

# Meeting Minutes

## City Council Regular Meeting

July 15, 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 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

\*Councilmember Lopez attended telephonically.

### Invocation

The invocation was given by Reverend Myeong S. Yang, Eden Evangelical Korean Church.

### Pledge of Allegiance

The Pledge of Allegiance was led by Boy Scout Troop #3280.

### Consent Agenda and Discussion

#### City Clerk

1. Board and Commission Appointments

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

#### City Manager

2. Construction Contract No. ST2016.401 with TSG Constructors, LLC, for Park and Ride Shade Canopies Phase II  
Move City Council award Contract No. ST2016.401 to TSG Constructors, LLC, for Park and Ride Shade Canopies Phase II, in an amount not to exceed \$230,000.

### **Communications and Public Affairs**

3. Agreement with Courier Graphics Corporation for Overflow Photo Copying and Printing Services  
Move City Council approve Agreement No. CP2-966-4331, with Courier Graphics Corporation, for overflow photo copying and printing services, in an amount not to exceed \$95,000, for the period of one year, August 1, 2021 through July 31, 2022, with the option of up to four additional one-year extensions.
4. Purchase of Quadient DS-200i Folder Inserter  
Move City Council approve the purchase of a DS-200i Folder Inserter from Quadient, Inc., utilizing the State of Arizona Contract No. ADSP016-169901, in the amount of \$65,876.00, and authorize the City Manager or designee to sign a linking agreement with Quadient, Inc.

### **Community Services**

5. Agreement No. CS1-967-4327, with Nutrien Ag Solutions, Inc.; SiteOne Landscape Supply, Inc.; and Rentokil North America, Inc., dba Target Specialty Products; for Fertilizers, Herbicides, and Pesticides  
Move City Council approve Agreement No. CS1-967-4327, with Nutrien Ag Solutions, Inc.; SiteOne Landscape Supply, Inc.; and Rentokil North America, Inc., dba Target Specialty Products; for fertilizers, herbicides, and pesticides, in a combined amount not to exceed \$289,000, for a one-year term, August 1, 2021, through July 31, 2022, with the option of up to four additional one-year extensions.

### **Cultural Development**

6. Agreement No. CM1-918-4296, for the Downtown Pedestrian and Wayfinding Plan  
Move City Council approve Agreement No. CM1-918-4296, with J2 Engineering and Environmental Design, for the downtown pedestrian and wayfinding plan, in the amount of \$65,000.
7. Resolution No. 5492 Consent to Assignment and Assumption Agreements between Overstreet Project, LLC to Ass Kickin' Ranch, LLC, for the Retail/Office Site of the Overstreet Development Located at the Southwest Corner of Arizona Avenue and Chandler Boulevard  
Move City Council approve Resolution No. 5492 approving the Consent to Assignment and Assumptions assigning the rights and obligations of Overstreet Project, LLC to Ass Kickin' Ranch, LLC, for the Retail/Office Site of the Overstreet development located at the southwest corner of Chandler Boulevard and Arizona Avenue and authorize the Acting City Manager to execute the Assignment and Assumption Agreements.

## **Development Services**

8. Use Permit, PLH20-0057, The Oasis/El Oasis  
Move City Council approve Use Permit, PLH20-0057, The Oasis/El Oasis, located at 482 E. Erie Street, approximately one quarter of a mile north of the northwest corner of Chandler Boulevard and Hamilton Street, subject to the conditions recommended by Planning and Zoning Commission.
9. Preliminary Development Plan, PLH21-0009, Phoenician Medical Center (Staff Requests Continuance to the September 23, 2021, City Council Meeting.)  
Move City Council continue PLH21-0009, Phoenician Medical Center, located approximately one quarter of a mile north of the northeast corner of Ray and Alma School roads, to the September 23, 2021, City Council Meeting, as recommended by Planning and Zoning Commission.

