



City Council Regular Meeting

Monday, November 1, 2021
6:00 p.m.

Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ





From left to right: Councilmember Matt Orlando, Councilmember Rene' Lopez, Vice Mayor Mark Stewart, Mayor Kevin Hartke, Councilmember OD Harris, Councilmember Christine Ellis, Councilmember Terry Roe

Our Vision

We are a world-class City that provides an exceptional quality of life.

Our Brand

A safe, diverse, equitable and inclusive community that connects people, chooses innovation and inspires excellence.

Our Goals

City Council Strategic Policy Goals

1. Being the most connected City
2. Being a leader in trust and transparency
3. Maintaining fiscal sustainability
4. Attracting a range of private sector businesses
5. Fostering a contemporary culture that embraces unity
6. Being safe and beautiful

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, notice is hereby given to the members of the Chandler City Council and to the general public that the Chandler City Council will hold a REGULAR MEETING open to the public on Monday, November 1, 2021, immediately following the Public Housing Authority Commission meeting which begins at 6:00 p.m., in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona. One or more members of the Chandler City Council may attend this meeting by telephone.

Persons with disabilities may request a reasonable modification or communication aids and services by contacting the City Clerk's office at 480-782-2181 (711 via AZRS). Please make requests in advance as it affords the City time to accommodate the request.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.



Regular Meeting Agenda

City Council Strategic Framework Focus Areas: Legend



Economic Vitality



Mobility



Quality of Life



Innovation and Technology



Neighborhoods



General Governance

Call to Order

Roll Call

Invocation - Pastor Keith Shepard, Church of Christ

Pledge of Allegiance

Consent Agenda

Items listed on the Consent Agenda may be enacted by one motion and one vote. If a discussion is required by members of the governing body, the item will be removed from the Consent Agenda for discussion and determination will be made if the item will be considered separately.



City Clerk

1. October 2021 City Council Meeting Minutes

Move City Council approve the Council Meeting minutes of the Special Meeting - Budget Kickoff of October 11, 2021; Regular Meeting of October 11, 2021; Study Session of October 11, 2021; Work Session of October 14, 2021; Special Meeting of October 14, 2021; Regular Meeting of October 14, 2021; and the Special Meeting of October 25, 2021.


Council Focus Area(s):





City Manager

- 2. **Final Adoption of Ordinance No. 4991, Establishing a Military and Veterans Affairs Commission**
Move City Council adopt Ordinance No. 4991, forming a Military and Veterans Affairs Commission.

Council Focus Area(s): 

Adjourn



City Council Memorandum City Clerk's Office Memo No. N/A

Date: November 1, 2021
To: Mayor and Council
From: Dana DeLong, City Clerk
Subject: October 2021 City Council Meeting Minutes

Proposed Motion:

Move City Council approve the Council Meeting minutes of the Special Meeting - Budget Kickoff of October 11, 2021; Regular Meeting of October 11, 2021; Study Session of October 11, 2021; Work Session of October 14, 2021; Special Meeting of October 14, 2021; Regular Meeting of October 14, 2021; and the Special Meeting of October 25, 2021.

Attachments

Minutes of the Special Meeting - Budget Kickoff of October 11, 2021
Minutes of the Regular Meeting of October 11, 2021
Minutes of the Study Session of October 11, 2021
Minutes of the Work Session of October 14, 2021
Minutes of the Special Meeting of October 14, 2021
Minutes of the Regular Meeting of October 14, 2021
Minutes of the Special Meeting of October 25, 2021

Meeting Minutes

City Council Special Meeting

October 11, 2021 | 4:00 p.m.
Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Mayor Kevin Hartke at 4:00 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 Orlando

Appointee Attendance

Josh Wright, City Manager
Dawn Lang, Deputy City Manager/CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

Staff in Attendance

Matt Burdick, Communications and Public Affairs Director
Matt Dunbar, Budget Manager
Steven Turner, Assistant to the City Manager
Micah Miranda, Economic Development Director
Ryan Peters, Governmental Relations and Policy Manager
Cori Harris, Mayor and Council Communications Manager

Discussion

1. Fiscal Year 2022-23 Budget Kickoff

MAYOR HARTKE said this is the earliest they have held the budget kickoff to provide better input. Mayor Hartke said there are years of solid fiscal policy and vision to allow us to provide high quality services at a lower cost. Mayor Hartke said this would be a high-level look to tie the budget to the strategic framework. Mayor Hartke called for a staff presentation.

JOSHUA WRIGHT, City Manager, thanked Council for discussing the budget earlier this year. A goal this year is to try to get Council input before decision packages are due so staff can match the requests to Council's priorities.

MAYOR HARTKE said he would pause throughout the presentation to see if Council was on the same page to provide staff direction.

1. Current Year Budget Actions

DAWN LANG, Deputy City Manager/Chief Financial Officer, presented the following presentation.

- FY 2021 – 22 Budget Actions
 - Reduced property tax rate from \$1.1201 to \$1.1126 per \$100 of assessed value
 - Water/Wastewater/Reclaimed and Solid Waste Rate Changes/ Cost of Service study underway
 - Budget added grant contingency to allow flexibility in spending of Federal or other grants
 - Increased CIP funding to maintain aging infrastructure, as well as finishing planned parks and arterial streets
 - Continued to address pension debt through additional one-time funding towards pay-down of PSPRS liability

VICE MAYOR STEWART asked what the assessed value increase was for the City.

MS. LANG said 6.8%.

VICE MAYOR STEWART asked if the taxpayer had a 0.5% increase.

MS. LANG said the primary tax rate went down as a percentage reduction but with the primary and secondary together that would be correct.

VICE MAYOR STEWART asked if they realized a 6.8% increase just from the valuation from the County Assessor's Office.

MS. LANG said yes, but over half of that was from new property.

2. Process Review and Theme

MS. LANG continued the presentation.

- Where We Are in the Budget Process
 - Kickoff allows for Council direction on Strategic Goals/Focus Areas action items, policies and guidelines before budget process begins
 - Decision Package and CIP recommendations submitted by departments
 - Financial forecast, funding decisions brought to Council during workshops 1 and 2
 - Proposed budget brought to Council for discussion at all-day briefing

- FY 2022-23 Budget Theme
 - Staying Connected
 - Our Brand
 - A safe, diverse, equitable, and inclusive community that connects people chooses innovation and inspires excellence

3. Strategic Framework (Goals/Focus Areas)

MR. WRIGHT continued the presentation.

- Strategic Framework Guides Our Decision Making
 - Strategic Policy Goals
 - Being the Most Connected City
 - Being a Leader in Trust and Transparency
 - Maintaining Fiscal Sustainability
 - Attracting a Range of Private Sector Businesses
 - Fostering a Contemporary Culture that Embraces Unity
 - Being Safe and Beautiful
 - Focus Areas
 - Economic Vitality
 - Innovation and Technology
 - Mobility
 - Neighborhoods
 - Quality of Life

4. Action Items to Achieve Strategic Framework

- Action Items to Achieve the Strategic Framework Goals
 - Economic Vitality, 2021 -2023 Priorities
 - Preserve employment corridors, develop the Airpark, repurpose vacant retail, attract visitors to Chandler, be strategic about infill and redevelopment, and partner with higher education
 - Complete employment corridor area plan updates currently in progress
 - Issue requests for proposals (RFP s) for Airport development per Master Plan
 - Update infill and redevelopment policies and codes
 - Review field allocation policies and formalize partnerships with youth/amateur sports events
 - Activate underutilized park and field locations for programming
 - Transition University of Arizona Chandler campus to updated space
 - Review ACIC partnership with Arizona State University and needs of startup community

VICE MAYOR STEWART asked if the overall report that Council received about parks was already in the works.

MR. WRIGHT said yes, those are in the capital plan and the biggest feedback from the study was to continue to complete those. Mr. Wright said they also need to use what we have and maximize the space that we have.

COUNCILMEMBER ORLANDO said he could tie some of these back to higher education and asked about attracting visitors and retail and how that fits in.

MR. WRIGHT said youth and amateur sports events and tournaments are ways to bring visitors, and staff has formalized partnerships to ensure they are held here. Mr. Wright said there could be other events and tourism initiatives as well. Mr. Wright said infill and redevelopment is one of the best things they could do, and some policies are due for an update to address the aging retail properties to be converted to a different use.

COUNCILMEMBER ORLANDO said it is one thing to do policy updates but asked what resources the City had to address this.

MR. WRIGHT said a challenge is always that the City does not own the properties. In the past, Council's policy was to buy up a lot of the properties in the downtown area to stimulate redevelopment activity. If the City does not do that then the option is to work with a private developer to see what they want to do with their property. It would be beneficial to have policy direction from Council regarding buying strategic properties.

COUNCILMEMBER ORLANDO said he is relying on staff to give Council ideas on how to put those partnerships together.

MR. WRIGHT said staff would come back to Council regarding some ideas and resources that may be necessary.

MAYOR HARTKE said he understood the economic vitality aspect of parks and programming but thought that may have been a better fit for quality of life and asked what the rationale was to be put in economic vitality.

MR. WRIGHT said staff thought there was a lot to do with tourism but there is quite a bit of overlap in these items.

COUNCILMEMBER HARRIS said they should look at community engagement in terms of diversity, equity, and inclusion. Councilmember Harris said they should continue to leverage events and bring people together. Councilmember Harris said they need to look at economic development and ensure they make stronger partnerships and there is a budget to promote what is happening and focus, not just on technology, but overall entrepreneurship.

MAYOR HARTKE asked how they leverage better partnerships like they did with Intel and SRP. These are the types of partnerships that Mayor Hartke hopes to see in the future.

COUNCILMEMBER ORLANDO suggested that under infill and redevelopment to put programming and partnership ideas.

MAYOR HARTKE said yes, they need to further broker the relationships as part of their workforce development. Mayor Hartke asked if there was anything else Council would like to add.

COUNCILMEMBER ELLIS said she wanted to add that they broaden the education partnerships with other colleges that would like to come to Chandler. The City needs to keep those residents here instead of having them go somewhere else for other schools.

VICE MAYOR STEWART thought this was a good comprehensive overview of where we are and where we are going. Vice Mayor Stewart said he would like to do a deep dive with economic development department on what they see coming in the future and be selective in what businesses they bring.

MAYOR HARTKE said it would be worth looking to see what the future holds.

COUNCILMEMBER HARRIS said he wanted to make sure the economic development had the resources they need to make that happen especially for marketing.

MAYOR HARTKE said the City works closely with GPEC and they were ranked high nationally.

COUNCILMEMBER ROE said the infill covered the next steps for downtown.

MR. WRIGHT continued the presentation.

