

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers in the Chandler Library, 22 S. Delaware, on Thursday, January 31, 2008, at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR BOYD W. DUNN.

Presiding City Magistrate Michael Traynor administered the Oath of Office of Councilmember to Kevin Hartke as the temporary replacement for Councilmember Martin Sepulveda while serving active military duty.

COUNCILMEMBER HARTKE thanked the MAYOR and COUNCIL for the opportunity to hold this position. He thanked his family and members of his congregation, Trinity Christian Fellowship, for their support. He expressed admiration for Councilmember Sepulveda's service to the country and stated he would serve the citizens to the best of his ability in his absence.

The following members answered roll call:

Boyd W. Dunn	Mayor
Lowell Huggins	Vice-Mayor
Bob Caccamo	Councilmember
(telephonically) Trinity Donovan	Councilmember
Kevin Hartke	Councilmember
Matt Orlando	Councilmember
Jeff Weninger	Councilmember

Also in attendance:

W. Mark Pentz	City Manager
Rich Dlugas	Assistant City Manager
Pat McDermott	Assistant City Manager
Michael D. House	City Attorney
Marla Paddock	City Clerk

INVOCATION: The invocation was given by Pastor Clint Augustyn – New Hope Community Church of the Nazarene.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 489 led the Pledge of Allegiance.

SCHEDULED PUBLIC APPEARANCES:

1. Service Recognitions

MAYOR DUNN was joined by Planning and Development Director Doug Ballard in recognizing Larry Kivela for 10 years of service with the City. Larry has consistently provided reviews and worked closely with architects and developers during the explosive growth of the City. He has been responsible for reviewing countless projects, ranging from residential patio additions to regional malls and other quality developments. Mr. Ballard commented that Larry continues to work diligently to assure a vibrant future for the City of Chandler.

MAYOR DUNN was joined by Acting City Engineer Sheina Hughes in recognizing Jim Wilson for 30 years of service with the City. Jim began his career in the Parks Department before being transferred to the Streets Division where he is responsible for right-of-way maintenance. Jim is often the first-response staff member on roadway clean-up and has received training in hazardous materials procedures. He mentors new employees and helps to train them in the correct procedures.

2. Exceptional Merit Awards

MAYOR DUNN was joined by Fire Chief Jim Roxburgh recognized Kelly Wright for receiving an Exceptional Merit Award. Kelly was on an emergency call and was unable to attend the meeting. Chief Roxburgh explained the award was for a project he designed, engineered and built (a rope and webbing tree) that will assist the Technical Rescue Team. The tree dispenses rope and/or webbing in a functional and time-saving manner. The care of webbing and rope is guided by NFPA and is essential to victim rescue; therefore, it must be kept and cared for in a manner that will not damage it. His design of the rope and webbing tree will keep the rescue materials from being damaged. The construction of this tree took approximately 45 man-hours to complete. Costs were kept at a minimum due to Kelly's skills and expertise in welding, grinding and metal skills. The building process cost was further reduced by the use of the Chandler Fire Maintenance Facility tools and with the funds for the material coming from our hazardous materials grant.

MAYOR DUNN was joined by Assistant Police Chief Rick Brzuchalski in presenting an Exceptional Merit Award to Patrick Ormerod. When Lt. Henry was tasked to develop a program to purchase, outfit and train the Police Department in utilization of a digital recorder device. He immediately drafted Patrick Ormerod due to his expertise in computer systems and technology. Patrick not only agreed to help with the end user training, he also agreed to help with the entire system design, development and implementation. Patrick conducted exhaustive testing and established test groups to work out major obstacles before full-scale deployment occurred. In only two weeks, nearly every patrol officer and detective was trained. Patrick continuously altered his schedule to ensure the officer's schedules were not needlessly impacted while providing consistent training to everyone.

3. Recognition – Creative Expression Competition Winners

MAYOR DUNN was joined by Human Relations Chair Ana Regalado and Vice-Chair Gina Hill in recognizing the Creative Expression Competition Winners. Ms. Hill has served as Chair of the Celebration of Unity Committee for the past three years. There were four events in the last two weeks celebrating the City of Chandler's diversity. Another component of the Celebration of Unity is the Creative Expression Competition.

Ms. Hill thanked the members of the Celebration of Unity Planning Committee for the success of the events. Intel and Chandler Fashion Center were this year's presenting sponsors and Barnes and Noble for their continued support. Each winning student and school receives a Barnes and Noble gift card. The students were presented trophies at the Multicultural Festival. Each participating student receives some type of recognition.

Ms. Hill thanked the following sponsors for their participation: Chandler Fashion Center, Daphne's Greek Café, Einstein's Bagels, Jamba Juice, Golden Spoon Frozen Yogurt, Honey Bear's Barbeque, McDonald's, Makutu's Island, Peter Piper Pizza, Polar Ice, Rubio's, Skateland and Wienerschnitzel.

Ms. Regalado announced the following winners:

Writing:

Brayan Santos, Humphrey Elementary, 3<sup>rd</sup> grade: Teacher - Jackie VanEpps, Principal – Dr. Johanna Evan

Bryce Munter, Hamilton High School, 9<sup>th</sup> grade: Teacher – Marsha Coburn, Principal – Dr. Fred Depre.

Kayla Bagnoli, Chandler High School, 12<sup>th</sup> grade: Principal – Terry Williams

Video:

Mitchell Freeland, Jacob Quintero, Ryan Tonkinson, Cameron Olson, Grace Aksamit, Kieragan Wall, Taylor Brown Montijo, Leah Richlesoph and Sienna Guterrez from Tarwater Elementary, 4<sup>th</sup> grade: Teacher - Diane Ortiz-Parsons, Principal – Mr. Jeff Hensley.

Gabriel Contreras, Chandler High School, 12<sup>th</sup> grade: Principal, Terry Williams

Visual:

Miss Deffenbough's kindergarten class from Santan Elementary, Principal – Heather Anguiano.

