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CITY OF CHANDLER COUNCIL MEETING MINUTES

Regular Meeting

Thursday, February 25, 2021

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, February 25, 2021.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
Mark Stewart	Vice Mayor
René Lopez	Councilmember
OD Harris	Councilmember
Christine Ellis	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Mark Rossington, Epiphany Lutheran Church.

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

BRIEFING:

1. Citizen Bond Exploratory Committee Executive Summary by Chairman Boyd Dunn

BOYD DUNN, Citizen Bond Exploratory Committee Chairman, presented the following Power Point presentation.

- Citizen Bond Exploratory Committee Update
- Citizen Bond Exploratory Committee
 - Boyd Dunn, Chair, Finance Subcommittee
 - Trinity Donovan, Public Safety Subcommittee
 - Mark Gildersleeve, IT Subcommittee
 - Ron Hardin, Public Works Subcommittee
 - Ted Huntington, Parks Subcommittee

- Nina Mullins, Facilities Subcommittee
- David Sperling, Airport Subcommittee
- Citizen Bond Exploratory Committee Timeline
 - August 20, 2020 Citizen Bond Exploratory Committee Kick-Off Meeting
 - All 49 Committee members came together to hear from Mayor Kevin Hartke and Committee Chair, Boyd Dunn, on the purpose of the Committee
 - September 1, 2020 First Steering Committee Meeting
 - September 8, 2020 All Subcommittees began meeting this week
 - October 2020 Subcommittee members received tours of City facilities and learn about needed projects
 - November 5, 2020 Citizen bond Exploratory Committee Chair, Boyd Dunn, provided an update to the City Council on the Subcommittees progress
 - November 2020 Subcommittees began prioritizing projects needed in a potential bond election
 - December 15, 2020 Subcommittees finalized project priorities and submitted a final ranking sheet to Finance Subcommittee
 - December 2020 Finance Subcommittee evaluated financial options based on subcommittee recommendations
 - January 15, 2021 Steering Committee unanimously approved projects to be considered for a bond election
 - January 28, 2021 Citizen Bond Exploratory Committee Chair Boyd Dunn provided update to City Council on the Subcommittee's progress
 - January 29, 2021 Steering Committee voted to approve the ballot question language
 - February 12, 2021 Steering Committee voted to approve Citizen bond Exploratory Committee Executive Report
 - February 25, 2021 Citizen Bond Exploratory Committee Executive Summary presented to the City Council by Chair, Boyd Dunn
 - March 1, 2021 Citizen bond Exploratory Committee Close out meeting
- Public Communication
 - CAPA launched public information campaign in November
 - New section on City's website created to be hub for all information chandleraz.gov/bondelection
 - Social Media posts and articles released in November
 - Additional information will be released following approval of Executive Summary
- City of Chandler Bond History
 - 2000 Election
 - 2004 Election
 - 2007 Election
- City of Chandler Bond History
 - Valley Bond Elections Since 2000
- Committee Recommendation
 - Parks \$72,985,000
 - Police \$55,190,000
 - Fire \$25,160,000
 - Facilities \$33,570,000
 - Streets \$85,780,000
- Committee Recommendation
 - Received and evaluated 80 possible bond projects totaling \$851,973,600
 - Subcommittees prioritized projects using "A" or "B" list as short and long term needs

- Subcommittee members had opportunities to add projects they felt were important to the community
- Recommendation includes 52 projects totally \$403,747,000
- New Authorization needed is \$272,685,000
- Recommendation does not increase primary or secondary property tax rates
- Parks Subcommittee
 - Maintain existing City parks
 - Complete construction on regional parks
 - Higher priority for AJ Chandler park renovation
 - Completion of Mesquite Groves Regional Park
 - Folley Park Renovation

COUNCILMEMBER ORLANDO asked if the authorization from previous bond elections expire with this new authorization.

DAWN LANG, Management Services Director, said it does not expire.

COUNCILMEMBER ORLANDO asked if the prior authorization is included in this equation.

MS. LANG said yes, the delta is what is being requested for this election.

COUNCILMEMBER ORLANDO asked if there were a list of items that did not make the final list.

MR. DUNN said he would provide more information regarding the information that did not make the list.

COUNCILMEMBER ORLANDO asked if there sustainability and environmental concerns for some of the parks.

MR. DUNN said the Subcommittee felt it was important that the parks needed to be sustainable.

MS. LANG said environmental concerns are always reviewed for any project. Ms. Lang said the project lists also identify if the funding would come from the bond or are recommended to be paid from another funding source or bond election at a later time.

MAYOR HARTKE asked if all projects are listed in the Executive Summary.

MARSHA REED, City Manager, said yes.

MR. DUNN continued the Power Point presentation.

- Parks Subcommittee
 - Library Projects
 - The Subcommittee is recommending no additional authorization in this category
- Public Safety – Fire Subcommittee
 - Subcommittee toured Fire Stations 282 and 281, Public Safety Training Center, and several response vehicles
 - Rebuild Fire Station 282 on existing footprint
 - Rebuild Fire Station 284 vs. renovation due to ongoing maintenance costs
- Public Safety – Police Subcommittee

- Subcommittee toured Public Safety Training Center, Police Main Station, and several response vehicles
- New Forensic Services facility to allow for new specialties to be developed
- Expansion of Communication and Investigations Bureau into existing Forensic Section Space
- Facilities Subcommittee
 - Subcommittee worked off a recent facility assessment of 47 City facilities
 - Discussion centered around facilities with the greatest needs
 - Top 7 facilities needing improvements were included as the highest recommendation
 - Extend useful life of City facilities
 - Balanced approach: bond funded vs. cash funded

VICE MAYOR STEWART said there was discussion about potentially downsizing some facilities as positions work remotely. Vice Mayor Stewart asked if that was factored into this.

MS. REED said the space utilization study is currently undergoing the RFP process and would come to Council for the consultant to begin looking at that. Ms. Reed said the facilities that were focused on were facilities that would need to stay such as the Center for the Arts. Ms. Reed said there is some flexibility depending on how the space utilization study comes out.

MR. DUNN continued the Power Point presentation.

- Public Works Subcommittee
 - Subcommittee used projects in current CIP as part of recommendation
 - Then focused on Transit, Active Transit, and Streets projects from recent Transportation Master Plan that are not included to the CIP
 - Finance Subcommittee evaluated financial options based on the Operations and Maintenance of the new projects
 - Balanced approach: bond funded vs. cash funded
- Public Works Subcommittee Continued
 - Expansion of arterial streets
 - Reconstruction to increase capacity of intersection and improve safety
 - Complete collector streets where there is no developer participation anticipated
- Public Works Subcommittee
 - Reduce flood risk in downtown
 - Other miscellaneous improvements
 - Stormwater Projects
 - The Subcommittee is recommending no additional authorization in this category
- Public Works Subcommittee
 - Capital needs are funded by issuing bonds
 - Debt is spread to the rate payers over time which allow current and future users to pay for the systems
 - Revenue Obligation and Excise Tax Revenue Obligation (ETRO) bonds are an alternate financing tool that do not require voter approval
 - Chandler has used ETROs over the last few years to fund utility projects
 - Recommendation is to use Revenue bonds or ETROs for utility projects
- Information Technology Subcommittee
 - Subcommittee focused on a single project
 - Recently completed Fiver Assessment was the main discussion topic

- Finance Subcommittee evaluated financial options before recommending to shift entire fiber project to cash funding
- Cash was freed up from moving the Fire Station 282 rebuild from cash funded to bond funded
- Airport Subcommittee
 - Subcommittee unanimously stated that the Cooper Road collector improvement was the highest priority
 - Cooper Road project to be included with Public Works bond package with Airport Subcommittees full support
 - Timing to recommend a bond project to extend Runway 4R-22L was premature
 - Subcommittee recommends additional analysis, economic impact studies to be completed prior to bond question for runway extension
- Financial Considerations
 - City of Chandler maintains AAA bond rating
 - Correlates to lower taxes and utility rates for residents
 - Future capital/infrastructure needs exceed remaining bond authorization
 - Committee followed Council guidelines
 - Minimize increase in property taxes
 - Maintain existing infrastructure
 - Finish planned construction of streets and parks
 - Limit new projects adding ongoing O&M
 - Address public needs
- Financial Considerations
 - Secondary Tax rate levy pays the principle and interest on GO bonds
 - To achieve a no tax rate increase it requires a balance between assessed values and tax rates
 - City has been very careful to not construct new facilities or projects without dedicated ongoing revenues to maintain them
 - Chart shows impact of bong projects to the ongoing O&M
 - Middle dark blue line is recommendation from Steering Committee
 - Option will not increase property tax rates based on current projections
- Financial Considerations
 - Ongoing revenues must be available for capital O&M increases
 - Level of ongoing O&M available was determined by including other anticipated operational needs
 - Chart reflects why certain projects were removed from final recommendation due to the increase of property tax rates they would cause
- Recommended Ballot Questions
 - Question 1
 - Purpose: Municipal Facilities Bonds
 - Amount: \$33,570,000
 - Shall the Mayor and Council of the City of Chandler, Arizona, be authorized to issue and sell the following bonds of the City:
 - Purposes: To construct, improve, renovate, replace and remodel municipal buildings and critical infrastructure related thereto; to furnish and equip such facilities and improve the grounds thereof.
 - Payment of Bonds: Each series of these bonds will be issued at the option of the Mayor and Council as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, payable from the levy of an ad valorem tax against the taxable property located within the City and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service of the bonds, unless the Mayor and Council provide for payment from other sources.

- Recommended Ballot Questions
 - Question 2
 - Purpose: Park And Recreation Improvements/Community Services Bonds
 - Amount: \$72,985,000
 - Shall the Mayor and Council of the City of Chandler, Arizona, be authorized to issue and sell the following bonds of the City:
 - Purposes: To construct, improve and acquire community, neighborhood, regional and aquatic parks, including recreational facilities, buildings and improvements; to acquire land for parks, recreational facilities, buildings and open spaces; to make improvements, additions and replacements to existing parks and recreational facilities and buildings; to landscape, furnish and equip existing and new parks and recreational facilities and buildings.
 - Payment of Bonds: Each series of these bonds will be issued at the option of the Mayor and Council as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, payable from the levy of an ad valorem tax against the taxable property located within the City, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service of the bonds, unless the Mayor and Council provide for payment from other sources.
- Recommended Ballot Questions
 - Question 3
 - Purpose: Public Safety/Fire Bonds
 - Amount: \$25,160,000
 - Shall the Mayor and Council of the City of Chandler, Arizona, be authorized to issue and sell the following bonds of the City:
 - Purposes: To construct, improve, renovate and remodel fire stations and other fire safety related facilities; to furnish, equip and improve fire stations, fire safety related facilities and radio infrastructure; and to acquire vehicles and land for fire and public safety purposes.
 - Payment of Bonds: Each series of these bonds will be issued at the option of the Mayor and Council as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, payable from the levy of an ad valorem tax against the taxable property located within the City, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service of the bonds, unless the Mayor and Council provide for payment from other sources.
- Recommended Ballot Questions
 - Question 4
 - Purpose: Public Safety/Police Bonds
 - Amount: \$55,190,000
 - Shall the Mayor and Council of the City of Chandler, Arizona, be authorized to issue and sell the following bonds of the City:
 - Purposes: To construct, improve, renovate and remodel police stations and other police related facilities; to furnish, equip and improve police stations, police related facilities and radio infrastructure; and to acquire vehicles and land for police and public safety purposes.
 - Payment of Bonds: Each series of these bonds will be issued at the option of the Mayor and Council as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, payable from the levy of an ad valorem tax against the taxable property located within the City, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service of the bonds, unless the Mayor and Council provide for payment from other sources.
- Recommended Ballot Questions

- Question 5
- Purpose: Public Works And Street And Transit Improvements Bonds
- Amount: \$85,780,000
- Shall the Mayor and Council of the City of Chandler, Arizona, be authorized to issue and sell the following bonds of the City:
- Purposes: To design, acquire, improve, construct, reconstruct and rehabilitate the streets, avenues, alleys and highways of or within the City; to design, acquire, install, construct and reconstruct street lighting, traffic signal control systems, underground utility lines, landscape improvements and transit bicycle program improvements, including shared use paths and trails; to acquire land and interests in [and for transportation purposes.
- Payment of Bonds: Each series of these bonds will be issued at the option of the Mayor and Council as general obligation bonds of the City pursuant to Title 35, Chapter 3, Article 3, Arizona Revised Statutes, payable from the levy of an ad valorem tax against the taxable property located within the City, and the issuance of these bonds will result in a property tax increase sufficient to pay the annual debt service of the bonds, unless the Mayor and Council provide for payment from other sources.
- Next Steps
 - February 25, 2021 Bond Steering Committee recommendations report finalized. Briefing to City Council by Steering Committee Chair at Work Session
 - February 25 - April 30, 2021 City Council discussion of recommendations
 - May 27, 2021 By resolution the City Council Calls for an Election and approves ballot language
 - June 18, 2021 Ballot language submitted to Maricopa County
 - August 4, 2021 Arguments Pro/Con filed with City Clerk
 - September 20, 2021 Sample Ballot/Informational Pamphlet mailed to voters before election
 - October 4, 2021 Last day for voters to register for election
 - October 6, 2021 First day to mail out ballot
 - November 2, 2021 Election Day
 - November 22, 2021 Deadline for City Council to canvas the election

MAYOR HARTKE thanked everyone who served on the Bond Committee. Mayor Hartke said in the future Council would be able to have another bond election if needs or finances change. Mayor Hartke said this would not raise the tax rate and most would be paid from the secondary tax rate. Mayor Hartke said the fiscal policies have served the City well.

