

# Meeting Minutes

## City Council Regular Meeting

May 13, 2021 | 6:00 p.m.  
Chandler City Council Chambers  
88 E. Chicago St., Chandler, AZ



### Call to Order

The meeting was called to order by Mayor Kevin Hartke at 6:03 p.m.

### Roll Call

#### Council Attendance

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

#### Appointee Attendance

Joshua Wright, Acting City Manager  
Debra Stapleton, Assistant City Manager  
Kelly Schwab, City Attorney  
Dana DeLong, City Clerk

### Invocation

The invocation was given by Pastor Robert Felix, Chandler Presbyterian Church.

### Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Harris.

### Consent Agenda and Discussion

#### City Clerk

1. April 2021 City Council Minutes  
Move to approve the Council meeting minutes of the Work Session of April 19, 2021, Study Session of April 19, 2021, the Special Meeting - Micro Retreat of April 21, 2021, the Special Meeting of April 22, 2021, and the Regular Meeting of April 22, 2021.

2. Board and Commission Appointments  
Move City Council approve the Board and Commission appointments as recommended.

### **City Manager**

3. Final Adoption of Ordinance No. 4972 Amending the sunset date for the termination of the Citizen Bond Exploratory Committee and Subcommittees  
Move City Council approve Ordinance No. 4972, changing the sunset date for the termination of the Citizen Bond Exploratory Committee and Subcommittees.
4. Resolution No. 5479 Adoption of City Council Strategic Framework for 2021-2023  
Move the City Council pass and adopt Resolution No. 5479 approving the City Council Strategic Framework for 2021-2023.
5. Resolution No. 5481 Approving Allocations of the Anticipated ARPA and Remaining AZCares Grant Contingencies  
Move City Council approve Resolution No. 5481, allocating spending of ARPA/AZCares Grant Fund Contingency (217.1290.5911) in the amount of \$43,123,751, based on capital and operating needs discussed at the April 21, 2021, City Council Strategic Micro-Retreat, by the City Council Focus Areas of Economic Vitality of \$4,178,751, Innovation and Technology of \$18,275,000, Mobility of \$4,000,000, Quality of Life of \$12,820,000, and Neighborhoods of \$3,850,000, beginning July 1, 2021.
6. Job Order Project Agreement No. ST1613.402, with Nesbitt Contracting Company, Inc., for the American Disabilities Act Project Upgrades, Phase II  
Move City Council award Job Order Project Agreement No. ST1613.402 to Nesbitt Contracting Company, Inc., Pursuant to Job Order Master Agreement No. JOC1907.401, for the American Disabilities Act Project Upgrades, Phase II, in an amount not to exceed \$839,992.28.

### **Community Services**

7. Purchase of Security Services from Universal Protection Service, dba Allied Universal Security Professionals  
Move City Council approve the purchase of security services from Universal Protection Service, dba Allied Universal Security Professionals, utilizing State of Arizona Contract No. ADSPO18-207131, in the amount of \$165,000, and authorize the City Manager or designee to sign linking agreement with Universal Protection Service, dba Allied Universal Security Professionals.

### **Cultural Development**

8. Resolution No. 5473 Development Agreement and Ordinance No. 4971 Purchase Agreement, for property located at 51 E. Boston Street

Resolution No. 5473

Move City Council pass and adopt Resolution No. 5473 adopting the provisions of a Development Agreement between Specht Commercial Properties, LLC, and the City of Chandler for the sale and redevelopment of City-owned real property located at 51 E. Boston Street.

Ordinance No. 4971

Move City Council introduce and tentatively adopt Ordinance No. 4971, adopting the provisions of a Purchase Agreement between Specht Commercial Properties, LLC, and the City of Chandler for the sale of 51 E. Boston Street, and authorizing the City Manager to sign all related documents as approved by the City Attorney.

NIELS KREIPKE, 28 S. San Marcos Pl., Chandler, said a couple years ago there was an RFP that was sent out that had about five or six respondents and there was about the same this time as well. It does not appear to be an open public process. Mr. Kreipke said there was a committee put together for the selection of the RFP, five of which are City staff and one from the DCCP manager who was not able to attend. Because of that the selection was only City staff and no representative from the public. Of the respondents that submitted there was a program where the group could evaluate the respondents and the one being selected came in third and only one other came under that one in fourth place. Mr. Kreipke said for those who came in first and second did not get selected as the business moving forward. Mr. Kreipke asked that the selection be delayed so staff can talk to the stakeholders to see if this is the best selection for downtown. Mr. Kreipke said this is a net zero gain as Improv Mania is already down here. Mr. Kreipke said in the first RFP Improv Mania also submitted and did not get selected.

