

**MINUTES OF THE REGULAR MEETING
OF THE HONORABLE MAYOR AND COUNCIL
OF THE CITY OF CASA GRANDE
HELD IN THE COUNCIL CHAMBERS
510 E. FLORENCE BLVD., CASA GRANDE, AZ 85122
TUESDAY, FEBRUARY 18, 2014**

- A. Call to Order:** Mayor Jackson called the meeting to order at 7:00 p.m.
- Invocation:** Pastor David Landry, Calvary Chapel delivered the invocation.
- Pledge of Allegiance:** Mayor Pro Tempore Fitzgibbons led the Pledge of Allegiance to the Flag.
- B. Roll Call:**

The following Council Members were present:

Ralph Varela	Council Member
Matt Herman	Council Member
Karl Montoya	Council Member
Mary Kortsen	Council Member
Dick Powell	Council Member
Lisa Fitzgibbons	Mayor Pro Tempore
Robert Jackson	Mayor

Also Present:	
Jim Thompson	City Manager
Larry Rains	Deputy City Manager
Brett Wallace	City Attorney
Remilie S. Miller	City Clerk
Doug Sandstrom	Finance Director
Dawn Jett	Administrative Services Director
William Schwind	Community Services Director
Paul Tice	Planning & Development Director
Leila Demaree	Sr. Planner
Johnny Cervantes	Police Chief
Kevin Louis	Public Works Director

F. Special Presentation:

F.1 Retirement Recognition of Ernest Lopez

Mayor and Council recognized Ernest Lopez, Fire Engineer for 33 years of service with the City of Casa Grande. Mayor Jackson presented a retirement plaque and a gift to Ernest Lopez.

F.2 Presentation of Certificate of Appreciation to Candace Gasbarre from the Casa Grande Police Department

Chief Cervantes recognized Candace Gasbarre for her assistance in arresting a burglary suspect at her place of employment.

G. Consent Agenda:

Mayor Jackson announced consideration of the Consent Agenda and explained that all items listed preceded by an asterisk (*) would be acted upon by a single roll call vote of the Council, unless some member of the Council or member of the public asked that specific items be removed from the Consent Agenda, discussed and voted upon separately.

Council Member Montoya moved for passage of the Consent Agenda. Council Member Kortsen seconded the motion and the following roll call was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Varela		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Council Member Powell		
Mayor Pro Tempore Fitzgibbons		
Mayor Jackson		

Mayor Jackson then declared that all items in these minutes identified by an asterisk (*) preceding the title of that item were passed and adopted.

G.4

***Ordinance No. 2842**

Appointment of Any Justice of the Peace, Justice of the Peace Pro Tempore, or Magistrate in the State of Arizona as a Deputy Magistrate for the City of Casa Grande

City Magistrate O’Neil recommended in his Request for Council Action form that Mayor and Council establish an Ordinance appointing any justice of the peace, justice of the peace pro tempore, or magistrate in the State of Arizona as a deputy magistrate for the limited purpose of presiding over particular cases or for specific periods of time as directed by the Presiding Magistrate for the Casa Grande City Court, when there is a conflict or when neither the Presiding Magistrate nor the Deputy Magistrates are available.

The Casa Grande City Court employs one full-time magistrate and two part-time magistrates who serve only when the Presiding Magistrate is unavailable. This arrangement leaves the Court vulnerable to the possibility that the Court may be unable to cover its calendar in emergency situations, such as when a deputy assigned to cover the calendar calls in sick and the remaining deputy is unavailable. Appointing justices of the peace, justices of the peace pro tempore, and magistrates as deputy magistrates on a temporary and limited basis would allow the Presiding Magistrate flexibility to ensure that the City Court's calendar is covered when emergencies arise. It would also allow the Court to bring in visiting judges to hear conflict cases, rather than transferring those cases to different courts.

The Court already employs deputy magistrates when needed, and this expense is included in the Court's existing budget. This Ordinance would allow judges from other limited jurisdiction courts to hear cases in the Casa Grande City Court only when there is a conflict or when current deputy magistrates are unavailable. There would be no increased expense.

By a 7-0 roll call vote under the Consent Agenda, Council passed to a second reading Ordinance No. 2842, authorizing the appointment of any Justice of the Peace, Justice of the Peace Pro Tempore, or Magistrate in the State of Arizona as a Deputy Magistrate for the City of Casa Grande, Arizona.