Rachel T. Cord, Santan Elementary 5<sup>th</sup> grade, Amanda Christenson, Principal – Heather Anguiano

Daniel Lancaster, Chandler High School, 9<sup>th</sup> grade: Teacher – Ross Rector, Principal – Terry Williams

Adrian Guzman, Chandler High School, 11<sup>th</sup> grade: Teacher – Ross Rector, Principal – Terry Williams

Performance:

Jordan Hill, Bright Beginnings, 3<sup>rd</sup> grade: Principal Karen Edress

McKenzie Huish and Rachel Romney, Basha High School: Teacher – Presley Augustini, Principal – Christine Marshiando.

School with the greatest number of students participating – Santan Elementary, Principal Heather Anguiano

School with the highest percentage of student participating – Willis Junior High, Principal Joe Green

4. HOA Academy Graduation

MAYOR DUNN said that the City's Neighborhood Programs office, in conjunction with the Leadership Center, held another session of HOA Academy, which provides Chandler residents with the education and information needed to understand the various aspects of HOA membership. The curriculum consists of three mandatory and three elective classes and participants must attend all six classes to participate. Neighborhood Programs Administrator Stephanie Garcia recognized the following graduates:

Allan Lebowitz,  
Ingeborg Arvizu  
Tom Filesi

Ida Rodriguez  
Mitch Klaan  
Shirley Russell

Pete Rourke  
Paula McCarty

Ms. Garcia thanked the participants and the Mayor and Council for providing the opportunity to hold the classes.

5. Tonya Domenico

Tony Domenico, Russian Oasis, 8 S. San Marcos Place #105, addressed the Council regarding denial of a Downtown Improvement Fund (DIF) application. He asked that his application be reconsidered on the basis of funds being provided to another business for the same type of request. He does not wish to make his relationship with the City a contentious one. The City has

been very supportive of the downtown as is evident in the improvements over the last several years. He understands City Staff is currently in the process of reviewing the policy and is supportive of that. He presented three pertinent points regarding his request: 1) the existing policy has not been revised and was in effect last summer when they decided to locate in downtown Chandler; 2) Russian Oasis is the only business that has applied for and been rejected for funds; 3) the reason given for the rejection was due to criteria regarding their location in the building which is the same as another building that was granted funds. He asked that his case continue to be reviewed and that the policy be administered fairly to all applicants.

ECONOMIC DEVELOPMENT DIRECTOR RICHARD MULLIGAN explained that Staff's interpretation of the intent of the program was that it was oriented towards renovating or improving existing properties in the downtown area and the Russian Oasis would likely not be eligible for funding. One of the challenges faced by Staff is that the program had been used for years for this purpose and new construction had not been an issue. There was one instance where Pilates was funded \$6,085 in DIF for new construction renovation, but because of the small amount, it did not raise a policy question of new versus existing. As the program evolved, there is new construction with the addition to the Valley building, where Russian Oasis is located; Peter Sciacca has plans to add new space and the future corporate headquarters for Serrano's. Two years ago, the program boundaries were expanded to coincide with the Enhanced Municipal Service District boundary to encompass other instances of new construction. Staff's opinion was that it was beyond the intent of this incentive program, which is why that feedback was presented to the applicant.

COUNCILMEMBER WENINGER asked how many square feet the Pilates studio encompassed. Mr. Mulligan responded that it was approximately 1500 sq. ft. and the square footage of Russian Oasis is approximately 1200 sq. ft. COUNCILMEMBER WENINGER asked about Serrano's not being in the official downtown area and not having to conform to the elevations precluding them from applying for DIF funds. Mr. Mulligan responded that he has not seen the official pronouncement.

COUNCILMEMBER WENINGER asked if the committee had considered giving the same amount to the applicant as was granted to Pilates. Mr. Mulligan responded that that is an option available to Council. COUNCILMEMBER WENINGER commended Staff for reviewing the policy, as it would serve everyone equally if there were some clarity.

COUNCILMEMBER ORLANDO said that Mr. Domenico mentioned that the policy had changed from the time he submitted his application and questioned the change. Mr. Mulligan said he surmised that word was getting out that the City was moving in the direction of revising the current program. Staff has been working on the revision and will be presenting it to the subcommittee on February 15<sup>th</sup>.

COUNCILMEMBER ORLANDO commented that it is still Council's prerogative to determine if there is a dollar amount that could be awarded to the applicant. The downtown area is becoming more vibrant and the taxpayers are getting a good return on their investment with the combination of public and private funds. He encouraged diligence in informing the owners of the buildings of the policy changes.

MAYOR DUNN asked what direction they wished to give Staff. COUNCILMEMBER ORLANDO said he felt comfortable in having Staff review it and compare it to an historical event that recently occurred. He added that he would like to go forward with the process and have it discussed as a body.

COUNCILMEMBER WENINGER asked if this could be added to the subcommittee agenda for February 15<sup>th</sup>. Mr. Pentz responded that the subcommittee will be focusing on the overall policy and would not normally discuss individual applications. He suggested that the appropriate action would be to refer it back to Staff for reconsideration to look at alternatives to bring back to the Mayor and Council. The subcommittee will be reviewing the overall policy and suggestions made by Councilmembers.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CONSENT:

MAYOR DUNN announced that agenda Item #17 (BOA Agreement) has been withdrawn by Staff. Item #23 (SDB Agreement) has been moved to Action.

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS AMENDED WITH ITEM #17 WITHDRAWN AND ITEM #23 MOVED TO ACTION.

COUNCILMEMBER WENINGER stated that he would be voting nay on Item #2 (Artwork in Commercial developments).

COUNCILMEMBER HARTKE stated that he would be abstaining from voting on Items #1a,b,c (Council Meeting Minutes) because he was not at the meetings.

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

1. MINUTES:

APPROVED, as presented, minutes of the City Council Special Meetings of January 14 & 17, 2008, and Regular Meeting of January 17, 2008.

COUNCILMEMBER HARTKE abstained from voting on this item.

2. CITY CODE AMENDMENT: Chapter 35, Zoning Code Ord. #3997

ADOPTED Ordinance No. 3997, ZCA07-0012, City of Chandler / Artwork in Commercial Developments, City Initiative to amend Chapter 35 (Zoning Code) of the Chandler City Code, Section 35-1902(8)(e) and Section 1902(8)(g) pertaining to artwork in commercial developments.

COUNCILMEMBER WENINGER voted nay on this item.

