to ensure that depth is provided to the tenant panel lettering for the monument signs; however, condition no. 13 has been removed. The condition prohibited the v-shaped monument sign. Lastly, the applicant has decided to eliminate the use of the "Aquatic Blue" for the shade canopies and will continue the use of a tan shade canopy.

Based on the modifications that have been made following the Planning Commission hearing, Planning Staff recommends approval of the request.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 14, 2015. There were four neighbors in attendance with general questions regarding the project. As of this writing, Planning Staff has not received any correspondence in opposition. Planning Staff received an email outlining concerns with the request as it related to the potential for additional noise generation and that future residential development adjacent to the site's east side would be negatively impacted.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3313, case DVR01-0010 COBBLESTONE AUTO SPA, except as modified by condition herein.
 2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Cobblestone Auto Spa", kept on file in the City of Chandler Planning Division, in File No. PDP15-0011, except as modified by condition herein.
 3. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
 4. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
 5. Landscaping shall be in compliance with current Commercial Design Standards.
 6. The canvas shade structures shall be maintained in a manner similar to that at the time of installation.
 7. The site shall be maintained in a clean and orderly manner.
 8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
 9. The color shade canopies shall be tan in color.
 10. Stone accent material shall be installed on the support columns of the shade canopies to a height consistent with the existing steel support structures.
 11. No detailing or cleaning activities shall occur beneath the proposed shade canopies along Alma School and Germann roads.
 12. The applicant shall work with Planning Staff to incorporate design elements such as, but not limited to, architectural integration, adding three-dimensional lettering and enhancing landscaping around the sign for the monument signs along Alma School Road.
12. PRELIMINARY DEVELOPMENT PLAN: Arizona Avenue and Queen Creek Road

COUNCILMEMBER ELLEN VOTED NAY ON THIS ITEM.

APPROVED (6-1 Ellen) Preliminary Development Plan PDP15-0013 Arizona Avenue and Queen Creek Road, for housing product within a single-family residential subdivision on approximately 13 acres located at the northeast corner of Arizona Avenue and Queen Creek Road. (Applicant: Stephen Earl; Earl, Curley & Lagarde.)

BACKGROUND

The request is for approval to allow one-story housing product to occur on up to 21 lots within the developing 90-lot single-family residential subdivision. This approximately 13.83-acre development is located at the immediate intersection corner of Arizona Avenue and Queen Creek Road. In May 2014, the subdivision site layout and housing product were approved with all two-story homes. The lots are designed in a cluster configuration with use and benefit easements for individual detached homes. Lot sizes are a minimum 2,220 sq. ft. (44' x 55.5') up to 3,723 sq. ft. (69.2' x 53.8').

The two-story housing plans range in size from approximately 1,966 to 2,845 livable square feet. Each housing plan includes three elevation styles. The request is to incorporate two one-story housing plans, Plans 1483 and 1626, which are 1,483 and 1,626 livable square feet respectively with three elevation styles each. The one-story housing plans are an option for buyers on specific lots including lots 22, 27 and 34 (along Queen Creek Road); lots 60, 61, 66, 67, 72, 73, 78, 79, 84, 85 and 90 (along the interior open space area) and lots 39, 40, 45, 46, 51, 52, and 57 (abutting the east property line). One-story homes could occur along the main open space area, on back lots of certain clusters and along the east side adjacent to developing multi-family residential buildings. No lots along Arizona Avenue will have one-story homes and only three lots along Queen Creek Road may be one-story homes as exhibited on the Site Plan.

This subdivision is surrounded by multi-family residential buildings within the Archstone Village Crossing at Chandler (Camden Chandler). The multi-family development includes all two-story buildings abutting the subject site's east side. North of the site are mostly three-story buildings and a few two-story buildings.

The one-story homes provide additional housing product diversity amongst the mostly two-story home community. The plans are designed specifically for the 21 lots in conformance with building setbacks and maximum lot coverage. The one-story homes are designed to conform to the two-story homes' architecture. Standard features include the side yard covered patios/courtyard space, covered front entries, stone veneer on at least one elevation, window muntins, window shutters and awnings, decorative window surrounds and corbels.

DISCUSSION

Planning Staff finds the two one-story homes offer additional diversity while maintaining an intimate environment amongst 90 homes through the cluster, motor court lot layout. The addition of one-story housing product maintains the subdivision's urban intimate environment amongst homes along with varied lot depths and varied perimeter wall locations.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice letter was mailed in lieu of a meeting due to no adjacent single-family residential developments and the nature of the proposal. Planning Staff has received no correspondence in opposition. One letter was received in support.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "ARIZONA AVENUE AND QUEEN CREEK ROAD" kept on file in the City of Chandler Planning Division, in File No. PDP15-0013 except as modified by condition herein.
2. One-story housing plans 1483 and 1626 are approved for lots 22, 27 and 34 (along Queen Creek Road); lots 60, 61, 66, 67, 72, 73, 78, 79, 84, 85 and 90 (along the interior open space area), and lots 39, 40, 45, 46, 51, 52 and 57 (abutting the east property line).
3. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.

4. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.