## **Economic Development**

10. Greater Phoenix Economic Council (GPEC) Agreement for Fiscal Year 2021-22  
Move City Council approve the Fiscal Year (FY) 2021-22 agreement with the Greater Phoenix Economic Council (GPEC) for regional economic development services, in the amount of \$133,204, for the period of July 1, 2021, through June 30, 2022.

## **Information Technology**

11. Purchase of SolarWinds Software Annual Maintenance  
Move City Council approve the purchase of SolarWinds software annual maintenance, from SHI International, utilizing the Omnia Partners Contract No. 2018011-02, in the amount of \$73,658.

## **Management Services**

12. Agreement No. MS8-946-3817, Amendment No. 3, for Lockbox Services  
Move City Council approve Agreement No. MS8-946-3817, Amendment No. 3, with JPMorgan Chase Bank, N.A., for lockbox services, in the amount of \$68,500, for the period of August 1, 2021, through July 31, 2022.
13. License Series 10, Beer and Wine Store Liquor License Application for ARC Projects, LLC, DBA Kwik Mart.  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 150386, a Series 10, Beer and Wine Store, for Claudia Patricia Lazo, Agent, ARC Projects, LLC, DBA Kwik Mart, located at 600 W. Galveston Street, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 301112.
14. New License Series 10, Beer and Wine Store Liquor License Application for Burst Of Butterflies Art Studio, LLC, DBA Next Door Novelties  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 151408, a Series 10, Beer and Wine Store Liquor License, for Jeffrey Craig Miller, Agent, Burst Of Butterflies Art Studio, LLC, DBA Next Door Novelties, located at 135

W. Boston Street, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 301171.

15. License Series 12, Restaurant Liquor License Application for Ocotillo Four Investments, LLC, DBA Manuel's Mexican Food Restaurant Ocotillo  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 151456, a Series 12, Restaurant Liquor License, for David Anthony Salazar, Agent, Ocotillo Four Investments, LLC, DBA Manuel's Mexican Food Restaurant Ocotillo, located at 4210 S. Arizona Avenue, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301088.
16. New License Series 12, Restaurant Liquor License Application for Cooper's Hawk Scottsdale, LLC, DBA Cooper's Hawk Winery & Restaurant  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No 151129, a Series 12, Restaurant Liquor License, for Jeffrey Craig Miller, Agent, Cooper's Hawk Scottsdale, LLC, DBA Cooper's Hawk Winery & Restaurant, located at 3325 W. Chandler Boulevard, and approval of the City of Chandler Series 12, Restaurant Liquor License No. 301185.
17. New License Series 7, Beer and Wine Bar Liquor License Application for Cooper's Hawk Scottsdale, LLC, DBA Cooper's Hawk Winery & Restaurant  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 151130, a Series 7, Beer and Wine Bar Liquor License, for Jeffrey Craig Miller, Agent, Cooper's Hawk Scottsdale, LLC, DBA Cooper's Hawk Winery & Restaurant, located at 3325 W. Chandler Boulevard, and approval of the City of Chandler Series 7, Beer and Wine Bar Liquor License No. 301185.
18. License Series 9, Liquor Store Liquor License Application for Circle K Stores, Inc., DBA Circle K Store #6651  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 09070200, a Series 9, Liquor Store Liquor License, for Kim Kenneth Kwiatkowski, Agent, Circle K Stores, Inc., DBA Circle K Store #6651. This license application reflects a change in liquor license series from a Series 10, Beer & Wine Store Liquor License to a Series 9, Liquor Store Liquor License, located at 1010 E. Chandler Boulevard, and approval of the City of Chandler, Series 9, Liquor Store Liquor License No. 52488.
19. Claims Report for the Quarter Ended June 30, 2021  
Move to accept the claims report for the quarter ending June 30, 2021.

### **Mayor and Council**

20. Appointment of City Magistrate and Employee Agreement

Move City Council appoint Michelle Lue Sang as City Magistrate and approve an Employment Agreement for the term of August 2, 2021, through August 1, 2023, with an annual base salary of \$170,881.08 for the first year, and \$176,007.51 for the second year.