- Action Items to Achieve the Strategic Framework Goals
 - Innovation and Technology, 2021-2023 Priorities
 - Smart and sustainable solution, ideas that promote efficiency and connectivity, leverage partnerships, and outside funding, make Chandler a global technology destination, and invest in technology infrastructure.
 - Increase the City's electrical vehicle fleet and number of charging stations
 - Recommend development policies that support a more sustainable community
 - Identify manual processes for conversion to digital (internal and external)
 - Invest in tools that promote a mobile workforce
 - Update brand standards and communication technologies to promote a connected City
 - Initiate first phase of upgrades to City's fiber infrastructure

MAYOR HARTKE said Vice Mayor Stewart has been instrumental in pushing the charging stations.

COUNCILMEMBER ROE said Prop 400, whenever that passes, could allocate a small amount of money to tech.

MAYOR HARTKE said he has been fighting for technology and flexibility to ensure jurisdictional equity and hoped more would be put aside. Chandler has been good at having shovel ready projects to capture some of those tech dollars.

COUNCILMEMBER LOPEZ said he would like to see digital and automation and said just digitizing a process may not necessarily save time where as automation does. Councilmember Lopez said it has come up before about advertising in the newspapers and wanted to work with the League and Legislature to make some changes to simplify our process.

MAYOR HARTKE said that would be good for a Councilmember this year as they get on the different subcommittees this year.

COUNCILMEMBER ORLANDO said staff presented a white paper a few weeks ago on solar power. SRP is looking for innovation ideas and thought they could work with the power companies to development some solar platforms to serve power to businesses. They have a mandate to get it done but if the City comes up with some projects to partner it would be a benefit to the community.

MAYOR HARTKE said there are companies that are doing that who work directly with the power companies.

COUNCILMEMBER ORLANDO said there has to be a way to come up with a financially sound plan to address solar.

COUNCILMEMBER ELLIS said when people get solar panels they still end up paying SRP or APS for electricity even though they are capturing it. Councilmember Ellis said perhaps there is a way to make this more appealing so people may want to use solar more.

VICE MAYOR STEWART said he would like staff to look at sustainable alternatives and find best practices in other cities. Vice Mayor Stewart said cybersecurity is a big issue as it relates to innovation and other cities are starting to use blockchain to protect valuable data. Vice Mayor Stewart said he would like to see some innovative ideas around that.

COUNCILMEMBER HARRIS said sustainability and environmentally friendly initiatives are important. Councilmember Harris wanted to streamline the website and make it easier to access the information. Councilmember Harris said as they continue to buildout the charging stations, he would like a place on the website to show where the charging stations are located. Councilmember Harris asked if there was a place to put information on restaurants in the area if people are looking on the tourism page even if it is just redirecting to another page. Councilmember Harris said he wanted the website to be useful for people to get the information they need.

MAYOR HARTKE said it is always a challenge to capture how much information should be on the website.

MR. WRIGHT said there is a tourism website as well.

COUNCILMEMBER ELLIS talked about having a partnership with the Chamber since they already have a lot of that information.

COUNCILMEMBER HARRIS said they need to provide resources if needed to the Chamber to get the outcomes they want.

MR. WRIGHT continued the presentation.

- Action Items to Achieve the Strategic Framework Goals
 - Mobility, 2021-2023 Priorities
 - Integrated options to access employment corridors, convenient connections to East Valley, high-tech transit options, safe and attractive roadways and traffic systems, connect neighborhoods and places with multimodal pathways, and leverage regional resources
 - Expand and/or renew pilot programs for micro transit and multimodal transportation.
 - Initiate bike/pedestrian studies for connecting employment, recreation, neighborhood and entertainment nodes.
 - Finalize Proposition 400 Extension efforts in cooperation with regional partners.
 - With employer input, determine appropriate transit solutions for employment corridors.
 - Initiate the first phase of the next round of LED streetlight replacement.
 - Complete design of new bike lane projects connecting points of interest and fixing system gaps.

MAYOR HARTKE asked if there were other innovative technology that was being done for overall transit to get us to be leaders in innovation transportation.

COUNCILMEMBER ORLANDO said there was a project years ago about right turn lanes and asked if they were looking at that again and using some infrastructure dollars to improve traffic flow.

MR. WRIGHT said there was a study done about 20 years ago that identified some intersections that had a high accident rate. Over the years the City was able to address all of those intersections but there are others now that need to be addressed.

COUNCILMEMBER ORLANDO asked if there was a plan.

MR. WRIGHT said it is part of the capital improvement program and would provide more information.

COUNCILMEMBER ORLANDO talked about Alma School Road and Willis Road with the turn lane issues.

COUNCILMEMBER HARRIS said he wanted to better mobilize residents in south Chandler. South Chandler is still without adequate transportation and although there is a partnership with Lyft,

Councilmember Harris asked if it was economically feasible or if was better to put in infrastructure. Councilmember Harris said at night there is no transportation, and it is becoming a demand now.

MAYOR HARTKE said it is a challenge because in North Chandler it is easy to connect with the other cities but South Chandler, because they are the end of the line, it is extremely expensive to run a bus as opposed to Lyft.

COUNCILMEMBER HARRIS said they could continue the conversation with Gilbert and Queen Creek to see if there is something that makes sense and not increase taxes.

MAYOR HARTKE said all those cities are represented in the Regional Public Transportation Authority and with MAG, so they are working together to make something happen.

COUNCILMEMBER LOPEZ said there was a subcommittee report about paratransit and asked for that report to sent to all Councilmembers.

VICE MAYOR STEWART said he was not open to having the light rail on our streets but was open to having it on the 101 or 202 to the Airport Area Corridor or Price Corridor. Anything other than that Vice Mayor Stewart was not open to.

MAYOR HARTKE said there is no plan at this point.

COUNCILMEMBER ROE asked if there was any talk of partial funding, if the City would match the funds.

MAYOR HARTKE said yes, mostly there have been matching dollars on a lot of the projects and staff has been good about having projects ready to be first in line to secure the dollars.

COUNCILMEMBER HARRIS said he wanted to continue to look at minimizing our cost for our aging infrastructure.

MR. WRIGHT continued the presentation.

- Action Items to Achieve the Strategic Framework Goals
 - Neighborhoods, 2021-2023 Priorities
 - Services aligned with needs in specific areas of the city, holistic approach to neighborhood improvement through internal and external partnerships, quality housing for diverse needs, and well-maintained/enhanced infrastructure.
 - Use Census 2020 results to identify diversity programs tailored to specific areas.
 - Integrate planning and programming efforts across City departments and partner agencies to impact disadvantaged neighborhoods.
 - Initiate the City's first Rental Assistance Demonstration (RAD) development agreement to reposition the Public Housing Authority.
 - Review development codes and other tools to facilitate diversity of housing choices.

- Identify unique themes and appropriate funding for new and revitalized infrastructure (e.g. major park updates).

COUNCILMEMBER HARRIS thanked staff on the partnership to build more sustainable housing with more senior living. Councilmember Harris said he wanted to continue to work on private partnership housing projects to address affordable housing. Councilmember Harris wanted to continue to look at how they continue to work with landlords on housing vouchers. Councilmember Harris said he was concerned with seniors on a fixed income and maintaining housing and this is a place people can live, work, and play.

COUNCILMEMBER ORLANDO agreed and would like to see diversified housing choices. Councilmembers Orlando said they have been looking at neighborhood sustainability. Staff has limited resources for cleanup, and it seems difficult to find resources for systemic cleanup of neighborhoods. Councilmember Orlando said they need to find a way to clean up the neighborhood and keep it sustainable and address the bad actors. Councilmember Orlando asked if there were any other resources available to tap into.

MAYOR HARTKE said they often find one-time dollars, but it is a bigger challenge to address the sustainability part of it.

COUNCILMEMBER LOPEZ said just cleaning up the neighborhood does not address the root cause and maybe they need a different approach. Councilmember Lopez said he did not see us involved in rent controlled or city subsidized housing.

COUNCILMEMBER ELLIS said they want to be able to have the seniors live wherever they want. Councilmember Ellis said the rental assistance demonstration they had before is something they could achieve and having these partnerships would continue to move things forward.

COUNCILMEMBER ORLANDO said he thought they were all in agreement with what Councilmember Lopez was talking about but there is a way to develop the code to try and get diversified housing.

VICE MAYOR STEWART agreed with Councilmember Lopez and at the end of the day those federal dollars for the housing vouchers go to a landlord.

COUNCILMEMBER HARRIS said he wanted to look at the code enforcement policy and what is in the yards. Not every neighbor is going to say something but if someone is using their front yard to store their personal belongings or trash, they are going to appreciate it getting cleaned up. Councilmember Harris said those that have HOAs control that. Councilmember Harris said dust continues to be a problem in our alleys and watching what people are throwing back there.

COUNCILMEMBER ORLANDO said another challenge is what else could be done. Councilmember Orlando asked if there was a way to work with the schools to open them up to bring the neighborhoods together in a safe environment.

MAYOR HARTKE said they are starting to see some of that with Kyrene.

COUNCILMEMBER ROE said code enforcement staff goes out with the goal of having a positive result. Councilmember Roe asked if there were resources to help people take care of some of the issues.

MAYOR HARTKE said with For Our City there are specific teams that are sent to people who may have trouble getting their property up to code and that happens year-round. Mayor Hartke said it is good to have more partners.

MR. WRIGHT continued the presentation.

- Action Items to Achieve the Strategic Framework Goals
 - Quality of Life, 2021 – 2023 Priorities
 - Public safety personnel/technology/training that supports partnerships, high landscaping and architectural standards, parks and amenities serving the surrounding area, public spaces usable year-round, events capitalizing on Chandler's culture, and partnerships for cultural and recreational programs.
 - Evaluate resources needed to address community behavioral health issues.
 - Complete planned parks and veterans' monument.
 - Develop a plan for addressing crime, infrastructure, and social issues in identified neighborhoods.
 - Pursue grants opportunities for visual and performing arts, including outside downtown area.
 - Identify new technologies to improve recreational facility user experience and safety.
 - Evaluate future locations and resources needed for large-scale events.

MAYOR HARTKE asked if there were ways to better cross communicate internally to get a better response and resolve quality of life issues.

COUNCILMEMBER LOPEZ said given the water situation, it may be beneficial to include water infrastructure now and water resource opportunities.

COUNCILMEMBER ELLIS asked if they were doing something about mental health. Right now, with COVID there are still people who have not taken the vaccine. There are people saying it should be mandated and others who say no way. As a City they need to determine how to move forward. Councilmember Ellis asked how they continue to move forward with these physical health issues and live with COVID.