3. REZONING: The K Estate Subdivision Ord. #4006

ADOPTED Ordinance No. 4006, DVR07-0047 The K Estate Subdivision, rezoning from Mobile Home District (MH-1) to pad zoning for single-family attached housing product on 12 lots within a new single-family residential subdivision at 390 E. Commonwealth Avenue, east of the Union Pacific Railroad and south of Chandler Boulevard.

4. REZONING: Appleby Road Property Ord. #4009

ADOPTED Ordinance No. 4009, DVR07-0013 Appleby Road Property, rezoning from AG-1 to PAD to allow a light industrial business park on approximately 35 acres at the SWC of Appleby Road and the Consolidated Canal.

5. REZONING: Stellar Airpark Estates II Ord. #4010

ADOPTED Ordinance No. 4010, DVR07-0022, Stellar Airpark Estates II, rezoning from AG-1 and Planned Commercial Office District (PCO) to PAD for a 9-lot custom single-family residential subdivision with aviation-related uses for subdivision layout and development standards on approximately 12.5 acres at the SEC of Chandler Boulevard and Galaxy Drive.

6. ANNEXATION: Arizona Avenue / Germann Road Ord. #3856

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 3856, annexation of approximately 4.9 acres on the SEC of Arizona Avenue and Germann Road. (Applicant: Interra-Vision Development, LLC.)

The City Council held a public hearing on this requested annexation on September 28, 2006. Staff has received the original signed petition from the property owner. The request has been processed in compliance with State Statutes governing annexations.

The parcel is zoned C-3 Commercial within the County. The Chandler Airpark Area Plan designates the area for Commercial/Office/Business Park with a Light Rail Corridor Overlay Planning Area (Potential Mixed Use). The applicant will be seeking rezoning to accommodate a small retail development.

The property is vacant undeveloped land bordered by commercial and industrial zoned and developed properties within County jurisdiction on the south and east, Rural-43 zoned property within County jurisdiction and C-2 Commercial zoned property within the City of Chandler on the north (across Germann Road) and PAD Retail Commercial zoned property within the City of Chandler to the west (across Arizona Avenue). The property is not under an aircraft noise contour or within a designated flood plain.

7. RIGHT-OF-WAY VACATION: Dobson Road / Germann Road Ord. #3969

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 3969 authorizing vacation of a portion of right-of-way located on the east side of Dobson Road, south of Germann Road and adjacent to parcel "A" of the Stonefield II subdivision.

As part of the Dobson Road from Frye Road to Germann Road Improvement Project completed several years ago, the City acquired portions of right-of-way to provide access to the Dugan Dairy property on the east side of Dobson Road south of Germann Road. Now that the dairy has closed and the Stonefield II subdivision is being developed by Maracay Homes, two parcels containing approximately 6,097 square feet of land on the east side of Dobson Road are no longer needed. As part of the Stonefield II Subdivision Plat, Maracay Homes will dedicate the required right-of-way along the east side of Dobson Road and the south side of Germann Road.

In addition, they will dedicate an 8-foot public utility easement along the Dobson Road and Germann Road frontages on their Final Plat. The total area to be dedicated to the City is approximately 209,023 square feet. City Staff recommends a no-cost right-of-way vacation in exchange for these dedications.

City Staff has determined that all existing City utilities are in the confines of the areas to be dedicated. However, if for any reason, public water, reclaimed water or sewer is needed outside of the proposed right-of-way, an additional easement will be dedicated to the City for that use.

Staff and outside utilities have been notified and have reviewed this request with no objections.

8. RIGHT-OF-WAY VACATION: Seagull Court Ord. #3993

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 3993 vacating a 4,525-square foot portion of road right-of-way on Seagull Court west of Brentwood Drive and extinguishing an adjacent 8-foot wide public utility easement of approximately 2,177 square feet near the SEC of Dobson and Germann roads in the Stonefield development.

9. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #3999

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 3999 granting a no-cost power distribution easement to Salt River Project (SRP) for electrical power service to Snedigar Sportsplex (expansion) located at the NEC of Basha Road and Fulton Ranch Boulevard.

The Community Services Department requested SRP provide electrical services to City facilities for the Snedigar Sportsplex Expansion, Project No. PR0503-401. This easement will allow SRP to provide and maintain underground electrical service entrance (point of delivery) for this park project. The easement location is based on the physical location of the conduits.

10. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4000

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4000 granting a no-cost power distribution easement to Salt River Project.

The Municipal Utilities Department requested SRP provide electrical service to city facilities at the lift station at the southeast corner of Germann and Hamilton.

11. REZONING: Chandler 101 Business Center Ord. #4018

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4018, DVR07-0052 Chandler 101 Business Center rezoning from I-1 to PAD on approximately 18 acres and Preliminary Development Plan for two office buildings at the SWC of Frye Road and Ellis Street. (Applicant: Garry Hays, The Henderson Law Firm.)

The subject site is currently zoned Planned Industrial (I-1) and is located at the SEC of Frye Road and Ellis Street. North, across Frye Road is the Countrywide campus. East, across Ellis Street is the approved Chandler Piazza development. Directly south and west of the subject site is I-1 zoned property.

The site received I-1 zoning approval in 1979. Currently, two industrial buildings are being developed on the southern portion of the site. Current zoning allows for office buildings to be

located in an I-1 zoning district with a Use Permit. The request to rezone will allow for the offices to develop, as well as allow the offices to include ancillary commercial uses such as a bank and small restaurants. Any ancillary uses would be limited to the ground floor of the office buildings. The industrial buildings located on the southern portion of the site would not be permitted to allow retail uses. The two office buildings will conform to the uses allowed in the Community Commercial (C-2) zoning district.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 27, 2007. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request.

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

12. ALIGNMENT: Alma School / Ray Road

CONTINUED TO FEBRUARY 28, 2008, Alignment for the Alma School / Ray Road intersection improvements to allow time for Staff to meet with the property owners.

13. INTERGOVERNMENTAL AGREEMENT: Law Enforcement Training Res. #4152

ADOPTED Resolution No. 4152 authorizing an Intergovernmental Agreement (IGA) regarding Cooperative Law Enforcement Training Operations among public agencies within the State of Arizona.