G.5

***Resolution No. 4848**

**Grant Application for Library Services and Technology Act (LSTA)
Equipment and Software for the Library Technology
and Career Center at the City's Main Library**

Community Services Director Schwind recommended in his Request for Council Action form that Mayor and Council approve the Library Services and Technology Act (L.S.T.A.) grant application in the amount of \$25,000 to be used to purchase equipment and software to create the Library Technology and Career Center at the Main Library.

Director Schwind reported that the goal of this grant is to upgrade and replace our current public use computer equipment and software to all-in-one computers with a touch screen monitors. This upgrade will provide community members and job seekers the opportunity to acquire state of the art technology and training skills that are used for computing and communicating in today's society and job market.

Funds will be used to purchase eighteen touchscreen monitors, iPads, Android based tablets, Windows 8 Operating System, Microsoft Office 2013, training software and security cables for public tablets and iPads as well as tutoring software.

Staff is seeking authority to:

- i. Apply for grant, and if awarded:
- ii. Execute all grant contracts and documents
- iii. Execute required budget amendments
- iv. Accept and disburse grant funds

The amount of the grant request is \$25,000. The Pinal County Library District has promised an additional in-kind match of \$15,000 worth of equipment. The LSTA grant request decision is expected in May 2014. This is an upgrade to the current systems so no additional operational costs will be incurred.

By a 7-0 roll call vote under the Consent Agenda, Council passed and adopted Resolution No. 4848, authorizing the submission of a grant application to Library Services and Technology Act (LSTA); authorizing the City Manager to accept grant funds from Library Services and Technology Act (LSTA), in an amount up to \$25,000.00 for the City of Casa Grande for the purpose of purchasing equipment and software; authorizing the City Manager to execute a contract with Library Services and Technology Act (LSTA); authorizing the City Finance Director to accept and disburse funds as necessary; and authorizing the transfer of budget authority.

H. Public Comments:

Mayor Jackson called for public comments.

James Hartfield, 1120 E. 1st Street, Casa Grande, expressed concern on how Victory Outreach is being accused of not paying their sewer and trash invoice totaling \$4,738.86, with an additional charge of \$146.10 for late fees. The fees are for properties located at Outreach Church of God and Christ, Inc., 202, 204, & 210 ½ N. Trekell.

Sarah Garland, 1120 E. 1st Street, Casa Grande, requested for the City to waive the \$48.70 monthly bill, for Outreach Church of God and Christ, Inc. properties and Victory Outreach Church. Further, Ms. Garland acknowledged Finance Director Sandstrom, for waiving the \$1,579.62 invoice back-pay (for 36 months of service at \$48.70 monthly) for the 204 N. Trekell address.

Pastor Sanchez, 200 N. Brown, Casa Grande, offered comments on recent invoices received for the property located on 425 N. Lincoln; in the past they weren't being billed for this property.

Mayor Jackson referred Mr. Hartfield, Ms. Garland and Pastor Sanchez to speak with the City Manager Thompson, Deputy City Manager Rains and Finance Director Sandstrom.

Robert Miller, 505 E. Jardin Loop, Casa Grande, requested for an update from Staff on the Master Plan for 80 acre parcel on Rodeo (N/W) and Pinal, Ed Hooper Park Project.

Mayor Jackson referred Mr. Miller to speak with the City Community Services Director Schwind.

I. Award of Contracts:

**I.1 Resolution No. 4849
Accepting a Bid from Toter, LLC for the Purchase of
Six Hundred and Twenty-Four (624) 96-Gallon Trash Containers**

Public Works Director Louis recommended that Mayor and Council approve the purchase of six hundred and twenty-four (624) 96-gallon trash containers from Toter LLC (Toter), in an amount not to exceed \$34,354. The Sanitation Division will use these containers for residential collection service.

Director Louis reported that Staff is recommending Council approve purchasing the containers using the National Intergovernmental Purchasing Alliance (National IPA) agreement with Toter based on the City of Tucson container bid award. The containers are rotational mold containers that are projected to have a longer life and associated lower life-cycle cost than injection mold containers. The containers are also “nestable” and can be stacked inside each other requiring less space to store and are more economical to deliver to customers. Toter’s contract with National IPA was awarded for a one year term with (4) one-year renewal options. The contract was recently renewed for a second year with an expiration date of January 31, 2015.

The majority of the requested containers will be used to replace broken and deteriorating residential containers. The Sanitation Division currently has approximately 800 hundred (800) 96-gallon containers in inventory. Last year approximately 1,000 containers were delivered for replacement and new service. The requested purchase plus existing inventory represents a projected eighteen month supply of containers based on previous replacement rate.