MS. LANG said they have taken into account all of the expenditures and what funds would be available for capital improvements.

MR. DUNN said on March 1 there would be a reception with the Bond Committee and Subcommittee members. Mr. Dunn said they have about 80 projects and they were able to find ways to keep the projects within the authorization and keep the tax rate the same.

VICE MAYOR STEWART thanked everyone who served. Vice Mayor Stewart asked if there would be more language added to the ballot or if that was final.

MR. DUNN said this was suggested language that would be approved by the Council. Mr. Dunn said the bond counsel would discuss why this language is best for the legal requirements and still allow Council flexibility.

VICE MAYOR STEWART asked if taxpayers would be able to see how much they would save by not passing this. Holding rates the same is great from a percentage perspective, but the housing prices are increasing.

MS. REED said the Mayor would like to have a future work session with Council along with the bond counsel.

COUNCILMEMBER ROE thanked everyone who served on the Committee. Councilmember Roe said he has heard frustrations about items moving forward in the community and this is the process for getting those items done. Councilmember Roe said future Councils will continue to move forward.

MR. DUNN said the City has great staff to provide information and work with the Committee.

COUNCILMEMBER ORLANDO thanked everyone who served on the Committee and for the work they have done. Councilmember Orlando said local government is the last trusted entity in his mind. For this process the residents, staff, and Council were involved. This sends a positive message to the community that we have done our research and have the amenities and infrastructure the community wants to see.

MR. DUNN said at a local level people have trust in the government and work to improve their City.

CONSENT AGENDA – DISCUSSION

None.

CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE FEBRUARY 25, 2021, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ELLIS.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. February 2021 Council Minutes
Move to approve the Council meeting minutes of the Study Session and Special Meeting of February 8, 2021, and the Work Session and Regular Meeting of February 11, 2021.
2. Professional Services Agreement with Gavan & Barker, Inc., for the Snedigar Sportsplex West Restroom Replacement project Design Services.
Move City Council award Professional Services Agreement No. PR2102.201 to Gavan & Barker, Inc., for the Snedigar Sportsplex West Restroom Replacement project Design Services, in an amount not to exceed \$36,690.07.

BACKGROUND FROM COUNCIL MEMO:

Snedigar Sportsplex is a 91-acre recreation facility located at 4500 S. Basha Road, in the square mile bordered by Alma School Road, Arizona Avenue, Ocotillo Road and Chandler Heights Road. The original sports complex was constructed on 30 acres in 1991 and has since been expanded with new amenities added to keep pace with the needs for recreational sport fields and facilities. Key park amenities include baseball, soccer and softball fields, bike park, dog park, open turf area, playgrounds, shade ramadas, restroom buildings and shade structures. A single pair of restrooms in the ballfield area of the Sportsplex is not adequate for youth league teams, however, and there is a need for additional restrooms to meet user demand.

The existing two restrooms, located in a single building measuring approximately 22 feet by 27 feet in the ballfield complex, will be removed and new restrooms constructed at the same location, along with associated utility connections and sidewalk reconstruction to ensure accessibility in the general vicinity of the new restroom building. The new restrooms include 8 individual unisex stalls and 2 individual unisex accessible stalls. Each stall will have a toilet, sink, and hand dryer. The building will also include a maintenance area and exterior drinking fountains. This project also includes new lighted ramadas at the existing storage/overlook building as well as soil stabilizing of areas adjacent to the main walkway through the ballfields.

The project scope of work consists of architectural design services, civil engineering, electrical engineering, data collection, site plans, demolition plans, and ramada plan, as well as restroom plans, technical specifications, estimates, construction documents, permitting, development of construction documents and bidding assistance. The contract completion time is 225 calendar days following Notice to Proceed.

3. Final Adoption of Ordinance No. 4962, ANX20-0002, Annexation and Initial City Zoning - South of the Southwest Corner of Gilbert and Ocotillo Roads
 Move City Council adopt Ordinance No. 4962 approving ANX20-0002, Annexation and Initial City Zoning - South of the Southwest Corner of Gilbert and Ocotillo roads, as recommended by Planning staff.

BACKGROUND FROM COUNCIL MEMO:

Located south of the southwest corner of Gilbert and Ocotillo roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 1.71 acres. Council Public Hearing held on October 15, 2020. A Final Adoption of the Ordinance for rezoning is on this City Council Agenda. Ordinance introduced and tentatively adopted on February 11, 2021.

Surrounding Land Use Data:

North	Unincorporated Maricopa County (Arizona Olympian Gymnastics)	South	Commercial (Dollar Self storage)
East	Gilbert Road, then new CUSD high school (under construction)	West	Canal, then City of Chandler water reclamation facilities

General Plan and Area Plan Designations:

	Existing	Proposed
General Plan	Neighborhoods	No change
Southeast Chandler Area Plan	Envisioned Community/Regional Open Space and Recreational Opportunities	Traditional Suburban Character

Utility Service

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

4. Final Adoption of Ordinance No. 4960, PLH20-0034 Chandler La Paglia High School Seminary and Professional Offices

Move City Council adopt Ordinance No. 4960 approving PLH20-0034, La Paglia High School Seminary and Professional Offices, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for professional offices and institutional/educational uses located south of the southwest corner of Gilbert and Ocotillo roads, subject to the conditions as recommended by Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

Site is approximately 1.7 net acres. Annexation public hearing held on October 15, 2020. Final adoption of the Annexation ordinance is concurrently scheduled for this Council Agenda. Site is currently vacant. Ordinance introduced and tentatively adopted on February 11, 2021.

North	Commercial (Unincorporated - Arizona Olympian Gymnastics)	South	Commercial (Dollar Self Storage)
East	Gilbert Rd. then new Chandler Unified School District high school	West	RWCD Canal

General Plan and Area Plan Designations:

	Existing	Proposed
General Plan	Neighborhoods	No change
Southeast Chandler Area Plan	Envisioned Community/Regional Open Space and Recreational Opportunities	Traditional Suburban Character

Proposed Development

Seminary	
Building Area	3,681 sq. ft. (+ 1,329 sq. ft. future expansion) Total of 5,010 sq. ft.
Building Height (max.)	22 ft.
Parking Required	25 spaces total (includes future expansion)
Parking Provided	27 spaces total
Future commercial offices/medical offices	
Building Area	6,336 sq. ft.
Building Height (max.)	30 ft.
Parking Required	43 additional spaces (1 space per 150 sq. ft.)
Parking Provided	70 total shared spaces

Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the amendment to the Southeast Chandler Area Plan (SECAP). The Envisioned Community/Regional Open Space and Recreational Opportunities land use designation was identified at a time when the City owned property along the RWCD canal; however, the City property was sold and a regional open space and recreational area is no longer planned. A Traditional Suburban Character land use allows single story buildings along arterial streets, including for commercial and institutional/educational developments.

The request for rezoning to PAD provides for a limited list of permitted land uses which include the seminary (institutional/educational), general office, professional office, which generate low-traffic including but not limited to insurance, counseling, assisted living, real estate and title companies. Prohibited uses include medical and dental offices, retail of any kind, call centers, cleaners, barbers, personal services, animal boarding and similar businesses. The site layout and building architecture is in conformance with the SECAP design guidelines for commercial/non-residential land uses. Architectural design of the future professional office building requires a new PDP application to evaluate building architecture. Signage for the future phase may require a PDP if the development prefers to modify the requirements of the Sign Code for PAD zoned properties. The seminary proposes one wall-mounted sign. Staff finds the proposal to be consistent with the goals of the General Plan and the SECAP, as amended, and recommends approval subject to conditions.

Traffic Analysis

Gilbert Road is currently undergoing improvements from Ocotillo to Chandler Heights roads. Improvements consist of re-striping, narrowing medians to allow for three lanes in the northbound and southbound direction, and modifications to the medians for turning movements. Traffic signals are proposed at two locations including the intersections of Gilbert and Brooks Farm road and the alignment of the existing driveway of the Olympian Gymnastics with the new entrance to the new high school. Pedestrian crossings will be designated at both traffic signals. The applicant states that the students will be transported by shuttle between the new high school and the new seminary.

Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A Neighborhood Meeting sign was posted on the property. A virtual neighborhood meeting was held on December 3, 2020. Three residents attended virtually to obtain project information. No questions were asked. No opposition to request was stated. An attendee commented the project is a nice fit. As of writing this memo, Planning staff is not aware of opposition to the request.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting January 20, 2021.

Motion to Approve.

In Favor: 7 Opposed: 0

Commission discussed the proposed permitted land uses and recommended that medical and dental office uses be prohibited uses due to traffic and circulation patterns both on site and off site. Stipulations No. 2 and No. 3 are revised to address Commission's direction.

Recommended Conditions of Approval

Planning and Zoning Commission recommends the City Council approve rezoning from Agricultural District (AG-1) to PAD for professional offices and institutional/educational uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler La Paglia High School Seminary and Professional Offices" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0034, 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 following uses shall be permitted:
3. Institutional uses including church, seminary, nursing home, and educational entity.

4. Commercial Office uses including general office, professional office, insurance, counseling, real estate and title companies.
 5. Other similar institutional and/or office uses not listed here may be permitted upon determination by the Planning Administrator that it will not generate a greater or more intense traffic impact on the area.
 6. The following uses shall be prohibited: medical and dental offices, retail, call centers, dry cleaners, personal services (e.g., barber, nail and beauty salons, tattoo, day spa), animal daycare and boarding, bakery, bars, drive-through and restaurants.
 7. 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.
 8. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
 9. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/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 a City of Chandler water facility/recharge ponds 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 or nearby a wastewater treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. 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.
5. Introduction of Ordinance No. 4961, PLH20-0023, PLT20-0037 Pecos and McQueen Retail (Staff Requests Continuance to the March 25, 2021, City Council Meeting)
Move City Council continue PLH20-0023 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, to the March 25, 2021, City Council meeting, as recommended by Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

At the January 20, 2021, Planning and Zoning Commission meeting, Commission continued the case to their February 17, 2021, meeting for the purpose of holding a Design Review Committee meeting to address concerns regarding the proposed drive-through pads and site plan layout. On February 3, 2021, the Design Review Committee was held and provided design direction to the applicant.

6. Resolution No. 5439, authorizing a Development Agreement with Valley Christian Schools for the Installation of Roadway and Traffic Improvements
Resolution No. 5440, authorizing a Deactivation Agreement with Salt River Valley Water User's Association for Removal of an Irrigation Structure
Development Agreement
Move City Council approve Resolution No. 5439, authorizing a Development Agreement between the City of Chandler and Valley Christian Schools, an Arizona Non-profit Corporation, for the installation of roadway and traffic improvements at the intersection of North 56th Street and West Galveston Street, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.
Deactivation Agreement

Move City Council approve Resolution No. 5440, authorizing a Deactivation Agreement between the City of Chandler and Salt River Valley Water User's Association, an Arizona Corporation, for the removal of an irrigation delivery structure to accommodate roadway and traffic improvements at the intersection of North 56th Street and West Galveston Street, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.

BACKGROUND FROM COUNCIL MEMO:

Valley Christian Schools (VCS) owns multiple parcels of land in the area of North 56th Street and West Galveston Street, depicted in the attached vicinity map. The existing campus is located at the northeast corner of this intersection. An expansion of the property was authorized in 2010 when the City Council rezoned a portion of the campus from Planned Area Development (PAD) to PAD amended. The rezoning ordinance contained provisions for phasing the campus expansion. Phase one included construction of a temporary softball field south of Galveston Street and a new, two-story classroom building with occupancy limited to the first floor. Phase one has been completed.

VCS is now ready to proceed with phase two, which necessitates several off-site improvements. These improvements include a deceleration lane on northbound 56th Street and the installation of a traffic signal at the intersection of North 56th Street and West Galveston Street. The deceleration lane construction requires that an existing Salt River Valley Water User's Association (SRP) irrigation structure on the shoulder of North 56th Street be deactivated, removed, and replaced with a concrete manhole structure. VCS is required to pay for and complete all off-site construction costs, including deactivation of the SRP structure, prior to proceeding with the next phase of the campus expansion. SRP is requiring the City of Chandler be obligated to re-activate the irrigation structure in the unlikely event that it is needed in the future to service its shareholders in this area. The City would be reimbursed by VCS for the costs associated with re-activating the structure, should it ever be required. A separate irrigation structure deactivation agreement with SRP has been prepared for Council consideration, which is included in this agenda item.

The Development Agreement between the City of Chandler and VCS contains the following key provisions:

VCS will construct all required off-site improvements, including the deceleration lane on North 56th Street, the traffic signal, and the deactivation and removal of the SRP irrigation structure. VCS will be eligible for partial reimbursement for the traffic signal costs upon future development of the northwest and southwest corners of the intersection of North 56th Street and West Galveston Street. VCS will construct a parking lot at the southeast corner of North 56th Street and West Galveston Street. The City of Chandler will, subject to Council approval of the separate deactivation agreement, guarantee to restore and reactivate the SRP structure and obtain reimbursement from VCS should irrigation ever be required in this area in the future.

Upon completion of the above:

VCS may complete and occupy the second story of their new classroom building. The temporary modular classrooms will be removed within 45 days of occupancy of the second story. VCS will submit a comprehensive master plan that covers full build-out of the campus. VCS will submit a comprehensive traffic study for the full build-out campus master plan. The Planning division will process the VCS application for rezoning a portion of the campus.