13. CONTINUED CITY INITIATIVE: City Code Chapter 35

CONTINUED TO JANUARY 14, 2016, ZCA15-0001 Adaptive Overlay District, City initiative to adopt Article XXXIII A.R.O.D. – Adaptive Reuse Overlay District of Chapter 35 (Land Use and Zoning) of the Chandler City Code. The Planning Commission continued the request to the December 16, 2015, Planning Commission hearing to allow additional time to accommodate the inclusion of two small expansions of the proposed district boundary in response to public input. Accordingly, the Planning Commission and Planning Staff recommend City Council continue the request to the January 14, 2016, Council meeting.

14. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Arts Commission

Bonnie Lou Coleman
Steven Valesquez

Citizens' Panel for Review of Police Complaints and Use of Force

Larry Webb
Francis Slate

Human Relations Commission

Roy Cheriyan

Parks and Recreation Board

Melanie Dykstra

Public Safety Personnel Retirement Board (Fire)

Mayor's Designee/Chairperson
Brenda Brown

Public Safety Personnel Retirement Board (Police)

Mayor's Designee/Chairperson
Brenda Brown

15. AGREEMENT EXTENSION: Law Offices of Diane M. Miller, PLLC

APPROVED a two-year agreement extension with the Law Offices of Diane M. Miller, PLLC, from October 23, 2015, through October 22, 2017, for the provision of legal services related to condemnation actions, litigation and other related legal actions needed for public infrastructure projects.

BACKGROUND/DISCUSSION

The Chandler City Council has authorized the use of its eminent domain authority when necessary for various City projects and for the benefit of the citizens of Chandler. Diane Miller has been performing these services for the City since 2009. Both the Transpiration and

Development Department and City Attorney's Office have been pleased with the services rendered and the results achieved. Recently, Ms. Miller was able to convince a jury of 10 people in a week-long trial that the City's appraised value in the range of \$250,000 was the correct value versus the owner's attorney claiming over \$9,000,000 for the value and severance damages.

FINANCIAL IMPLICATIONS

Payment will come from finds budgeted or allocated for the associated projects, but based on prior year average, the aggregated fees for any given contract year will be above \$30,000 deeming Council approval necessary.

16. AGREEMENT AMENDMENT: The Segal Co, Inc.

APPROVED Agreement No. HR5-918-3461, Amendment No. 1, with The Segal Co., Inc., for employee benefits consulting and actuary services for the term January 1, 2016, through December 31, 2016, in an amount not to exceed \$120,000.00. This is the first of four optional one-year extensions.

17. AGREEMENT: Invensys Systems, Inc.

APPROVED Agreement No. MU6-918-3625 with Invensys Systems, Inc., for the Invensys equipment upgrade in an amount not to exceed \$190,765.00.

The Supervisory Control and Data Acquisition (SCADA) system is the external communication system used to control equipment in all of the Municipal Utilities Department's water and wastewater facilities. Originally installed in 1994, the system utilizes instrumentation and control systems equipment only manufactured and serviced by Invensys Systems, Inc. Some of the existing equipment used within this system is obsolete and will no longer be supported by Invensys Systems. This project will upgrade the water and wastewater facilities' SCADA system to the newest equipment offered by Invensys Systems and improve the quality and reliability of data transmissions from the City's remote sites. This will be the first upgrade performed on the SCADA system. The equipment upgrades are expected to be in service for 15 to 20 years.

Invensys Systems, Inc., is the sole manufacturer and distributor of the instrumentation/control equipment and is the only firm able to perform the upgrade services.

18. AGREEMENT: Raftelis Financial Consultants, Inc.

APPROVED Agreement No. MS6-919-363- with Raftelis Financial Consultants, Inc., for a water, wastewater and reclaimed water cost of service study in an amount not to exceed \$115,452.00.

City financial policies state that a utility rate study be performed every four years, at a minimum, with an internal rate analysis completed every year. Since the major restructuring of City water and wastewater rates in 2007, the City has retained consultants to modify the original rate structure (Red Oak Consulting, 2009) and to establish a cost recovery rate plan for reclaimed water (Raftelis Financial Consultants, Inc., 2013). A full utility rate study was conducted in 2015 that resulted in changes to wastewater, reclaimed water, and solid waste rates, and the elimination of the seasonal winter/summer rates for water and reclaimed water. A preliminary cost of service analysis was included as part of this study.

The purpose of the planned 2016 study is three-fold. First, it will evaluate the cost of delivery for water, reclaimed water and wastewater services provide to all customer categories (single-family, multi-family, non-residential, industrial and landscape) to ensure that the cost of providing service to each particular customer class is appropriate based on services received. Second, it will evaluate if the flat monthly fee for single-family and multi-family wastewater service is still the best way of billing, versus a fee based on the amount of water used each month (volumetric rate calculation), Third, it will review the customer categories to determine whether or not large industrial should be a separate rate. The contract also includes assistance with public outreach to stakeholders who may be impacted by proposed changes. The results of this study will be presented to City Council in the spring of 2016.

19. AGREEMENT: Dunbar Armored, Inc.

APPROVED Agreement No. MS6-990-3616 with Dunbar Armored, Inc., for armored car services in an amount not to exceed \$50,000.00 for one year with the option of four additional one-year extensions.

The City of Chandler currently uses armored car services for a limited number of locations as part of the City's JP Morgan Chase Bank, N.A., contract. The bank bills the City monthly for all the banking fees, which include charges for Brinks Armored Car services. JP Morgan Chase Bank has notified the City that they will no longer be offering this service which requires the City to contract independently with an armored car service provider.

