

Meeting Minutes

City Council Study Session

June 21, 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 6:00 p.m.

Roll Call

Council Attendance

Mayor Kevin Hartke
Vice Mayor Mark Stewart
Councilmember OD Harris
Councilmember René Lopez
Councilmember Terry Roe
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

Scheduled Public Appearances

1. Service Recognitions

None.

2. Orangetree Neighborhood Blight - Duane Lidman

DUANE LIDMAN, 2301 W. Palamino Dr., Chandler, 85224, said he lived in an older neighborhood that was built in the 1980's. Mr. Lidman said he has spoken with some Councilmembers about blight in the neighborhood and has provided pictures of the conditions. Mr. Lidman said during the recession in 2008 is when landscaping problems started to appear in the neighborhood. Mr. Lidman said the issue is concentrated around the stonewater retention basin. In 2019, 361 neighbors signed a petition asking the City to do something about this lack of maintenance. There was a slight improvement but did not last long. In 2020, a letter was sent to Neighborhood Resources asking for something to be done. There was a slight improvement but did not last long.

this time either. In the last four months this has become a fire hazard. Mr. Lidman said there has not been any lasting improvement. Bullmoose Drive is a main entrance to the neighborhood and this is an embarrassment and they do not want this to spread to other areas of the neighborhood. Mr. Lidman said they are asking City leaders for help to improve the appearance of this older neighborhood by fully enforcing the neighborhood preservation code and honor the agreement that was signed when the subdivision was approved.

MAYOR HARTKE said many Councilmembers have driven by to look at the conditions and reviewed the photographs provided. Mayor Hartke said there is an open code enforcement case and it would continue to be worked on.

COUNCILMEMBER ORLANDO asked the Acting City Manager if the action plan has been relayed to the neighbors to address this issue.

JOSH WRIGHT, Acting City Manager, said staff has been in contact with Mr. Lidman about the code enforcement case and the timeline associated.

COUNCILMEMBER ORLANDO asked what the timeline would be.

MR. WRIGHT said they would continue to openly communicate about the issue.

Consent Agenda and Discussion

Discussion was held on items 3, 8, 13, 14, 18, and 36.

City Clerk

1. June 2021 City Council Meeting Minutes
Move City Council approve the Council Meeting minutes of the Work Session of June 7, 2021, Study Session of June 7, 2021, Special Meeting of June 10, 2021, Regular Meeting of June 10, 2021, Special Meeting - Budget Adoption of June 10, 2021, Special Meeting (8:30 am) of June 14, 2021, and Special Meeting (1:00 pm) of June 14, 2021.

City Magistrate

2. *THIS ITEM HAS BEEN WITHDRAWN AND WILL NOT BE CONSIDERED AT THIS TIME - Public Defender Agreement
Move City Council to approve the Public Defender agreement between the City of Chandler, Chandler Municipal Court and Debora Lelli (part-time) in the amount of \$25,000.

City Manager

3. Resolution No. 5496 SRP 230kV Transmission Project Agreement
Move City Council pass and adopt Resolution No. 5496 authorizing an Agreement with Salt River Project Agricultural Improvement and Power District (SRP) regarding the location and under-grounding of a 230kV transmission system in South Chandler and authorizing the

Mayor to execute the Agreement; and move City Council approve a General Fund, Contingency account transfer to the Water Operating Fund for \$4.350M and Wastewater Operating Fund for \$10.150M, allowing for their fund balances to be spent for the needed City utility line relocations.

COUNCILMEMBER ORLANDO asked about the timeline and public hearing process.

RYAN PETERS, Governmental Relations and Policy Manager, presented the following presentation.

- Next Steps
 - June 2021 Council Action
 - June – August 2021 SRP Public Involvement Period
 - August 2021 SRP Submits Application
 - October 2021 Line Siting Process
 - January 2022 Corporation Commission Action
 - Quarter 3, 2023 Power Delivery
 - SRP Project Website

COUNCILMEMBER ORLANDO asked if residents would be notified of the work in the neighborhoods impacted.

MR. PETERS said there would be extensive notification including door hangers and social media led by SRP.

COUNCILMEMBER ORLANDO said there would be substantial undergrounding of wires. Councilmember Orlando commended staff for their timely work with the other entities to get this to where it is today.

MR. PETERS said it has been a great process and this would be undergrounded 2.65 miles so there would not be overhead utilities in areas that do not already have them.

MAYOR HARTKE thanked SRP for streamlining the process and the work staff has done on this.