### **Neighborhood Resources**

21. Resolution No. 5497, Amending the Program Year 2019-2020 Annual Action Plan and Submitting Substantial Amendment #2 to the United States Department of Housing and Urban Development for its Consideration in Order to Receive Funding Under the Coronavirus Aid, Relief, and Economic Security Act

Move for City Council to pass and adopt Resolution No. 5497, amending the Program Year (PY) 2019-2020 Annual Action Plan and submitting Substantial Amendment #2 to the United States Department of Housing and Urban Development (HUD) for its consideration in order to receive funding under the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and approving and authorizing the Acting City Manager or his designee to submit Substantial Amendment #2 to HUD, allocate Community Development Block Grant Coronavirus Funds - Tranche 3 (CDBG-CV3) to prevent, prepare for, and respond to the Coronavirus, and execute all sub-recipient contracts.

22. Resolution No. 5498, Authorizing an Amendment to the Agreement for Services Among Maricopa County Administered by its Human Services Department, Affordable Rental Movement (A.R.M.) of Save the Family Foundation of Arizona, a Community Housing Development Organization (CHDO) and the City of Chandler, for the Acquisition and Rehabilitation of One (1) Single-Family Home in Chandler That Will be Leased to Eligible Low-Income Individuals and Families Using Program Year 2020–2021 HOME Investment Partnerships (HOME) CHDO Funds

Move City Council pass and adopt Resolution No. 5498, authorizing an amendment to the Agreement for services among Maricopa County administered by its Human Services Department, Affordable Rental Movement (A.R.M.) of Save the Family Foundation of Arizona, a Community Housing Development Organization (CHDO) and the City of Chandler, for the acquisition and rehabilitation of one (1) single-family home in Chandler that will be leased to eligible low-income individuals and families using Program Year 2020–2021 HOME Investment Partnerships (HOME) CHDO funds in the amount of \$208,913; and authorizing the Acting City Manager or his designee to sign the amendment and all related documents on behalf of the City of Chandler.

23. Resolution No. 5499, Approving an Intergovernmental Agreement (IGA) Between Maricopa County Administered by its Human Services Department, Newtown Community Development Corporation, a Community Housing Development Organization (CHDO) and the City of Chandler, for the Acquisition and Rehabilitation of Two (2) Single-Family Homes in Chandler to Create Homeownership Opportunities for Eligible Low-Income Households Using Program Year 2020–2021 HOME Investment Partnerships (HOME) CHDO Funds

Move City Council pass and adopt Resolution No. 5499, approving an Intergovernmental Agreement (IGA) between Maricopa County administered by its Human Services Department,

Newtown Community Development Corporation, a Community Housing Development Organization (CHDO) and the City of Chandler, for the acquisition and rehabilitation of two (2) single-family homes in Chandler to create homeownership opportunities for eligible low-income households using Program Year 2020–2021 HOME Investment Partnerships (HOME) CHDO funds in the amount of \$212,987; and authorizing the Acting City Manager or his designee to sign the agreement and all related documents on behalf of the City of Chandler.