The Deactivation Agreement between the City of Chandler and SRP contains the following key provisions:

SRP will abandon its use of the irrigation facility. The City of Chandler, through a separate agreement, will cause removal of the facility at VCS's sole expense. If at any time in the future, SRP determines irrigation is again needed at this location, the City will provide easements and pay all costs for design and construction of a replacement facility. SRP will design, construct, own and operate the replacement facility and hold the City harmless for any loss or damage. SRP agrees to comply with all City code requirements for all work in the City right of way.

Financial Implications:

Neither the agreement between the City of Chandler and VCS nor the agreement between the City of Chandler and SRP require any immediate capital expenditures by Chandler. However, by entering into the agreement with SRP, Chandler is guaranteeing to pay for re-activation of the irrigation structure on North 56th Street, should that ever become necessary in the future. Per the Development Agreement with VCS, however, the City of Chandler would be fully reimbursed by VCS for those expenses.

7. Final Plat, PLT20-0024, Ferguson Enterprises MDC
Move City Council approve Final Plat, PLT20-0024, Ferguson Enterprises MDC, located on the south side of Queen Creek Road, east of Hamilton Street, as recommended by Development Services Staff.

BACKGROUND FROM COUNCIL MEMO:

Site is a single lot, 50.674 acres in size. Zoned Planned Area Development (PAD), Planned Industrial (I-1). The Council approved the zoning for industrial uses on November 7, 2019. The property owner is seeking Final Plat approval in order to construct an industrial building. The final plat establishes the tract boundaries, and creates the easements and rights of way to be conveyed or dedicated as part of developing the site in substantial conformance with Council approved zoning.

8. Final Plat, PLT20-0025, Casadia
Move City Council approve Final Plat, PLT20-0025, Casadia, located on the east side of McQueen Road, south of Chandler Heights Road, as recommended by Development Services Staff.

BACKGROUND FROM COUNCIL MEMO:

Site is 5.0386 acres in size. Zoned Planned Area Development District (PAD) for residential subdivision. 13 proposed lots and 3 tracts. The Council approved the rezoning of the property to Planned Area Development (PAD) for a single-family residential subdivision on April 20, 2020. The current property owner is seeking to subdivide the parcel into 13 residential building lots to be sold and owned individually. The final plat creates the lots, tracts, easements and rights of way to be conveyed or dedicated as part of developing the site in substantial conformance with the Council-approved rezoning.

9. Purchase of HVAC Equipment, Installation and Services from TDIndustries, Inc., Johnson Controls, Inc., Daikin Applied Americas, Inc., and Trane U.S. Inc.
Move City Council approve the utilization of Omnia Partners Contracts, No. R200403 with TDIndustries, Inc., Contract No.R200402 with Johnson Controls, Inc., Contract No.R200401 with Daikin Applied Americas, Inc., and Contract No. 15-JLP-023 with Trane U.S. Inc., for the purchase of HVAC equipment, installation and services, in an amount not to exceed \$815,000.

BACKGROUND FROM COUNCIL MEMO:

The Building and Facilities Division frequently uses outside vendors for repair and maintenance of Heat, Ventilation and Cooling (HVAC) equipment. This agreement will provide the City with multiple

contractors for scheduled, preventive and emergency HVAC repairs throughout the City. Building and Facilities will use this agreement for emergency repairs, and or replacement of packaged units, chillers, boilers and other related HVAC equipment located throughout the City. This will reduce the premature failure of the equipment during peak demand and provide optimum energy efficiency. In addition, Public Works & Utilities Department will utilize this agreement for emergency repairs, and or replacement of packaged units, chillers, boilers and other related HVAC equipment at various locations throughout the Department.

10. Agreement No. BF9-910-4013, Amendment No. 1, with Rycon Industries, Inc., dba Skyline Window Cleaning for Window Washing Services
Move City Council approve Agreement No. BF9-910-4013, Amendment No. 1, with Rycon Industries, Inc., dba Skyline Window Cleaning, for window washing services, in an amount not to exceed \$60,000, for a one-year term, February 1, 2021, through January 31, 2022.

BACKGROUND FROM COUNCIL MEMO:

Building and Facilities is responsible for the window cleaning and power washing of entry points at City buildings. The City Hall tower windows require specialized equipment and personnel certifications. The windows are typically cleaned every three months but can be more frequent depending on the facility, use, and environmental conditions.

11. Enterprise License Agreement with Environmental Systems Research Institute, Inc. (ESRI)
Move City Council approve Agreement No. 4289 with Environmental Systems Research, Inc. (ESRI) for an enterprise license for Geographic Information System (GIS) software in the amount of \$480,000 for a three-year period beginning March 12, 2021, through March 11, 2024, payable on an annual basis.

BACKGROUND FROM COUNCIL MEMO:

The City's Geographic Information System (GIS) is based on ESRI GIS products. The City's GIS allows staff, citizens and business partners the ability to view City data in a spatial manner related to its physical location within the City. Since 2009, the City has had an Enterprise License Agreement with ESRI which allows City departments to deploy GIS software products as needed to support City services. The GIS advisory Committee considers each request for additional software installations to determine validity and monitors software installed to not adversely affect future costs of the licensing agreement. Recently, ESRI changed their pricing model and moved the City of Chandler to a Small Enterprise Government Agreement. This change simply moves the City into a different customer category. The City will continue to receive the same support and benefits experienced under the prior licensing arrangement.

12. Agreement with Accelerated Technology Laboratories, Inc., for a Hosted Laboratory Information Management System
Move City Council award Agreement No. IT9-208-4063, to Accelerated Technology Laboratories, Inc., for a hosted laboratory information management system, in the amount of \$73,799.

BACKGROUND FROM COUNCIL MEMO:

The Water Quality Division operates laboratories at three locations. The laboratories perform water quality regulatory compliance testing required by the Environmental Protection Agency (EPA) and Arizona Department of Environmental Quality (ADEQ), and process control testing to support water and wastewater treatment facilities. With over 6,500 samples received annually, each sample is tested for

multiple constituents. Every sample also carries with it numerous Quality Assurance/ Quality Control (QA/QC) prerequisite criteria that must be met by the laboratories.

Currently, sample tracking, management of the workflow, QA/QC tasks, testing results, data review, and record-keeping are done manually. Once testing is complete, in-house laboratory results are manually entered into spreadsheets and the water quality database. This manner of managing the laboratory workload is inefficient as well as subject to potential transcription errors, lost information, or inaccuracies that could compromise compliance. Implementing a Laboratory Information Management System (LIMS) will provide an automated interface with laboratory instruments to streamline entering of test results and QA/QC tracking, as well as a searchable sample management system to efficiently track the status of laboratory samples, testing, reporting, and sample storage. LIMS will also provide operational efficiencies for the Water Quality Division and maintain compliance with State and Federal water and wastewater regulations.

13. Purchase of VMware Licenses and Annual Support from Dell
Move City Council approve the purchase of VMware licenses and annual support utilizing the State of Arizona Contract No. ADSPO16-098163 with Dell in the amount of \$134,366.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler IT Department leverages VMware technologies to create efficiencies in infrastructure resources for applications and critical City services. Staff is recommending this purchase of additional VMware software to support the Dell/EMC VxRail solution. That solution will be providing server and storage resources for Citywide applications such as Lucity, ESRI GIS, MyTimekeeper, Accela, etc. This purchase will be co-termed to the existing VMware maintenance and renewed annually.

14. License Series 12, Restaurant Liquor License application for Sonas Tavern #1, dba Rosati's Pizza
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 132127, a Series 12, Restaurant Liquor License, for Amy S. Nations, Agent, Sonas Tavern #1 Inc., dba Rosati's Pizza, located at 1050 E. Ray Road, Suite 2, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300287 L12.

BACKGROUND FROM COUNCIL MEMO:

This application for a liquor license was posted for hearing on February 25, 2021. 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. 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.

15. License Series 12, Restaurant Liquor License application, for GTC Chandler LLC, dba Good Time Charli's
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 132752, a Series 12, Restaurant Liquor License, for Raymond F. Sanchez, Agent, GTC Chandler LLC, dba Good Time Charli's, located at 6045 W. Chandler Boulevard, Suite 7, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300408 L12.

BACKGROUND FROM COUNCIL MEMO:

This application for a liquor license was posted for hearing on February 25, 2021. 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. 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.

16. New Liquor License Series 6, Bar Liquor License application for Yaashi Sibs Inc., dba 810 Billiards & Bowling
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 132056, a Series 6, Bar Liquor License for Poonam Manek, Agent, Yaashi Sibs Inc., dba 810 Billiards & Bowling, located at 3455 W. Frye Road, Suite 2, and approval of the City of Chandler, Series 6, Bar Liquor License No. 300410 L6.

BACKGROUND FROM COUNCIL MEMO:

This application for the transfer of a liquor license was posted for hearing on February 25, 2021. 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. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

17. New Liquor License Series 12, Restaurant Liquor License application for Paletas Betty LLC, dba Paletas Betty
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 132855, a Series 12, Restaurant Liquor License, for Alvin Doi-Chih Hong, Agent, Paletas Betty LLC, dba Paletas Betty, located at 96 W. Boston Street, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 130621 L12.

BACKGROUND FROM COUNCIL MEMO:

This application for a liquor license was posted for hearing on February 25, 2021. 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. 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.

18. New License Series 4, In State Wholesalers Liquor License application, for Nuwave Beverage LLC, dba Nuwave Beverage
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 129847, a Series 4, In State Wholesalers Liquor License, for Surekha Soorma, Agent, Nuwave Beverage LLC, dba Nuwave Beverage, located at 3225 N. Arizona Avenue, Suite 10, and approval of the City of Chandler, Series 4, In State Wholesalers Liquor License No. 300441 L04.

BACKGROUND FROM COUNCIL MEMO:

This application for a liquor license was posted for hearing on February 25, 2021. 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. With a Series 4, In State Wholesalers Liquor License, the business may sell at wholesale to licensed retailers only.

19. Resolution No. 5441 authorizing Amendment No. 3 to the Intergovernmental Agreement (IGA) with Maricopa County for the Purpose of Providing Temporary Housing for At Risk Individuals and Families due to the COVID-19 Pandemic Utilizing Hotel Rooms
Move City Council pass and adopt Resolution No. 5441 approving and authorizing Amendment No. 3 to an Intergovernmental Agreement (IGA) between Maricopa County Administered by its Human Services Department and City of Chandler for the purpose of providing temporary housing for at-risk individuals and families due to the COVID-19 pandemic utilizing hotel rooms in an amount of \$79,580 for a new total expenditure of \$238,740; extending the term of the agreement through March 31, 2021; and

authorizing the City Manager or designee to sign the agreement and all related documents on behalf of the City of Chandler.

BACKGROUND FROM COUNCIL MEMO:

On March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared a State of Emergency in Arizona due to the novel Coronavirus and determined that the COVID-19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city, or town, and which requires the combined efforts of the State of Arizona and its political subdivisions.

On March 19, 2020, Chandler Mayor Kevin Hartke issued a proclamation declaring the existence of an emergency as a result of the COVID-19 outbreak, placing the City of Chandler, County of Maricopa, and State of Arizona, in a condition of extreme peril to life and property. Pursuant to the emergency powers vested in the Mayor under Arizona Revised Statutes §26-311 and Chandler City Code §6-3.2, Mayor Hartke determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property.

In April 2020, the Maricopa County Human Services Department approached the cities of Mesa, Tempe and Chandler with a proposal to work cooperatively to assist persons experiencing homelessness by providing temporary housing to prevent exposure to the COVID-19 virus. Maricopa County agreed to enter into a lease agreement with a hotel and provide 24/7 on site security, while the partnering cities would provide the clientele and wrap-around services to support them during their stay and assist them in their transition to permanent housing. On July 13, 2020, the City of Chandler entered into this agreement for the period of April 26, 2020 through July 26, 2020. The service was successful, providing safe accommodations for Chandler residents experiencing homelessness to shelter in place. Regrettably, the hotel property changed ownership in July 2020 and the new owner chose not to renew the lease agreement with Maricopa County.

On August 13, Amendment No. 1 was approved to extend the agreement to September 30, 2020, and add funding in an amount not to exceed \$79,580 for 10 hotel rooms and security services. The City of Chandler secured hotel space and security services and continued to place and provide wrap-around support to program participants with the ultimate goal of transitioning them to permanency. On October 15, Amendment Number 2 was approved adding \$79,580 for a new not-to-exceed amount of \$159,160 and extending the term of the agreement through December 31, 2020. Amendment Number 3 continues the support of 10 hotel rooms and security services through the addition of \$79,580 for a new not-to-exceed amount of \$238,740 and extends the term of the agreement through March 31, 2021.

The City of Chandler also utilizes Community Development Block Grant-Coronavirus (CDBG-CV) and AZ CARES funds to support this program. Through January 31, 2021, 104 Chandler residents have been served through the program. Of these, 43 have successfully transitioned to permanent housing and 14 have entered emergency shelter or inpatient care where they will receive ongoing services to improve their housing stability and end their homelessness. As of January 31, 2021, 39 residents are actively participating in the program.

Financial Implications:

The City of Chandler provides client services through City staff and an existing contract with Community Bridges, Inc. which is funded from the Grant Fund, Community Development Cost Center, Food Meals and Lodging Account, and Maricopa County Cares Act Program (217.4700.5514.0.3NR001) for \$79,580.