Staff took this opportunity to reach out to departments to review their cash handling processes and additional locations were identified. The current locations under the JP Morgan Chase Bank contract in which Brinks picks up or delivers cash to their Central Vault in Phoenix or City Hall are the Center for the Arts, Chandler Municipal Court, Police, City Hall Central Cashier, City Hall Utilities, Tumbleweed Recreation Center and Transportation and Development. Locations that are picked up currently outside of the contract are Arrowhead and Folley Pools, and Desert Oasis, Hamilton, Mesquite Groves and Nozomi Aquatic Centers. The other locations that accept cash for services that were identified to be added to the agreement include Basha, Hamilton, Sunset and Downtown Libraries, Community Center, Snedigar Sports Center and the Environmental Education Center.

Using armored car services will minimize the City's exposure to risk when transporting money to and from other City locations as well as to the bank. This service increases workplace safety and allows an already lean staff to continue their tasks without having to leave their facility to travel to City Hall or the bank to make deposits.

FINANCIAL IMPLICATIONS

This service is currently budgeted as part of the City banking fees which are typically netted against the interest earned on the short-term funds. Since interest rates have been low, there has not been enough interest to offset fees; therefore, a one-time budget was established each year through a decision package in the Non-Departmental cost center to fund the remaining banking fees. It is anticipated that once interest rates rise, this one-time budget will no longer be needed and the practice of netting fees against the interest earned will continue. The armored car services will continue to be paid from the Non-Departmental cost center as they are budgeted until the end of Fiscal Year 2015-16. Current departments will then either absorb or submit ongoing decision packages to fund the armored car service, shifting the expense to the appropriate department as a cost of operations for Fiscal Year 2016-17.

20. AGREEMENT AMENDMENT: Skaggs Companies

APPROVED Agreement No. PD5-200-3453, Amendment No. 1, with Skaggs Companies for police uniforms in an amount not to exceed \$147,805.00 for a period of six months from January 1, 2016, through June 30, 2016.

On December 11, 2014, City Council approved an agreement with Skaggs Companies for police uniforms for a one-year period with the option of up to four one-year extensions. Skaggs Companies has agreed to extend for six months to allow the Department to align the contract term with the fiscal year at the same terms, conditions and pricing.

21. AGREEMENT AMENDMENT: Galls, LLC, and Proforce Marketing, Inc.

APPROVED Agreement No. PD5-680-3456, Amendment No. 1, with Galls, LLC, and Proforce Marketing, Inc. for police supplies in a total combined amount not to exceed \$52,756.00 for a period of six months from January 1, 2016, through June 30, 2016.

On December 11, 2014, City Council approved an agreement with Galls, LLC, Proforce Marketing, Inc., and GT Distributors for police supplies for one-year with the option of up to four one-year extensions. Galls, LLC, and Proforce Marketing, Inc., have agreed to extend for six months to allow the Department to align the contract term with the fiscal year at the same terms and conditions.

Proforce Marketing has agreed to extend the contract with a 3% price increase due to fuel and material costs passed on from the manufacturer. The contract states that an annual increase must be reasonable and justified and Proforce Marketing has proven to Staff the increase complies with this language. Galls has agreed to extend the contract with no price increases. The City could not come to agreement with GT Distributors in regards to a reasonable annual increase; therefore, their contract will not be extended.

22. AGREEMENT: TASER International, Inc.

APPROVED Agreement No. PD6-680-3534 with TASER International, Inc., for the body worn camera system in the amount of \$1,155,154.46 for a five-year term, January 1, 2016, through December 31, 2020.

The City of Chandler is requesting the purchase, implementation and support of wearable body cameras for the Chandler Police Department (CPD) and a comprehensive digital evidence storage solution to store and manage the audio, video and still images captured by the body worn cameras. Staff briefed Councilmembers on this technology at a Public Safety Subcommittee meeting on January 29, 2015, and at a Council Micro Retreat on March 23, 2015.

CPD currently has 40 cameras deployed in a beta phase and plans to purchase an additional 160 cameras and related equipment, storage, hardware and software support and associated warranties. CPD intends to equip all first responders and select detectives with department-issued cameras for individual use during their work shifts. All videos, still images and audio recordings captured by the camera systems will be stored in the cloud on EVIDENCE.COM, which resides on Microsoft CJIS compliant servers. Officers can review their recordings via smart phone application or internet connected computers. All activity associated with a recording is tracked to ensure chain of custody.

The Chandler Police Department's body worn camera policy encourages officers to activate the camera when an encounter is reasonably anticipated to result in enforcement action, including, but not limited to: traffic stops, vehicle pursuits and failure to yield incidents, responses to domestic violence incidents, calls that are in progress upon police arrival and dynamic or forced entries or during any encounter that becomes or is reasonably likely to become confrontational, combative or violent.

23. AGREEMENT AMENDMENT: Lin-Cum, Inc.

APPROVED Agreement No. TD2-915-3097, Amendment No. 3, with Lin-Cum, Inc., for microfilming services, increasing the annual spending limit amount by \$40,000.00 for a revised amount not to exceed \$85,000.00 for the term ending April 30, 2016.

This agreement is used on an as-needed basis, and quantities are estimated based on past history. The building permit records will convert existing microfiche records to digital format, which will make retrieval of information for public records requests much more efficient. Once digitized, some records may be made accessible directly to the public over the internet. This spending limit increase will allow Staff to use the services of Lin-Cum, Inc., until the current term ends on April 30, 2016. The unit pricing and conditions with Lin-Cum remain the same as only the quantity of work has increased.