### **Public Works and Utilities**

24. Agreement No. SW0-910-4176, Amendment No. 1, with Allied Waste Transportation, Inc., dba Republic Services, Inc., for City Facilities Refuse Collection  
Move City Council approve Agreement No. SW0-910-4176, Amendment No. 1, with Allied Waste Transportation, Inc., dba Republic Services, Inc., for City Facilities Refuse Collection, in an amount not to exceed \$87,495.42, for a one-year period, August 1, 2021, through July 31, 2022.
25. Purchase of Variable Frequency Drive Replacement and Installation Services  
Move City Council approve the purchase of variable frequency drive replacement and installation services from Keller Electrical Industries, Inc., utilizing the City of Mesa Contract No. 2020112, in an amount not to exceed \$375,000, and authorize the City Manager or designee to sign a linking agreement with Keller Electrical Industries, Inc.
26. Construction Contract No. WA1912.401, with Haydon Companies, LLC, for the Water Main Replacements  
Move City Council award Construction Contract No. WA1912.401 to Haydon Companies, LLC, for the Water Main Replacements, in an amount not to exceed \$6,442,188.
27. Professional Services Agreement No. WA1912.271, with GHD, Inc., for the Water Main Replacements Post Design Services  
Move City Council award Professional Services Agreement No. WA1912.271 to GHD, Inc., for the Water Main Replacements Post Design Services, in an amount not to exceed \$103,553.
28. Professional Services Agreement No. WA1912.451, with Entellus, Inc., for the Water Main Replacements Construction Management Services  
Move City Council award Professional Services Agreement No. WA1912.451, to Entellus, Inc., for the Water Main Replacements Construction Management Services, in an amount not to exceed \$688,415.17.
29. Pre-Construction Services Construction Manager at Risk Contract No. WW1901.252, with McCarthy Building Companies, Inc., for the Reclaimed Water Interconnect Facility  
Move City Council award Pre-Construction Services Construction Manager at Risk Contract No. WW1901.252, to McCarthy Building Companies, Inc., for the Reclaimed Water Interconnect Facility, in an amount not to exceed \$274,521.

30. Professional Services Agreement No. WW1901.452, with Wilson Engineers, LLC, for the Water Reclamation Facility Improvements Construction Management Services  
Move City Council award Professional Services Agreement No. WW1901.452, to Wilson Engineers, LLC, for the Water Reclamation Facility Improvements Construction Management Services, in an amount not to exceed \$4,776,670.
31. Construction Manager at Risk Contract No. WW1901.401, Change Order No. 1, GMP-2, with McCarthy Building Companies, Inc., for the Water Reclamation Facility Improvements  
Move City Council award Construction Manager at Risk Contract No. WW1901.401, Change Order No. 1, GMP-2, to McCarthy Building Companies, Inc., for the Water Reclamation Facility Improvements, in an amount not to exceed \$38,552,248.
32. Project Agreement No. WW2001.401, with PCL Construction, Pursuant to Job Order Contract No. JOC1915.401, for the Ocotillo Brine Reduction Facility Polymer Storage Buildings  
Move City Council award Project Agreement No. WW2001.401, to PCL Construction, Pursuant to Job Order Contract No. JOC1915.401, for the Ocotillo Brine Reduction Facility Polymer Storage Buildings, in an amount not to exceed \$1,088,440.13.
33. Professional Services Agreement No. WW2001.451, with Hazen and Sawyer, P.C., for the Ocotillo Brine Reduction Facility Polymer Storage Buildings Construction Management Services  
Move City Council award Professional Services Agreement No. WW2001.451 to Hazen and Sawyer, P.C., for the Ocotillo Brine Reduction Facility Polymer Storage Buildings Construction Management Services, in an amount not to exceed \$86,270.
34. Professional Services Agreement No. WA2103.201, with Jacobs Engineering Group, Inc., for the Pecos Surface Water Treatment Plant SCADA Upgrade Design Services  
Move City Council award Professional Services Agreement No. WA2103.201, to Jacobs Engineering Group, Inc., for the Pecos Surface Water Treatment Plant SCADA Upgrade Design Services, in an amount not to exceed \$4,142,272.
35. Construction Manager at Risk Contract No. WA2008.401 GMP1, with Achen-Gardner Construction, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation  
Move City Council award Construction Manager at Risk Contract No. WA2008.401 GMP1, to Achen Gardner Construction, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation, in an amount not to exceed \$2,333,877.75.
36. Agreement No. PW1-745-4336, with Vincon Engineering Construction, LLC, for Right-of-Way Repairs  
Move City Council approve Agreement No. PW1-745-4336, with Vincon Engineering Construction, LLC, for right-of-way repairs, in an amount not to exceed \$120,000, for a one-year period, August 1, 2021, through July 31, 2022, with the option of up to four (4) additional one-year extensions.