The IGA will set guidelines between public agencies when multiple agencies, through their Police Departments or Law Enforcement agencies, participate in joint training or attend training hosted by an agency. This training includes, but is not limited to, recruit and in-service academy training and specialty schools for both sworn and civilian personnel. This IGA implements the statute and recent case law statewide related to the allocation of Workman's Compensation benefits and joint training. Each public agency will approve the IGA and it will become valid on January 1, 2008, or on the date each agency files with the Secretary of State and will terminate on January 1, 2015.

14. ENCROACHMENT PERMIT CANCELLATION: Intel Res. #4153

ADOPTED Resolution No. 4153 authorizing the cancellation of the encroachment permit and agreement for use of public property by Intel Corporation and acceptance of a lump sum payment for deferral of fiber removal in the amount of \$32,107.50.

Intel Corporation has notified the City of the termination of the renewable encroachment permit with the City. Council last approved the permit on January 8, 2004, for a five-year term. The permit has been in place since 1987 for inter-office communication between facilities in the City of Chandler. Intel Corporation has determined that the fiber is no longer required between the facilities. The permit assessed an annual fee for use of the right-of-way and this fee will no longer be collected.

The City is authorized, pursuant to City Code Section 46-2.9, to require Intel Corporation to remove all structures, cable, equipment or facilities in the roadway upon termination of the agreement. However, the removal of these facilities at this time would be destructive to arterial and collector roadways in the area. In lieu of requiring removal of the equipment at this time, Staff recommends that Intel be requested to make a lump sum payment that can be applied to

future Capital Improvement Projects in the amount of \$32,107.50. This amount is based on a \$2.25 per lineal foot removal cost for the 14,720 lineal feet of fiber within the City right-of-way.

15. RELEASE & DISCLAIMER: Ray / McQueen Res. #4155

ADOPTED Resolution No. 4155 authorizing the City Engineer to execute a Release and Disclaimer of Interest in an easement for property at the SWC of Ray and McQueen roads.

An attorney representing the prospective purchaser of property at the SWC of Ray and McQueen roads contacted legal Staff. In 1998, this property had been divided into two lots with a drug store on one lot and a day-care center on the other, through the approval and recording of the Final Plat for Osco #19-2260. This plat makes reference to an easement encumbering both sides of the lot line common to the two lots and also bordering a portion of the west side of lot 1. The easement is described as being for "waterline, fireline, pvt. sewerline & P.U.E"., but no public utility lines are located within the easement area and Staff in Public Works and Development Services indicate that it was never intended as a public easement in which the City would have any interest.

The purchaser's attorney has asked that the City record this document evidencing its lack of interest in the easement.

16. ZONING: Rancho Bernardo

APPROVED a 3-year zoning time extension for DVR07-0051 Rancho Bernardo, for PAD zoning for a retail building on approximately 1 acre at the SWC of 56<sup>th</sup> Street and Chandler Boulevard. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A.)

In May 2002, this 0.7 net acre parcel received Planned Area Development (PAD) zoning with approval of a Preliminary Development Plan (PDP) for the construction of an employment supported retail building. The retail use was intended to support future development of the I-1 zoned (Planned Industrial District) parcel surrounding the site.

The building was conditioned for retail use only; restaurant, office and all high-turnover commercial uses are prohibited. To maintain compatibility with the future industrial uses, the building is designed with a high-tech industrial theme. The building is placed in a landscaped setting at the intersection. The site layout includes cross access to adjoining property.

This application does not seek to modify the previously approved land use, site or building design, but seeks to extend the timing condition for an additional 3 years. Bashas', Inc. purchased the subject parcel in 2003 along with owning the majority of the land surrounding the site. Bashas', Inc. is exploring their development options in the creation of an overall master plan, which would include the 0.7-acre corner parcel. There are no development plans at this time.

If any other alternative design or use is proposed, an amendment to the PAD zoning and/or PDP will be required. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect.

17. AGREEMENT EXTENSION: Bank of America

WITHDREW, as requested by Staff, a one-year Agreement Extension with Bank of America for Procurement Card Services to allow for clarification of certain contract issues.

18. AGREEMENT EXTENSION: Artistic Land Management

APPROVED a one-year Agreement Extension with Artistic Land Management for City parks maintenance service on an amount not to exceed \$256,200.00. This is the second extension and reflects a five percent (5%) increase due to labor increases and fuel costs.

19. AGREEMENT: American Telephone

APPROVED an Agreement with Design Business Communications, Inc., dba American Telephone, for NEC Telephone System Maintenance/Equipment for one year with six one-year optional extensions in an amount not to exceed \$60,936.00.

The current contract for telephone system maintenance expires in February 2008 and it was necessary to solicit proposal for a new contract that would provide maintenance and support on the telephone system and all related components including all parts and labor. Service will be provided seven days a week, twenty-four hours a day, with a maximum two-hour response time for emergency and twenty-four hour response time for non-emergency outages. The contract also includes the purchase of equipment for upgrades and additions. It is estimated that approximately \$60,936.00 will be expended for annual maintenance for the one-year contract, which includes an estimate of 400 hours for unforeseen repairs at a cost of \$75.00 per hour.

20. AGREEMENT EXTENSION: Pacheco Brothers Gardening, Inc.

APPROVED a one-year Agreement Extension with Pacheco Brothers Gardening, Inc., for parks and facilities maintenance service in an amount not to exceed \$170,754.40.

21. AGREEMENT: Roofing Repairs and Maintenance

APPROVED an Agreement with Gryphon Companies, Inc., Starkweather Roofing, Inc., and VIP Roofing Services for roofing repairs and maintenance for a combined total amount not to exceed \$125,000.00.

This agreement will enable Building and Facilities to have regularly scheduled inspections performed by experts in the field of roofing. These inspections will detect problems before they cause any damage. Each contractor specializes in a type of roof found on City buildings; Gryphon is built-up and asphalt roofs, Starkweather in Polyisobutylene (PIB) foam, and VIP in concrete tile. The rates charged by each company are reflective of the types of roofs in which they specialize. By having the service providers on contract, the City of Chandler will be given priority status in the event of an emergency and discount pricing on labor and materials.