24. AGREEMENT: Sargon Masonry Construction LLC

APPROVED Agreement No. TD5-914-3558 with Sargon Masonry Construction LLC, for Dobson, Hartford & Knox wall replacements in the amount of \$501,933.41.

This project is for the removal and replacement of walls in three locations. The walls are both privately owned and City owned and currently in poor condition. The privately owned wall fronts the City basin and the adjacent City spray irrigation may have contributed to the damage to the wall. The proposed 6' high, masonry block walls are to be located along Knox Road, north side between Hartford and Nebraska Streets; Dobson Road, west side between Mesquite Street and El Prado Road; and Hartford Street, west side adjacent to the City's turf basins north and south of Iowa Street. Authorizations and Temporary Access Permits have been obtained from all residents who currently own wall sections designated for replacement.

This collaborative effort has the support of both the Transportation & Development and Community and Neighborhood Services Departments. This project will not only improve the appearance of wall along City streets and City maintained landscapes, but will also add to the integrity and improve safety for these neighborhoods.

25. AGREEMENT: Balar Equipment

APPROVED Agreement No. ST6-929-3603 with Balar Equipment for the purchase of three (3) street sweepers in the amount of \$752,997.99.

On February 25, 2015, the Maricopa Association of Governments (MAG) Regional Council approved the prioritized list of proposed PM-10 certified street sweeper purchases for fiscal year 2015-16. The City of Chandler was informed that two (2) sweepers were authorized for grant funding. These sweepers meet all current MAG environmental PM-10 requirements.

FINANCIAL IMPLICATIONS

The cost per sweeper, including tax, is \$250,999.33. MAG is funding two (2) of the sweepers in an amount of \$473,384.73, with a 5.7% match from the city in an amount of \$28,613.93. The City will fund the remaining purchase of one (1) sweeper in the amount of \$250,999.33 for a total of \$752,997.99.

26. CONSTRUCTION CONTRACT: Mills Design Group, LLC

APPROVED Construction Contract No. HO1403.401 with Mills Design Group, LLC, for Kingston Duplex in an amount not to exceed \$254,864.00.

On August 14, 2014, City Council adopted Resolution No. 4790 which authorized the interdepartmental transfer of a decommissioned well site property between the Municipal Utilities Department and the Housing Division. The resolution further authorized the construction of a duplex at 146 N. Kingston Street to be utilized as affordable housing. A Housing Division budget of \$300,000.00 was authorized to facilitate the design and construction of the housing and the establishment of a leasing program.

This construction project will result in a new residential "ranch style" duplex with stucco finish. The scope of work consists of the construction of two units, each with two bedrooms, one bathroom, one-car garage, open concept kitchen/dining/living room area and laundry room.

27. PURCHASE: Grainger

APPROVED the purchase of maintenance, repair and operational (MRO) supplies, utilizing the National Intergovernmental Purchasing Alliance (NIPA) Company with Grainger, in an amount not to exceed \$250,000.00 for one year.

28. PURCHASE: SHI International Corporation

APPROVED the purchase of Microsoft Windows Server licenses from SHI International Corporation, utilizing the Western State Contracting Alliance (WSCA) contract #ADSPO11-007500, in the amount of \$70,432.00.

The City of Chandler utilizes highly virtualized servers to reduce the number of physical servers that must be managed. The current virtual service environment includes 8 physical servers hosting over 350 virtual server instances. This requires purchasing Windows Server licenses when the actual physical servers are replaced. The City recently purchased the replacement server hardware and is now in the process of installing the equipment. Server software must also be purchased for these replacement servers. Rather than licensing each individual virtual server, it is more cost effective to purchase Datacenter Edition licensing. Licensing the physical servers in this manner creates a one time savings of approximately \$100,000.00 versus buying individual server licenses.

29. PURCHASE: Guidesoft, Inc. dba Knowledge Services

APPROVED the purchase of information Technology consulting and temporary contract staffing services from Guidesoft, Inc., dba Knowledge Services, utilizing the State of Arizona Contract #ADSPO12-031581, in an amount not to exceed \$100,000.00.

Information Technology has historically hired temporary employees to assist in special projects or backfill positions involved in projects by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and are intended to work on a temporary basis for a specific assignment. The Information Technology field is becoming increasingly more competitive for specialized resources and assistance is needed to find qualified resources in a timely manner.

This resource will assist with maintaining day-to-day operations of the City's financial and human resources systems while full-time IT Staff are devoted to assisting with implementation of the Oracle Business Intelligence Enterprise Edition (OBIEE) Reporting Tool and Noetix Software. The total cost is \$100,000.00 for 1,176 hours at \$85/hour.

30. PURCHASE: Mythics

APPROVED the purchase of OBIEE software licenses from Mythics, utilizing the General Services Administration Contract #GS-25F-0153M, in an amount not to exceed \$152,897.00.