COUNCILMEMBER ORLANDO asked staff to explain what the process was and how this project was vetted.

MAYOR HARTKE said this item was also discussed during an executive session.

KIM MOYERS, Cultural Development Director, said when there is an RFP it is sent out to the community and there is a selection committee that is made of City staff and someone from the DCCP. Ms. Moyers said on the day of the meeting, staff was made aware that the DCCP representative could not come so there was not enough time to replace that person. Ms. Moyers said after the selection committee, the top three are brought to Council through an executive session and ultimately it is up to the Council to decide who gets to purchase the property and in this case, it was Improv Mania.

COUNCILMEMBER ORLANDO said this was not best price but was best value overall and there are more factors than dollar amount.

MS. MOYERS said yes, they look at a variety of factors such as ways to engage that side of the street, who the businesses are, their financial history, and their experience in the City.

COUNCILMEMBER ORLANDO asked if all of the bidders were vetted that they would be able to fund the project.

MS. MOYERS said yes.

### **Development Services**

9. Introduction of Ordinance No. 4966, ANX20-0005 Annexation of Approximately 10 Acres and Initial City Zoning East of the Southeast corner of Chandler Heights and Cooper roads  
Move City Council introduce and tentatively adopt Ordinance No. 4966 approving the annexation of approximately 10 acres and Initial City Zoning - east of the southeast corner of Chandler Heights and Cooper roads as recommended by Planning staff.
10. Introduction of Ordinance No. 4968, PLH20-0063/PLT21-0008 McKinley Glenn located East of the Southeast Corner of Chandler Heights and Cooper Roads  
Rezoning  
Move City Council introduce and tentatively adopt Ordinance No. 4968 approving PLH20-0063 McKinley Glenn, Rezoning from Agricultural (AG-1) District to Planned Area Development (PAD) for single family residential located east of the southeast corner of Chandler Heights and Cooper roads, subject to the conditions as recommended by Planning and Zoning Commission.  
Preliminary Development Plan  
Move City Council approve Preliminary Development Plan PLH20-0063 McKinley Glenn for subdivision layout located east of the southeast corner of Chandler Heights and Cooper roads, subject to the conditions as recommended by Planning and Zoning Commission.  
Preliminary Plat  
Move City Council approve Preliminary Plat PLT21-0008 McKinley Glenn located east of the southeast corner of Chandler Heights and Cooper roads, subject to the conditions recommended by Planning and Zoning Commission.
11. Adoption of Resolution No. 5464 and Introduction and Tentative Adoption of Ordinance No. 4969, PLH20-0064/PLH20-0065/PLT21-0014 Dobson/Pecos Development, located at the Northwest Corner of Dobson and Pecos Roads  
Area Plan  
Move City Council approve Resolution No. 5464 San Tan Area Plan amendment, PLH20-0064, located at the northwest corner of Dobson and Pecos roads as recommended by Planning and Zoning Commission.  
Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 4969 approving PLH20-0065 Dobson/Pecos Development, Rezoning from AG-1 to PAD for Mixed-Use, Office, Medical Uses, Commercial, Retail, and Age-Restricted Multi-family with a Mid-Rise Overlay located at the northwest corner of Dobson and Pecos roads, subject to the conditions as recommended by Planning and Zoning Commission.

**Preliminary Development Plan**

Move City Council approve Preliminary Development Plan PLH20-0065 Dobson/Pecos Development for building architecture and site layout for age-restricted multi-family located at the northwest corner of Dobson and Pecos roads, subject to the conditions as recommended by Planning and Zoning Commission.

**Preliminary Plat**

Move City Council approve Preliminary Plat PLT21-0014, located at the northwest corner of Dobson and Pecos roads, subject to the conditions recommended by Planning and Zoning Commission.

12. **Preliminary Development Plan PLH20-0071 Chandler Connection**

Move City Council approve Preliminary Development Plan PLH20-0071 Chandler Connection, located east of the southeast corner of Germann and Cooper roads, subject to the conditions as recommended by Planning and Zoning Commission.

**Economic Development**

13. **Purchase of Signage for West Chandler Employment Corridor**

Move City Council approve the purchase of signage for the West Chandler Employment Corridor, from YESCO, LLC, utilizing the City of Peoria Contract No. P19-0079, in the amount of \$239,937, and authorize the Acting City Manager or designee to sign a linking agreement with YESCO, LLC.