22. AGREEMENT AMENDMENT: O. R. Colan Associates, Inc.

APPROVED Agreement #ST0605-101, Amendment No. 1, with O. R. Colan Associates, Inc., for acquisition services for the Germann Road, Dobson Road to Arizona Avenue Improvements in the amount of \$35,100.00, for a revised contract total of \$159,900.00.

This amendment will allow for additional real property acquisition services. The original contract scope included acquisition work to purchase 32 parcels at a cost of \$124,800.00. Due to additional project requirements and the need to relocate irrigation and electric facilities, nine new property rights have been added that were not part of the original scope of work. In addition, it has become necessary to renegotiate the terms of one property acquisition, originally considered a total acquisition, but ultimately converted to partial acquisition.

23. Moved to Action.

24. No Item.

25. CONTRACT EXTENSIONS: Construction Services

APPROVED a one-year extension to Contracts #JOC07-03 to J. Banicki Construction, #JOC07-11 Nesbitt Contracting Co., Inc., and #JOC07-12 to Visus Engineering Construction, Inc., to address various construction services related to roads, streets, transportation arterials, sidewalks, utilities located in transportation rights-of-way, and transportation-related infrastructure improvements in an amount not to exceed \$5,000,000.00 each. These are the first of four one-year extensions.

26. No Item.

27. CONTRACT: Electrical Supplies

APPROVED a one-year Contract to Summit Electric Supply, Border States Electric Supply and Axiom Southwest, Inc., for electrical supplies in a combined total amount not to exceed \$425,000.00.

28. PURCHASE: Copier Paper

APPROVED the Purchase of copier paper from Unisource Worldwide, Inc., and Spicers Paper, Inc., utilizing the State of Arizona contract, in a combined total amount not to exceed \$100,000.00.

29. PURCHASE: Fleet Fuel Cards

APPROVED the Purchase of fleet fuel cards from Voyager Fleet Systems, utilizing the State of Arizona contract, in an amount not to exceed \$50,000.00.

The primary use of the fuel card is to fuel Police Department motorcycles. City motorcycles require premium grade fuel, which is not provided by other contracted vendors. The Voyager Card allows City motorcycles to be fueled at virtually all retail fuel vendors. Voyager forwards a consolidate monthly invoice, which identifies the City Staff who authorized the respective fuel purchase along with purchase metrics, such as date and time, location, gallons and purchase amount. The primary advantage of the Voyager Fleet Fuel card is the respective purchase amount are forwarded net of the Federal Excise tax, which the City is exempt, thereby eliminating the requirement to retain individual purchase receipts necessary to file a quarterly tax return to recover the federal excise tax paid at the retail fuel vendor.

30. PURCHASE: Mobile DUI Processing Vehicle

APPROVED the Purchase of a Mobile DUI Processing Vehicle, utilizing the Arizona Counter Drug Procurement Program (1122), in an amount not to exceed \$296,530.00.

Currently, the Chandler Police Department traffic team utilizes an outdated and unreliable trailer for Driving Under the Influence (DUI) operations. The present platform does not provide a bathroom or an area to separate suspects who are the subjects of telephonic search warrants and mandated private conversations with defense attorneys. Presently, when one of these situations arises, an accommodation must be made by removing police personnel or suspects from the trailer. The size of the trailer and layout causes congestion when multiple suspects are being processed. As a result, many prisoners are processed outside the trailer and exposed to the weather. Also, suspects who are impaired by drugs must currently be transported to a jail facility for an evaluation. With this new vehicle, the suspects can be evaluated within. These issues do not provide an optimal platform for safe and efficient DUI investigations.

The self-contained Mobile DUI Processing Vehicle (MDPV) is an invaluable asset in the detection, apprehension and processing of the impaired driver and plays a critical and vital role during interagency operations and DUI Task Force events. This type of reliable platform allows the Department to initiate a variety of DUI operations to include saturation patrol efforts, sobriety checkpoints and drug impairment evaluations. The Chandler Police Department averages 130 DUI arrests every month and takes part in a minimum of 27 DUI Task Force events every year. In order to effectively continue the leadership commitment and participation with the East Valley DUI Task Force, newer and more efficient resources are constantly required. In this circumstance, the need for a larger, self-contained mobile DUI processing center is critical and would benefit the City of Chandler and the DUI enforcement efforts in the entire East Valley.

31. PURCHASE: Fencing Services

APPROVED the Purchase of fencing services from Empire Fence, utilizing the Mesa Unified School District contract, in an amount not to exceed \$240,000.00.

This contract provides for all chain-link and wrought iron fencing, gates and all other component materials, including installation, throughout the City of Chandler parks for projects on an as-needed basis. The contract was awarded in September 2007 in the amount of \$40,000.00. To date, \$35,000.00 has been spent at Snedigar for little league fencing and \$5,000.00 for various repairs in City parks. The extension of this contract will be used in the installation of wrought iron fencing around the recharge facility at Veteran's Oasis Park. The cost of this project is estimated at \$156,000.00. The original design for that project included a perimeter fence, however, it was value-engineered out to keep project costs within budget. Since that decision, several environmental groups assisting Staff on the project have recommended fencing to enhance wildlife habitat formation and prevent off-road vehicular traffic through those areas. Indications that there are available funds remaining in the project to cover the cost of the fence. The remainder of the funds available will be used to repair fencing within City parks.

32. USE PERMIT: The Wild Hare

APPROVED Use Permit UP07-0100 The Wild Hare, Series 12, for the sale of liquor for on-premise consumption only within a restaurant at 4910 W. Ray Road, within the Chandler Sunset Plaza at the NEC of Ray and Rural roads. (Applicant: HH3 Enterprises LLC, dba The Wild Hare; Owner: Chandler Sunset LLC.)

The subject business operates out of a large suite in a pad building along Ray Road in the Chandler Sunset Shopping Center at the NEC of Ray and Rural roads. There is a bi-level, fenced outdoor patio south of the suite and adjacent to Ray Road that is used for outdoor seating and low-impact activities such as horseshoe tossing. There is recorded music (DJ/Karaoke) several evenings per week.