The base price for each container is \$49.35, plus tax and freight, resulting in a total cost of \$55.05 per container. Ninety-six gallon containers were last purchased from the contract in March 2013 at a total cost of \$51.42 per container. Price adjustment is based on accepted market conditions and may be adjusted quarterly as per the contract.

There is currently a balance of \$67,795 in the residential container budget, resulting in a remaining balance of \$33,441 after the purchase of the requested containers.

City Clerk Miller read by title only Resolution No. 4849, accepting a bid from Toter, LLC for the purchase of six hundred and twenty-four (624) 96-Gallon Refuse Containers; authorizing expenditure of public funds in an amount not to exceed \$34,353.95; and authorizing execution of a contract with, or purchase order to, Toter, LLC.

Council Member Kortsen moved for passage of Resolution No. 4849. Mayor Pro Tempore Fitzgibbons seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Varela		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Council Member Powell		
Mayor Pro Tempore Fitzgibbons		
Mayor Jackson		

Mayor Jackson then declared Resolution No. 4849 passed and adopted.

J. Boards and Commissions: _____ None

K. Ordinances, Resolutions, and Other Matters or Subjects Requiring Action by the Council: _____ None

L. Public Meetings, Public Hearings, Open Record Review, and Closed Record Reviews:

**L.1 Public Hearing
Ordinance No. 1178.304.1
Approving a Major Amendment to Casa Grande Mountain Ranch
Planned Area Development (PAD) Adopted for Property Located
Generally at the Southwest Corner of I-8 and I-10 (DSA-13-00123)**

Senior Planner Leila Demaree highlighted the below information as appeared in her Request for Council Action form.

Staff and the Planning and Zoning Commission recommend that Mayor and Council approve the Major Amendment to the Casa Grande Mountain Ranch PAD as presented within the Staff Report.

The request for an amendment to the Casa Grande Mountain Ranch Planned Area Development (PAD) was reviewed by Staff and the Planning and Zoning Commission under Section 17.68.330 of the City Code. There is no change to the overall density of the project at four dwelling unit per acre. The noticeable changes to the Casa Grande Mountain Ranch PAD are the following:

1. Loss of Open Space from 154 acres to 150 acres;
2. Changes to the proposed arterial or collector roadway transportation circulation system;
3. The amendment also includes the addition of four acres of Urban Ranch zoned property;
4. And to adjust the northern boundary lines of the original PAD to accommodate the 20 acres-site for the future interchange at Interstate 8 and Henness Road alignment.

The above changes are the results of the property owner's efforts to preserve the Henness Road and I-8 Interchange area.

When the timing is right and development is eminent, the developer for the site will be responsible for installing the interchange on Henness Road and I-8. This interchange will afford the Casa Grande Mountain Ranch PAD to develop into its maximum potential. Provision of the interchange will also benefit the neighboring properties.

Planning and Zoning Commission voted 5-0 in support of this project. Staff also recommends approval of this request with no conditions.

The detailed Staff Report provided to the Planning and Zoning Commission along with the minutes of the meeting was provided to the City Council for their review.

DISCUSSION

Council Member Kortsen asked if the approval for reduction of right-of-way with Arizona Department of Transportation (ADOT) is in writing.

In response to Council Member Kortsen, Planning & Development Director Tice conveyed that he cannot tell for sure if the agreement is in writing; however the applicant's representative is present tonight and might be able to answer the question.

Further, Director Tice stated that he was aware that the applicant had formal discussions with ADOT concerning the right-of-way and understand that although there is no legal description, he believes that they have reached an agreement that allows this change to the PAD to occur with comport on both sides (applicant and ADOT).

Council Member Kortsen expressed concerns with the existence of a written agreement to avoid any surprises that may come up as this project moves forward.

In response to Mayor Jackson, Ms. DeMaree conveyed that the total area for the PAD is approximately 768 acres. The ADOT right-of-way is 34 acres out of 768 acres.

Mayor Jackson declared a public hearing to allow comments on this matter.

Jack Gilmore, 2211 N. 7th Street, Phoenix AZ, representing the applicant, Mr. George Chasse and Casa Grande Mountain Ranch Limited Partnership, conveyed that they have been working with Staff to adjust the boundary of the PAD as sort of a house-cleaning effort. What really triggered this PAD amendment was the exchange of properties for the interchange.

Further, Mr. Gilmore explained that Mr. George Chasse is in the middle of the exchange access report and the design concept reports, and controlling the right-of-way land area for the interchange is part of that effort. The owners have similar concerns as expressed by Council Member Kortsen with ADOT. Mr. Gilmore believes that when the change of access report is approved (expected to occur sometime late March or April); the report will become an official record.