20. Resolution No. 5442 Authorizing the Reallocation of AZCares Grant Funds for Future Distribution; and Reallocation to Chandler AZCEND, the Salvation Army Chandler Corps, Save the Family, and the Neighborhood Resources Department for Services to Assist Chandler Households Negatively Impacted by the Coronavirus Pandemic
Move City Council pass and adopt Resolution No. 5442 Authorizing the Reallocation of \$3,000,000 of AZCares Grant Funds for future distribution; and authorizing reallocation to AZCares grant funds in the amount of \$1,115,000 to Chandler AZCEND, the Salvation Army Chandler Corps, Save the Family, and the Neighborhood Resources Department for services to assist Chandler households negatively impacted by the Coronavirus Pandemic.

BACKGROUND FROM COUNCIL MEMO:

On December 10, 2020, City Council approved Resolution No. 5430 authorizing the allocation of \$4,115,000 of AZCARES funds to assist Chandler Households in need as a result of COVID-19. Specifically, the resolution authorized the allocation of \$3,815,000 to AZCEND for rent and utility assistance, \$200,000 to the Salvation Army Chandler Corps for rent and utility assistance, and \$100,000 to the Neighborhood Resources Department for hotel stays for persons experiencing homelessness. At this time, existing funds for these services were on target for full expenditure by December 31, 2020, and community need for these services remained high.

In late December, Maricopa County notified AZCEND, the Community Action Program (CAP) serving Chandler residents, that it would make additional funds available to continue assistance through January and February, or until funds ran out. In early January, the City received notice from the US Department of the Treasury that it was eligible to apply for the new Emergency Rental Assistance Program (ERAP) and that funds would be available soon thereafter. The Neighborhood Resources Department applied for the funds on behalf of the City and received an award of \$7,946,091.60.

The new ERAP funds have very specific eligibility requirements. The program may assist renters with incomes up to 80% area median income (AMI) who meet specific criteria including receipt of unemployment benefits or can document a loss of income resulting from COVID-19, and can demonstrate a risk of homelessness or housing instability. Households at or below 50% AMI must be prioritized. Neither mortgage assistance nor move-in assistance is eligible through ERAP. Some Chandler households will have an urgent need, but be unable to meet the required criteria or provide the required documentation. In addition, there is an increasing need for move-in assistance to rehouse households that have become homeless as a result of the pandemic. To successfully combat housing instability and homelessness, it is critical to have alternative sources of funding available to assist Chandler households in need.

As a result of this new resource, staff recommends the reallocation of \$3,000,000 of AZCares grant funds be returned to the AZCares Grant Fund, Financial Reserve for future distribution. In addition, staff recommends reallocating the remaining \$1,115,000 of the \$4,115,000 AZCares funds allocated on December 10, 2020, to AZCEND, the Salvation Army Chandler Corp, Save the Family, and the Neighborhood Resources Department to serve Chandler households in need as follows:

Staff recommends allocating \$200,000 of AZCares grant funds to AZCEND for rent, utility, mortgage and move-in assistance. These funds will complement the ERAP funds recommended for allocation to AZCEND in Resolution No. 5443. In addition, staff recommends allocating \$450,000 of AZCares grant funds to the Salvation Army Chandler Corps for rent, utility, mortgage and move-in assistance, as well as a second year of weather-related respite services previously supported for one year through AZCares grant funds. These funds will allow the Salvation Army to continue to the level of service they are currently providing through their first allocation of AZCares grant funds.

Staff also recommends allocating \$340,000 AZCares funds to Save the Family to support Rapid Rehousing for Chandler families with children for a second year. This program quickly re-houses Chandler families that become homeless as a result of COVID-19 and supports them as they regain stability and move back to independence. This program was previously funded for one year with AZCares funds. This service continues to be in high demand as the pandemic continues and emergency shelter continues to operate at a decreased capacity across the Valley. Finally, staff recommends allocating \$125,000 AZCares grant funds to the Neighborhood Resources Department for hotel stays and client services for people experiencing homelessness.

Financial Implications:

AZCares of \$3,000,000 would be transferred back to the Grant Fund, Non-Departmental Cost Center, AZCares Financial Reserve Account (217.1290.5926.0.3AZ000), from the Grant Fund, Community Development Cost Center, Professional Services Account, Community Support Program (217.4700.5219.0.3AZ001), for future distribution by Council.

21. Resolution No. 5443 Authorizing an Agreement with the US Department of the Treasury for the Emergency Rental Assistance Program; Agreement with AZCEND to Administer and Distribute Funds to Assist Chandler Households in Need Due to COVID-19; Authorizing the Neighborhood Resources Department to Administer the Emergency Rental Assistance Program and Continue the Chandler Cares Team for a Second Year
- Move City Council pass and adopt Resolution No. 5443 approving and authorizing an agreement between the US Department of the Treasury and the City of Chandler in the Amount of \$7,946,091.60 for the Emergency Rental Assistance Program and approve a General Fund, Contingency Transfer to the Grant Fund, Neighborhood Resources Department, Community Development Cost Center; thereby authorizing an agreement with AZCEND to administer and distribute funds in the amount of \$7,671,091.60 to assist Chandler households in need due to COVID-19; and authorizing the Neighborhood Resources Department to utilize \$275,000 to administer the Emergency Rental Assistance Program and Continue the Chandler Cares Team for a Second Year; and authorizing the City Manager or designee to sign agreements and all related documents on behalf of the City of Chandler.

BACKGROUND FROM COUNCIL MEMO:

On March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared that a State of Emergency exists in Arizona due to the COVID-19 outbreak and determined that the COVID-19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city, or town, and which requires the combined efforts of the State of Arizona and its political subdivisions. On March 19, 2020, the Mayor of the City of Chandler Kevin Hartke, by proclamation declared a State of Local Emergency for the City to protect the health, safety, and welfare of the City and its residents and further declared that COVID-19 outbreak constitutes a condition of extreme peril to life and property within the City. Many Chandler households

continue to demonstrate an urgent need for rental and utility assistance due to the financial impacts of COVID-19, including loss of employment.

The United States Department of the Treasury, (Treasury) included appropriations for an Emergency Rental Assistance Program, (ERAP) created under Section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) (Section 501), for eligible local governmental entities. The Neighborhood Resources Department applied on behalf of the City to obtain Section 501 federal funds in connection with the City's responsibility for the public health, safety, and welfare of its citizenry and its determination that a compelling public purpose exists for the expenditure of federal funds for rental and utility assistance to ensure a safer and more stable environment during the COVID-19 emergency.

As a result, the Treasury has released payment of \$7,946,091.60 in ERAP funds to the City. The non-profit organization AZCEND, serves as the City's Community Action Program (CAP) and works in partnership with the City to administer federal and local funds allocated for this purpose. AZCEND is uniquely qualified to administer and distribute these funds in compliance with Federal regulations, reporting requirements and expenditure deadlines. The City and AZCEND desire to enter into a contract in the amount of \$7,671,091.60 so that AZCEND may assist the City in administering and distributing ERAP funds. The City will utilize \$275,000 of the ten percent administrative allowance to administer the grant and fund the Chandler CARES Team, which assists Chandler residents and landlords in navigating the application process for a second year.

Financial Implications:

An allocation of \$7,671,092 would be transferred from the General Fund, Non-Departmental Cost Center, Contingency Account (101.1290.5911), to the Grant Fund, Community Development Cost Center, Professional Services Account, Emergency Rental Assistance Program (217.4700.5219.0.3NR002). The Neighborhood Resources Department will distribute \$7,671,091.60 to Chandler AZCEND to administer and distribute the funds, \$275,000 will be used by the City to administer and fund the Chandler Cares Team. There are no match requirements for ERAP funds.

22. Agreement No. PW8-926-3939, Amendment No. 2, with United Fibers, LLC, for Processing and Marketing of Recyclable Materials
Move City Council approve Agreement No. PW8-926-3939, Amendment No. 2, with United Fibers, LLC, for the processing and marketing of recyclable materials, in an amount not to exceed \$1,200,000, for a one-year term, March 1, 2021, through February 28, 2022.

BACKGROUND FROM COUNCIL MEMO:

On March 1, 2019, the City entered into an agreement with United Fibers, LLC, to process collected recyclable material. More than 20,935 tons of recycled material was collected from Chandler residents' homes in 2020 and delivered to United Fibers, LLC, for processing. The terms of the original agreement included a processing fee of \$67.00 per ton, with the City receiving a 55% revenue share based on the weighted average of the actual sales of marketable recyclables per ton, and a \$2.00 per ton education fee paid to the City. The term of this agreement was March 1, 2019, through February 28, 2020, with the option of up to four one-year extensions.

In February 2020, City Council approved Amendment No. 1 to the agreement with United Fibers, LLC, that increased the processing fee to \$80.00 per ton, and implemented a new waste disposal fee in the amount of \$40.00 per ton for the disposal of contamination, residue, and trash, and eliminated the

education fee. For this extension term, United Fibers, LLC, has requested to increase the processing fee to \$85.00 per ton or an estimated annual increase of \$160,000. All other terms of the previous agreement remain the same. These terms are consistent with what the vendor has agreed to with its other municipal customers. Staff continues to explore all options to reduce the cost required to process recycling materials generated within the City, as well as develop educational programs and communications regarding accepted recyclable materials and reduce contamination rates.

23. Project Agreement No. SW2101.401, with Nesbitt Contracting Co., Inc., for the Solid Waste Landfill West Side Stormwater Channel Improvements
Move City Council award Project Agreement No. SW2101.401, to Nesbitt Contracting Co., Inc., pursuant to Job Order Contract No. JOC1907.401, for the Solid Waste Landfill West Side Stormwater Channel Improvements, in an amount not to exceed \$248,712.72.

BACKGROUND FROM COUNCIL MEMO:

The Paseo Vista Recreation Area, located at 3850 S. McQueen Road, is a 64-acre former landfill site. In 2005, the landfill was closed, and the site was redeveloped into a recreation area in 2009. One of the maintenance requirements for the closed landfill is to convey stormwater from the site to designated retention basins. One of the stormwater conveyance channels that stretches along the west side of the site has several sections that need repair due to settlement and erosion-caused damage. The general structural integrity of the channel is intact, but sections have either risen or dropped in elevation. These vertical changes have interrupted the designed passive functionality of the channel conveying stormwater that falls on the closed landfill to designated retention basins.

City staff has selected the channel sections that have the most severe vertical elevation changes for removal and replacement. With these vertical issues, debris and sediment collect in the channel, and City staff is tasked with clearing the channel to restore the functionality. The channel is situated along the west side of the Paseo Vista Recreation Area, adjacent to the Paseo Trail and Salt River Project Consolidated Canal. The work will be coordinated with the Park Operations Division for any impacts to park amenities or the Paseo Trail. The project scope of work consists of removal and replacement of approximately 800 linear feet of the concrete channel, including subgrade preparation, compaction, shotcrete installation, and restoration of landscape areas disturbed by the work. The contract completion time is 90 calendar days following Notice to Proceed.

24. Construction Manager at Risk Contract No. WA2008.251, with Achen-Gardner Construction, LLC, for the Loop 101 and 202 Freeway Waterline and Sewer Rehabilitation Pre-Construction Services
Move City Council award Construction Manager at Risk Contract No. WA2008.251 to Achen-Gardner Construction, LLC, for the Loop 101 and 202 Freeway Waterline and Sewer Rehabilitation Pre-Construction Services, in an amount not to exceed \$249,854.82.

BACKGROUND FROM COUNCIL MEMO:

In February 2018, the City experienced a large water main break northeast of the intersection of Price Road and the Loop 202 Santan Freeway. Staff responded quickly by shutting down the 36-inch diameter water transmission main. In the following months, the City hired a consultant and contractor to evaluate the cause and condition of damaged pipeline and perform necessary repairs. The condition assessment of the pipeline revealed that it was in poor condition and recommended that rehabilitation or replacement of the pipe be considered.

The project scope of work consists of constructability studies and review, value engineering, project planning and scheduling, assistance in the coordination of contract documents, utility location, and preparation of Guaranteed Maximum Price packages. The contract completion time is 360 calendar days following Notice to Proceed. Construction-related contracts will be awarded separately. The City and the Arizona Department of Transportation (ADOT) share a substantial interest in maintaining proper operation and long-term viability of these pipeline segments that cross beneath the Loop 101 and Loop 202 freeway interchange. The City will continue to engage ADOT to partner in future efforts to assess and repair these pipelines.

25. Construction Manager at Risk Contract No. WW1901.401, with McCarthy Building Companies, Inc., for the Water Reclamation Facility Improvements GMP-1
Move City Council award Construction Manager at Risk Contract No. WW1901.401 to McCarthy Building Companies, Inc., for the Water Reclamation Facility Improvements GMP-1, in an amount not to exceed \$5,842,737.

BACKGROUND FROM COUNCIL MEMO:

The City provides wastewater services to over 260,000 residents. This number is projected to increase to 300,000 by the year 2040. Wastewater is delivered to reclamation facilities where it is treated to produce A+ quality effluent for delivery to the City's reclaimed water system. The Ocotillo Water Reclamation Facility, located at 3333 S. Old Price Road, was originally built in 1985. The Airport Water Reclamation Facility, located at 905 E. Queen Creek Road, was originally built in 1998. Both facilities are in need of rehabilitation due to aging infrastructure. Major components of the project will include the replacement of sand media filters with updated cloth media technologies, rehabilitation of secondary clarifiers, replacement of large diameter blower piping, and related instrumentation and electrical upgrades.