The business has operated under a Series 12 Restaurant License since 2002 and part of the suite housed a smaller restaurant (Blue Burrito) that had also operated under a Series 12 Restaurant License for several years before that. The Use Permit for alcohol sales at the subject site was most recently renewed in 2004 for three additional years.

The patio area is well shielded from the residential neighborhood that is more than 700' to the north. Neighboring tenants have not reported any compatibility issues. A five-year time restriction is recommended in order to allow continued monitoring of the unique patio arrangement.

The request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 20, 2007. There were no neighbors in attendance. Staff has received no correspondence in opposition to this request. The Police Department has been informed of the application and has not responded with any issues or concerns.

Upon finding consistency with the General Plan and Community Commercial/Planned Area Development (C-2/PAD) zoning, the Planning Commission and 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. 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.
  3. The Use Permit is non-transferable to any other location.
  4. 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.
  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 the Use Permit.
  6. Outdoor live entertainment shall be prohibited. Outdoor speakers for ambient music shall be kept at a volume level that does not disturb neighbors.
  7. No alcohol shall be carried outside of the building into the parking lot or off-premises.
  8. Umbrellas placed on the patio facing Ray Road shall be solid, full color with no lettering.
  9. Banners installed visible from Ray Road for special event shall be installed for a maximum of one week.
  10. The patio and area adjacent to the establishment shall be maintained in a clean and orderly manner.
33. USE PERMIT: Priceless Too

CONTINUED to FEBRUARY 28, 2008, Use Permit UP07-0105 Priceless Too, Series 6, for an extension of premises to allow for an outdoor patio at 3029 N. Alma School Road, Suite 102, at the NEC of Alma School and Elliot roads to allow the applicant time to provide additional information and to be heard by the Planning Commission.

34. USE PERMIT: Homevestors

APPROVED Use Permit UP07-0110 Homevestors, to operate a real estate business in a converted residence at 598 W. Chandler Boulevard. (Applicant: David Evans III; Owner: Chandler 1954 LLC, Charles A. Redding.)

This request is to allow conversion of a residentially zoned property on Chandler Boulevard to commercial uses. The proposed business is a franchised realtor office that works from referrals from a national realty firm. They propose a total of three employees with the ability to expand to up to five employees over the coming years. Customers will visit the office on occasion, but most customer interaction is anticipated to occur on the home site. Hours of operation are 8:30 a.m. to 5:00 p.m. Monday through Friday, with limited Saturday hours only as needed. The existing brick marquee in the front yard will be used for non-illuminated sign advertising the business.

In 1993, this single-family residence, located across Hartford Street from the White House residential conversion, was granted a Use Permit for one year to establish and operate an administrative office center for World of Travel. The travel agency made site improvements that included a paved parking lot area behind the house (with access to the alley), additional landscaping and the construction of a masonry wall along the eastern property line. The Use Permit expired in 1994 and was not renewed by the travel agency.

A Use Permit was approved in 1997 to operate a tax and accounting office, was renewed in 1999 for one additional year, and was renewed again in 2004 for three additional years. The tax and accounting office was limited by Use Permit conditions to three employees, except during tax season when it was allowed seven employees. During this office' tenure, an unapproved brick parking surface was laid in the front yard.

In 2003, a Use Permit request for an insurance and real estate office at this location was withdrawn after a recommendation of denial by the Planning Commission. That request was for a business with five full-time employees, one part-time employee, and 10 to 12 client visits per day, in contrast to the previously existing business that had only three employees and minimal client visits outside of tax season.

In 2006, a Use Permit was approved for one year to operate a real estate business with up to three employees. Like the currently proposed business, the 2006 applicant noted that the real estate business has changed so that very few clients need to visit the office, especially if the proprietors make an effort to meet clients at their homes.

The Residential Conversion Policy allows for the conversion of residences with frontage on arterial streets to business uses. The floor plan and site plan submitted have not changed from what was in place with the previous occupant. It is Staff's opinion that the business will have a negligible effect on the neighborhood if operated as represented by the applicant. A one-year time stipulation has been added to allow monitoring of the business and ensure conformance with represented descriptions, including especially the number of employees and level of client traffic.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held January 9, 2008. One neighbor called to express concern with the brick surface near the front door and with the house's west side door (not generally used) that leads to the Hartford Street sidewalk. The neighbor is opposed to any use that generates more parking than the lot can provide for.

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

1. The Use Permit shall be granted for a period of one (1) year, at which time reapplication shall be required. The one-year time period shall begin from the date of City Council approval.
2. Substantial expansion or modification beyond the approved exhibits shall void the Use Permit and require a new Use Permit application and approval.
3. There shall be no tandem parking in the designated parking spaces at the rear of the property.
4. Parking along Hartford Street is not permitted for either employees or clients.
5. Parking shall not be permitted in the front yard on the brick area or on the grass.
6. The business shall be limited to five (5) employees at all times and three (3) employee vehicles on-site at any given time.
7. The site, including landscaping, shall be maintained in a clean and orderly manner.
8. Screening shall be provided between the parking lot and Hartford Street.
9. Landscaping shall be added to the front yard to improve the site.

35. TELE-TRACK WAGERING LICENSE: All Starz Sports Bar

APPROVED a Tele-Track Wagering License, Facility Site, within the All Starz Sports Bar, 4929 W. Chandler Blvd., Suite 12, for American Greyhound Racing, Inc., dba Arizona Off-track Betting.

American Greyhound Racing currently holds three Tele-track Wagering Facility Site licenses within the City of Chandler, with the first being issued in November 1991. This application represents a request to open a fourth location. All Starz Sports Bar opened at this location in April 1998. One change in ownership occurred in December 2006.

No objections to the issuance of this license have been received from the Police, Fire or Planning and Development Departments. The applicant has met all of the requirements of the City Code and all fees have been paid.

36. LIQUOR LICENSE: Curry House

CONTINUED to FEBRUARY 14, 2008, Liquor License, Series 12, for Randy D. Nations, House of Curries, LLC, dba Curry House at 2051 W. Warner Road, Suite 7, to allow the applicant time to complete the zoning requirements for their Use Permit.