There being no further comments, Mayor Jackson declared the public hearing closed.

City Clerk Miller read by title only Ordinance No. 1178.304.1, approving a Major Amendment to Casa Grande Mountain Ranch Planned Area Development (PAD) adopted for property located generally at the southwest corner of I-8 and I-10, Casa Grande, Arizona.

Council Member Herman moved for passage of Ordinance No. 1178.304.1. Mayor Pro Tempore Fitzgibbons seconded the motion and the following roll call vote was recorded:

<u>AYES</u>	<u>ABSTAIN</u>	<u>NAYS</u>
Council Member Varela		
Council Member Herman		
Council Member Montoya		
Council Member Kortsen		
Council Member Powell		
Mayor Pro Tempore Fitzgibbons		
Mayor Jackson		

Mayor Jackson then declared Ordinance No. 1178.304.1 passed to a second reading.

L.2

**Public Hearing
Ordinance No. 1178.364
Changing the Zoning from Urban Ranch (UR) and Garden and Light
Industrial (I-1) to Planned Area Development (PAD) on Property
Located at the Northwest Corner of I-10 and I-8 (DSA-13-00136)**

Senior Planner Leila Demaree highlighted the below information as appeared in her Request for Council Action form.

Staff and the Planning and Zoning Commission recommend that Mayor and Council approve the zone change from Urban Ranch and Garden and Light Industrial Zones to to the Regional Gateway Commerce Center (RGCC) Planned Area Development (PAD) with the following condition:

A Traffic Impact Analysis, complying with both the Small Area Transportation Study and ADOT applicable requirements shall be submitted with each Final Development Plan/Major Site Plan application. Said Traffic Impact Analysis shall be subject to review and approval by the City and ADOT (as applicable).

The zone change request is processed under Section 17.68.280, and 17.68.290 B and D of the City Code.

Through the Planned Area Development zoning district, various land uses will be allowed to support and enhance the economic development potentials of the site, as described within the City’s General Plan. Land use categories such as corporate office oriented campuses, business parks, light industrial that occurs within buildings, and mix commercial are the ideal land uses within the Commerce and Business category. These types of uses are recommended along the Interstates 8 and 10. The proposed Regional Gateway Commerce Center will serve as an economic gateway to the City.

The site is proposed to be developed in three (3) phases, however, timing for the development of each phase will depend upon market demands.

The development standards and guidelines proposed within this RGCC PAD are planned to uphold a high level aesthetic quality, while providing flexibility in architectural design and recognizing the unique character of this location.

Open spaces are provided via a 30' landscape tracts along the roadway frontages, a nine-acre Central Park, and between 10 to 30% of onsite landscaping are required in all proposed land uses. The overall area intended for the open space/landscape area is 111 acres, equivalent to about 24%.

The proposed PAD will be developed in phases depending upon the market demands. The content of the PAD meets the review criteria for the zone change.

Planning and Zoning Commission voted 5-0 to recommend approval of the zone change with the following conditions:

1. A Master Circulation Study shall be submitted for review and approval by ADOT and the City prior to final approval of the PAD.
2. A Traffic Impact Analysis, complying with both the Small Area Transportation Study (SATS) and ADOT requirements shall be submitted with each Final Development Plan/Major Site Plan application. Said Traffic Impact Analysis shall be subject to review and approval by both ADOT and the City
3. Other minor technical changes with any engineering reports will be addressed and completed prior to final approval of the PAD.
4. Revise the Site Development Standards to reflect a 30' minimum building front setbacks from property line.
5. Revise the PAD document to reflect a 30' minimum landscape setbacks from property line fronting streets.

All of the conditions noted above have been addressed with the resubmittal of a revised PAD Guide and Master Circulation Study. Therefore only the requirement for sumital of a Traffic Impactd Analysis with all subsequent Final Development Plan/Major Site Plan applications needs to remain as a condition of the zone change.

DISCUSSION

Council Member Kortsen expressed appreciation for all the work of the Planning & Zoning Commission and Staff for this unique development.

In response to Mayor Pro Tempore Fitzgibbons, Ms. DeMaree conveyed that currently the applicant is required to provide the City a Master Circulation Study which is a macro type of study indicating the existing access point and what could be identified as a potential right-of-way to service the site. After the Master Circulation Study is completed, the next study would be to conduct a Traffic Impact Analysis once the applicant is ready to develop a portion of the site.

Mayor Jackson declared a public hearing to allow comments on this matter. There being no comments, Mayor Jackson declared the public hearing closed.