The project scope of work for this first Guaranteed Maximum Price (GMP) construction contract consists of procurement of disc filters and stainless steel gates, demolition, and concrete work. This is the first of several GMP construction contracts that will be brought forward for City Council consideration on this project. The contract completion time is 250 calendar days following Notice to Proceed. A related Professional Services Agreement with Wilson Engineers, LLC., for the Water Reclamation Facility Improvements, is also scheduled for this City Council meeting.

26. Professional Services Agreement No. WW1901.451, with Wilson Engineers, LLC, for the Water Reclamation Facility Improvements Construction Management Services
Move City Council award Professional Services Agreement No. WW1901.451 to Wilson Engineers, LLC, for the Water Reclamation Facility Improvements Construction Management Services, in an amount not to exceed \$126,410.

BACKGROUND FROM COUNCIL MEMO:

The City provides wastewater services to over 260,000 residents. This number is projected to increase to 300,000 by the year 2040. Wastewater is delivered to reclamation facilities where it is treated to produce A+ quality effluent for delivery to the City's reclaimed water system. The Ocotillo Water Reclamation Facility, located at 3333 S. Old Price Road, was originally built in 1985. The Airport Water Reclamation Facility, located at 905 E. Queen Creek Road, was originally built in 1998. Both facilities are in need of rehabilitation due to aging infrastructure. This is the first of subsequent Guaranteed Maximum Price (GMP) scopes of work for the overall project. Major components of the first GMP scope of work include the replacement of sand media filters with updated cloth media technologies, rehabilitation of

secondary clarifiers, replacement of large diameter blower piping, and related instrumentation and electrical upgrades.

The project scope of work consists of pre-construction assistance, contractor oversight, construction administration, construction inspection, schedule review, review of progress payments, and response to shop drawings and submittals. The contract completion time is 300 calendar days following Notice to Proceed. A related Construction Manager at Risk Contract with McCarthy Building Companies, Inc., for the Water Reclamation Facility Improvements, is also scheduled for this City Council meeting.

27. Resolution No. 5438, Authorizing an Agreement Among the City of Chandler, Pima Utility Company, and Sun Lakes Marketing Limited Partnership, LLP, for Potable Water Interconnect and Abandonment of Inactive Wells

Move City Council approve Resolution No. 5438, authorizing an agreement among the City of Chandler; Pima Utility Company, an Arizona Corporation; and Sun Lakes Marketing Limited Partnership, LLP, an Arizona limited partnership and a corporate affiliate of Pima Utility Company; for the delivery of potable water through interconnections between their potable water distribution systems and for the abandonment of inactive wells located near Alma School and Willis roads, Alma School and Pecos roads, and Alma School and Queen Creek roads and authorizing the Public Works and Utilities Director to execute the Agreement.

BACKGROUND FROM COUNCIL MEMO:

Pima Utility Company manages a water distribution system for the Sun Lakes community, which is located southwest of Chandler and shares a common border with the City. The Pima Utility Company has requested the City provide an interconnection between the two respective water systems. With a population of just under 15,000 residents, Sun Lakes has a small water system and is dependent on only a few wells and storage reservoirs to meet its customers' needs. These factors have prompted Sun Lakes to seek interconnect facilities with its closest neighbors as a means of providing water to its customers during any potential future outages and planned maintenance activities.

This proposed interconnect agreement will allow Chandler to supply potable water to Sun Lakes in the event its system experiences an emergency condition and is unable to meet its normal customer demands. In return, Sun Lakes agrees to ensure four of its inactive irrigation wells, which are situated off of Alma School Road, are abandoned per Arizona Department of Water Resources guidelines. This abandonment is beneficial to Chandler as these wells are within proximity of the City's existing potable water wells and there is potential for these wells to provide a pathway for contaminants to reach the aquifer. Additionally, Chandler will be reimbursed for the water provided at Chandler's then-current out-of-city industrial rate and also benefit by receiving Long Term Storage Credits (LTSCs) for all water delivered through the interconnect facilities.

28. Purchase of Network Equipment and Services from Sentinel Technologies, Inc.
Move City Council approve the purchase of network equipment and services from Sentinel Technologies, Inc., utilizing 1GPA Contract No. 21-02PV-08, in an amount not to exceed \$126,940.

BACKGROUND FROM COUNCIL MEMO:

The Tumbleweed Aquifer Storage and Recovery (ASR) site consists of ten aquifer recharge and recovery wells used to store reclaimed water during times of excess and to supplement the reclaimed water system during times of peak demand. Upgrades are underway to change over from radio communication to fiber optic communications to enhance operations and security as well as to improve

control remotely from the Airport Water Reclamation Facility (AWRF). To facilitate this communication conversion, new programmable logic controllers are being upgraded to the latest versions as current units are obsolete and unsupported by the manufacturer. This upgrade is in accordance with the Supervisory Control and Data Acquisition (SCADA) Standards and Governance study as well as the City of Chandler Fiber Optic Master plan. This proposal is for installation of the required network switches and integration support to allow for communication between the programmable logic controllers and the SCADA system. The ultimate goal of the project is to provide improved reliability and security of communications and control between the Tumbleweed ASR well field and the AWRF.

29. Agreement No. BF8-936-3802, Amendment No. 2, with Western States Fire Protection Co., for Fire Protection Services
Move City Council approve Agreement No. BF8-936-3802, Amendment No. 2, with Western States Fire Protection Co., for fire protection services, increasing the spending limit by \$720,000, for a revised amount not to exceed \$920,000.

BACKGROUND FROM COUNCIL MEMO:

The Pecos Surface Water Treatment Plant (PSWTP), located at 1475 E. Pecos Road, was built in 1987 and placed into service in 1989. The administration building houses a number of Public Works & Utilities Department staff and is the central hub of all water treatment and production throughout the City. Recently, a routine inspection of the fire monitoring systems at the PSWTP uncovered equipment failures which are preventing the various building fire alarm panels from communicating with each other. The lack of communication is a safety concern as in the event of a fire, the panels will not be able to relay trouble alarms to the Administration building to alert staff.

Accordingly, PSWTP staff has worked with Western States Fire Protection representatives to develop a scope and cost associated with replacing the obsolete panels. Due to the age of the equipment, the systems cannot be repaired and must be replaced. This amendment will provide for the purchase and installation of replacement fire monitoring equipment and the repair of the alarm communications network. The Buildings & Facilities Division is also requesting additional funds to replace fire alarm systems that were identified as Priority 1, Year 1, in the facility condition assessment performed by consultant Faithful and Gould. Several of the fire alarm systems are currently experiencing operational issues and should be replaced now and not be delayed in anticipation of bond allocations.

30. Sole Source Purchase of Hach Equipment, Service, and Parts
Move City Council approve the sole source purchase of Hach equipment, service, and parts, from Hach Company, in the amount of \$265,000.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department currently has a large amount of Hach Company water quality monitoring instruments installed throughout various water and wastewater treatment facilities. These instruments are critical to the operation of the facilities they serve and provide much needed data to the operations staff to ensure regulatory compliance and public health goals are maintained at all times. Hach Company is a sole source supplier of the equipment, parts, supplies, and technical support needed to maintain their proprietary equipment. Hach Company parts and supplies are required to maintain the accuracy and reliability of the equipment and to ensure the warranty remains intact. This purchase will provide staff with the ability to maintain existing Hach Company water quality instrumentation hardware. Additionally, staff will also be able to replace aging water quality instruments when their useful life has been exceeded.

ACTION AGENDA ITEM 31 DISCUSSION:

MAYOR HARTKE called for a staff presentation on Action Agenda Item No. 31.

31. Introduction of Ordinance No. 4958, Preliminary Development Plan and Preliminary Plat, PLH19-0063/PLT19-0055 Elux at McQueen Rezoning

LAUREN SHUMANN, Senior Planner, presented the following Power Point presentation.

- PLH19-0063/PLT19-0055 Elux at McQueen
- Request
 - Rezone from Agricultural (AG-1) district to Planned Area Development (PAD) for multi-family residential
 - Preliminary Development Plan approval for site layout and building architecture
 - Preliminary Plat approval
- Proposed Development
 - 162 units within 12.87 net acres
 - 12.59 units per acre
 - A mix of one and two-story attached and detached units
 - 300 parking spaces required; 327 provided
- Proposed Development
 - Private, gated yards
 - Highly amenitized development
 - Two entrances; McQueen Road and Senate Street
- Proposed Architecture
 - Photo Renderings
- General Plan 2016
 - Future Land Use Plan Map
- Chandler Airpark Area Plan (CAAP) 1998
- Airport Commission Conflict Evaluation
 - Airport Commission November 18, 2020
 - Finding of conflict with current and future operations of the airport
 - Approval 5-0; 2 Absent
- Neighborhood Outreach
 - Virtual Neighborhood Meeting via Zoom; September 30, 2020
 - Five households attended with general questions
 - Staff's received one phone call from Horizon resident; concerns about traffic
 - As of today, staff is aware of no opposition
- Planning and Zoning Commission
 - Meeting held; January 6, 2021
 - Recommendation of Approval
 - In Favor 6-0; 1 Absent
- Staff Recommendation
 - General Plan conformance
 - Chandler Airpark Area Plan conformance
 - Compatible land use
 - Staff recommends approval

COUNCILMEMBER ORLANDO asked for clarification on the location of the two story homes.

MS. SCHUMANN displayed the layout and identified the two story home locations.

COUNCILMEMBER ORLANDO asked what the setbacks were between the house and the property line.

MS. SCHUMANN said the setback is 36 feet. There is about 10 feet of landscaping and a 24 foot drive aisle. The units that face the south are carriage units so there are garages on the first level and each of those would only have two units on top with consideration to how many windows face the south.

COUNCILMEMBER ORLANDO asked about the X's on the map and if that was parking.

MS. SCHUMANN said yes, it is covered parking.

VICE MAYOR STEWART said there were concerns regarding traffic and asked if this could empty on Germann Road.

MS. SCHUMANN said the original site plan had the main entry on Senate Place. When the subdivision to the south developed, Senate Place was developed to allow the property to have full access. In order for viability and visibility the developer requested a stoplight be installed. On the west side of McQueen road there is undeveloped area that would tie into Armstrong Way.

VICE MAYOR STEWART said the light is great for the neighbors there, but not necessarily for those to the south. Vice Mayor Stewart asked if the Airport Area Plan update would happen.

MS. SCHUMANN said staff is in the process of working on that and have met with the consultant. Ms. Schumann said they are in the process of preparing the alternative land use document.

VICE MAYOR STEWART asked for more information by basic guidelines and what staff's benchmarks are.

MS. SCHUMANN said with regards to design there are a set of standards such as varying planes and materials as they do not want a box. Ms. Schumann said the renderings shown are the third submittal as staff was working with the applicant on the architecture. Ms. Schumann said this is more of a single family type home, but is a rental property.

VICE MAYOR STEWART asked where the children in the community play.

MS. SCHUMANN said she would defer to the applicant as to why the amenities did not include a playground. Each unit has a private gated back yard and there are landscaped areas for people to gather.

VICE MAYOR STEWART asked if there were outlets for electric vehicles.

MS. SCHUMANN said she would defer to the applicant.

COUNCILMEMBER HARRIS asked how big the backyards are.

MAYOR HARTKE said the applicant would provide more information. Mayor Hartke asked the Economic Development Director to speak about what other uses may be best for the land.

MICAH MIRANDA, Economic Development Director, said the economy is doing well and there is a lot of interest from manufacturers. Mr. Miranda said he could envision a low density office product or flex industrial which has been successful along the freeway corridors and near the Airport.

MAYOR HARTKE asked what traffic would look like for those products types in comparison to the plan presented.

MR. MIRANDA said depending on the type of use the traffic engineers have different models. The office and industrial are usually on the lighter side, but without having the exact square footage it would be hard to estimate.

COUNCILMEMBER ORLANDO asked if anyone has asked to put something there that is not residential.

MR. MIRANDA said there has been interest on the Armstrong alignment from Hamilton all the way over because of its viability and freeway exposure. Mr. Miranda said staff refers them to the property representative to answer questions.

COUNCILMEMBER ORLANDO asked if the value of the property was conducive to building that.

MR. MIRANDA said he did not have the economics of the proposal for here, but given market for other types of projects there would be interest in doing something like that on the flex industrial side.

COUNCILMEMBER HARRIS asked what the General Plan designates the land as.

MS. SCHUMANN said the General Plan calls for neighborhoods, which is a very broad category that allows for a variety of densities. Ms. Schumann said there could be other uses considered such as commercial, institutional, public facilities, and commercial offices.

COUNCILMEMBER HARRIS said there are residential sites around the land.

MS. SCHUMANN said yes. The property also falls within the Chandler Airpark Area plan which is more specific and all of the surrounding land uses are residential and higher density residential.

VICE MAYOR STEWART asked for the best practice for highway corridors and if there is a standard in the metro Phoenix area.

MR. MIRANDA said the general preference is to put employment against freeway corridors in economic development.

COUNCILMEMBER HARRIS said there should have been more community involvement in the project since only five residents gave their input. Councilmember Harris said the community seemed comfortable with the project being residential over commercial.

COUNCILMEMBER ROE said Ride Now moved near the freeway when they had a good location on Arizona Avenue. The business now is hard to get into and asked if that was the best choice for them.

MR. MIRANDA said in the instance of Ride Now, they moved to a site near other automobile retailers which creates a cluster effect and is attractive in their instance.

MAYOR HARTKE asked the applicant to present.

BRENNAN RAY, 1850 N. Central Ave., on behalf of Snowden McQueen LLC, introduced the Snowden team and the property ownership group. Mr. Ray and presented the following Power Point presentation.