37. LIQUOR LICENSE: Pho Van

APPROVED a Series 12, Restaurant Liquor License (Chandler #117613) for Van Quoc Bui, Agent, Van Q Bui LLC, dba Pho Van, 2095 N. Dobson Rd., Suites 3 & 4. A recommendation for approval of State Liquor License #12077441 will be forwarded to the State Liquor Department. As this license reflects a change in ownership, Planning and Development advises that a new

Use Permit is not required since this will be a continuation of the location's previous use as Tu Suong. 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.

38. LIQUOR LICENSE: Chevron

CONTINUED to FEBRUARY 14, 2008, Liquor License, Series 10, for Sarwan Singh, Agent, C and G Petroleum, dba Chevron at 2025 E. Chandler Boulevard, to allow the applicant additional time to complete the application process.

39. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Bill Cosby Stand-up Comedy Show on April 6, 2008, at the Chandler Center for the Arts, 250 N. Arizona Avenue. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

40. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Mark Russell Stand-up Comedy Show on March 2, 2008, at the Chandler Center for the Arts, 250 N. Arizona Avenue. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

41. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the John Tesh Live Concert on March 9, 2008, at the Chandler Center for the Arts, 250 N. Arizona Avenue. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

42. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Duke Ellington Orchestra Concert on March 15, 2008, at the Chandler Center for the Arts, 250 N. Arizona Avenue. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

43. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Beatles Tribute Concert on April 27, 2008, at the Chandler Center for the Arts, 250 N. Arizona Avenue. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

44. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Chamber Mixer/Ostrich Festival Kickoff on March 6, 2008, at Thorobred Chevrolet, 211 N. Arizona Avenue. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

45. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival on March 7, 8 and 9, 2008, at Tumbleweed Park, 2250 S. McQueen Road. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

46. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Partnership

APPROVED a Special Event Liquor License for the Downtown Chandler Community Partnership for the San Marcos Place St. Patrick's Day Festival on March 17, 2008, at the west side of Dr. A. J. Chandler Park in Historic Downtown Chandler. The Police Department reports no objections to the issuance of this license. As this applicant is a non-profit organization, no sales tax license is required; however, the special event liquor fee has been paid. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control.

47. FINAL PLAT: Mammoth Chandler I

APPROVED Final Plat FPT06-0041 Mammoth Chandler 1, for an office development consisting of a single office building on approximately 4.94 acres at the NWC of Price and Willis roads. (Applicant: The CK Group, Inc.) The plat creates the lots, tracts and easements necessary for the property's development.

48. FINAL PLAT: Mammoth Chandler II

APPROVED Final Plat FPT07-0063 Mammoth Chandler II for two parcels within the Chandler Airport Business Park with one parcel being for a single office building and the other parcel for light industrial warehouse buildings on approximately 7.33 acres at the NWC of Stearman and Douglas drives, south of Germann Road. (Applicant: Brooks Engineers & Surveyors, Inc.) The plat creates the lots, tracts and easements necessary for the property's development.

49. FINAL PLAT: Stonefield II – Parcel A

APPROVED Final Plat FPT07-0056 Stonefield II – Parcel A, for three parcels on approximately 26.2 acres for the Stonefield II development, Parcel A, south of the SEC of Dobson and Germann roads. (Applicant: CMX, LLC.) The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required right-of-way.

50. FINAL PLAT: Stonefield II – Parcel B

APPROVED Final Plat FPT07-0053 Stonefield II – Parcel B, for three parcels on approximately 10.9 acres for the Stonefield II development, Parcel B, south of the SEC of Dobson and Germann roads. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required right-of-way.

51. FINAL PLAT: Vina Escondida

APPROVED Final Plat FPT07-0049 Vina Escondida, for a 15-lot custom single-family residential subdivision on 13 acres south of the SEC of McQueen and Germann roads. (Applicant: Jeff Wimmer, CMX, L.L.C.) The plat creates the lots and tracts, construction-phasing lines, establishes the necessary easements, and dedicates the required rights-of-way.

52. FINAL PLAT: Fry's Shopping Center

APPROVED Final Plat FPT07-0052 Fry's Shopping Center for the reconfiguration of lot lines on a three-parcel, grocery-anchored retail development on approximately 7.9 acres with a planned bank pad at the SWC of Germann and Alma School roads. (Applicant: V3.) The plat creates the lots, tracts, and easements necessary for the property's development.

53. CONDOMINIUM PLAT: The Presidio

APPROVED Condominium Plat CPT08-0001 The Presidio, for a medical/general office development on approximately 6.35 acres south of the SWC of Pecos and Dobson Roads. (Applicant: Michael Gustafson, SDBP III, L.P.) The plat creates the units and tracts, establishes the necessary easements and dedicates the required rights-of-way.

ACTION:

23. AGREEMENT: SDB, Inc.

Agreement #PR0808-401 with SDB, Inc., for the Tumbleweed Park Tennis Center Storage in an amount not to exceed \$113,668.00.

COMMUNITY SERVICES DIRECTOR MARK EYNATTEN said that the structure is an existing 20x20 block wall area with a slab that also contains most of the electrical service for the tennis court facilities. Staff has reviewed a number of options and spoken with the contractor. It was concluded that this was the most efficient method. This space is intended to be climate-controlled, which is needed. There is currently no storage at the Tumbleweed Tennis Center. Tennis balls, and other equipment, are currently being stored inside the clubhouse or the tennis center, which impedes the use of the facility, by citizens. This is viewed as a way to enhance their enjoyment of the facility.

Funding has been allocated in the FY 2007/08 budget for the enclosure of the outdoor storage area currently at the Tumbleweed Park Tennis Center by court 11. This agreement provides for the design and construction for the addition of a roof, temperature control and a locking door so the area may be utilized for equipment and file storage.

COUNCILMEMBER WENINGER asked what would be stored in this proposed facility. Mr. Eynatten responded that the most important things are equipment for the tennis programs i.e. tennis balls and tennis machines for practice. Staff will buy a large number of tennis balls for sale to use in leagues and tournaments and they have to be kept in climate-controlled conditions or they do not play properly. They will also store some concession items at this facility.

COUNCILMEMBER WENINGER asked if files would also be stored at this facility. Mr. Eynatten responded that they do have paper files and records that may need to be stored at this facility. COUNCILMEMBER WENINGER asked if it would be too inconvenient to walk to the Rec. Center to access these files if they were stored there. Mr. Eynatten responded that the Rec. Center is 1/3 of a mile from the tennis center and it is possible, but not practical.