The City has utilized Oracle Discoverer to develop reports for the City's Oracle Financials and Human Resources system since the initial installation of the software. Oracle has recently discontinued support for the Discoverer product which requires the City to migrate to a different report tool. After an in-depth citywide review of options available, Staff has determined that the solution that best fits the City's needs and can be integrated the most seamlessly with current systems, is Oracle Business Intelligence Enterprise Edition (OBIEE). OBIEE provides the user interface and access to the data inside the financials and Human Resources system and can be coupled with content information to enable end users access to the data. OBIEE is not specific to only Oracle data and can be used to provide integrated reporting from multiple citywide systems. This item is one piece of three related purchasing requests regarding a reporting replacement solution. This reporting solution will also address the unfulfilled citywide reporting needs that were identified as part of the Oracle eBusiness Suite upgrade that was done in 2011.

31. PURCHASE: Magnitude Software

APPROVED the sole source purchase of Noetix licenses implementation services, annual support and maintenance from Magnitude Software in an amount not to exceed \$353,605.00.

The City has utilized Oracle Discoverer to develop reports for the City's Oracle Financials and Human Resources system since the initial installation of the software. Oracle has recently discontinued support for the Discoverer product which requires the City to migrate to a different report tool. The new solution will be a central repository to consume data to support the needs of business partners. A critical requirement for users is to report on data from multiple modules to support their operations reporting. The intention is to acquire a model-based solution to enable users to build parameter driven reports. After an in-depth citywide review of the multiple solutions available, it was determined that the best overall solution for the City of Chandler is Noetix Views. This solution will provide easy access to the information within the Oracle eBusiness Suite. This item is one piece of three related purchasing requests regarding a reporting replacement solution. This reporting solution will also address the unfulfilled citywide reporting needs that were identified as part of the Oracle eBusiness Suite upgrade that was done in 2011.

Staff researched all known industry standard reporting solutions. Technical discussions, internal discussions with business groups, solution demonstrations and reference checks determined that Noetix proved to be the best solution to meet the City's reporting needs. The City currently uses

a version of Noetix for HR reporting and has experience with their product from both a business perspective and a technical perspective. Because Noetix is proprietary software, it is only available from Magnitude Software. The City has been able to take advantage of extensive year-end pricing discounts offered by Magnitude amounting to approximately \$88,407.00 one-time and \$17,682.00 ongoing.

32. PURCHASE: Tractor

APPROVED the purchase of a tractor from Empire Machinery/Caterpillar, utilizing the national Intergovernmental Purchasing Alliance (NIPA) contract, in an amount of \$89,606.95.

33. USE PERMIT: At Laguna Village

APPROVED Use Permit ZUP15-0007 At Laguna Village, to install a monopine wireless communication facility on property located at 5865 W. Ray Road, east of the southeast corner of Kyrene and Ray roads within the Laguna Village shopping Center. (Applicant: Jason Sanks, Shaw & Associates.)

BACKGROUND

The monopine height is 58 feet, measured to the top of antennas, with the topmost pine branches at 65 feet. The nearest single-family residential subdivisions are Viewcrest, approximately 160 feet south of the proposed monopine, and Village Court at Gila Springs, approximately 500 feet west.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning district that do not utilize existing poles or towers.

A monopine is a cell tower disguised as a pine tree. The antennas will be painted to match the pine branches which begin at 15 feet above grade level. The monopine cladding starts at grade level and continues for approximately 16 feet along the tree 'trunk'. The submitted elevations show an outline of pine tree that does not sufficiently resemble a live pine tree. The pine branches and needle socks are best illustrated in the photo of a monopine located in a nearby jurisdiction. Planning Staff recommends a condition to insure that the monopine installed at this location be of a branch density equal to or better than the monopine depicted in the photograph.

The monopine is placed between two buildings and provides a 160-foot separation from the south property line abutting single-family residential. An existing 45-foot tall T-Mobile canister monopole will be removed and the antennas relocated to the new monopine along with Verizon's new antennas. The T-Mobile equipment enclosure located in the service area will be expanded to accommodate both T-Mobile and Verizon equipment and constructed with materials and paint color to match. T-Mobile provided a letter of their intent/agreement to relocate the existing antennas to the monopine and remove the existing canister monopole.

Within the immediate area, there are no other suitable alternatives for collocation of the wireless communication facility on existing poles or towers. An inventory of existing wireless facilities, vertical towers and structures located within an approximately one mile radius was prepared by the applicant to assess alternative locations. Each location was analyzed to determine feasibility for collocation on utility poles, street and parking lot lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs.

Photographic simulations illustrating existing views and proposed views of the wireless communication facility were provided by the applicant. The simulations depict the monopine as viewed from several locations.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 58-foot monopine, measured to the top of antennas. The monopine design is suitable at this location given the presence of pine trees within the shopping center.

The separation from the residential properties is consistent with recently approved wireless communication facilities which are located approximately 160 feet from residentially zoned properties. The monopine design is appropriate, in lieu of a monopalm, because of the presence of live pine trees and the collocation of T-Mobile and Verizon, thus reducing the need for future wireless cell towers nearby and lessening the associated visual impact.

Planning Staff is of the opinion that permitting the monopine at this specific location is consistent with the review factors examined as part of the Use Permit process.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 5, 2015. There was one resident in attendance requesting general information

Planning Staff received several phone calls from residents with general inquiries, support and opposition to the request. The comments and concerns included: what does a monopine look like, does not want interference with their satellite dish, and health concerns. One neighbor, opposed to the monopine's location near residential, proposed an alternate location one mile to the south. Several residents support the request stating the need for better cell phone service in the area.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

During Study Session, several Planning Commissioners commented on whether a monopine or a monopalm is the more appropriate design solution. The monopine was stated as the better wireless facility design of the two types since it allows collocation and reduces the number of cell towers in the shopping center.