- Elux at McQueen
 - SEC of McQueen Road and Loop 202
- Why this residential development on this Site?
 - 100% consistent with the General Plan, Airpark Area Plan, Santan Freeway Corridor Area Plan
 - 100% consistent with and compatible to existing S-F and M-F developments
 - 100% consistent with good planning principles
 - No neighborhood opposition
 - Planning Staff recommendation for approval
 - Unanimous Planning Commission recommendation for approval (on Consent)
- Why this residential development on this Site?
 - Approval does not impact the City Council's priority of maintaining employment uses on Employment-designated land under the General Plan.
- Project Site and Surrounding Areas
- City's General Plan 2016
 - Future Land Use Plan Map
- Airpark Area Plan 1998
- Santan Freeway Corridor Area Plan October 23 1999
- Site Layout
- Building A
- Building B
- Building C
- Employment Challenges
 - Site Limitations
- Photos looking SE, NW, W, NE, Eastbound, Westbound
- Employment Challenges
 - Site Limitations
 - Traffic sensitivity on McQueen Road
- Traffic Generation
 - Elux at McQueen
 - ITE Code 220
 - Qty 162
 - Unit Dwelling Units
 - Weekday Total 1,184
 - General Office building
 - ITE Code 710
 - Qty 252
 - Unit 1000 SF GFA
 - Weekday Total 2,454
- Traffic Queuing

- General Office Building
 - SB Left 95th Percentile Queue
 - Year 2022 AM Peak Hour 175
 - SB Left Turn Storage Provided 70
 - Queue Exceeds Provided Storage Requires Modification to Median
- Elux at McQueen
 - SB Left 95th Percentile Queue
 - Year 2022 AM Peak Hour 25
 - SB Left Turn Storage Provided 70
 - Sufficient Queue Provided
- Average Daily Traffic Increase
 - Elux at McQueen vs. General Office Development
 - McQueen Road 10% Increase
 - Germann Road 55% Increase
 - Senate Street 39% Increase
- Employment Challenges
 - Site Limitations
 - Traffic sensitivity on McQueen Road
 - Neighbors (None in opposition to the residential case)
- Horizon (South of Site)
 - 10 ft. rear setback
- Employment Challenges
 - Site Limitations
 - Traffic sensitivity on McQueen Road
 - Neighbors (None in opposition to the residential case)
 - Existing entitled Employment land along the 202
- Office Developments on the Loop 202
 - 462,000 sf; 4 story; 4 years on market, initially was to break ground in 2016
 - 65,000 sf; 3 story; under construction
 - 350,000 sf; 4 story and 6 story
 - 220,000 sf; 2 buildings
 - 6 ac. Marketed as office for approx. 2 years
 - 1,097,000 sf office within 2 mi.
- San Tan Frwy 202
 - Chandler Airport Center Master Plan General Uses
- Chandler Airport Center still has over 90 acres of available land to develop within the master plan
- Southeast of airport has over 200 acres of available land. Frontage on Gilbert Road and west of the Hub (Insight) are better candidates for additional corporate office users/projects.
- Employment Challenges
 - Site Limitations
 - Traffic sensitivity on McQueen Road
 - Neighbors (None in opposition to the residential case)
 - Existing entitled Employment land along the 202
 - Planning Principles
- Planning Principles
 - Transition in density/intensity
 - Group "like" developments together
 - Ensure compatibly and uses create synergy

- Planning Staff briefing on Multi-Family (10/15/2020)
 - Suburban Density (12 – 18 du/ac)
 - Along Arterial Roads and Freeways
 - Adjacent to Employment
 - As well as areas where Urban Density is allowed
- Planning Staff briefing on Multi-Family (10/15/2020)
 - Take Aways
 - Continue to follow the General Plan
 - Continue to recommend densities in appropriate locations
 - Density can be a factor in affordability
 - Preserve employment areas (multi-family is complementary to employment, not a replacement for it)
- Why this residential development on this Site?
 - High-quality development that was thoroughly vetted by Planning Staff and the Planning Commission
 - 100% consistent with the General Plan, Airpark Area Plan, Santan Freeway Corridor Area Plan
 - No Neighbor opposition
 - Planning Staff and Unanimous Planning Commission recommendations for approval
 - Preserves Council priority of maintaining employment uses on Employment-designated land under the General Plan
- Request City Council's approval in accordance with Planning Staff's and Planning Commission's unanimous recommendation for approval

COUNCILMEMBER ELLIS asked why this was not a higher density project.

MR. RAY said with the single family style two story units, the highest density he has seen is around 12. This type of development does not achieve a high density. There has been a heightened sensitivity to apartment complexes being built in south Chandler and there is a traffic concern as well. Mr. Ray said they were sensitive to the existing comments Council had received relative to that when designing the site.

COUNCILMEMBER ELLIS said this was great for Chandler.

COUNCILMEMBER ORLANDO thanked Mr. Ray for also protecting the employment corridors. Council member Orlando asked if the existing residents have two stories.

MR. RAY said yes, they are all existing two stories that line the rear of the property.

COUNCILMEMBER ORLANDO asked how tall the two story buildings are.

MR. RAY said 26.7 feet. Mr. Ray said they have oriented the two stories so they are to the development.

COUNCILMEMBER ORLANDO said if they were to put in a multi-flex building would they request a midrise overlay or up to 40 feet.

MR. RAY said yes, the last flex industrial project he worked on in Chandler went to 50 feet. Many of the flex industrial buildings require greater interior clear space.

COUNCILMEMBER ORLANDO said that type of building would be double in size and the industrial flex would be right next to the homes.

MR. RAY said there are a variety of ways to design it.

COUNCILMEMBER ORLANDO said a flex industrial space did not seem to fit the space. Councilmember Orlando asked if the traffic study for the right hand turns included large trucks for a flex industrial space scenario.

MR. RAY said no, the study presumed normal vehicles.

COUNCILMEMBER ORLANDO asked if staff reviewed the traffic study for the office space.

MR. RAY said staff reviews the impact this development would have on adjacent streets. Mr. Ray said there was a long discussion about traffic flows and staff asked for a traffic signal to be put in.

COUNCILMEMBER HARRIS asked about the estimated rent and how much someone would have to make to live in this development. Councilmember Harris said parks are important and there is not a park in the development and asked for clarification.

MR. RAY said he has worked on this type of housing product throughout the Valley and the single family style rental homes are a life style choice. Mr. Ray said this type of housing product is popular with single women who make about 50% of this type of community because of the privacy and security. Mr. Ray said this appeals to those wanting to downsize or young professionals where the maintenance is all inclusive. Mr. Ray said for this housing product there are two children for every 10 residences so there are not a lot of tot lots. Mr. Ray said there is a club house, pools, and open spaces, pickleball courts, and ramadas. Mr. Ray said Tumbleweed Park is nearby as well. Mr. Ray said lots are 8 feet deep and are landscaped. Mr. Ray said the rent range is from \$1,300 to \$2,500 and someone would need to make \$32,000 to \$100,000.

VICE MAYOR STEWART said this is an important piece of property and had some concerns regarding the amenities. Vice Mayor Stewart said he did not see the need for a full traffic light and would like the applicant to work more with staff.

MOTION

COUNCILMEMBER STEWART MOVED TO TABLE ACTION AGENDA ITEM NO. 31 OF THE FEBRUARY 25, 2021, CITY COUNCIL MEETING, TO MARCH 25, 2021; SECONDED BY COUNCILMEMBER ELLIS.

MAYOR HARTKE said he would vote no on an extension to the next Council meeting.

COUNCILMEMBER LOPEZ said he would vote no on an extension and felt the development met the expectations.

COUNCILMEMBER ORLANDO said he heard there were concerns for a tot park, electrical vehicles, and color diversity on the color palette of the design and asked if that was part of the reason for the extension. Councilmember Orlando asked if that was Vice Mayor Stewart's intention then they could work on stipulations to be added.

VICE MAYOR STEWART said he would like to work on the stipulations.

KELLY SCHWAB said Vice Mayor Stewart and Councilmember Ellis would need to rescind their motion.

MOTION WITHDRAWN

MOTION TO TABLE ACTION AGENDA ITEM NO. 31 WAS WITHDRAWN by Vice Mayor Stewart and Councilmember Ellis.

COUNCILMEMBER ORLANDO asked if the applicant would be comfortable with the addition of stipulations.

MAYOR HARTKE asked Vice Mayor Stewart how many electric vehicle stations were being requested.

VICE MAYOR STEWART said he wanted to move the parking away from the existing houses and asked for a minimum of two electric vehicle charging stations.

MR. RAY said they would be agreeable to the tot lot. Mr. Ray said they would be agreeable to providing a minimum of two electric vehicle charging stations. Mr. Ray said there is no parking immediately adjacent to the neighbors, but the drive aisle is 25 feet. There is a 10 foot landscape setback with a row of trees, the 25 foot drive aisle, and then the parking spaces. There is no parking adjacent to the parking development. Mr. Ray said there are some carriage units along the south with garages and 25 covered parking spaces.

VICE MAYOR STEWART said there was concern from a noise perspective.

MR. RAY said that issue was discussed at the neighborhood meeting and there were concerns about privacy. The residents along the north property line felt comfortable with this layout.

VICE MAYOR STEWART asked if all of those homes were occupied.

DEREK HORN, Development Services Director, did not know if they were all occupied.

MR. RAY said he believed they were all occupied.

COUNCILMEMBER HARRIS said he liked the project and believed the project should move forward and asked if the additional details could be worked out after the meeting.

MS. SCHWAB said the stipulations need to be added to the ordinance.

COUNCILMEMBER HARRIS supported the project with the stipulations.

COUNCILMEMBER LOPEZ said he supported the project with the tot lot and the electric vehicle charging stations.

MAYOR HARTKE asked for clarification on the light on Armstrong and McQueen.

DANA ALVIDREZ, City Transportation Engineer, said the recommendation did come from staff as they are looking for connections across the street on the west side of McQueen in order to get circulation to the area. Ms. Alvidrez said Armstrong and Hamilton are the two collectors they are trying to build up.

MAYOR HARTKE asked if the first developer to build is the one to put in the light.

MS. ALVIDREZ said every corner pays 25% is typically how it is done. In this case the development would pay 50%. Ms. Alvidrez said because of the location to the freeway, it is important safe movements can be made out of the development.

COUNCILMEMBER ROE said this piece of land is complex and if Senate was the main entrance it would be more appealing. Councilmember Roe said no one anticipated all of the high density housing, but that is mostly what is being requested to develop. Councilmember Roe said the Armstrong intersection is still a concern and it was disappointing.

COUNCILMEMBER ELLIS was in agreement with the stipulations.

The following speaker cards were received regarding Action Agenda Item No. 31. The speakers did not speak.

Scott Curtis, 4744 N. 56th St., was in support.

Brian Hanger, 2071 E. Kaibab Pl., was in support.

Nancy Berge, 123 N. Centennial Way, was in support.

Andy Baron, 310 E. Rio Salado Pkwy, was in support.

ACTION AGENDA ITEM 31 – MOTION AND VOTE:

COUNCILMEMBER ORLANDO MOVED TO APPROVE ACTION AGENDA ITEM NO. 31 OF THE FEBRUARY 25, 2021, CITY COUNCIL MEETING, WITH THE ADDITIONAL STIPULATIONS THAT THE APPLICANT WORK WITH STAFF TO ADD A MINIMUM OF TWO ELECTRICAL VEHICLE CHARGING STATIONS, PROVIDE A TOT PARK, AND PAINT COLOR SCHEME DIVERSITY; SECONDED BY COUNCILMEMBER HARRIS.

MOTION CARRIED BY MAJORITY (6-1). COUNCILMEMBER ROE DISSENTING.

ACTION AGENDA ITEM 32 DISCUSSION :

MAYOR HARTKE called for a staff presentation on Action Agenda Item No. 32.

32. Resolution No. 5431 Amending the Citywide Fee Schedule

MATT DUNBAR, Budget Manager, presented the following Power Point presentation.

- Overview – Annual Review
 - Departments review fees annually as part of budget process
 - To be effective March 1, 2021 for mid-year changes (Fire and Airport) or effective July 1, 2021 for the remainder
- Overview – Fee Characteristics
 - Fees assessed for use of facilities or services benefiting specific groups
 - Fees reflect recovery of cost to provide service, unless market demands lower rate
 - Authority to charge must exist in City Code (amounts/specifics set by resolution)
- Overview – Schedule
 - Process follows City Code 2-17; The Establishment and Modification of Fees and Rates

- Nov/Dec 2020 Departments proposed fee updates and discussed with City Manager during budget process
- Dec 2020 proposed fees were analyzed and summarized (verified City Code authority existed to charge fees)
- Dec. 23, 2020 Posted proposed new/modified fee summary online for at least 60 days
- Feb. 3, 2021 Feb 10, 2021 Posted and published Notice of Intent to Amend the Citywide Fee Schedule, 15 days prior to Council action, as well as social media postings
- Departments Proposing Fee Updates
 - City Manager- Airport Division
 - Fire
 - Development Services – Planning Division
 - Cultural Development – Museum Division
 - Community Services – Recreation and Aquatics Division
 - Neighborhood Resources –Code Enforcement Division

RYAN REEVES, Airport Business Coordinator, continued the presentation.

- City Manager Airport Division
- Airport Operation Fees
 - Changes the fuel fee calculation
 - Adjust charges for exclusive use of staff time on activity not associated with normal airport operations
 - Adjusts a Hangar Lock/Access Card/Device Replacement Fee
 - Adds retention of the Hangar Deposit and staff hourly rates to any hangar not maintained appropriately
 - Adds Aviation Use lease language
 - P. 7 of Summary/p. 14, 15 of Citywide Fee Schedule

COUNCILMEMBER ORLANDO asked how this compared to the other providers at the Airport of their fuel.