COUNCILMEMBER WENINGER asked how many tennis machines there are. Mr. Eynatten said one with one on order. There are eight baskets of balls, but we may order as many as ten cases that have to be stored to be available for customers to buy and change out.

COUNCILMEMBER WENINGER had some photos that he asked Mr. Eynatten to explain. The first photo was the front of the storage area with a double walk-in gate in the front with a 6-7' block wall. The new structure would continue up with a roof on top. There were also photos of various locations in the tennis center office.

COUNCILMEMBER WENINGER said that he sees this as spending almost 50 cents for each resident of Chandler in order to move tennis balls from a wall into a climate-controlled area. In this time of a slowing economy and tight budgets, he didn't feel this as an appropriate use of funds. He would rather spend the funds to improve the facility for our citizens who go there to play such as nicer landscaping, repairing courts, extra tables or lighting. He explained he didn't feel it is fiscally conservative to spend this amount for storage. Government does not work like the business world, but we have to try to mimic it to appropriately spend taxpayers' money.

COUNCILMEMBER ORLANDO asked if this was a competitive bid. Mr. Eynatten responded it was a Job Order Contract. Mr. Eynatten added that this item was carried as a \$100,000.00 line-item in the CIP. The 19% coefficient is profit margin to the Job Order Contractor. COUNCILMEMBER ORLANDO asked if almost \$26,000.00 in project manager, superintendent, design and engineering services is normal for a project this small. Mr. Eynatten stated that the smaller the project, the higher the percentage of those types of costs are of the project.

COUNCILMEMBER ORLANDO asked if anything has been built similar and what the square footage of this facility is. Mr. Eynatten said that it is approximately 400 sq. ft. and compared it to a picnic ramada, which costs approximately \$30-35,000. A park restroom runs approximately \$175,000 - \$200,000, depending on how vandal-proof it has to be. A lighted ball field would cost \$225,000. Mr. Eynatten said he felt the costs for this project were reasonable. The JOC allows for design costs, which allows us to work with the contractor to value-engineer it. This would be a not-to-exceed contract which means the contractor cannot go over that amount. Because of the small size of the project, on a percentage basis, we do pay more for general conditions and for the coefficient (profit margin).

VICE-MAYOR HUGGINS asked about the cost per square foot. Mr. Eynatten said that it comes to about \$250 per square foot. VICE-MAYOR HUGGINS said that currently, new homes are going for approximately \$100 - \$200 per square foot including air conditioners, refrigerators, and all the amenities. He does not see where a 400 sq. foot building should be \$250 per sq. ft.

COUNCILMEMBER HARTKE said that he visited the site and has a concern with using a building with so many electrical panels as storage. Mr. Eynatten said that Staff has been advised that there must be a three-foot clear space around the electrical panels. Staff intends to work with the contractor and create a dedicated three-foot space. COUNCILMEMBER HARTKE asked about the space currently used to store these items is full when there are cycling classes. Mr. Eynatten responded that it is. It was intended to be a classroom or meeting space that was rarely used. It was being used for some storage. As they started developing the programming for the Rec. Center, one of the most requested classes were spinning classes, so they converted that space into a spinning room which is now full of cycles.

COUNCILMEMBER WENINGER asked Mr. Eynatten if he felt the existing spinning classes would be as full if spin classes were offered at the Rec. Center. Mr. Eynatten responded that spinners prefer a dedicated space and the cycles will last longer if they are not moved around, so the classes will not be offered at the Rec. Center. It allows more flexibility at the Rec. Center for other activities.

MOVED BY COUNCILMEMBER ORLANDO, SECONDED BY VICE-MAYOR HUGGINS, TO CONTINUE THIS ITEM TO FEBRUARY 28, 2008, AND HAVE STAFF PROVIDE ESTIMATES FOR THIS PROJECT AND PROVIDE OTHER ALTERNATIVES.

MAYOR DUNN clarified that there may be an opportunity to bring the costs down. The tennis center is approximately ten years old and is showing signs of use. The space is very tight for the number of activities offered. There is a space issue that needs to be addressed. THE MAYOR reminded Council that this project was approved in last year's CIP process.

MOTION CARRIED UNANIMOUSLY (7-0).

#### SPECIAL ORDERS OF THE DAY

A. Mayor's Announcements:

MAYOR DUNN announced that Chandler has been named one of the 100 Best Communities for Young People for the 3<sup>rd</sup> consecutive year. He accepted the award on behalf of the City in Washington, D.C. He thanked the Chandler Coalition for Youth and the team of employees who worked on the application.

THE MAYOR announced the next City Services Academy would begin February 19<sup>th</sup>, and run for 11 weeks. The first session is held in conjunction with the annual State of the City Address.

MAYOR DUNN announced that this is the last meeting for City Attorney Mike House who is retiring. He thanked Mr. House for his work since being appointed in 2005.

B. Councilmembers' Announcements:

COUNCILMEMBER ORLANDO thanked Mr. House for his service and commented that Mr. House is known throughout the State for his expertise in planning and zoning issues.

COUNCILMEMBER WENINGER also thanked Mr. House for his advise. COUNCILMEMBER WENINGER also announced that the 4<sup>th</sup> Annual Snoop Bowl would take place February 2<sup>nd</sup>, at Hamilton High School. The game will be hosted by Snoop Dogg and will donate a portion of the proceeds to the Matt Lineart Foundation.

COUNCILMEMBER CACCAMO thanked Mr. House for his work and welcomed Councilmember Hartke to the dais.

COUNCILMEMBER ORLANDO complimented Jason Crampton on the program he developed and presented for the Green Seminar at Chandler Gilbert Community College.

VICE-MAYOR HUGGINS also thanked Mr. House for his advise over the past two years.

COUNCILMEMBER DONOVAN thanked Mr. House for his service and advise.

C. City Manager's Announcement:

None.

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

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

\_\_\_\_\_  
Mayor

Approved: February 14, 2008

#### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 31<sup>st</sup> day of January 2008. I further certify that the meeting was duly called and held and that a quorum was present.

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

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