City Clerk Miller read by title only Ordinance No. 1178.364, amending Zoning Ordinance No. 1178 and its subsequent amendments by changing the zoning from Urban Ranch (UR) (96 acres) and Garden and Light Industrial (I-1) (429 acres) to Planned Area Development (PAD) on property located at the northwest corner of I-10 and I-8, Casa Grande, Arizona

Council Member Varela moved for passage of Ordinance No. 1178.364. Council Member Kortsen seconded the motion and the following roll call vote was recorded:

AYES

ABSTAIN

NAYS

- Council Member Varela
- Council Member Herman
- Council Member Montoya
- Council Member Kortsen
- Council Member Powell
- Mayor Pro Tempore Fitzgibbons
- Mayor Jackson

Mayor Jackson then declared Ordinance No. 1178.364 passed to a second reading.

M. Executive Session:

Council Member Kortsen moved to hold an executive session for the below:

A.R.S. §38-431.03.

- A. Upon a public majority vote of the members constituting a quorum, a public body may hold an executive session but only for the following purposes:
3. Discussion or consultation for legal advice with the attorney or attorneys of the public body.
 4. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.

- *Discussion and Consultation with the City Attorney Regarding Potential Negotiations of a Development Agreement Proposed by AZ Sourcing, LLC.*

Council Member Montoya seconded the motion and was carried with a 7-0 voice vote.

N. Reports:

Council Member Varela announced to invite everyone to the 2014 Plein Air Painting Event scheduled for Saturday, February 22, 2014 at the Woman's Club. Registration starts at 8:00 a.m., reception and announcement of winners at 5:00 p.m. This event is sponsored by the Casa Grande Arts & Humanities Commission.

Council Member Powell reported on the following:

- Had fun participating in a very well attended Cowboy and Indians Days parade this year.
- Highlighted results of the competition held during the first weekend of the Cowboy and Indian Days events and announced the schedules for the rest of the week.
- Announced that he stepped down as Chairman for the Water Committee. Supervisor Steve Miller is the new Chairman.

Council Member Herman reported that he had a great time participating in the Cowboy an Indian Days parade.

Further, Council Member Herman expressed Kudos to Agustin Avalos, Public Information Officer for coordinating the video interview/taping of city council members.

Council Member Kortsen provided an update on the Facilities Information Briefing regarding the following:

- Remodel of the Police Dispatch Center - the completion date is schedule at the end of this month and actual move-in by mid-March.
- The Main Library remodel will have a space for coffee shop.
- Discussions regarding the Recreation Center are on-going.

Mayor Pro Tempore Fitzgibbons reported on the following:

- Thanked the Hartfield family and the members of Victory Outreach Church for attending the meeting tonight and for offering their comments during the public hearing portion.
- Announced to invite and support the Seeds of Hope dinner event scheduled this weekend.
- Announced to invite everyone to the Cesar E. Chavez Memorial Committee of Pinal County Celebration Dinner, scheduled for March 7, 2014 at The Property Conference Center.
- Acknowledged Council Member Ralph Varela for chairing the Cesar E. Chavez Scholarship Committee. This year the Committee will be awarding to 57 students of Pinal County with a total of \$46,000 scholarship awards.
- Announced the Casa Grande Police Department's 2014 Awards Banquet is scheduled for Friday, February 21, 2014, 6:00 p.m. at The Property Conference Center.
- Thanked the Winter Visitors for visiting and participating in the events held in the community of Casa Grande.

Mayor Jackson reported on the following:

- Provided an update on the Community Services Information Briefing regarding Recreation Center.
- Announced that the City’s Budget process has begun and the City Council budget retreat is scheduled for the first part of May 2014.
- City’s Audit Report is nearing completion. The audit report will be presented at the March meeting.
- Provided an update on the airport regarding the T-Hangers and FAA rules & guidelines as a result of 911.
- Announced the 56th Annual Cactus Fly-In is scheduled for February 28 and March 1, 2014 at Casa Grande Municipal Airport.
- Announced the Senior Follies is scheduled for February 27, 2014 at Central Arizona College.

O. Adjournment:

There being no further business at this time, the meeting was adjourned at approximately 8:34 p.m.

Robert M. Jackson
/s/Robert M. Jackson
Mayor

ATTEST:

Remilie S. Miller
/s/Remilie S. Miller, MMC
City Clerk

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 Casa Grande, Arizona held on the 18th day of February 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of March, 2014

Remilie S. Miller

/s/Remilie S. Miller, MMC
City Clerk