MR. REEVES said staff has been in communication with Chandler Air Service as they also provide self-service and full service fuel. Mr. Reeves said they are aware of the change and have not had any concerns.

COUNCILMEMBER ORLANDO asked if the City also receives a percentage of their fees.

MR. REEVES said yes, there is still a fuel flowage fee per gallon.

COUNCILMEMBER ORLANDO said the pricing would be comparative to the City and the City would also receive a slight fee.

MAYOR HARTKE clarified that all of these changes bring the City closer to the market rates and standards.

SCOTT CHAPMAN, Assistant Fire Chief, continued the presentation.

- Paramedic Student Registration
 - Allows for a \$6,000 fee to be charged for students participating in our paramedic training classes from other agencies
 - (p.1 of Summary/ p. 33 of Citywide Fee Schedule)

COUNCILMEMBER LOPEZ asked how often outside partners send staff to train.

ASSISTANT CHIEF CHAPMAN said it is frequent that regional partners will ask if there are available seats.

DEREK HORN, Development Services Director, continued the presentation.

- Proposed Development Services Fees
 - Adjust Rezoning Fee to \$100 for Historic Preservation district Applications
 - Establish \$50 fee per application for incorporation into an existing Historic Preservation District
 - (p.1 of Summary / p. 26 of Citywide Fee Schedule)

KIM MOYERS, Cultural Development Director, continued the presentation.

- Proposed Museum Fees
 - Remove facility rental fees, merchandise mark-up fee, and Chandler non-profit group fee (allows fees to be collected by newly formed Museum Foundation)
 - (p. 2 of Summary/ p. 24-25 of Citywide Fee Schedule)

COUNCILMEMBER ORLANDO asked how much activity they have had in renting the Museum.

MS. MOYERS said because of COVID-19 they have not had many rentals, but they will continue to have the Museum available keep the rates at market rate.

MAYOR HARTKE asked if there is still City oversight with the fees being collected by the Museum Foundation.

MS. MOYERS said yes, there is oversight on the Foundation and would directly go back into the Museum.

VICE MAYOR STEWART thanked the Museum Foundation for all they do.

ANDY BASS, Community Services Director, continued the presentation.

- Proposed Recreation/Aquatics Fees
 - Mini Field Preparation Fee
 - Changes to lifeguard fees for swim team and general private party use
 - Pool Pass fee changes
 - (p. 3-5 of Summary/ p. 16-18 of Citywide Fee Schedule)

COUNCILMEMBER ORLANDO confirmed it was \$1.75 for children to swim.

MR. BASS said yes.

LEAH POWELL, Neighborhood Resources Director, continued the presentation.

- Proposed Code Enforcement Fees
 - Change abatement administrative fee
 - Add demolition abatement administrative fee
 - (p. 6 of Summary/ p. 30 of Citywide Fee Schedule)
- Fee Deletions
 - Non-compliance re-inspection fee
 - Subsequent non-compliance re-inspection fees
 - (p. 5 of Summary / p. 30 of Citywide Fee Schedule)

MAYOR HARTKE asked if the demolition was done for houses in a certain area that Council had discussed in the past.

MS. POWELL said there was discussion around using CDBG funds to do that and it became complicated because the home owner had to pay a percentage. This was during a time where there were more foreclosures. Ms. Powell said they did clean up several structures and have not had the need to use that type of program since then for homes that pose safety issues.

MAYOR HARTKE said a speaker card was received and invited the resident to speak.

JOHN HOINEKI, 23405 S. 1132 Pl., President of the Arizona Aquatic Club, said they have a partnership with the City Fire Department and the organization runs competitive youth swimming. Mr. Hoineki said he was in support of the life guard fee structure, but requested that it be delayed 6 months due to COVID-19. He said the organization runs on a tight budget and is currently running on a smaller capacity and have taken extraordinary measures to keep members safe. Mr. Hoineki said the delay would allow more time for memberships to recover as some families are still waiting until the situation improves.

MS. REED said the fee would begin at the start of the next fiscal year.

MR. HOINEKI said he is requesting the fee to begin January 2022 for the life guard fee.

MAYOR HARTKE asked when the life guard fee was raised.

MR. BASS said he estimated around 2008 or 2009, but did not have the exact date.

COUNCILMEMBER ORLANDO asked if the pool would lose a lot of money if they were to keep the fee the same until January 2022.

MR. BASS said the fee has been used for many years and they would continue to use the current fee through the season.

COUNCILMEMBER ORLANDO asked if they could add a stipulation in the motion since the fee would still occur in the same fiscal year.

MS. SCHWAB said yes.

MAYOR HARTKE asked if there was a way to use CARES dollars to make the organization whole. There are many organizations who have to pay the life guard fee.

MR. BASS said there is a fee to swim teams and fee for rentals. Mr. Bass said the rentals could be moved up and the swim teams could stay at the current rate.

VICE MAYOR STEWART asked if there was a way to use CARES dollars.

MS. REED said staff did not have concerns moving the fee to January 2022.

COUNCILMEMBER HARRIS suggested all of the increased fees be moved to January 2022.

MAYOR HARTKE said he was in support of pushing this specific fee back, but not all of the fees.

ACTION AGENDA ITEM 32 – MOTION AND VOTE:

COUNCILMEMBER LOPEZ MOVED TO APPROVE ACTION AGENDA ITEM NO. 32 OF THE FEBRUARY 25, 2021, CITY COUNCIL MEETING, WITH THE ADDITIONAL STIPULATION THAT THE LIFE GUARD FEE FOR SWIM TEAMS DOES NOT INCREASE UNTIL JANUARY 2022; SECONDED BY COUNCILMEMBER HARRIS.

MOTION CARRIED UNANIMOUSLY (7-0).

ACTION AGENDA:

31. Introduction of Ordinance No. 4958, Preliminary Development Plan and Preliminary Plat, PLH19-0063/PLT19-0055 Elux at McQueen

Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 4958 approving PLH19-0063 Elux at McQueen, Rezoning from AG-1 to PAD for multi-family residential located at the southeast corner of McQueen Road and the Loop 202 Santan Freeway, subject to the conditions as recommended by the Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH19-0063 Elux at McQueen for site layout and building architecture located at the southeast corner of McQueen Road and the Loop 202 Santan Freeway, subject to the conditions as recommended by the Planning and Zoning Commission.

Preliminary Plat

Move City Council approve Preliminary Plat PLT19-0055 Elux at McQueen located at the southeast corner of McQueen Road and the Loop 202 Santan Freeway, subject to the condition recommended by the Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

This item was continued from the January 28, 2021, City Council meeting to allow the applicant more time to evaluate the proposal. Approximately 12.87 net acres. Subject site zoned AG-1 and undeveloped. General Plan designates the site as Neighborhoods and within a Growth Area. Chandler Airpark Area Plan (CAAP) designates the site as High Density Residential (HDR) 12.1-18 units per acre (du/ac). Project consist of 162 units totaling 12.59 du/ac.

Surrounding Land Use Data:

North	Loop 202 Santan Freeway, then single-family residential	South	Single-family residential (6.7 du/ac)
East	Multi-family (17.94 du/ac)	West	McQueen Road, then vacant agricultural

General Plan and Area Plan Designations:

	Existing	Proposed
General Plan	Neighborhoods & Growth Area	No change
Chandler Airpark Area Plan	High Density Residential (HDR) 12.1-18 du/ac	No change

Proposed Development

Proposed Land Use	Multi-family dwelling units 162 Units 12.59 dwelling units per acre (du/ac)
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Building Design	Height	17' 6" single-story buildings 27' 6" two-story buildings; max 30 feet As measured to top of highest point of roof
	Roof Design and Material	Gable roofs and flat parapets Concrete roof tiles
	Façade Materials	Modern architectural style Stucco Tile cladding
	Building Accents	Four different sizes of tempered glazed windows Metal trim/fascia Tile cladding Canopy at front-door and rear patios
	Building Access	Direct ground-floor walk-up access to each unit
Site Design & Open Space	Detached and attached single-family-like rental units 108 1-story units 54 2-story units Private gated yards for each unit, 192-248 sq. ft. typ. Pool, ramadas, pickle ball court, indoor community gym, dog park, and 1-story club house 2.88 acres of shared open space Full signalized access along McQueen Road with secondary access from Senate Street to the east; the development will be gated	
Parking	300 parking spaces required 327 parking spaces provided including private garages, covered and uncovered spaces, and guest parking	

Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan and more specifically consistent with the 1998 Chandler Airpark Area Plan (CAAP) designation of High-Density Residential. Densities up to 18 dwelling units per acre can be considered for properties adjacent to arterial streets, freeways, and/or employment corridors. The subject site abuts the Loop 202 Santan freeway and existing multi-family to the east. The proposed single unit detached and attached units offer a transition between low-medium density single-family residential to the south and the freeway to the north while aligning with the vision of the CAAP. Although the proposal is for multi-family residential, its design and function are similar to single-family residential. Staff finds the proposal to be consistent with the goals of the General Plan and the CAAP and recommends approval subject to conditions.

Economic Analysis

An economic and fiscal impact analysis was conducted based on project details provided by the applicant and staff assumptions. The analysis determined the project will generate a positive net fiscal impact for the City. Net income to the City resulting from the project is estimated at approximately \$843,336 over 10 years. This total includes revenues from property taxes, building permit and plan review fees, transaction privilege tax on construction, real property rental tax, state shared revenues, and local spending by residents.

Traffic Analysis

The applicant for the proposed development has worked with City staff regarding access to the site via McQueen Road. As surrounding properties developed to the east and south, traffic circulation was considered. Senate Street, a public street, was constructed during the development of the Horizon subdivision to the south, allowing full access to the southeast corner of the subject site. The applicant provided a Traffic Impact Analysis (TIA) to the City's Transportation Engineer detailing traffic patterns of the proposed residential. The counts returning to the site via the recommended route (Senate Street) raised concerns about residents making unprotected u-turns at Germann Road or the entry to the Horizon subdivision to access what was previously planned to be a right-in/right-out only access on McQueen Road. The solution for this development and the larger area, including future office uses west of McQueen Road, is signaling Armstrong Way at McQueen Road. As such, a traffic signal allowing full movement on McQueen Road is proposed and supported by staff in order to reduce traffic on Senate Street and to facilitate traffic circulation for future industrial properties on the west side of McQueen Road. The TIA has been reviewed and accepted by the City's Transportation Engineer.

The proposal exceeds the parking requirements of the City Zoning Code by providing twenty-seven additional spaces. Further, the site layout does not include any tandem parking spaces. Tandem parking spaces may cause a heavier demand to be placed on guest parking spaces by the residents. Avoiding the use of tandem parking spaces further ensures that the number of provided spaces will adequately accommodate the proposed units.

Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. To comply with CDC social distancing guidelines, the applicant hosted a digital neighborhood meeting via Zoom on September 30, 2020. Five (5) households attended the virtual meeting and had general questions about the proposal and buffer between the multi-family and the existing subdivision to the south. No opposition was expressed. Planning staff has received one phone call from a Horizon resident, whose home fronts Senate Street, with traffic concerns from the proposed development. Staff stated Senate Street was built for access to the subject site and a majority of proposed traffic from the new development will use the McQueen Road entry. As of writing this memo, Planning staff has not received any opposition regarding the request.

Airport Commission Conflict Evaluation

Airport Commission meeting November 18, 2020.

Motion to find conflict with existing or planned airport operations.

In Favor: 5 Opposed: 0 Absent: 2 (Siegel, Kruse)

The Airport Commission reviewed the request in accordance with the Airport Conflicts Evaluation Process. The Airport Planning Administrator has issued a conflicts evaluation report indicating that the Airport Commission determined that the proposed development does constitute a conflict with existing or planned airport operations. A copy of the Airport Planning Administrator's report detailing the Airport Commission's findings is attached to this memo. The Airport Commission's recommended mitigation measures to address the operational conflict are included as stipulations of the rezoning.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting January 6, 2020.

Motion to Approve.

In Favor: 6 Opposed: 0 Absent: 1 (Heumann)

Recommended Conditions of Approval

Rezoning

Planning and Zoning Commission recommends the City Council approve rezoning from AG-1 to PAD multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Elux at McQueen" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0063, 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 multi-family apartment manager shall display, in a conspicuous place within the rental office, a map illustrating the location of the development Elux at McQueen in the context of the Chandler Airpark Area Plan. The map shall identify the Airport Impact Overlay District, the noise contours and over flight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by Chandler City Council (Resolution No. 2590, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan. Such map or aerial photo shall be a minimum size of 24" x 36". Compliance with this condition shall be demonstrated by the property owner or multifamily apartment manager submitting to the Zoning Administrator of a signed affidavit and photograph that acknowledges such map is on display prior to beginning any rental activity.
3. Prior to execution of any lease, prospective apartment tenants shall be given written disclosure in their lease and in a separately signed disclosure statement acknowledging that this apartment community is located proximate to the Chandler Municipal Airport that includes a heliport, aircraft engine testing facility, and an aircraft storage facility, that an avigational easement exists on the property, the property lies within the Chandler Municipal Airport Impact Overlay District, and that the property is subject to aircraft noise and over flight activity. The requirement for such disclosure shall be confirmed in an avigation notice covenant that runs with the land and is recorded with the Maricopa County Recorder prior to issuance of the first building permit for this development.
4. The developer shall provide the city with an avigational easement over the subject property in accordance with Section 3004 of the City of Chandler Zoning Code.
5. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.
6. The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text: "This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and frequent over flight activity, and is encumbered by an avigational easement to the City of Chandler."
7. All leases at Elux at McQueen shall provide that all questions, concerns, or complaints any tenant may have about the Chandler Municipal Airport or the operation of aircraft landing at, taking off from, or operating at or on Chandler Municipal Airport shall be directed solely to the manager of Elux at McQueen development and not to the Chandler Municipal Airport, the City of Chandler, the FAA, any aircraft owner, or any pilot. All leases shall also provide that it shall be within the sole and absolute discretion of the manager of Elux at McQueen (and not the tenant) to determine (after the manager's due consideration of all airport related acknowledgments and disclosures that are required by the Zoning Stipulations and consideration of all information known to Elux at McQueen's Manager) whether or not, when, and how to communicate any tenants question, concern, or complain to the manager of the Chandler Municipal Airport.