**Information Technology**

14. **Purchase of Information Technology Temporary Contract Staffing Services**

Move City Council approve the purchase of Information Technology temporary contract staffing services, from Computer Aid, Inc., utilizing Sourcewell Contract No. 020817-CA1 in the amount of \$987,800, and authorize the City Manager or designee to sign a linking agreement with Computer Aid.

**Management Services**

15. **Agreement No. MS3-920-3131, Amendment No. 2, for Electronic Payment Portal Services**

Move City Council approve Agreement No. MS3-920-3131, Amendment No. 2, with Invoice Cloud, Inc., for electronic payment portal services, at the agreed upon transaction fees, for the period of June 1, 2021, through May 31, 2022.

16. Agreement No. MS8-946-3910, Amendment No. 4, with Heinfeld, Meech & Co., P.C., for Audit Services  
Move City Council approve Agreement No. MS8-946-3910, Amendment No. 4, with Heinfeld, Meech & Co, P.C., for audit services, in the amount of \$124,405 for the period June 1, 2021, through May 31, 2022.
17. New License Series 6, Bar Liquor License application for The Perch, LLC, dba The Aviary  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 142479, a Series 6, Bar Liquor License, for Jared Michael Repinski, Agent, The Perch, LLC, dba The Aviary, located at 220 S. Arizona Avenue, and approval of the City of Chandler, Series 6, Bar Liquor License No. 300796 L06.
18. New License Series 12, Restaurant Liquor License application for Montgomery Key, LLC, dba The Double Dutch  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 144654, a Series 12, Restaurant Liquor License, for Jason Michael Key, Agent, Montgomery Key, LLC, dba The Double Dutch, located at 1890 W. Germann Road, Suite 1, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300873 L12.
19. License Series 7, Beer and Wine Bar Liquor License application for Highgate Concessions Company, LLC, dba Homewood Suites Chandler  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of State Liquor Job No. 131978, a Series 7, Beer and Wine Bar Liquor License, for David Anthony Mahan, Agent, Highgate Concessions Company, LLC, dba Homewood Suites Chandler, located at 7373 W. Detroit Street, and approval of the City of Chandler Series 7, Beer and Wine Bar Liquor License No. 300823 L07.
20. Series 12, Restaurant Liquor License application for Gracilly, LLC, dba Mambo's Dominican Kitchen  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of State Liquor Job No. 144295, a Series 12, Restaurant Liquor License, for Jose Alfredo Garcia, Agent, Gracilly, LLC, dba Mambo's Dominican Kitchen, located at 1950 N. Arizona Avenue, Suite 8, and approval of the City of Chandler Series 12, Restaurant Liquor License No. 300866 L12.

### **Police Department**

21. Resolution No. 5478 Authorizing Intergovernmental Agreements with Chandler Unified School District No. 80, Kyrene School District No. 28, and Mesa Unified School District No. 4 for the Assignment of School Resource Officers to Schools Located Within the Chandler City Limits

Move City Council pass and adopt Resolution No. 5478 authorizing Intergovernmental Agreements (IGAs) with Chandler Unified School District No. 80, Kyrene School District No. 28, and Mesa Unified School District No. 4 for the assignment of School Resource Officers (SRO) to schools located within the Chandler City limits; authorizing the Mayor to sign the agreements; and authorizing the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with said program.

### **Public Works and Utilities**

22. Professional Services Agreement No. EN2101.451, with Ritoch-Powell & Associates Consulting Engineering, Inc., for On-Call Construction Management Services  
Move City Council award Professional Services Agreement No. EN2101.451, to Ritoch-Powell & Associates Consulting Engineering, Inc., for On-Call Construction Management Services, in an amount not to exceed \$500,000 per year, for a two-year term, with the option of one (1) two-year extension.
23. Purchase of Maintenance, Repair, and Operations Supplies and Related Services from WESCO Distribution, Inc.  
Move City Council approve the purchase of maintenance, repair, and operations (MRO) supplies and related services from WESCO Distribution, Inc., utilizing Omnia Partners Contract No. R192008, in an amount not to exceed \$1,850,000, and authorize the City Manager or designee to sign a linking agreement with WESCO Distribution, Inc.
24. Agreement No. ST1-929-4308 / CHN0248T / T029601X, with H&E Equipment Services, Inc., for the Purchase of Street Sweepers  
Move City Council approve Agreement No. ST1-929-4308 / CHN0248T / T029601X, with H&E Equipment Services, Inc., for the purchase of street sweepers, in an amount not to exceed \$501,657.26.