COUNCILMEMBER HARRIS said he wanted to continue to address mental health. Councilmember Harris said there has been an increase in teen suicide and they could work with CUSD and other schools to address mental health. Councilmember Harris said they could leverage special events to address mental health and healthy lifestyles and that could bring individuals together. Councilmember Harris said they

need to also address the panhandlers and get them to use the resources available. Councilmember Harris said they need to leverage their special events to bring everyone together.

MAYOR HARTKE said Vice Mayor Stewart put together a partnership with the schools to address team suicide. Mayor Hartke said they need to expand their influence by partnering with other organizations.

MR. WRIGHT continued the presentation.

- Good Governance Goals
 - High Priorities
 - Continue technology enhancements to support mobility and efficiency solutions
 - Enhance existing City buildings based on assessments
 - Voter education on bonds and home rule initiatives
 - Maximize use of grants and partnerships to achieve strategic goals
 - Building a 21st century workforce
 - Continue PSPRS paydown plan

MAYOR HARTKE said anytime they can take onetime and convert it to ongoing is good.

COUNCILMEMBER ORLANDO said the idea of staying connected is important and they need to expand their bubble. Councilmember Orlando said they have been successful because they work with partnerships and they need to continue to work together.

VICE MAYOR STEWART said there are things that the City is responsible for. When we start expanding into private industry they become a competitor and the City would never be able to do it as good as private industry. Vice Mayor Stewart said they are good at economic development, infrastructure, and public safety but they need to stay within their boundaries.

MR. WRIGHT said all of the feedback would be formalized to an action plan. Mr. Wright said performance dashboards would have some metrics tied to it into the performance dashboards to report out to Council and see how the City is trending.

5. Capital Guidelines

MR. DUNBAR continued the presentation.

- Capital Guidelines
 - Minimize increase in property taxes
 - Maintain, enhance or reimagine existing infrastructure
 - Finish planned construction of streets, parks, fiber and utility systems
 - Prior to adding capital, ensure related ongoing O&M can be supported
 - Utilize master plans to guide long-term capital investment

6. Financial Policies

- Financial Policies (Revised and adopted by Council January 14, 2016)
 - Operating Management
 - Capital Management
 - Reserves Jan 26, 2017 Mar. 22, 2018
 - Debt Management
 - Long Range Financial Planning
 - Grant Management
 - Investment
 - Accounting, auditing, and Financial Reporting
 - Pension Funding (annual update, last completed June 10, 2021)
- Council Approved Budgeting Practices Support Financial Sustainability
 - Maintain AAA bond ratings from Moody's, Fitch, and S&P
 - Continue adherence to all fiscal policies
 - Structurally balanced
 - Ongoing revenues support ongoing expenditures
 - Onetime revenues support onetime expenditures
 - Maintain strong reserves
 - 15% General Fund contingency reserve
 - Budget Stabilization reserve at a minimum of \$10M
 - Manage expenditure growth
 - Maintain existing services

7. Key Dates

- Tentative Key Budget Dates
 - Council Budget Kickoff Tonight
 - Citizen Budget Survey Oct. 4- Nov. 14, 2021
 - Council Workshop 1 February 10, 2022
 - Budget Input Time (BIT): Citizen Outreach Media Events Early March
 - Council Workshop 2 March 24, 2022
 - All-Day Budget Brief April 29, 2022
 - Council Meetings:
 - Amendment Discussion May 9, 2022
 - Tentative Adoption May 26, 2022
 - Public Hearing & Final Adoption June 9, 2022
 - Adoption of Tax Levy June 23, 2022

COUNCILMEMBER ORLANDO asked if staff foresees budget expenditures increasing or decreasing.

MR. DUNBAR said it is hard to answer now, there are some trends with expenditures increasing because of inflation and there are some construction projects moving forward. Mr. Dunbar said there would be some reports towards the end of the month to get more information.

VICE MAYOR STEWART said there was a large increase in the budget because of federal dollars and would like to see a budget that has a decrease.

MS. LANG said with the large grant contingencies built in that would likely happen but there are going to be some onetime dollars from Intel's project.

MAYOR HARTKE said it would be more of a true budget with organic growth instead of federal dollars.

COUNCILMEMBER LOPEZ said over the last few years they still have grown.

MS. LANG said COVID completely changed the budget with the \$20 million reduction but that had not come to fruition so there are some changes there. Ms. Lang said Intel did not say when they were going to start so that was not reflected in the FY 2021/2022 budget. There is a lot of work this year to get where they need to be.

MAYOR HARTKE said the Census gave the City a big bump more than anticipated and asked how that reflected.

MS. LANG said she has not seen the overall final assessed values across the county and state.

MR. PETERS said the proportional share for some revenue may go up because there were other cities that had inflated their numbers and they received the benefit of extra revenue. The census happened and reset that. Mr. Peters would expect to benefit from the higher census numbers.

COUNCILMEMBER LOPEZ talked about predicting the next recession and clarified they do look forward for key indicators. Councilmember Lopez asked what the trends are in Chandler to see the health of the economy. Construction would eventually drop off as they run out of space.

MS. LANG said economic development monitors a lot of different factors that goes into creating the budget forecast.

COUNCILMEMBER HARRIS said they need to make sure they look at strategic partnerships and not just the City doing the work. Councilmember Harris said protecting the employment corridor is important as well as looking at the airport. Councilmember Harris said they need to look at housing for seniors that is affordable. Councilmember Harris said they need to leverage technology and look at events in the City to bring the community together.

Adjourn

The meeting was adjourned at 5:44 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 1, 2021

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 11th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk

Meeting Minutes

City Council Regular Meeting

October 11, 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
Dawn Lang, Deputy City Manager/ CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

Invocation

The invocation was given by Pastor Scott Smith, Trinity Christian Fellowship.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Harris.

Consent Agenda and Discussion

City Clerk

1. September 2021 City Council Meeting Minutes
Move City Council approve the Council Meeting minutes of the Special Meeting of September 1, 2021, Special Meeting of September 9, 2021, Regular Meeting of September 20, 2021, Study Session of September 20, 2021, Special Meeting of September 23, 2021, and Regular Meeting of September 23, 2021.

Development Services

2. Final Adoption of Ordinance No. 4987, PLH20-0061 Parkside, located at the northwest corner of Fairview Street and Cooper Road, approximately 1/4 mile north of Pecos Road

Move City Council adopt Ordinance No. 4987 approving PLH20-0061 Parkside, rezoning from Agricultural (AG-1) District to Planned Area Development (PAD) for single-family residential, subject to the conditions as recommended by Planning and Zoning Commission.

3. Final Adoption of Ordinance No. 4989, PLH21-0017 Elevation AZ 87, located at southeast corner of Arizona Avenue and Elliot Road

Rezoning

Move City Council adopt Ordinance No. 4989 approving PLH21-0017 Elevation AZ 87, Rezoning from Planned Industrial/Planned Area Development (I-1/PAD) for retail, light industrial, office and showroom to PAD for multi-family residential with Mid-Rise Overlay for heights up to 55 feet, subject to the conditions as recommended by Planning and Zoning Commission.

Public Works and Utilities

4. Final Adoption of Ordinance No. 4986, Authorizing the Abandonment of a Temporary Drainage Easement No Longer Needed for Public Use at the Northwest Corner of Arizona Avenue and Germann Road

Move City Council approve final adoption of Ordinance No. 4986, authorizing the abandonment of a temporary drainage easement no longer needed for public use at the northwest corner of Arizona Avenue and Germann Road.

5. Final Adoption of Ordinance No. 4988, Authorizing the Sale of City Property Located West of the Southwest Corner of Cooper Road and Pecos Road

Move City Council approve final adoption of Ordinance No. 4988, authorizing the sale of City property located west of the southwest corner of Cooper Road and Pecos Road to Felix E. Vivas III and Elva G. Vivas for the sum of \$221,000.

Consent Agenda Motion and Vote

Councilmember Harris moved to approve the Consent Agenda of the October 11, 2021, Regular City Council Meeting; seconded by Councilmember Lopez.

Motion carried unanimously (7-0).

Adjourn

The meeting was adjourned at 6:03 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 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 11th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk

Meeting Minutes

City Council Study Session

October 11, 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 René Lopez
Councilmember Terry Roe
Councilmember Christine Ellis
Councilmember Matt Orlando

Appointee Attendance

Joshua Wright, Acting City Manager
Dawn Lang, Deputy City Manager/CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

Scheduled Public Appearances

MAYOR HARTKE invited Councilmember Lopez to join him for the recognitions.

1. Service Recognitions

Ivan Enriquez – 10 Years, City Clerk's Office
Shawn Prisciandaro – 15 Years, Public Works and Utilities

2. Proclamation Cybersecurity Awareness Month

MAYOR HARTKE read the proclamation and invited staff to accept.

OWEN ZORGE, Chief Information Security Officer, thanked Council and staff for prioritizing information security. It is everyone's responsibility and encouraged everyone to do something this month to improve their cybersecurity.

MITCH ROBINSON, IT Security Administrator, thanked staff for keeping cybersecurity at the forefront.

3. Proclamation Friends of the Library October 17-23

COUNCILMEMBER LOPEZ read the proclamation and invited the Friends of the Library to accept.

BOB LOWRY, Friends of the Library President, said thanked the donors and volunteers for helping make the Chandler Library system the best in the Valley.

4. Proclamation Arizona Cities and Towns Week October 17-23

MAYOR HARTKE read the proclamation and invited the League of Arizona Cities and Towns to accept.

TOM BELSHE, Executive Director of League of Arizona Cities and Towns, said they really appreciate what the cities and towns do. Mr. Belshe said local government is the most important level of government as the elected officials and staff are out in the City and communicate with residents daily.

Consent Agenda and Discussion

Airport

1. Agreement No. AI0-909-4218, Amendment No. 1, with Everest Communications, LLC, for Airport Tower Maintenance
Move City Council approve Agreement No. AI0-909-4218, Amendment No. 1, with Everest Communications, LLC, for airport tower maintenance, in an amount not to exceed \$60,000, for the period of November 1, 2021, through October 31, 2022.

City Clerk

2. Board and Commission Appointments
Move City Council approve the Board and Commission appointments as recommended.
3. Resolution No. 5529, Setting the 2022 City Council Regular Meeting Schedule
Move City Council pass and adopt Resolution No. 5529, setting the 2022 City Council Regular Meeting schedule.

City Manager

4. Introduction and Tentative Adoption of Ordinance No. 4991, Establishing a Military and Veterans Affairs Commission
Move City Council introduce and tentatively adopt Ordinance No. 4991, forming a Military and Veterans Affairs Commission.