8. All apartment buildings shall be designed and built to achieve an interior noise level not to exceed 45 decibels (Ldn) from aircraft noise. A professional acoustical consultant, architect or engineer shall certify that the project's construction plans are in conformance with this condition.
9. In the event the multi-family residential is platted to allow unit ownership, prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity and other externalities. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot/unit property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing municipal airport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the subdivider/homebuilder/developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
10. Multi-family dwelling units shall be permitted up to a maximum density of 12.6 dwelling units per acre.
11. The developer shall be responsible for the design and installation of a traffic signal at the intersection of McQueen Road and Armstrong Way during the initial phase of construction.
12. 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.
13. 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.
14. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
15. Minimum setbacks shall be as provided below and further detailed in the development booklet:

Property Line Location	Minimum Building Setback
McQueen Road	50'
North Property Line	10'
East Property Line	10'
South Property Line	35'

Preliminary Development Plan

Planning and Zoning Commission recommends City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Elux at McQueen" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0063, 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 Chandler City Council.
2. Landscaping plans (including for open spaces, retention, rights-of-way, and street medians) shall be approved by the Planning Administrator.
3. All mechanical equipment, including HVAC, utility meters, etc. shall be screened from view by material(s) that are architecturally integrated and consistent with the proposed buildings.

4. Signage shall substantially be as shown within the submitted Development Booklet and shall follow all applicable criteria of the City of Chandler Sign Code.
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 and this Preliminary Development Plan shall apply.
6. The site shall be maintained in a clean and orderly manner.
7. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
8. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
9. Roadway-style signs shall be installed at multiple locations as depicted in the development booklet that identify the presence of low flying aircraft.

Preliminary Plat

Planning and Zoning Commission recommends the City Council approve 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.

32. Resolution No. 5431 Amending the Citywide Fee Schedule

Move to pass and adopt Resolution No. 5431 amending the Citywide Fee Schedule relating to the Airport, Community Services, Development Services, Cultural Development, Fire, and Neighborhood Resources Departments or Divisions, with the Airport and Fire fee changes becoming effective March 1, 2021, and the remaining fees effective July 1, 2021.

BACKGROUND FROM COUNCIL MEMO:

Each year, departments review their fees to determine if any updates are necessary that require modifying, eliminating, or adding a new fee. Updates may be necessary to reflect an increased cost of a service provided, or a need to establish fees for new or enhanced services or facilities. All fees charged to citizens or businesses (except those exempted by City Code section 2-17) are reflected in the Citywide Fee Schedule and follow the requirements detailed in the City Code to establish or modify fees. While most fee changes are consolidated and submitted to Council as part of the annual budget process, there are occasions where fees need to be modified mid-year. During Fiscal Year (FY) 2020-21, fee changes were identified and reviewed as part of a mid-year analysis that will serve to update fees both for the existing fiscal year as well as changes needed for FY 2021-22.

Based on the requirements of Chandler City Code 2-17, all recommended new or modified fees have been summarized in The Summary of Proposed New or Modified Fees (Attachment 2). This was posted on the City's website on December 23, 2020, for 60 days (Attachment 3). Additionally, a Notice of Intention to Amend the Citywide Fee Schedule (Attachment 4) was published in the Arizona Republic on February 3, 2021 and February 10, 2021, as well as through social media on the same days, to inform the public of the proposed fee changes to be discussed at the February 25, 2021, City Council meeting as an action item, to allow for public comment.

The following proposed fee changes are brought forward by the City Manager Department, Airport Division, and reflect the fees related to the operations of the Airport, and the desire to regulate business activity:

Change the fuel calculation: the retail price of aviation fuel shall be determined by a "cost-plus" formula based upon the wholesale price of the fuel inventory plus an amount not less than eighty (\$0.80) cents per gallon, inclusive of applicable federal, state, and local fees and taxes. Add charges for exclusive use of staff time on activity not associated with normal airport operations and maintenance of the facility: (a) Regular Staff Charges During Posted Business Hours (actual time rounded up to nearest .25 hour, \$45.00/hour) (b) Overtime/Call Out Staff Charges Outside of Posted Business Hours (2-hour minimum charge) (actual time rounded up to nearest .25 hour, \$68.00/hour). Adds a Hangar Lock/Access Card/Device Replacement Fee (per each replacement) of \$35.00 or actual cost of replacement, whichever is higher. Adds retention of the Hangar Deposit (\$150) and staff hourly rates to any hangar not maintained per Section 16 of the Chandler Municipal Airport Aircraft Hangar Storage Agreement. Adds Aviation Use (Non-prime) Negotiable (negotiable base of \$9.50/sq. ft/year minimum, plus consideration of appraisal and comps); Aviation Use (Prime) Negotiable (negotiable base of \$22/sq. ft/year minimum, plus consideration of appraisal and comps). One-year terms.

The following fee change is recommended for the Fire Department, to offset the costs associated with offering the Paramedic Program to outside agencies:

Add \$6,000 per student per class fee - Offered to other agencies/municipalities.

The following fee changes are recommended for the Development Services Department, Planning Division to carve out Historic Preservation and reduce the cost associated with the normal zoning process:

Adjust rezoning fee to \$100 for Historic Preservation Neighborhood Application. Add \$50 fee - per Resident/Home addition of Historic Preservation Overlay Application.

The following fee changes are recommended for the Cultural Development Department, Museum Division to allow for newly formed Museum foundation to set and manage these fees:

Delete museum facility room rental fees, merchandise mark-up fee, and Chandler non-profit group fee.

The following fee changes are recommended for the Community Services Department, Recreation and Aquatic Division:

Add Mini Field Preparations fees: \$21/prep – resident \$29/prep - non-resident \$32/prep – commercial Change Swim Team Lifeguard fee from \$15 to \$20 per hour per guard. Change general private party Lifeguard fee from \$15 to \$20 per hour per guard. Change \$10 Pool Pass - Youth (20 punches) to Pool Pass - Youth (15 punches), 25% discount of the normal entry fee (currently equates to \$11.25). Change \$30 Pool Pass - Adult (20 punches) to Pool Pass - Adult (15 punches), 25% discount of the normal entry fee rounded to nearest 1/4 dollar (currently equates to \$25.50). Change \$15 Pool Pass - Youth (30 punches) to 50% discount of the normal entry fee rounded to nearest 1/4 dollar (would not change the current fee, only fee reference). Change \$45 Pool Pass - Adult (30 punches) to 50% discount of the normal entry fee rounded to nearest 1/4 dollar (currently equates to \$33.75).

The following fee changes are recommended for the Neighborhood Resources Department, Code Enforcement Division, due to new code language providing for a more efficient method of recouping costs:

Delete \$50 First non-compliance re- inspection fee. Delete \$75 Subsequent re-inspection with continued non-compliance fee(s). Change Abatement Administrative Fee from \$150 to 25% of contractor cost. Add Demolition Abatement Administrative Fee of 25% of demolition contractor cost.

In addition, technical corrections, which have no fee impacts, are being made to the Citywide Fee Schedule to clarify the fee description.

Financial Implications:

The amendments to the Citywide Fee Schedule are estimated to generate approximately \$48,400 within the General Fund and \$42,000 for the Airport Operating Fund.

UNSCHEDULED PUBLIC APPEARANCES

MAYOR HARTKE said that a number of speaker cards were received regarding an officer involved shooting that occurred January 2, 2021. This case is currently an active investigation internally and with the Maricopa County Attorney's Office. The Police Department released the body camera footage of the incident on January 15, 2021. This incident will be reviewed by the Citizen's Panel for Review of Force after the investigation is complete.

PHIL MARTINEZ, 4444 N. 7th, Tempe, activist against police violence and came in support of the Cano family and Change Our America Foundation. The Cano family suffered a tragedy on January 2, 2021, where 17 year old Anthony Cano was shot twice in the back by an officer. Mr. Martinez said there is legal recourse that the family must take and naming the officer is important. Mr. Martinez asked that the body camera footage, the officer's name, and any interviews with the officer be released so the family could proactively seek legal resources. Since the Police Chief has not released the information it shows that he is in line with other Police Departments across the nation where they stall specifically to hinder the victim's right to seek restitution. Mr. Martinez asked the Mayor to instruct staff to release the information.

MARCUS CANO, Mesa, Arizona, said his cousin was chased by a police officer for a reason that was not given until hours after the fact, which was not having lights on his bike. Mr. Cano said the officers at the hospital indicated they shot the wrong person as there was an incident early in the day and the suspect resembled Anthony. Mr. Cano said his cousin did not stop for the officer and ran away and dropped his weapon. Mr. Cano said he was a kid and did not know what to do. Police are given a large amount of power and are granted with the extreme opportunity to kill or save a life. Mr. Cano asked Council to make the right choice and asked the Department train officers on handling civilians with weapons, release the officer's name, the full unedited body camera footage, and the officers on the scene that night. Mr. Cano said the officer needs to be held accountable.

RENA ALLEN, 1717 Angle Pkwy, McKinney, Texas, said what happened should have never happened. Ms. Allen said everyone has a family and would do anything to protect their family. Ms. Allen asked what if your worry as a kid was protecting yourself and how to defend yourself. Ms. Allen said Anthony's full name was presented to the world for people to make judgements and asked why the cop had not been named. Ms. Allen said the officer was able to delete anything that was able to make him look like a bad person. Ms. Allen said the Police Department did not have a problem releasing a minor's name, but had a problem releasing an officer's name who shot a kid in the back twice. Ms. Allen said after watching the video footage there was no threat to the officer, it was just a little kid trying to run home to his mother. Ms. Allen said they could not fully grieve until they get answers. Ms. Allen said they are being treated like they do not matter and that Anthony did not matter. Ms. Allen said she would not allow him to be another statistic because of the neighborhood he was in and they could continue to fight for answers.

SYLVIA MORALES, 1654 W. 6th Dr., Mesa, Arizona, said she was Anthony's grandmother and they were here for their peace of mind. Ms. Morales said Anthony was a great kid and he was at the wrong place at the wrong

time. Ms. Morales said they want closure, the name of the officer, and the body cameras of all officers there. Ms. Morales said Anthony's grandfather was a 26 year veteran of Scottsdale Police Department, two uncles that were policemen and an uncle was a judge. Ms. Morales worked for the DOC and another relative works there as well. Ms. Morales said this is an injustice and they need closure and would get that the lawful and honest way. Ms. Morales said they were counting on the Council to get the name of the officer and all of the footage.

Roxanne Sandoval, 1702 E. Chandler Blvd., Chandler Blvd., was here to support the Cano family and her son was Anthony's best friend. Ms. Sandoval requested the City be transparent as the family is not able to grieve their child since they are still looking for answers. Ms. Sandoval said Anthony was shot in the back twice. Ms. Sandoval said they try to hold the kids accountable and teach them how to act and react but the community is not holding the Chandler Police Department accountable to be transparent. Ms. Sandoval said there is no going back and if someone did something wrong all they can do is hold that person accountable and grieve. Ms. Sandoval said accidents happen, but it happened and they need to be held accountable.

Renee Cano and Anissa Medina submitted a speaker card but did not speak.

CURRENT EVENTS

1. Mayor's Announcements

a. Retirement Recognition of City Manager, Marsha Reed

MAYOR HARTKE presented City Manager Marsha Reed a key to the City and thanked Ms. Reed for her service.

2. Council's Announcements

COUNCILMEMBER ORLANDO thanked Ms. Reed for her years of service and congratulated her on retirement.

COUNCILMEMBER ELLIS thanked Ms. Reed for everything she has done for the City and her leadership.

COUNCILMEMBER ROE said being a City Manager is one of the most impossible jobs and it takes a unique individual to do that. Councilmember Roe said Ms. Reed has done a great job and congratulated her on her retirement.

VICE MAYOR STEWART said Ms. Reed has done a great job creating an internal culture that cares so much about the City.

COUNCILMEMBER LOPEZ thanked Ms. Reed for her work at the City and she has done a great job at a very difficult job. Councilmember Lopez said Ms. Reed has really implemented the Council's vision and has gotten the City through difficult times such as COVID-19.

COUNCILMEMBER HARRIS said he appreciated Ms. Reed as she has helped him grow as a Councilmember and thanked her for her service.

3. City Manager's Announcements

MS. REED presented a video and thanked Council, staff, and her family for their support.

ADJOURNMENT: The meeting was adjourned at 9:32 p.m.

ATTEST: *Dana R. DeKey*
City Clerk

Kevin Harbo
Mayor

Approval Date of Minutes: March 22, 2021

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 February, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of March, 2021.

Dana R. DeKey
City Clerk