### **Consent Agenda Motion and Vote**

Councilmember Lopez moved to approve the Consent Agenda of the May 13, 2021, Regular Meeting; Seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

### **Public Hearing Item No. 25**

25. Public Hearing for Fiscal Year 2021-2022 Annual Assessment for the City of Chandler, Arizona, Downtown Chandler Enhanced Municipal Services District (Associated with Item No. 26)

### **Open Public Hearing**

MAYOR HARTKE opened the public hearing.

### **Staff Presentation**

JOHN OWENS, Downtown Redevelopment Specialist, presented the following presentation.

- Enhanced Municipal Services District
- Enhanced Municipal Services District (EMSD) Overview
  - Created in 2005 – 16<sup>th</sup> Year
  - Covers 61.4 Acres and over 1 million square feet of commercial space
  - Formed to provide public services over and above typical public services elsewhere within the City of Chandler Services are provided by the Downtown Chandler Community Partnership (DCCP) through an annual contract with the City
- 2020-2021 DCCP Services
  - Events
  - Collaboration with Downtown Bike Team
  - Clean Team
  - Marketing
  - Pandemic Response
- EMSD Process and Next Steps
  - Process
    - Assessment was authorized by property owners
    - 100% of assessment proceeds paid to the District
    - City Council officially enables the District
    - District must be renewed each year
  - Next Steps
    - Contract with DCCP brought forward at June 10 Council Meeting
    - Voluntary City contribution \$118,804

### **Council Discussion**

MAYOR HARTKE asked if there was any Council discussion. There was none.

### **Discussion from the Audience**

MAYOR HARTKE asked if there was any discussion from the audience. There was none.

### **Close Public Hearing**

MAYOR HARTKE closed the public hearing.

## **Action Agenda Item No. 26**

26. Resolution No. 5475, approving the Fiscal Year 2021-2022 annual assessment for City of Chandler, Arizona, Downtown Chandler Enhanced Municipal Services District

Move City Council pass and adopt Resolution No. 5475 approving the 2021-2022 Annual Assessment for City of Chandler, Arizona, Downtown Chandler Enhanced Municipal Services District.

## **Action Agenda Item No. 26 Motion and Vote**

Councilmember Ellis moved to approve Action Agenda Item No. 26 of the May 13, 2021, Regular Meeting; Seconded by Councilmember Roe.

Motion carried unanimously (7-0).

## **Action Agenda Item No. 27**

27. Discussion and possible action regarding the City Manager recruitment process, as requested by Councilmember Orlando.

JOSHUA WRIGHT, Acting City Manager, recused himself from the dais due to a conflict of interest.

MAYOR HARTKE on February 8, there was an executive session to interview recruitment firms. Mayor Hartke said Council chose SGR and the recruitment process would take a minimum of 15 weeks. Mayor Hartke said on February 11 the agreement was executed and February 22 through March 1, the consultant interviewed Council and executive staff to get feedback on what they were looking for. Mayor Hartke said the consultant provided a recruitment brochure and on April 6 the brochure was finalized. Mayor Hartke said on April 7 the position was posted and on May 7 the position was closed. The next step is that there would be a link provided to Council to look at all the applicants that had applied. There is an executive session on May 17, where SGR would present the applicants in a ranked format and Council would be able to determine ways to narrow down the list. The applicants would then provide additional information and in June Council would review the applicants again.

COUNCILMEMBER ORLANDO thanked the Mayor for keeping Council informed of the process and staff for working on this. Councilmember Orlando asked if there would be a citizen panel and if Council would be providing recommendations to the Mayor to serve on that.

MAYOR HARTKE said in the executive session they could discuss that in more detail and welcomed recommendations.

COUNCILMEMBER ORLANDO asked if there would be an employee group as well to provide input.

MAYOR HARTKE said yes.

COUNCILMEMBER ORLANDO said there would be a public forum for candidates to answer questions.

MAYOR HARTKE said yes, there would be a moderator so the candidates could answer the questions in the public.

VICE MAYOR STEWART clarified there would be a public question and answer in a format like this.

MAYOR HARTKE said yes, this is similar to what is done with directors and previous City Managers.

COUNCILMEMBER ORLANDO thanked the Mayor for his guidance on this and staff has been great working on this.

COUNCILMEMBER HARRIS said he is looking forward to the transparent process and allowing the public to be involved in the process.

MAYOR HARTKE said they have been successful in attracting great people in all of our offices.