MAYOR HARTKE said the City currently has 35 citizen advisory boards and commissions, which allows Council to receive resident input and advice in diverse communities of interest. Mayor Hartke said pending Council approval, the City is forming a Military and Veterans Affairs Commission. The commission would provide a formalized forum for Commissioners to collaborate and partner with the City and outside stakeholders to further support Chandler's military community. The Commission would advise Council on veteran programs, policies and practices and will act as a community forum for Chandler's active-duty military members and veterans.

COUNCILMEMBER ORLANDO said Chandler is the first to have veteran navigators to help those coming back from the wars get back into society. Councilmember Orlando said Chandler also was the first to have a veteran's court to get them the help they need. Chandler was involved in Operation Standdown which gave homeless veterans a place to stay. This is the next step and thanked Councilmember Lopez for his work on this item and the citizens for their input.

COUNCILMEMBER HARRIS said he was excited about the Commission to increase awareness. Many veterans are excited for what's to come. Councilmember Harris said in the military they used to discharge people as uncharacterized discharge and wanted to ensure the language for the Commission allows those military personnel to serve. In the military now people are either honorably or dishonorably discharged and wanted to ensure the language includes those who were uncharacterized discharged.

MAYOR HARTKE asked staff to look at the language and see if the language would be appropriate to change.

COUNCILMEMBER LOPEZ thanked staff for working on this and is looking forward to the Commission.

5. Professional Services Agreement No. 4347, with Cooperative Personnel Services, dba CPS HR Consulting, for a Diversity, Equity, and Inclusion Assessment
Move City Council approve Professional Services Agreement No. 4347, with Cooperative Personnel Services, dba CPS HR Consulting, for a diversity, equity, and inclusion assessment, in an amount not to exceed \$56,040.

MAYOR HARTKE said in 2020 a subcommittee of the Human Relations Commission and the City's Communication and Public Affairs Department conducted a citywide survey regarding diversity, equity, and inclusion. Based on the survey responses, the Human Relations Commission recommended that the City engage a DEI consultant to evaluate best practices in recruitment, training, and education for staff, community building events, educational forums, and programs and resources in the City's DEI office. In June, Council prepared a draft non-discrimination resolution and directed staff to review this document in the DEI assessment and to receive input from stakeholders. Mayor Hartke said he looked forward to working with the consultant, Council, and the community throughout the assessment process to ensure Chandler remains safe, equitable, diverse, and inclusive community.

COUNCILMEMBER ELLIS said this is the time to really get the people of Chandler engaged. Councilmember Ellis said the City has always been inclusive for people to really live and work. Councilmember Ellis said they are asking the people of Chandler what they want and encouraged people to get involved. Councilmember Ellis thanked staff for getting this put together.

COUNCILMEMBER HARRIS said diversity and inclusion is something he strongly cares about. Councilmember Harris said he wants to ensure everyone is represented and the consultant is able to see things from a different perspective. Councilmember Harris said this is the time to take the next step and it is important for the community to give feedback to Council as this will determine the next steps Council takes. Councilmember Harris wanted staff to put this survey out in multiple media campaigns to ensure everyone has the opportunity to hear about it and complete it. They need thousands of people to take the survey.

Development Services

6. Resolution No. 5517, PLH20-0053 Chandler Airpark Area Plan Update; and
Resolution No. 5520, Airport Conflicts Evaluation Process
Move City Council pass and adopt Resolution No. 5517, PLH20-0053 Chandler Airpark Area Plan Update, adopting an updated Chandler Airpark Area Plan, located within the area surrounding the Chandler Municipal Airport, bounded by Loop 202 Santan Freeway, Gilbert Road, Ocotillo

Road, and Arizona Avenue; clarifying recommended future land uses and establishing conceptual design guidelines, as recommended by Planning and Zoning Commission.

Move City Council approve Resolution No. 5520, adopting an Airport Conflicts Evaluation process prescribing the Airport Commissions's review process for Area Plan Amendments, Rezoning and Preliminary Development Plan applications for properties located within the Chandler Airpark Area Plan; adopting revisions to the Airport Conflicts Evaluation process as recommended by the Airport Commission and the Planning and Zoning Commission.

Economic Development

7. Resolution No. 5528, authorizing a Development Agreement between the City of Chandler and Intel Corporation

Move City Council pass and adopt Resolution No. 5528, authorizing a Development Agreement between the City of Chandler and Intel Corporation, a Delaware corporation, for the financing and construction of public infrastructure needed to serve Intel's expansion of its manufacturing facility located at 4500 S. Dobson Road.

MAYOR HARTKE asked for a staff presentation.

MICAH MIRANDA, Economic Development Director, introduced Consent Agenda Item No. 7 and said the development agreement is for Intel's expansion which is a \$20 billion dollar project which is the largest private construction project in the country. The development agreement is broken into categories which allows the City to purchase more water resources, ensure there is the physical infrastructure needed, and to allow for intersection improvements should a traffic analysis show the need. There are going to be an estimated 3,000 direct new jobs and 8,000 indirect new jobs as well as temporary construction jobs.

MAYOR HARTKE recognized, Intel's government affairs staff member, who has worked a lot with the City and the Chamber. Mayor Hartke said he was really excited about this project and Intel in Chandler would be the world's largest semiconductor manufacturing plant in the world. Mayor Hartke thanked Intel for their continued trust with the City and past Council and staff who have gotten the City to this point.

VICE MAYOR STEWART asked for more information about the water sustainability program.

MR. MIRANDA said Intel has been a close partner with the City on water sustainability. Mr. Miranda said Intel has invested hundreds of millions of dollars ensuring their plant is the most advanced recycler of water and they bring most of the water back through their process and use it over and over again. Mr. Miranda said Intel also participates in a lot of water shed preservation initiatives to ensure we have clarity and quantity of water supply.

VICE MAYOR STEWART asked if Intel has a water neutral strategy.

MR. MIRANDA said that is their goal.

VICE MAYOR STEWART asked for clarification on what that means.

MR. MIRANDA said they will capture and reuse the water over and over.

VICE MAYOR STEWART said the community does not have to worry about this affecting their water supply over the next 50 years.

MR. MIRANDA said the water resources that they need are renewable resources that they can capture and through the City's water allocation policies and 100 year assured water supply guarantees that we will have those resources.

Facilities and Fleet

8. Agreement No BF8-936-3802, Amendment No. 3, for Fire Protection Services
Move City Council approve Agreement No. BF8-936-3802, Amendment No. 3, with Western States Fire Protection, for fire protection services, in a total amount not to exceed \$962,500 for two years, September 1, 2021, through August 31, 2023.

Fire Department

9. Resolution No. 5515, Authorizing a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2022 Award, in the Area of Occupant Protection, to continue the Child Safety Seat Clinic Program
Move City Council pass and adopt Resolution No. 5515, authorizing the City of Chandler to enter into a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2022 award, in the area of Occupant Protection, in the amount of \$29,311.
10. Resolution No. 5524, Authorizing a Grant Agreement with the Arizona Department of Homeland Security for the 2021 Urban Area Security Initiative (UASI) Assessment Teams – Fire Terrorism Liaison Officers, for Equipment and Training
Move City Council pass and adopt Resolution No. 5524, authorizing the City of Chandler to enter into a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the 2021 Urban Area Security Initiative (UASI) Assessment Teams – Fire Terrorism Liaison Officers, for equipment and training, in the amount of \$4,750, and authorizing the Fire Chief to implement provisions of the agreement.
11. Resolution No. 5525, Authorizing a Grant Agreement with the Arizona Department of Homeland Security for the 2021 Urban Area Security Initiative (UASI) Enhanced Rapid Response Fire Teams, for Equipment and Training
Move City Council pass and adopt Resolution No. 5525, authorizing the City of Chandler to enter into a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the Urban Area Security Initiative (UASI) Enhanced Rapid Response Fire Teams, for equipment and training, in the amount of \$108,941, and authorizing the Fire Chief to implement provisions of the agreement.

Human Resources

12. Resolution No. 5519, Renewal Request to Industrial Commission of Arizona for Continued Exemption from Requirement to Post Security for Self-Insured Workers' Compensation Program
Move City Council pass and adopt Resolution No. 5519, renewing the request to the Industrial Commission of Arizona for continued exemption from requirement to post security for Self-Insurance Workers' Compensation Program.

Information Technology

13. Agreement No. 4409, with NST Technologies, Inc., for Information Technology Consulting Services
Move City Council approve Agreement No. 4409, with NST Technologies, Inc., for Information Technology consulting services, in an amount not to exceed \$300,000, for a period of one year beginning October 15, 2021, through October 14, 2022, with the option of up to four one-year extensions.

Management Services

14. Resolution No. 5527, Approving Reallocations for the Use of the American Rescue Plan Act (ARPA) Grant, and Remaining AZCares Grant Contingencies, as well as Allocation of General Fund From Items Now Funded With ARPA, to be Reallocated Based on Exhibit A, Beginning October 15, 2021.
Move City Council approve Resolution No. 5527, approving reallocations for the use of the American Rescue Plan Act (ARPA) Grant and remaining AZCares Grant Contingencies (217.1290.5911) in the amount of \$43,123,751, as well as \$7,652,044 of General Fund from items now funded with ARPA, to be reallocated as outlined in Exhibit A in the following City Council Strategic Framework Focus Areas and Goals: Economic Vitality, Innovation and Technology, Quality of Life, Neighborhoods, and Good Governance, beginning October 15, 2021.

COUNCILMEMBER ORLANDO said Council earlier this year reviewed funding sources from AZCares and ARPA to see how they should be allocated. There were some changes when they received final guidance on how the funds should be spent from the federal government. Councilmember Orlando said some areas were taken out in economic development and mobility and they were able to add two park refurbishments.

MR. WRIGHT said that was correct.

COUNCILMEMBER ORLANDO said this frees up some general funds to help with other projects. Councilmember Orlando said this is great funding and it enhances what the City is trying to do.

15. FY 2021-22, Municipal Firefighter Cancer Reimbursement Fund Assessment per A.R.S. § 23-1703
Move City Council approve the payment to the Industrial Commission of Arizona (ICA), Municipal Firefighter Cancer Reimbursement Fund, in the amount of \$676,428.89, for Fiscal Year 2021-2022 assessment, and approve a budget transfer of \$676,428.89 from the General Fund, Management Services Department, Tax and License Division (101.1240.5816), to the Workers Compensation and Employer Liability Trust Fund, City Manager Department, Human Resources Division (736.1250.5618), to shift the payment pursuant to A.R.S. § 23-1703.

MAYOR HARTKE called for a staff presentation.

DAWN LANG, Deputy City Manager/Chief Financial Officer, presented the following presentation.