COUNCILMEMBER LOPEZ said this is a great example of when something is coming to benefit the community that dialogue is done early. This is how government should work, with public and private working hand in hand to get it done.

Cultural Development

4. Purchase of Downtown Sidewalk Re-Coating Services
Move that City Council approve the purchase of downtown sidewalk re-coating services, from Creative Paving Solutions, Inc., utilizing the City of Scottsdale Contract No. 20PB033, in an amount not to exceed \$200,000, and authorize the City Manager or designee to sign a linking agreement with Creative Paving Solutions, Inc.

5. Resolution No. 5493 Authorizing the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2021-2022
Move City Council pass and adopt Resolution No. 5493, authorizing the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2021-2022 between the City of Chandler and the Downtown Chandler Community Partnership, and authorizing the City's voluntary contribution to the EMSD in the amount of \$118,804.

Development Services

6. Introduction of Ordinance No. 4974, ANX20-0004 Annexation and initial City Zoning of approximately 5 acres located at the southeast corner of Arizona Avenue and Appleby Road
Move City Council introduce and tentatively adopt Ordinance No. 4974 approving the annexation and initial City zoning of approximately 5 acres located at the southeast corner of Arizona Avenue and Appleby Road, as recommended by Planning staff.
7. Resolution No. 5484 and Introduction and Tentative Adoption of Ordinance No. 4975, PLH20-0050/PLH20-0051/PLT21-0015 The Ashley
Area Plan
Move City Council adopt Resolution No. 5484 Chandler Airpark Area Plan (CAAP) amendment, PLH20-0050 The Ashley, located at the southeast corner of Arizona Avenue and Appleby Road, as recommended by Planning and Zoning Commission.
Rezoning
Move City Council introduce and tentatively adopt Ordinance No.4975 approving PLH20-0051 The Ashley, Rezoning from Agricultural District (AG-1) to Planned Area Development for multi-family residential (PAD/MF-2) located at the southeast corner of Arizona Avenue and Appleby Road, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Development Plan
Move City Council approve Preliminary Development Plan PLH20-0051 The Ashley for site layout and building architecture located at the southeast corner of Arizona Avenue and Appleby Road, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Plat
Move City Council approve Preliminary Plat PLT21-0015 The Ashley, located at the southeast corner of Arizona Avenue and Appleby Road, subject to the condition recommended by Planning and Zoning Commission.
8. Introduction and Tentative Adoption of Ordinance No. 4997, PLH20-0030/PLT20-0020 Schrader Farms Business Park
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 4997 approving PLH20-0030 Schrader Farms Business Park, located at the northwest corner of McQueen and

Queen Creek roads, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for a light industrial and office business park with a Mid-Rise Overlay and a commercial corner, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH20-0030 Schrader Farms Business Park, located at the northwest corner of McQueen and Queen Creek roads, for site layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Plat

Move City Council approve Preliminary Plat PLT20-0020 Schrader Farms Business Park, located at the northwest corner of McQueen and Queen Creek roads, subject to the condition recommended by Planning and Zoning Commission.

COUNCILMEMBER ORLANDO asked for more information regarding economic development.

MICAH MIRANDA, Economic Development Director, said due to the impact of the changes made by the developer such as the building orientation, removing the cross docks, and increased aesthetics; it begins to price out a number of traditional warehouse distribution projects that do not align with the City's economic development strategies. Mr. Miranda said staff has reviewed the economic impact report prepared by the developer and staff found it was consistent with what staff would have found. There were a number of blending models and assumptions of who could occupy the building. Mr. Miranda said product wins projects and they are short on this type of space in the Airpark Area. Mr. Miranda said the modeling provided was conservative which staff was glad to see and staff was in agreement with what the applicant has proposed.

COUNCILMEMBER ORLANDO said the applicant did a good job articulating some of the actual companies that could go there. Councilmember Orlando asked if any of those companies have reached out to the City.

MR. MIRANDA said the companies listed are accurate and some have contacted the City.

COUNCILMEMBER ELLIS asked about the company doing the project.

MR. MIRANDA said Core5 is a very experienced developer and have several million square feet under development across the country. Mr. Miranda said staff has confidence they would bring the project to fruition. City staff does a lot of work with their support staff and brokerage team so they know what the City is looking for.

COUNCILMEMBER ORLANDO asked about the commercial retail corner and what has been done that there is a footprint to be developed.