During Regular Session, a property owner spoke in support of the monopine, noting the need for better cell service in the area. The speaker stated that providing additional cell service in this area is essential for public safety, dialing 911 calls and use of home security systems.

RECOMMENDED ACTION

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

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.

2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
 3. The existing T-Mobile canister monopole shall be removed and the antennas shall be relocated to the new monopine.
 4. The monopine branch density shall be no less than three branches per foot with antenna socks to camouflage the antennas.
34. CONTINUED USE PERMIT / PRELIMINARY DEVELOPMENT PLAN: Extra Space Storage

CONTINUED TO JANUARY 14, 2016 Use Permit ZUP15-0011/PDP15-0008 Extra Space Storage for an indoor mini-storage facility located within a Planned Area Development Zoning district.

CONTINUED TO JANUARY 14, 2016 Preliminary Development Plan PDP15-0008 for site layout and building architecture located south of the southwest corner of Dobson and Germann roads.

The applicant requests a continuance in order to further discuss the development with the adjacent church and to be reviewed by the Planning and Zoning Commission. Accordingly, the Planning Commission and Planning Staff recommend continuance to January 14, 2016.

35. USE PERMIT: Hot Wok Feng

APPROVED Use Permit LUP15-0019 Hot Wok Feng, Series 12 Restaurant License, to sell and serve liquor as permitted for on-premise consumption in an existing restaurant located at 1050 E. Ray Road, Suite 6, northeast corner of McQueen and Ray roads. (Applicant: Crystal Situ.)

BACKGROUND

Hot Wok Feng is an existing restaurant located at the northeast corner of McQueen and Ray roads within The Provinces shopping center. The nearest single-family subdivisions are The Provinces Master Community to the north and west across McQueen Road, and Chandler village is east. Commercial retail centers are located to the southeast and southwest.

The suite is approximately 2,602 sq. ft. with 60 indoor seats. The restaurant's hours of operation are 11 a.m. until 9:30 p.m. Monday through Thursday, 11 a.m. to 10 p.m. Friday and Saturday and noon to 9:30 pm. on Sunday. Staff includes four full time and four part time employees.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler zoning Code with a neighborhood meeting being held on November 3, 2015. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Baron absent.

RECOMMENDED ACTION

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

1. Expansion or modification beyond the approved exhibits (Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 Restaurant license only and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.

36. LIQUOR LICENSE: Hot Wok Feng

APPROVED a Series 12 Restaurant Liquor License (Chandler #131185L12) for Jin Tian Feng, Agent, Feng's Enterprises LLC, dba Hot Wok Feng, 1050 E. Ray Road, Suite 6. Recommendation for approval of State Liquor License #1207A355 will be forwarded to the State Department of Liquor Licenses and Control. 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.

37. LIQUOR LICENSE: Z'Tejas Grill

APPROVED a Series 12 Restaurant Liquor License (Chandler #1160803 L12) for Amy Nations, Agent, Cornbread Ventures LP, dba Z'Tejas Grill, 7221 W. Ray Road. Recommendation for approval of State Liquor License #1207A445 will be forwarded to the State Department of Liquor Licenses and Control. 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. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Z'Tejas Chandler LLC, dba Z'Tejas.

38. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Chandler Chamber of Commerce Business After Business event, December 17, 2015, at the Chandler Chamber of Commerce, 25 S. Arizona Place, Suite 201. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

39. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Black Violin Concert, January 15, 2016, at the Chandler Center for the Arts, 250 N. Arizona Avenue. Recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

40. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Fiesta Mexico Americana with Los Lobos event, January 30, 2016, at the Chandler Center for the Arts, 250 N. Arizona Avenue. Recommendation for approval will be forwarded to the State Department

of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

41. CONTINUED PUBLIC HEARING: T-Sys Western Operating Center

CONTINUED TO FEBRUARY 11, 2016, Public Hearing Item PH1 (below), DVR05-0036 T-Sys Western Operations Center, to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

BACKGROUND/DISCUSSION

The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740.

Ordinance No. 3740 included a three-year time limit condition No. 6 which expired on January 12, 2009. Council approved a three (3) year time extension in 2009 which expired in January 2012, and again in January 2013, which expired in January 2015. On July 9, 2015, City Council approved a continuance of this matter to the October 22, 2015, City Council meeting in order to allow Staff and the property owner to consider alternatives to the current zoning approvals for the property. On October 22, 2015, City Council approved a continuance of this matter to the December 10, 2015, City Council meeting in order to allow Staff and the property owner to continue efforts to modify the zoning designations for the property.

STAFF COMMENTS

Since the October 22, 2015, continuance, Staff and the property owner met to discuss the types of land uses and details for submittal of a rezoning application to change the zoning designations applicable to the property and agreed to pursue the rezoning of the property by way of a formal zoning application seeking to modify the zoning designations applicable to the property that are agreeable to both the City and owner. Staff and the property owner desire to continue with the rezoning process to modify the zoning designations for the property. The brief continuance to the February 11, 2016, meeting will afford the property owner the opportunity to submit a substantially complete zoning application to modify the zoning designations for the property, or, in the absence of a substantially completed zoning application submittal by the February 11, 2016, deadline, provide the City Council the opportunity to consider its legislative and administrative options as outlined in the Staff memorandum for the PH1 item listed in this agenda.