- Municipal Firefighter Cancer Reimbursement Fund Assessment
- Legislative Changes Added Municipal Firefighter Cancer Reimbursement Fund
 - Legislation created that if a firefighter receives a diagnosis of a cancer that is on the statutorily established qualifying cancers list, this is presumed to be an occupational disease for the purposes of workers' compensation

- SB1451 extended cancer presumption for workers compensation claims to fire inspectors, and added breast and ovarian cancers to the list of qualifying cancers
- SB1827 repeals the assessment for TPT Administration and establishes the Municipal Firefighter Cancer Reimbursement Fund (Fund), redirecting funding
- Municipal Firefighter Cancer Reimbursement Fund
 - Cities and towns previously had an annual General Fund assessment of \$676,428.89 for TPT administration to the AZ Department of Revenue
 - This amount will be shifted from Tax and License to the Workers Compensation Fund
 - Uses same formula – The industrial commission will assess a per capita fee to municipalities to deposit into the Fund, not to exceed \$15M
 - The Fund will reimburse cities and towns for future claims of
 - Disability claims
 - Death benefits
 - Medical, surgical, and hospital benefits

COUNCILMEMBER ORLANDO asked if there would be representation on the Commission.

MS. LANG said the fund is administered by the State and a lot of the Industrial Commission is managing the fund.

COUNCILMEMBER ORLANDO said it is a state function.

MS. LANG said yes.

COUNCILMEMBER ORLANDO said they have to protect the firefighters and supported this item. Councilmember Orlando said other cities have different practices in their fire department that has a higher injury rate than they do in the Chandler Fire Department. Councilmember Orlando hoped there would be standardization and asked if they would be paying a higher share because the fund would pay for firefighters that have a higher risk.

TOM DWIGGINS, Fire Chief, said he could not speak to if they would pay for a higher share. Chandler has practices in place to protect their firefighters that not all communities in Arizona have between equipment, policies, and procedures. There may be departments that are not as safe as Chandler.

COUNCILMEMBER ORLANDO said the fund would pay more for those firefighters. Councilmember Orlando asked if there could be a standardized set of practices.

MS. LANG said the formula is based on population.

COUNCILMEMBER ORLANDO asked if there could be the standardization because it is to everyone's benefit.

CHIEF DWIGGINS said there was a regional meeting coming up and he could discuss it then.

MAYOR HARTKE asked if there is a rash of unfortunate circumstances, what would happen if the fund was depleted.

RYAN PETERS, Governmental Relations and Policy Manager, said they are still liable for the benefit and this is a ballpark of what the total cap is estimated to be throughout the State on an annual basis. It would take legislative action for that to change.

MAYOR HARTKE asked if it is less if there is an ability for the fund to accrue over that amount.

MR. PETERS said yes.

16. Ratification of Corrected Agreement No. PW2-936-4357
Move City Council ratify the corrected Agreement No. PW2-936-4357, with Capital Pump and Equipment, LLC; Foster Electric Motor Service, Inc.; Hennesy Mechanical Sales, LLC; James, Cooke & Hobson, Inc.; Keller Electrical Industries, LLC; KP Ventures Well Drilling & Pump Co, LLC; Layne Christensen Company; Phoenix Pumps, Inc.; Pumpman Phoenix/Scott's AZ Electric Motor Repair; Southwest Waterworks Contractors PM, LLC, dba Pumpman Waterworks; and Weber Water Resources, LLC, for water and wastewater equipment maintenance and repair services.
17. Claims Report for the Quarter Ended September 30, 2021
Move to accept the claims report for the quarter ending September 30, 2021, which is included with this memo as an attachment.
18. Purchase of Environmental Assessment Services
Move City Council approve the purchase of environmental assessment services, from Wood Environment and Infrastructure Solutions, Inc., utilizing the Arizona Department of Environmental Quality (ADEQ) Contract No. CTR055988, in an amount not to exceed \$164,489.98, and authorize the City Manager or designee to sign a linking agreement with Wood Environment and Infrastructure Solutions, Inc.
19. Purchase of Street Signs and Hardware
Move to approve the utilization of the City of Peoria Contract No. ACON19421, with Interwest Safety Supply, LLC, for the purchase of traffic signs and related hardware, in an amount not to exceed \$130,000.
20. License Series 12, Restaurant Liquor License Application for DLW Chicago Style Grill LLC, DBA Johnny's Greek & Burger Bar
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 156596, a Series 12, Restaurant Liquor License, for Denell Marie Cardenas, Agent, DLW Chicago Style Grill, LLC, DBA Johnny's Greek & Burger Bar, located at 4975 S. Alma School Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301543.
21. License Series 12, Restaurant Liquor License Application for Games Group Hospitality, LLC, DBA K-38 Beach Mex Cantina
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 160601, a Series 12, Restaurant Liquor License, for Jeffrey Craig Miller, Agent, Games Group Hospitality, LLC, DBA K-38 Beach Mex Cantina, located at 1155 W.

Ocotillo Road, Suite 1, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301376.

22. New Liquor License Series 12, Restaurant Liquor License Application for POAF2, Inc., DBA Pork On A Fork BBQ
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 149578, a Series 12, Restaurant Liquor License, for Justin Daniel Erickson, Agent, POAF2, Inc., DBA Pork On A Fork BBQ, located at 1972 N. Alma School Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300687.

Police Department

23. Resolution No. 5523, authorizing an Intergovernmental Agreement between the City of Chandler and the City of Phoenix, and other identified cities, for the Award of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program [Click to View](#)
Move City Council pass and adopt Resolution No. 5523, authorizing an Intergovernmental Agreement (IGA) with the City of Phoenix, and other identified cities, for the award of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2021, in the amount of \$44,750; authorizing the Chief of Police to sign the IGA and administer, execute, and submit the Agreement and all documents and other necessary instruments in connection with such Agreement.
24. Payment of Annual Operations and Maintenance Costs for Public Safety Radio System Infrastructure
Move City Council approve the payment of operations and maintenance costs, system upgrade agreement, and narrow banding, for Fiscal Year 2021-2022, to the City of Phoenix, for participation in the Regional Wireless Cooperative, in an amount not to exceed \$564,081.
25. Service Agreement for Radio System Infrastructure Support
Move City Council approve the annual service agreement with Motorola Solutions Inc., for radio system infrastructure support, in the amount of \$89,359, for the term of August 1, 2021, through July 31, 2022.
26. Sole Source Purchase of Leica RTC360 3D Scanner Kit
Move City Council approve the sole source purchase of a Leica RTC360 3D Scanner Kit, from Surveyors Source, in the amount of \$121,861.85.

COUNCILMEMBER ORLANDO called for a staff presentation.

SEAN DUGGAN, Police Chief, said the laser scanner is an example of how technology is changing policing. This scanner would be used to collect and record thousands of measurements documenting crime scenes in a fraction of the time it takes today. This would allow them to open the roadways sooner and conduct a more thorough investigation and better service for victims. In the last year they were able to borrow another agency's scanner to help in fatal collision investigations and if they had their own scanner they would have been able to use it well over 30 times on serious injury and fatal collisions and 12 times on serious criminal investigations.

COUNCILMEMBER ORLANDO asked if this was a mobile device that develops a story about what happened without dozens of individuals manually doing it.

CHIEF DUGGAN said yes.

VICE MAYOR STEWART asked if there was more to it than just the scanner and if they needed special stands or equipment.

CHIEF DUGGAN said no the device is mobile, but it could be used indoors or outdoors and is a little bit different than typical surveying equipment.

VICE MAYOR STEWART asked where the additional dollar amount was coming from since he searched it and it came up as less money.

MR. WRIGHT said staff would get clarification.

COUNCILMEMBER ELLIS asked if this was done with ongoing or onetime dollars.

MS. LANG said this is onetime dollars.

Public Works and Utilities

27. Resolution No. 5526, Approving a Sustainable Water Service Agreement Between Stryker Sustainability Solutions, Inc., a Delaware Corporation, and the City of Chandler
Move City Council pass and adopt Resolution No. 5526, approving a Sustainable Water Service Agreement between Stryker Sustainability Solutions, Inc., a Delaware Corporation, and the City of Chandler allocating Tier II Water for a medical device reprocessing facility located at 6635 West Frye Road.

VICE MAYOR STEWART asked for more information on Tier I and Tier II water and about their sustainability plan.

MR. MIRANDA said the water allocation policy was brought into fruition in 2015. This is the first project brought before Council. The intent of the policy sets up a three-tier water allocation system. Tier I is most of the water users in Chandler. Tier II is set aside for economic development and quality of life purposes. Stryker wants to have a new facility here and is in that Tier II allocation. Mr. Miranda said staff looks at projects to ensure sustainably and advances the Council's goals for the City. This has allowed staff to market to businesses that Chandler is a reliable place and takes resources into consideration.

MAYOR HARTKE said the City was one of the first to tie economic development to water allocation and this has allowed the City to say no to large water users. It is good to see the plan being implemented.

MR. MIRANDA said this project is not being evaporated it would be recaptured and used again.

COUNCILMEMBER ORLANDO asked if staff could get information on what the company does to pretreat the water before it comes back into the system.

GREGG CAPPS, Water Resource Manager, said they have been engaged in discussions with the company regarding this and the pretreatment group regulates this locally. There is a chemical list proposed to go back into the system and that is a public document.

COUNCILMEMBER ORLANDO asked for that when it was available.

COUNCILMEMBER LOPEZ asked if the company would also be recycling the water before it goes into the drain system.

MR. CAPPS said there have been some discussions, but it would not be to that scale because it is a smaller company. Mr. Capps said when it goes into the sewer it is recycled through the City's system. Mr. Capps said Stryker has company goals for water reduction over the next five years.

COUNCILMEMBER LOPEZ clarified the chemicals would be mostly soaps and cleaning products not anything that would be a biohazard.

MR. CAPPS said no, when reviewing the list there were no red flags but they would still go through an inspection process.

VICE MAYOR STEWART asked to hear more about the sustainability plan from Stryker.

The Stryker Representative, said the company has initiatives for carbon emissions reductions, landfill avoidance, and they are very aware of their high use of water. He said they are working on a 10% reduction year over year for the next five years. As they develop new products and cleaning processes that are approved by the FDA, they are also looking at how they reduce water usage. He said there are remediation projects as well and there has been some success with that already at another site.

VICE MAYOR STEWART said he was excited for Stryker coming to Chandler and it was great that they have a sustainability plan.