BRENNAN RAY, 1850 N. Central, represented the applicant, said in working closely with staff they have designed the site so that the future commercial corner would have viability. Mr. Ray said they have created internal pedestrian and vehicular circulation and there is access through the development. Mr. Ray said as part of Phase One there would be improvement to the arterial street as well.

COUNCILMEMBER ORLANDO asked if these were all stipulations in the agreement.

DEREK HORN, Development Services Director, said yes.

COUNCILMEMBER ORLANDO said he felt confident the corner would be developed. Councilmember Orlando thanked staff for their work and felt they really made this project better.

MAYOR HARTKE thanked the developer and there have been a lot of changes over the years and this has come together well.

VICE MAYOR STEWART said this is a great example of working with the neighborhood, staff, and Council. Vice Mayor Stewart thanked the applicant for the project and felt it was a good fit for the community. Vice Mayor Stewart thanked them for adding electric vehicle charging stations.

9. PLH20-0072/PLT21-0016 Chandler Airpark Technology Center (Staff Requests Continuance to the August 12, 2021, City Council Meeting.)
Move City Council continue PLH20-0072/PLT21-0016 Chandler Airpark Technology Center, located at the southwest corner of Gilbert Road and Insight Way, to the August 12, 2021, City Council meeting, as recommended by Planning and Zoning Commission.
10. PDP PLH20-0069 Chandler Corporate Center Lots 8 & 10 (Staff Requests Continuance to the August 12, 2021, City Council Meeting.)
Move City Council continue PLH20-0069 Chandler Corporate Center Lots 8 & 10, located north of the northwest of Chandler Boulevard and McClintock Drive, to the August 12, 2021, City Council meeting, as recommended by Planning and Zoning Commission.

Facilities and Fleet

11. Agreement No. BF6-910-3566, Amendment No. 3, with Arizona Elevator Solutions, Inc., for Elevator Maintenance Repair and Service
Move City Council approve Agreement No. BF6-910-3566, Amendment No. 3, with Arizona Elevator Solutions, Inc., for elevator maintenance repair and service, increasing the spending limit by \$250,000, for a revised amount not to exceed \$315,150, for the existing term ending August 31, 2021.
12. Agreement No. FS2-928-4310, Auto Body Repair Service

Move City Council approve Agreement No. FS2-928-4310, with Allard Collision, LLC, and Arizona Truck and Coach, LLC, for auto body repair service, in a combined amount not to exceed \$250,000, for the period of July 1, 2021, through June 30, 2022, with the option of up to four one-year extensions.

Fire Department

13. Resolution No. 5489, Renewal of Agreement between the City of Chandler and Dignity Health to provide Administrative Medical Direction to Chandler Fire Department Paramedics

Move City Council pass and adopt Resolution No. 5489 renewing an Agreement between the City of Chandler and Dignity Health to provide administrative medical direction from a base hospital for Chandler Fire Department (CFD) Certified Emergency Paramedics as required by Arizona law.

COUNCILMEMBER ELLIS called for a presentation.

TOM DWIGGINS, Fire Chief, introduced Consent Agenda Items No. 13 and 14. Chief Dwiggins said Administrative Medical Direction is required by the Department of Health Services, and for any certified paramedic there has to be a physician that is reported to. Chief Dwiggins said this provides crews access to ER physicians when they are on scene for additional guidance. Chief Dwiggins said they have state of the art equipment to take vitals and those could be sent real time to the hospital physicians to provide direction. Item No. 14 allows Dignity Health to certify paramedics in neonatal resuscitation, which is a newborn to 28 days old. These incidents are extremely challenging because of the anatomy of the infant. This training would provide paramedics with the most up to date protocols and skills and should be completed by September 2021.

COUNCILMEMBER ELLIS thanked Chief Dwiggins for putting this into place and said lives are being saved. Councilmember Ellis said training is important so the staff is always ready to act.

14. Resolution No. 5491, Agreement with Dignity Health for Neonatal Resuscitation Education
Move City Council pass and adopt Resolution No. 5491 Adopting an Agreement between the City of Chandler and Dignity Health to provide required Neonatal Resuscitation Provider education for Chandler Fire Department (CFD) paramedic students.

Information Technology

15. Purchase of Hardware and Software for Network Infrastructure

Move City Council approve the purchase of hardware and software for network infrastructure from Sentinel Technologies, Inc., utilizing 1GPA Contract No. 21-02PV-08, in the amount of \$93,886, and authorize the City Manager or designee to sign a linking agreement with Sentinel Technologies, Inc.