## **Informational**

28. Study Session & Regular Meeting of March 17, 2021, Planning and Zoning Commission

## **Unscheduled Public Appearances**

Jamie Hoffman, 42 N Velma Dr., Gilbert, said Council has done a great job solving the parking perception problem, filling the dirt lots with businesses, and has been very pro-business. Mr. Hoffman said he did not put a patio in right away because he did not know if it was the right decision and thought it was the right decision and it was great for Downtown. Mr. Hoffman said the customer response has been positive and the Downtown businesses voted 80% for them to stay. Mr. Hoffman said he was disappointed in the work session that no one asked if it was great for Downtown and instead all he heard was if it was fair for all the businesses Downtown. Mr. Hoffman said he has more patio than anyone else Downtown and this program gave the Downtown separation from Gilbert. Mr. Hoffman said they should not be fighting each other they should be fighting other Downtowns to bring people here. Mr. Hoffman asked for Council to give a plan for how these are going to be put back up before the businesses take them down. Mr. Hoffman said he has a storage unit but did not know if others did and it is hard to hold onto all this stuff if there is no plan to put them back up. Mr. Hoffman asked for these to be allowed to stay up until the plan is in place.

## **Current Events**

### **Mayor's Announcements**

MAYOR HARTKE said he was rescinding the proclamation tomorrow of a local emergency in Chandler with CDC's new guidelines and vaccines widely available. This was left in place longer to ensure they would be able to collect additional dollars if they became available and now there is no reason to continue this. Mayor Hartke announced the Senior Center would reopen on May 24 and resume programming with social distancing and sanitation measures. Mayor Hartke thanked everyone for their work overcoming these challenges and for coming together to support each other during these times. Mayor Hartke was proud at how Council worked together during these times. The community and economy are stronger than they have been and wanted to keep that going. Mayor Hartke encouraged the community to continue to follow CDC guidelines and businesses and schools are able to set their own policies.

### **Council's Announcements**

COUNCILMEMBER HARRIS announced he would be the Grand Marshal for the Arizona Black Rodeo on Saturday at Westworld. This event features African American competitors from all over the nation and encouraged everyone to attend.

COUNCILMEMBER LOPEZ said he attended a lunch for the Food for Love Foundation honoring officers and staff in the police department. These men and women have worked tirelessly through this unprecedented year. Councilmember Lopez said the Food for Love Foundation provided lunch for the officers.

COUNCILMEMBER LOPEZ said May is Asian Pacific Islander Heritage Month. On May 10 they remember the contributions that Chinese Americans have made to the nation, especially in the transcontinental railroad. Councilmember Lopez said Chandler has one of the largest Asian populations in the Valley and continue to play a significant part in our businesses and community.

VICE MAYOR STEWART thanked the Mayor for rescinding the proclamation and thanked the Mayor for continually consulting Council during this time.

VICE MAYOR STEWART said they have lost two teens this week, Zyon at Perry High School and Alex at Hamilton High School. Vice Mayor Stewart said Mayor Hartke and Gilbert Mayor Peterson and Not My Kid Foundation would be discussing teen mental health and substance abuse on May 14 at 1:45. The goal is to educate families and raise awareness about this especially as there have been so many stresses and challenges for kids these days and they need to talk about it. Vice Mayor Stewart said it is okay to talk about suicide and substance abuse. As parents it is our job to approach our kids and ask them the question and listen.

COUNCILMEMBER ROE thanked the Mayor for rescinding the proclamation and encouraged other cities to do the same. Councilmember Roe said businesses do matter and encouraged them to call with concerns.

COUNCILMEMBER ELLIS said last week they mourned the death of Officer Farrar and it was very difficult for the community. Councilmember Ellis said she was touched in seeing the community come together for the service as well as people from other cities. Councilmember Ellis said it was remarkable to be in that room and hear about his life and everything he accomplished. He was one of the most medaled officers in Chandler. Councilmember Ellis extended her condolences to his family. Councilmember Ellis said every day when these men and women in uniform leave their house there is a potential they will not go back home. Councilmember Ellis encouraged people to really think about them putting their lives on the line and they lost a great person.

COUNCILMEMBER ORLANDO thanked Councilmember Ellis for her comments.

MAYOR HARTKE asked for a moment of silence for Officer Farrar.

### City Manager's Announcements

None.

## Adjourn

The meeting was adjourned at 6:40 p.m.

ATTEST: *Jarica Zarba*  
*acting* City Clerk

*Kevin Hartke*  
Mayor

Approval Date of Minutes: May 27, 2021

## Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of Regular Meeting of the City Council of Chandler, Arizona, held on the 13th day of May 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of May, 2021.



*Jarica Zarba*  
*acting* City Clerk