28. Purchase of Backhoe
Move City Council approve the purchase of a backhoe, from Empire Machinery and Caterpillar, Inc., utilizing Omnia Partners Contract No. 161534, in the amount of \$134,126.84, and authorize the City Manager or designee to sign a linking agreement with Empire Machinery and Caterpillar, Inc.
29. Purchase of Street Sweeper
Move City Council approve the purchase of a Street Sweeper, from TYMCO, Inc., utilizing HGACBuy Contract No. SW04-20, in the amount of \$277,973.08, and authorize the City Manager or designee to sign a linking agreement with TYMCO, Inc.
30. Purchase of Traffic Bucket Trucks
Move City Council approve the purchase of two Bucket Trucks, from Altec, Inc., utilizing Sourcewell Contract No. 012418-ALT, in the amount of \$361,912, and authorize the City Manager or designee to sign a linking agreement with Altec, Inc.
31. Purchase of Water and Wastewater Maintenance Basin Recoating Services

Move City Council approve the purchase of water and wastewater maintenance basin recoating services, from Joseph Painting Company, Inc., dba JPCI Services, utilizing Town of Gilbert Agreement No. 321000003, in an amount not to exceed \$288,000, and authorize the City Manager or designee to sign a linking agreement with Joseph Painting Company, Inc., dba JPCI Services.

32. Agreement No. WW9-815-4055, Amendment No. 2, with Ferguson Enterprises, dba Ferguson Waterworks, for Composite Manhole Frames and Covers
Move City Council approve Agreement No. WW9-815-4055, Amendment No. 2, with Ferguson Enterprises, dba Ferguson Waterworks, for composite manhole frames and covers, in an amount not to exceed \$200,000, for a one-year period, October 1, 2021, through September 30, 2022.
33. Design and Construction Agreement No. WW1901.501, with Salt River Project, for the Reclaimed Water Interconnect Facility Turnout Structure Design and Construction
Move City Council award Design and Construction Agreement No. WW1901.501, with Salt River Project, for the Reclaimed Water Interconnect Facility Turnout Structure Design and Construction, in an amount not to exceed \$104,190.
34. Professional Services Agreement No. WW2005.202, with Dibble & Associates Consulting Engineers, Inc., for the Dobson Road and Chandler Boulevard Intersection Sewer Improvements Design Services
Move City Council award Professional Services Agreement No. WW2005.202, with Dibble & Associates Consulting Engineers, Inc., for the Dobson Road and Chandler Boulevard Intersection Sewer Improvements Design Services, in an amount not to exceed \$338,613.
35. Project Agreement No. WW2005.401, with B & F Contracting, Inc., Pursuant to Job Order Contract No. JOC1903.401, for the Chandler Heights Road Sewer Rehabilitation
Move City Council award Project Agreement No. WW2005.401, with B & F Contracting, Inc., Pursuant to Job Order Contract No. JOC1903.401, for the Chandler Heights Road Sewer Rehabilitation, in an amount not to exceed \$465,012.81.
36. Professional Services Agreement No. WW2005.451, with Dibble CM, LLC, for the Chandler Heights Road Sewer Rehabilitation Construction Management Services
Move City Council award Professional Services Agreement No. WW2005.451, with Dibble CM, LLC, for the Chandler Heights Road Sewer Rehabilitation Construction Management Services, in an amount not to exceed \$59,969.
37. Professional Services Agreement No. WA2008.271, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Post-Design Services
Move City Council award Professional Services Agreement No. WA2008.271, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Post-Design Services, in an amount not to exceed \$133,960.
38. Construction Manager at Risk Contract No. WA2008.401, Change Order No. 1, GMP-2, 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, Change Order No. 1, GMP-2, with Achen-Gardner Construction, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation, in an amount not to exceed \$4,277,697.35.

39. Professional Services Agreement No. WA2008.451, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Construction Management Services
Move City Council award Professional Services Agreement No. WA2008.451, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Construction Management Services, in an amount not to exceed \$296,750.

Informational

40. Study Session & Regular Minutes of September 1, 2021, Planning and Zoning Commission
41. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

Adjourn

The meeting was adjourned at 7:08 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 1, 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 11th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk

Meeting Minutes

City Council Work Session

October 14, 2021 | 4:00 p.m.
Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Mayor Kevin Hartke at 4:00 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 Orlando

Appointee Attendance

Josh Wright, Acting City Manager
Dawn Lang, Deputy City Manager/CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Councilmember Roe attended telephonically.

Staff in Attendance

Matt Burdick, Communications and Public Affairs Director
Micah Miranda, Economic Development Director
John Knudson, Public Works and Utilities Director
Ryan Peters, Governmental Relations and Policy Manager
Cori Harris, Mayor and Council Communications Manager
Gregg Capps, Utility Resource Manager
Tabitha Sauer, Solid Waste Manager

Discussion

1. Cost of Service Study Results for Solid Waste

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

JOSHUA WRIGHT, Acting City Manager, thanked Council for attending and this is the first time since 2016 that they have discussed the cost of service fees. This would be the first part of a two-part discussion and the second part would be about water and wastewater. This study has been done over the past year and staff would be looking for direction regarding the rate structure in the future.

DAWN LANG, Deputy City Manager/Chief Financial Officer, said Council had approved a study with a contractor who has worked with the City for a long time.

MATT DUNBAR, Budget Manager, presented the following presentation.

- FY 2021-22 Cost of Service Study Results for Solid Waste
- Agenda
 - Background Leading to Today
 - Cost of Service (COS) Rate Study Process
 - Solid Waste Financial Plan
 - Raftelis Solid Waste COS Analysis
 - Implementation Timeline Project Website
- Background Leading to Today
 - City Financial Policy requirements
 - Annually review the City Financial Rate Models
 - COS reviewed every 4-5 years to ensure those using services are paying their share
 - Changes that affect COS update
 - Changes in overall customer usage/demographics
 - Capital projects/system expansions
 - Data improvements
 - Rate structure change Public Support
- Background Leading to Today Recycling Solid Waste Collection Center (RSWCC) History
 - RSWCC History
 - 1979 Opened Landfill
 - 1998 Landfill Reaching Capacity
 - 2000 Contracted with Butterfield
 - 2003 Regional Transfer Station Evaluated
 - 2005 Chandler Landfill Officially Closed
 - 2005 RSWCC Opened for Residents Use
- Background Leading to Today RSWCC History
 - Services Provided
 - Freon Recovery
 - Household Hazardous Waste
 - Tire Disposal
 - Trans and Landscape Debris Drop Off
 - Recycling Metal, Electronics, Appliances, Cardboard
 - 19,800 Households
 - 68,000 Visits
 - 13,000 tons processed

- Alternative Sites
 - Republic Chandler (Germann and Hamilton 2.5 miles away): \$68/1st ton; \$68 minimum - \$46.25 for additional tons prorated (no tires, hazardous waste)
 - Weinberger Gilbert (Cooper and Guadalupe 8 miles away): \$46.75/ton; \$30 minimum (no tires, hazardous or food waste)
- Background Leading to Today Recycling/ Solid Waste History
 - Recycling markets depressed since 2018/ reduced recycling revenues
 - New contracted curbside collection agreement provides more certainty for future cost projections
 - New RSWCC scale and operating data available to analyze operations
 - Important to periodically review COS as changes occur

COUNCILMEMBER LOPEZ asked when the scales were put in.

MR. DUNBAR said 2017.

THIERRY BOVERI, Raftelis, continued the presentation.

- Cost of Service (COS) Rate Study Process
- COS Rate Study Process
 - Primary Study Scope
 - Validate financial projections/ Revenue Sufficiency
 - Analyze COS and facility/service utilization
 - Provide rate recommendations through FY 2025-26
 - Areas of Focus
 - Mitigate planned rate increases
 - Increase rate payer equity by reducing subsidy to:
 - RSWCC
 - Bulk Collection
 - Alleyway Collection
 - Methodology to Assess Revenue Needs
 - Gross Revenues
 - Monthly Fee
 - RSWCC Tip Fees
 - Other Revenues/Fund Balance
 - Revenue Requirements
 - Expenses
 - Capital
 - Landfill Post Closure Care
- COS Rate Study Process
 - City's Financial Plan Review
 - What is the funding requirement
 - Cost of Service Analysis
 - Is everyone paying their fair share

- Rate Design Change Recommendations if any
 - How can our rates help ensure fairness
- Solid Waste Financial Plan
- Solid Waste Financial Plan
 - COS Study Objectives
 - Validation of City established financial model
 - Fully fund revenue requirements
 - Maintain fiscal policy goals
 - Results
 - City's established financial model was found to be complete and accurate meeting forecasted expenditures with the projected revenue rate increases and planned fund balance drawdown
- Solid Waste Financial Plan
 - Cost Drivers
 - Contractual Increases
 - Collection, Landfill, Recycling, etc.
 - Automatic increases for inflation
 - Ongoing post closure landfill costs
 - Major projects anticipated by FY 2024-25 for soil erosion mitigation and leachate
 - Study Recommendations
 - Consider continuation of bi-annual rate increases
 - Keeps pace with inflation
 - Slows fund balance drawdown
 - Achieves study objectives and meets City's fiscal policy
 - Allows gradual drawdown of reserves towards policy minimum targets

VICE MAYOR STEWART asked if there were five times the minimum balance reserve requirement.

MS. LANG said there is a landfill post closure reserve requirement of 15% which has to be held until October 2035.

VICE MAYOR STEWART asked if that amount would go back into the fund and would be available in 2035.

MS. LANG said if there is additional capital improvement that needs to take place the reserve is there.

VICE MAYOR STEWART asked if those funds were invested.

MS. LANG said yes.

VICE MAYOR STEWART said it is a lot of money to sit in a reserve.

MS. LANG said setting rates is a balancing act and for the solid waste fund there are increases in the contracts. Overtime, they have been able to build that balance knowing those increases are coming and now they are starting to draw down the fund. Ms. Lang said they have about \$4 million in reserves to use for this and staff anticipates that will have to be used for the contract increases over the next few years. Ms. Lang said they do not want to be in a position where they have to automatically raise rates quickly instead this would be a gradual change.

VICE MAYOR STEWART said there is a lot of inflation going on and multiple bond questions and now this would be another potential increase. Vice Mayor Stewart said with that type of reserve maybe they could hold off.

COUNCILMEMBER LOPEZ clarified the reserve requirement is in this existing balance.

MS. LANG said yes.

COUNCILMEMBER LOPEZ said these funds are untouchable unless they are needed for capital improvements until 2035 and at that time it would be available.

MS. LANG said yes, these are one-time dollars. Ms. Lang said they are looking at rate changes which would be an increase to their ongoing revenue stream. The contracts are starting to increase, and their expenses are starting to outpace the revenue so there will be a drawdown in the reserves.

COUNCILMEMBER LOPEZ asked what would be one-time contributions to the fund.

MS. LANG said in any budget year, if the revenues exceed the expenditures those would be kept in the fund balance.