Law

16. Settlement in Jennifer Przybyla vs. City of Chandler
Move City Council to authorize the settlement in the matter of Jennifer Przybyla vs. City of Chandler in full and final satisfaction of all claims asserted without admitting liability for the amount of \$300,000 and further authorize the City Attorney to sign any necessary documents in such forms as are approved by the City Attorney to effectuate the terms and conditions of settlement in this action.
17. Settlement in Kathleen Renee Clum vs. City of Chandler Settlement in Anthony Jose Cano, Sr. vs. City of Chandler
Move City Council to authorize the settlement in the matter of Kathleen Renee Clum and Anthony Jose Cano, Sr. vs. City of Chandler in full and final satisfaction of all claims asserted without admitting liability for the amount of \$1,125,000 and further authorize the City Attorney to sign any necessary documents in such forms as are approved by the City Attorney to effectuate the terms and conditions of settlement in this action.
18. Renewal of Commercial Insurance and Services for Fiscal Year 2021-22
Move City Council approve the renewal of commercial insurance and services with recommended insurance carriers for FY 2021-22 to protect the City against financial loss in the total amount not to exceed \$2,308,258.

VICE MAYOR STEWART asked why the insurance rates increased.

KELLY SCHWAB, City Attorney, said they have seen a dramatic increase in public liability and cyber protection premiums. Ms. Schwab said when they started this process, staff anticipated it would be relatively small, but they have seen it quadruple. The reason is due to civil unrest and social inflation such as police conduct, riots, and damaged being caused that is not necessarily being experienced in Chandler, but in the rest of the country they are experiencing this which impacts the market dramatically. Ms. Schwab said the City is self-insured for the first \$1.75 million and then there is excess coverage after that. The insurance carrier that was used last year is no longer able to write excess coverage. Ms. Schwab said in the market they are seeing a 191% increase and the City is doing well as other entities are seeing a 350% increase. Ms. Schwab said staff is still working with their broker and they have not purchased excess covered yet and staff is still working to get it down.

VICE MAYOR STEWART asked if the City Attorney was recommending approval.

MS. SCHWAB said yes. Most of the claims have been done under the self-insured cap but there is always a chance for a big claim and they would have coverage for the time of the incident.

Management Services

19. Ordinance No. 4970, Levying Upon the Assessed Valuation of the Property Within the City of Chandler.
Move City Council to pass and adopt Ordinance No. 4970, levying upon the assessed valuation of the property within the City of Chandler, Arizona, subject to taxation a certain sum upon each one hundred dollars (\$100) of assessed valuation sufficient to raise the amount estimated to be required in the annual budget, less the amount to be received from other sources of revenue; providing funds for various bond redemptions, for the purpose of paying interest upon bonded indebtedness and providing funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June 2022.
20. Agreement No. MS1-926-4312 for Emergency Environmental Response and Remediation.
Move that City Council award Agreement No. MS1-926-4312 to Emergency Environmental Services; GrayMar Environmental Services, Inc.; and Kary Environmental Services for emergency environmental response and remediation services, in a combined amount not to exceed \$150,000, for the period of July 1, 2021, through June 30, 2022.
21. New License Series 12, Restaurant Liquor License Application for Ramen Hood Chandler, LLC, DBA Ramen Hood
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 149960, a Series 12 Restaurant Liquor License for James Xie, Agent, Ramen Hood Chandler, LLC, DBA Ramen Hood, located at 1940 W. Chandler Boulevard, Suite 12, and approval of the City of Chandler Series 12 Restaurant Liquor License No. 300794.
22. Resolution No. 5494, Designating the Chief Fiscal Officer for Officially Submitting the Fiscal Year 2022 Expenditure Limitation Report to the Arizona Auditor General
Move to pass and adopt Resolution No. 5494, designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2022 Expenditure Limitation Report to the Arizona Auditor General.

Mayor and Council

23. Employment Agreement for City Magistrate Patrick Gann
Move City Council approve the City Magistrate employment agreement with Patrick Gann for the term of July 1, 2021, through June 30, 2023, with an annual base salary of \$170,881.08 for the first year, and \$176,007.51 for the second year.
24. Employment Agreement for City Magistrate Alexa Nolle
Move City Council approve the City Magistrate employment agreement with Alexa Nolle for the term of July 1, 2021, through June 30, 2023, with an annual base salary of \$170,881.08 for the first year, and \$176,007.51 for the second year.
25. City Attorney Employment Agreement

Move City Council approve the City Attorney Employment Agreement with Kelly Schwab for the term of July 1, 2021, through June 30, 2022, at an annual base salary of \$213,690.