42. LICENSE AGREEMENT: Chandler Chamber of Commerce

APPROVED a License Agreement with the Chandler Chamber of Commerce for Use of Tumbleweed Park in conjunction with the 2016 Ostrich Festival.

BACKGROUND

The Chandler Chamber of Commerce (CCC) organizes, sponsors and conducts the Ostrich Festival using tumbleweed Park as its event venue. The CCC has hired a new local producer, Steve LeVine Entertainment, to produce the event on their behalf. This agreement is for a one-year term covering the 2016 event year.

The 2016 event is proposed to take place from Friday, March 11, 2016, to Sunday, March 13, 2016, with set up commencing on Sunday, March 6, 2016, and clean up to be completed by Tuesday, March 15, 2016. As the event has grown in size, scope, duration and attendance, it becomes prudent to enter into a license agreement that clearly delineates the role of each entity and the City's expectations regarding planning, layout, operations and clean up.

To that end, the license agreement was prepared with input from the CCC and the following City Departments: Police, Fire, Health & Medical, Community and Neighborhood Services and the City Attorney's Office. Key elements in the agreement include:

- Designation of specific deadlines for the submittal of site plans, emergency plans, vendor requirements and necessary permits.
- Identification of allowable activities and events.
- Identification of contact personnel representing each entity involved in oversight of the event.
- Clarification of the authority of City personnel, specifically Public Safety Staff, in event oversight.
- Identification of event set up and clean up responsibilities.
- Specification of insurance requirements, limits and naming of the City as an additional insured.
- Specification of timelines for identifying and notifying the CCC of damage to the site as a result of the festival and establishment of a remediation plan.

ACTION

43. CITY CODE AMENDMENT: Chapter 2

Ord. #4679

Background:

This item is presented as the request of Councilmember Jack Sellers.

For the last several years, the Chandler Chamber of Commerce has included a recommendation in its policy agenda regarding the compensation provided to the Mayor and Council. The 2016 update of the *How We Stand* document contains the following recommendation on this issue: *Support regular reviews of city elected officials' compensation to reflect the complexity of their responsibilities and the time commitment necessary.*

After serving on the City Council for the last 8 years, I understand the time commitment required to serve. With the next City election occurring in 2016, it is important to do everything possible to attract quality candidates to run for these important positions. After reviewing the current salaries and benchmarking them against our peer cities, I am recommending increasing the Mayor's compensation to \$55,500 and the Councilmembers' compensation to \$32,500. If approved by Council, these changes would become effective when the newly-elected Council takes office in 2017.

DISCUSSION:

COUNCILMEMBER SELLERS stated the change of compensation would not go into effect until January 2017, therefore he will not receive any benefit from this. He stated he supports this change because of the amount of time required to properly keep the City moving forward is challenging; particularly for someone who works a full time job. Many of the meetings and events

they need to attend occur during regular business hours. To serve on a Council, one needs a very understanding employer or the ability to take vacation and flex-time. He noted the Chamber of Commerce supports the change and the changes are in line with Chandler's peer cities.

MOTION MADE BY COUNCILMEMBER SELLERS, SECONDED BY MAYOR TIBSHRAENY TO INTRODUCE AND TENTATIVELY APPROVE ORDINANCE NO. 4679 AMENDING CHANDLER CITY CODE, CHAPTER 2, SECTION 2-2, RELATING TO COMPENSATION OF MAYOR, VICE MAYOR AND COUNCIL MEMBERS.

THE MOTION CARRIED BY MAJORITY (5-2) WITH COUNCILMEMBER ELLEN AND ROE VOTING NAY.

22. AGREEMENT NO. PD6-680-3534: TASER International, Inc.

AGREEMENT NO. PD6-680-3534 with TASER International, Inc., for the Body Worn Camera System.

BACKGROUND:

The City of Chandler is requesting the purchase, implementation and support of wearable body cameras for the Chandler Police Department (CPD) and a comprehensive digital evidence storage solution to store and manage the audio, video, and still images captured by the body worn cameras. Staff briefed Councilmembers on this technology at a Public Safety Subcommittee meeting on January 29, 2015, and at a Council Micro Retreat on March 23, 2015.

CPD currently has 40 cameras deployed in a beta phase and plans to purchase an additional 160 cameras and related equipment, storage, hardware and software support, and associated warranties. CPD intends to equip all first responders and select detectives with department-issued cameras for individual use during their work shifts. All videos, still images, and audio recordings captured by the camera systems will be stored in the cloud, on EVIDENCE.COM, which resides on Microsoft CJIS compliant servers. Officers can review their recordings via smart phone application or internet connected computers. All activity associated with a recording is tracked to ensure chain of custody.

The Chandler Police Department's body worn camera policy encourages officers to activate the camera when an encounter is reasonably anticipated to result in enforcement action, including, but not limited to: traffic stops, vehicle pursuits and failure to yield incidents, responses to domestic violence incidents, calls that are in progress upon police arrival, and dynamic or forced entries or during any encounter that becomes or is reasonably likely to become confrontational, combative, or violent.

DISCUSSION:

COUNCILMEMBER ROE stated he would be voting no on this item. He said he has discussed his concerns with the Chief about the body cameras as they are controversial, and he has concerns on deployment and records requests.