COUNCILMEMBER LOPEZ said a surplus is considered a onetime addition to the fund.

MS. LANG said yes.

MAYOR HARTKE said if they projected in 2024 there was work to do on the existing dump and that was drawn out of that reserve, when it is over they would still need to keep that same reserve balance.

MS. LANG said yes, there has to be that buffer and staff does an annual report that shows that those funds are available. The funds are invested and the interest goes back into the fund.

MR. BOVERI said that all states have these types of post-closure requirements and the name is starting to change to perpetual care because of the care needed over time.

COUNCILMEMBER ORLANDO asked what landfill they are talking about.

MAYOR HARTKE said Paseo Vista.

COUNCILMEMBER ORLANDO said they are still using Butterfield and asked where the 15% policy come from.

MS. LANG said it is part of their financial policy.

COUNCILMEMBER ORLANDO asked why they increased the fees previously.

MS. LANG said a few years ago it went from 10 to 15.

COUNCILMEMBER ORLANDO asked why that was done.

MS. LANG said it was due to the volatility of the solid waste and recycling market.

COUNCILMEMBER ORLANDO asked if they modeled 12%.

MS. LANG said the rates would not change much.

COUNCILMEMBER HARRIS said if they have reviewed the transfer stations and if there was a public private partnership that could help stop the rate increases.

MS. LANG said staff would show some additional analysis about some options.

MR. BOVERI continued the presentation.

- Solid Waste COS Analysis
- Solid Waste COS Analysis COS and Rate Design
 - How can our rates ensure fairness?
 - Number of residential households
 - Total Actual Users
 - Guiding Principle
 - Services used by all paid by all
 - Services used by few paid by few
- Solid Waste COS Analysis COS Actions
 - Performed detailed analysis of City facility and service utilization relative to the COS
 - Key finding: 20% of households request Bulk Service/visit RSWCC
 - Not feasible to recover full cost of RSWCC from direct user fees
 - Project team analyzed multiple alternatives and found consensus around two fee policy options for consideration
 - Fee policy option 1:
 - Charge for use of RSWCC
 - Limit Free bulk collection
 - Fee policy option 2
 - Eliminate alleyway service

- Monthly Residential Fee \$17.95
 - HHW \$0.14
 - Bulk \$1.20
 - RSWCC \$1.55
 - Recycling Collection and Processing \$3.71
 - Curbside Collection and Disposal \$11.36

COUNCILMEMBER LOPEZ asked for clarification regarding the fees.

MAYOR HARTKE asked if they would also talk about once a quarter instead of six weeks or a year.

MR. BOVERI said they did not have that for this presentation, but they could calculate that out.

COUNCILMEMBER ORLANDO asked about the cost per household for alleyway service compared to residential.

MR. BOVERI said alleyway services are provided by Waste Management and it costs more because there are operational challenges. There is a contractual cost embedded in there and it is about \$0.11 per household if applied to all customers. About 10% of the customer base is alleyway services and that is a higher cost and if the City eliminated the service it would be about \$100,000 savings.

COUNCILMEMBER ORLANDO asked if they are looking at increasing the fees for alleyway service users.

MR. BOVERI said it is an option but there are some considerations for not doing that one of which is that these customers there now probably had the service established before they moved in.

COUNCILMEMBER ORLANDO said they are raising rates because of bulk but not raising rates because of the higher costs.

MAYOR HARTKE said there were some statements years ago about alleyway service.

COUNCILMEMBER ORLANDO said they are shifting philosophy and wants to make sure that is being shifted in the right direction.

MR. BOVERI said there are some good reasons to consider the elimination of the service.

COUNCILMEMBER ORLANDO said if they want the service they should pay for the service.

MR. BOVERI said all those customers would have their monthly rate go up by \$1.00. Mr. Boveri said they are reaching the end of the service life of those garbage bins in the alleys and they would need to replace which are more costly than other bins. The alleyway customers still have to go to the front for recycling and then the back for trash, so it may be more convenient to go to the front for both services. Mr. Bover said there are also issues of illegal dumping.

COUNCILMEMBER LOPEZ asked about alternatives for additional fees. If they go down a path of individual billing then there would be an inherent cost of changing the billing process to make this happen. Councilmember Lopez asked if that cost was also considered.

MS. LANG said that was a lot of their discussion to narrow down the options. There is a large portion of customers that do not use these services and staff looked to see how they could minimize rate increases to the majority of customers. Ms. Lang said they did look at the impact on staff processes and current infrastructure as well. Ms. Lang said when they started there were many more options on the table compared to what is available.

COUNCILMEMBER LOPEZ said these options would be slight modifications then to the current process.

MS. LANG said she did not want to minimize the work that would be involved to make this happen, but the benefit of these options would be much greater.

MR. BOVERI continued the presentation.

- Solid Waste COS Analysis Incorporation Options Lowers Needed Rate Increases
 - Current Bill \$17.95 per month
 - Baseline
 - FY2022 \$19.00, 6%
 - FY 2024 \$20.00, 5%
 - FY2026 \$21.00, 5%
 - With Options
 - FY2022 \$18.50, 3%
 - FY2024 \$19.10, 3%
 - Fy2026 \$19.70, 3%

COUNCILMEMBER HARRIS asked if there were about 98,000 households in Chandler.

MS. LANG said thought it was around 77,000.

COUNCILMEMBER HARRIS said they are considering a 12% annual increase which would be about a million dollars more every other year.

MR. BOVERI continued the presentation.

- Solid Waste COS Analysis Policy Option #1A: Charge for Use of RSWCC
- Solid Waste COS Analysis Policy Option #1A: Charge for Use of RSWCC
 - Equity Issues
 - Only 10% of customers us RSWCC more than 1x a year
 - Only 18% of materials assessed a fee
 - 85% of cost to operate RSWCC funded from monthly user fee (\$1.55/month)
- Solid Waste COS Analysis Policy Option #1A: Charge for Use of RSWCC

- Can eliminate 4% of identified rate increase needed over 5-year period
- Impacts 20% of households

COUNCILMEMBER ORLANDO asked about green waste and asked if a landscaper could dump in there for a couple bucks.

JOHN KNUDSON, Public Works and Utilities Director, said they are not supposed to dump commercial waste only residential from someone's home. Mr. Knudson said the facility is not designed for that.

COUNCILMEMBER ORLANDO asked how they know that.

MR. KNUDSON said it is difficult but if they have repeat people coming through often it becomes apparent fairly quickly.

COUNCILMEMBER ORLANDO asked what happens.

MR. KNUDSON says staff talks to them to tell them where they should be taking the waste.

TABITHA SAUER, Solid Waste Manager, said it is challenging but sometimes there are logos on the truck or frequency and they are marked down to create a report of high users.

COUNCILMEMBER ORLANDO asked if they are able to dump anyway.

MS. SAUER said they have turned people away.

MR. KNUDSON said it is a difficult conversation especially as it holds up the line for others. There are people who use the facility all the time and staff has to go about it in a kind way but it is difficult because they are running a residential facility.

MR. DUNBAR said they are able to dump the green waste for free, but this change would charge a flat fee and then an additional amount over the included tonnage.

MR. KNUDSON said Chandler would be cheaper than the surrounding areas but by implementing some fee it may deter some of these folks from just dumping there.

VICE MAYOR STEWART asked if it would make sense to have a bulk drop off that someone could use once a month. The unintended consequences would be that they start to see this dumped on the side of the road or the alleys.

MR. KNUDSON said they do not know what the response is going to be or the behaviors. If they charge at the RSWCC then more people will probably use bulk pickup and then those costs increase. If they limit the bulk pickup to once every six weeks and if they go over that they have to pay the \$30. Mr.

Knudson said these have to be done together and see what the behaviors are after the first year. This has to be done together in a measured way to help avoid those unintended consequences.

MR. BOVERI said the RSWCC is a nice facility so there is a value proposition and many people are only using the service once per year.

COUNCILMEMBER ORLANDO asked how much green waste the average person brings in.

MR. DUNBAR said about 300 pounds.

COUNCILMEMBER ORLANDO asked if they looked at a scale if they were 300 or less they pay \$10 if they are over then they pay more.

MR. BOVERI said they could but there were some considerations about the lines building up at the scale. They do have the data from each customer to see what their average is and staff could put together more information.

COUNCILMEMBER LOPEZ said they go to the scale and weigh and then that would be charged to their next bill.

MR. DUNBAR said it would be \$10 and then everything over that would be charged per tonnage.

MR. BONVERI continued the presentation.

- Solid Waste COS Analysis Policy Option #1B: Limit Free Bulk Collection
 - 20% of households request bulk collections annually
 - Approximately 5% of customers request service more than 1x per year

MAYOR HARTKE asked if they considered charging for more than once a year.

MR. DUNBAR said currently they charge \$30 for anything additional between that six week period. They would have one free pickup and if there was more than one they would be charged on their bill.

COUNCILMEMBER HARRIS said he was concerned about the senior population. Not everyone can load up their truck and take it and for those living on fixed income it may be challenging to have the rates changed. Councilmember Harris said he was concerned about rate increases for seniors right now because of inflation and even this rate increase could be substantial for them and have unintended consequences.

MAYOR HARTKE asked where they are at with other cities.

MS. LANG said they would discuss it later in the presentation.

MR. BONVERI continued the presentation.

- Solid Waste COS Analysis Policy Option #1B: Limit Free Bulk Collection
 - Equity Issues
 - Contractor charges City bulk collection \$30 per pickup
 - 5% of customers request service >1x a year
 - \$1.20 of the monthly user fee used to subsidize service
 - Proposal
 - Limit Free Service pickups to accommodate 95% of households
 - City currently charges \$30 for additional requests above once every 6 weeks
 - Policy change can eliminate 2% of identified rate increases over 5year period
- Solid Waste COS Analysis Policy Option #2: Alleyway Service
 - Equity Issues
 - Contractor charges city more for alleyway service
 - Residential customers pay same amount as alleyway customers
 - Alleyway receives higher level of service (larger bins/more convenience)
 - Operational Issues
 - Illegal dumping, significant strain on staff time, reduced recycling, public safety issues, higher repair/replacement costs
 - Carts aging (purchased in 2006)
 - Proposal
 - Eliminate alleyway service
 - Net reduction of \$120k annual cost
 - Eliminates 1% rate increase over 5-year period
- Solid Waste COS Analysis Option Recap
 - Fee Policy option #1
 - Charge for use of RSWCC
 - Limit free bulk collection to accommodate 95% of households
 - Fee Policy option #2
 - Eliminate alleyway service
- Monthly Residential Solid Waste Fee Comparison Survey
 - Based on FY 2021-22 rates for Chandler, with comparison cities shown at FY 2022-21 rates

VICE MAYOR STEWART said they are almost 30% higher than Gilbert.