26. City Clerk Employment Agreement

Move City Council approve the City Clerk Employment Agreement with Dana DeLong for the term of July 1, 2021, through June 30, 2022, at an annual base salary of \$150,921.

Police Department

27. Agreement No. PD9-200-4038, Amendment No. 3, for Police Uniforms

Move City Council approve Agreement No. PD9-200-4038, Amendment No. 3, with Skaggs Companies Inc., for police uniforms, in an amount not to exceed \$150,000, for the period of July 1, 2021, through June 30, 2022

28. Purchase of Police Firearm Simulator Equipment

Move City Council approve the purchase of a police firearm simulator from VirTra, Inc., utilizing the State of Arizona Contract No. ADPS17-152755, in the amount of \$256,136.49, and authorize the City Manager or designee to sign a linking agreement with VirTra, Inc.

29. Agreement No. PD8-680-3892, Amendment No. 3, for Outer Vest Carriers

Move City Council approve Agreement No. PD8-680-3892, Amendment No. 3, with Universal Police Supply, for outer vest carriers, in an amount not to exceed \$78,625, for the period of July 1, 2021, through June 30, 2022.

Public Works and Utilities

30. Sole Source Purchase of Wastewater Membrane Modules

Move City Council approve the sole source purchase of wastewater membrane modules, from SUEZ Water Technologies & Solutions, Inc., in an amount not to exceed \$300,000.

31. Agreement No. WW0-885-4137, Amendment No. 1, with In-Pipe Technology, LLC, and USP Technologies, for the Collection System Odor and Corrosion Control

Move City Council approve Agreement No. WW0-885-4137, Amendment No. 1, with In-Pipe Technology, LLC, and USP Technologies, for the collection system odor and corrosion control, in a combined amount not to exceed \$500,000, for a one-year period, July 1, 2021, through June 30, 2022.

32. Agreement No. ST0-988-4175, Amendment No. 1, with Reyes & Sons Landscaping, LLC, for Landscape Maintenance Areas 1 through 4

Move City Council approve Agreement No. ST0-988-4175, Amendment No. 1, with Reyes & Sons Landscaping, LLC, for landscape maintenance areas 1 through 4, in an amount not to exceed \$1,487,219.40, for a one-year period, July 6, 2021, through July 5, 2022.

33. Agreement No. ST0-988-4194, Amendment No. 1, with Brightview Landscape Services, Inc., for Revegetation, Storm Repair, and Maintenance of City Streets
Move City Council approve Agreement No. ST0-988-4194, Amendment No. 1, with Brightview Landscape Services, Inc., for revegetation, storm repair, and maintenance of City streets, in an amount not to exceed \$500,000, for a one-year period, August 1, 2021, through July 31, 2022.
34. Agreement No. PW1-925-4350, with Mechanical Solutions, Inc., for Vibration Diagnostic Services
Move City Council approve Agreement No. PW1-925-4350, with Mechanical Solutions, Inc., for vibration diagnostic services, in an amount not to exceed \$120,000.
35. Agreement No. MU0-962-4219, Amendment No. 1, with Cartright's Drain Service, Inc.; PM Plumbing and Mechanical, Inc.; RKS Plumbing and Mechanical, Inc.; and TALIS Construction Corporation, for Plumbing Services
Move City Council approve Agreement No. MU0-962-4219, Amendment No. 1, with Cartright's Drain Service, Inc.; PM Plumbing and Mechanical, Inc.; RKS Plumbing and Mechanical, Inc.; and TALIS Construction Corporation, for plumbing services, increasing the combined contract limit by \$500,000 for a revised contract amount not to exceed \$1,000,000, for the existing term ending October 31, 2021.

Discussion and Direction

36. Discussion and Direction to staff to include review of the Draft Non-Discrimination Resolution in the Diversity, Equity, and Inclusion Study Approved as Part of the Fiscal Year 2021-2022 Budget, and Direct Staff to Engage a Public Process to Develop Recommendations for the City Council, as Requested by Mayor Hartke.

MAYOR HARTKE introduced the item and said discussion and direction would be given at the regular meeting.

COUNCILMEMBER HARRIS said he was in support of an ordinance.

Informational

37. Study Session & Regular Minutes of May 5, 2021, Planning and Zoning Commission
38. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved.

Adjourn

The meeting was adjourned at 6:31 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: July 12, 2021

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Chandler, Arizona, held on the 21st day of June 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of July, 2021.

City Clerk