The Mayor asked Chief Duggan to address the phasing in of the body cams. Chief Duggan said he expects roll out of the products after the first of the year. They have had a beta program in

place for the last two years. Policies are in place and training has been done. He anticipates that all first responders should be equipped by Spring of 2016.

Mayor Tibshraeny stated it was not only a good tool for the police, but a good tool for the public as it raises accountability on both sides. He believes the positive outcomes will outweigh the negatives. Chief Duggan reiterated how technology was changing their jobs. The cameras collect evidence and can help adjudicate cases faster through the judicial system, helping victims in a much quicker manner. Police officers are also held accountable and any complaints can be followed up with more expeditiously. The Chief noted the average over the last 5 years for use of force was 71 incidents. In 2014, there were 66. However, during that year there were 41 officers assaulted. In 2015, force was used 36 times, which is a significant deviation and the right trajectory from the last five years. In his opinion, the cameras have certainly played a role in that along with training. In response to questions from Council, Chief Duggan explained the release of record and how the document would be redacted under law. A report to Council will be made in about a year evaluating the value of the program.

Councilmember Ellen said she is concerned with the privacy, but is supportive of the police and the positive outcomes as identified.

COUNCILMEMBER HEUMANN MOVED, SECONDED BY VICE MAYOR HARTKE TO APPROVE AGREEMENT NO. PD6-680-3534 WITH TASER INTERNATIONAL, INC., FOR THE BODY WORN CAMERA SYSTEM IN THE AMOUNT OF \$1,155,154.46 FOR A FIVE YEAR TERM JANUARY 1, 2016-DECEMBER 31, 2020.

THE MOTION CARRIED BY MAJORITY (6-1) WITH COUNCILMEMBER ROE VOTING NAY.

- PH1. CONTINUED TO FEBRUARY 11, 2016, (See Item 41 above) PUBLIC HEARING TO TAKE ADMINISTRATIVE ACTION ON DVR05-0036 T-SYS WESTERN OPERATIONS CENTER, TO EXTEND, REMOVE OR DETERMINE COMPLIANCE WITH THE SCHEDULE FOR DEVELOPMENT OR TAKE LEGISLATIVE ACTION TO CAUSE THE PROPERTY TO REVERT TO ITS FORMER ZONING CLASSIFICATION.

UNSCHEDULED PUBLIC APPEARANCES:

Jason Ryan, 2652 E Oakleaf Drive, Tempe AZ., stated he is trying to hold an event in memory of his partner that helped create the BMX freestyle course. However, in order to hold this event, he is being required to submit a \$2,000 site fee, a site plan, an event plan, give 3 months' notice to the City, and appear before a committee. The bike and skate park is listed in the Special Events Handbook, but he has no idea as to why they are listed there. If he was to hold an event at the Chandler Tennis Center, it would only cost him \$100.00 per day and he would only have to give a two-week notice. He would like to see the City review these fees and align them to be more reasonable like the other event fees. He would like Council or Staff to reduce his event fee from \$2,000 to \$100.00 per day; it is a one day event honoring his partner and co-founder of the BMX facility. He would like to see the fee structure amended to mirror what the City has for established sports.

CURRENT EVENTS:

A. Mayor's Announcements

Saturday, December 12th Chandler will dedicate Citrus Vista Park in southeast Chandler at 9:30 a.m. and will follow that up with the rededication of Folley Memorial Park at 10:30 a.m.

The Mayor reminded residents they can go online and fill out the City's annual budget survey at chandleraz.gov/budget. The survey will be up and available through the end of December. Survey results are shared with the Mayor and City Council, City Management and staff to assist in the formulation of the City's financial plan.

He thanked the City Council and staff for another year of success and achievement for the City. They have overcome many challenges, and he looks forward to the coming year.

He wished everyone a happy and safe holiday season and a prosperous new year.

B. Councilmembers' Announcements

COUNCILMEMBER LOPEZ wished everyone a Merry Christmas and thanked everyone for allowing him to serve the City. He volunteered last weekend at the Out of the Darkness community walk. It is the American Foundation for Suicide Prevention organization's campaign to raise awareness and to raise funds to help with research, create educational programs, advocate for public policy, and support survivors of suicide loss.

COUNCILMEMBER SELLERS announced Mayor John Lewis, of the Town of Gilbert, will become the next president and CEO of East Valley Partnership taking the reins from Roc Arnett when he retires next summer.

VICE MAYOR HARTKE announced his daughter will be graduating Arizona State University. He recognized the Chandler High School students who were attending the Council meeting for their civics class. He encouraged people to help this holiday season in any way they could.

COUNCILMEMBER HEUMANN announced the SciTech Festival will be held February 19-20th. They are still looking for Chandler companies in the tech field to participate in the event. He wished everyone a Happy Holiday season.

COUNCILMEMBER ELLEN announced the completion of the Chandler Airport Economic Impact Study and the study discovered the Chandler airport revenue is approximately \$300,000 per day. She wished everyone a Merry Christmas and Happy New Year.

COUNCILMEMBER ROE wished everyone a Merry Christmas and Happy New Year. He thanked his fellow councilmembers for a wonderful 2015 year.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:49 p.m.

ATTEST: 
City Clerk


Mayor

Approved: January 14, 2016

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 December 2015. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 19 day of January, 2016.


City Clerk