## **Consent Agenda Motion and Vote**

Councilmember Orlando moved to approve the Consent Agenda of the July 15, 2021, Regular City Council Meeting; Seconded by Councilmember Harris.

Motion carried unanimously (7-0).

## **Public Hearing Item No. 37**

37. Annexation Public Hearing, approximately 3.8 Acres located West of the Southwest corner of Willis and McQueen road

### **Open Public Hearing**

MAYOR HARTKE opened the public hearing.

### **Staff Presentation**

BEN CERECERES, City Planner, presented the following presentation.

- Public Hearing Annexation
  - Location: West of the Southwest corner of Willis and McQueen roads

MR. CERECERES said the property is vacant. The site is bordered by lots zoned agricultural and single family. The General Plan designates the site as neighborhoods and the Airpark Area Plan designates this as parks and open space. Utilizes are available and the applicant has submitted a rezoning application and preliminary development plan for a multifamily with 44 rental units. This is being reviewed by staff and would appear on a future agenda. Upon annexation, initial zoning would be AG-1 and staff has not received any inquiries.

### **Council Discussion**

MAYOR HARTKE asked if there was any Council discussion.

COUNCILMEMBER ORLANDO asked for more information regarding what the applicant is asking to put on this site.

MR. CERECERES said they are proposing 44 single story rental units.

COUNCILMEMBER ORLANDO asked for staff to look at other options on what could go in this area. Councilmember Orlando said he was concerned it did not seem to fit in that particular area and would like to see more creativity for the piece.

MR. CERECERES said he understood.

MAYOR HARTKE said that would come back to Council at a later time.

## **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.

## **Informational**

38. Study Session and Regular Minutes of June 2, 2021, Planning and Zoning Commission

39. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved.

## **Unscheduled Public Appearances**

None.

## **Current Events**

### **Mayor's Announcements**

MAYOR HARTKE announced the annual Operation Back to School which brings together many organizations to provide school supplies at one event. Mayor Hartke said they are anticipating handing out 3,000 backpacks full of supplies. This weekend there would be four locations in a drive thru style event. Mayor Hartke thanked Andersen Junior High School for allowing the use of their cafeteria as a space to put together the backpacks. Mayor Hartke thanked staff for their work making this event happened and wished everyone a good school year.

### **Council's Announcements**

COUNCILMEMBER HARRIS said Mox Boarding House joins Chandler and was created for the gaming community. This allows people to play games for free while you sit and eat. Over 10,000 square feet, this new location would be uniquely designed for Chandler and would house two different themed private rooms for events and a large outdoor patio.

VICE MAYOR STEWART thanked Chandler Unified School District Principal Heather LeeMaster Anguiana, who won the 2020 National Distinguished Principal award from the National Association of Elementary School Principals. This is a recognition of her high standards, instruction, student achievement, character, and creating a great climate for students, families, and staff.

VICE MAYOR STEWART said he would be at Basha High School for Operation Back to School.

COUNCILMEMBER ELLIS said she would be at Willis Junior High for Operation Back to School.

COUNCILMEMBER ELLIS said there are many Haitians who live and work in Chandler and many are aware of the assassination of Haitian President Jovenel Moise. When the earthquake happened in Haiti, Chandler sent over \$4.8 million worth of medical supplies and Chandler has always had a tie with Haiti. Councilmember Ellis asked for a moment of silence.

COUNCILMEMBER ROE thanked those involved in the recruitment process of the City Manager and thanked the candidates. Councilmember Roe thanked staff who have worked through this process as well to help Council pick the right person for Chandler.

MAYOR HARTKE announced Michelle Lue Sang was appointed as a city magistrate.

### **City Manager's Announcements**

None.

## **Adjourn**

The meeting was adjourned at 6:18p.m.

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

\_\_\_\_\_  
Mayor

Approval Date of Minutes: August 1, 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 15th day of July 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of August, 2021.

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