MR. BONVERI said Gilbert is currently in a negative cash flow situation and they are looking to raise their rates in the near future.

MS. LANG said they do own their own fleet so it is a bit different.

MR. KNUDSON said they do not provide alley service.

MR. BONVERI continued the presentation.

- Solid Waste Recommendations
 - Consider implementation of rate and policy options for FY22-FY26

- Baseline Increase monthly charges only
- Option 1 Charge trash + green waste deliveries at RSWCC + Revise bulk collection policy (1 free per year)
- Option 2 Eliminate alleyway collection
- Implement FY 2021-22 rates on July 1, 2022; then next two on Jan 1st of the fiscal year
- Review plan and rate needs the lesser of every 4-5 years; or as major changes occur

MS. LANG said the fixed income folks are always on staff's mind and they want to balance that as well. Ms. Lang said some of these changes may be beneficial to seniors because the current rate includes the RSWCC and bulk collection. If they were to implement some of these policy options they are able to minimize the increase for most citizens. They still have the option for bulk pickup once a year.

COUNCILMEMBER LOPEZ asked if they still do the donation for those who need help.

MS. LANG said yes, that is available for those who need assistance on their bill.

COUNCILMEMBER ROE said this sounded like a decent path but was concerned with the transfer station charges.

MR. BONVERI said it was only if they are bringing in more than 400 pounds at a graduated rate so they would only pay the overage for what they actually have.

COUNCILMEMBER ROE said that sounded good. Councilmember Roe asked if people who are using the facility in a commercial manner to sign an affidavit stating that they understand it is a residential facility.

COUNCILMEMBER ORLANDO said there would be a base fee of \$10 and then \$50 for every tonnage over that. Councilmember Orlando asked if recycling was free.

MR. BONVERI said yes and household hazardous waste.

COUNCILMEMBER ORLANDO said for 40 years the conversation about the alleys has been going on as 50% want it and 50% do not. Councilmember Orlando said they may be willing to pay more for that service and that is what he has heard from residents who have talked to him about this issue.

MAYOR HARTKE said those who have alleys like them and there is a sense from the users that alley service would continue. Mayor Hartke said he agreed with Councilmember Orlando to charge more for the alleys.

MR. WRIGHT said he knew there would be some discussions around the alley and it was not an easy recommendation to put forward. Mr. Wright said staff would be happy to analyze if there was an additional cost of alley users what that would be. Mr. Wright said it would have to be all or nothing and see how it would be operationally.

MAYOR HARTKE said if a group decides they do not want their alley used then to shut the alley off so people cannot dump. Mayor Hartke said this was not a simple yes or no.

COUNCILMEMBER LOPEZ said he agreed for alley users to pay for the service so other users are not paying that extra cost. Councilmember Lopez said recycling will also continue going up and asked if any cities have stopped.

MAYOR HARTKE said he knows some have stopped recycling glass.

MR. BONVERI said there have been several municipalities that have stopped all together but those have been low as people generally like to recycle. Mr. Bonveri said those municipalities that stopped had a lot of outrage from citizens, so they reversed their decision and offered it again.

VICE MAYOR STEWART said he was comfortable with the bulk drop off fee but thought they should get one or two opportunities for free. Vice Mayor Stewart said they should change the bulk pickup to quarterly instead of just a year. Vice Mayor Stewart said they need to make gradual changes instead of drastic changes at one time to residents services.

COUNCILMEMBER ORLANDO clarified Vice Mayor Stewart said to have the service for free a couple times a year for the gradual change and if someone is really a user then they should pay for it.

VICE MAYOR STEWART asked what the community was promised when the RSWCC was put in.

COUNCILMEMBER ORLANDO said it was for residents only.

COUNCILMEMBER LOPEZ said it has been free for so long and liked the idea of twice a year.

MAYOR HARTKE said based on the data if they gave one free per year that would cover 90%.

COUNCILMEMBER HARRIS said the bulk pickup said there are certain restrictions on the bulk pickup and there are some whose only option is the drop-off. Councilmember Harris asked why they are in the business instead of exploring a public private partnership. Councilmember Harris suggested going back to the residents for their input as he has concerns making any changes to the residents service.

MAYOR HARTKE said as an enterprise fund it has to pay for itself, so it is not subsidized from the general fund.

COUNCILMEMBER ELLIS thought every question was taken into account and thanked staff for their work. Councilmember Ellis said prices are changing constantly in every industry and this needs to be done so the City is not running negative on the service. Councilmember Ellis said this needs to be done in a positive manner.

MAYOR HARTKE said staff would do additional research with Council's feedback.

- Implementation Timeline
 - Work Session with Mayor and Council October 2021
 - Public outreach Oct-Dec 2021
 - Feedback to City Manager/Council on results of outreach February 2022
 - Adopt Notice of Intention to change rates April 2022
 - Conduct Public Hearing for Water, Reclaimed Water, Wastewater and Solid Waste rate changes May 2022
 - Introduce Ordinance to change Water, Reclaimed Water, Wastewater and Solid Waste rates May 2022
 - Adopt Ordinance to change Water, Reclaimed Water, Wastewater and Solid Waste rates May 2022
 - COS rates effective July 1, 2022

Adjourn

The meeting was adjourned at 5:37 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 1, 2021

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 14th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk

Meeting Minutes

City Council Special Meeting

October 14, 2021 | 4:00 p.m.
Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Mayor Kevin Hartke at 5:37 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

Josh Wright, Acting City Manager
Dawn Lang, Deputy City Manager/CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Councilmember Terry Roe attended telephonically

Staff in Attendance

Derek Horn, Development Services Director
Kevin Mayo, Planning Administrator
David De La Torre, Planning Manager
Jenny Winkler, Assistant City Attorney
Micah Miranda, Economic Development Director

Set an Executive Session

1. Contracts--A.R.S. § 38-431.03(A)(3) and (A)(4) for discussion and consultation with the City Attorney for legal advice and to consider the City's position regarding the Development Agreement between the City of Chandler and CCI-B Chandler II, LLC relating to the Continuum development located on the east side of Price Road and south of Germann Road.

Action Agenda Motion and Vote

Vice Mayor Stewart moved to hold an Executive Session Meeting immediately following the Special Meeting; seconded by Councilmember Lopez.

Motion carried unanimously (7-0).

Adjourn

The meeting was adjourned at 5:38 pm.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 1, 2021

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 14th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk

Meeting Minutes

City Council Regular Meeting

October 14, 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 6:11 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
Dawn Lang, Deputy City Manager/ CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Councilmember Roe attended telephonically.

Invocation

The invocation was given by Pastor Victor Hardy, Congregational Church of the Valley.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Hartke.

Consent Agenda and Discussion

Airport

1. Agreement No. AI0-909-4218, Amendment No. 1, with Everest Communications, LLC, for Airport Tower Maintenance
Move City Council approve Agreement No. AI0-909-4218, Amendment No. 1, with Everest Communications, LLC, for airport tower maintenance, in an amount not to exceed \$60,000, for the period of November 1, 2021, through October 31, 2022.

City Clerk

2. Board and Commission Appointments

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

3. Resolution No. 5529, Setting the 2022 City Council Regular Meeting Schedule
Move City Council pass and adopt Resolution No. 5529, setting the 2022 City Council Regular Meeting schedule.

City Manager

4. Introduction and Tentative Adoption of Ordinance No. 4991, Establishing a Military and Veterans Affairs Commission
Move City Council introduce and tentatively adopt Ordinance No. 4991, forming a Military and Veterans Affairs Commission.

MAYOR HARTKE moved Consent Agenda Item No. 4 to Action.

5. Professional Services Agreement No. 4347, with Cooperative Personnel Services, dba CPS HR Consulting, for a Diversity, Equity, and Inclusion Assessment
Move City Council approve Professional Services Agreement No. 4347, with Cooperative Personnel Services, dba CPS HR Consulting, for a diversity, equity, and inclusion assessment, in an amount not to exceed \$56,040.

MAYOR HARTKE moved Consent Agenda Item No. 5 to Action.

Development Services

6. Resolution No. 5517, PLH20-0053 Chandler Airpark Area Plan Update; and
Resolution No. 5520, Airport Conflicts Evaluation Process
Move City Council pass and adopt Resolution No. 5517, PLH20-0053 Chandler Airpark Area Plan Update, adopting an updated Chandler Airpark Area Plan, located within the area surrounding the Chandler Municipal Airport, bounded by Loop 202 Santan Freeway, Gilbert Road, Ocotillo Road, and Arizona Avenue; clarifying recommended future land uses and establishing conceptual design guidelines, as recommended by Planning and Zoning Commission.
Move City Council approve Resolution No. 5520, adopting an Airport Conflicts Evaluation process prescribing the Airport Commission's review process for Area Plan Amendments, Rezoning and Preliminary Development Plan applications for properties located within the Chandler Airpark Area Plan; adopting revisions to the Airport Conflicts Evaluation process as recommended by the Airport Commission and the Planning and Zoning Commission.

Economic Development

7. Resolution No. 5528, authorizing a Development Agreement between the City of Chandler and Intel Corporation
Move City Council pass and adopt Resolution No. 5528, authorizing a Development Agreement between the City of Chandler and Intel Corporation, a Delaware corporation, for the financing and construction of public infrastructure needed to serve Intel's expansion of its manufacturing facility located at 4500 S. Dobson Road.

Fleet and Facilities

8. Agreement No BF8-936-3802, Amendment No. 3, for Fire Protection Services

Move City Council approve Agreement No. BF8-936-3802, Amendment No. 3, with Western States Fire Protection, for fire protection services, in a total amount not to exceed \$962,500 for two years, September 1, 2021, through August 31, 2023.

Fire Department

9. Resolution No. 5515, Authorizing a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2022 Award, in the Area of Occupant Protection, to continue the Child Safety Seat Clinic Program
Move City Council pass and adopt Resolution No. 5515, authorizing the City of Chandler to enter into a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2022 award, in the area of Occupant Protection, in the amount of \$29,311.
10. Resolution No. 5524, Authorizing a Grant Agreement with the Arizona Department of Homeland Security for the 2021 Urban Area Security Initiative (UASI) Assessment Teams – Fire Terrorism Liaison Officers, for Equipment and Training
Move City Council pass and adopt Resolution No. 5524, authorizing the City of Chandler to enter into a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the 2021 Urban Area Security Initiative (UASI) Assessment Teams – Fire Terrorism Liaison Officers, for equipment and training, in the amount of \$4,750, and authorizing the Fire Chief to implement provisions of the agreement.
11. Resolution No. 5525, Authorizing a Grant Agreement with the Arizona Department of Homeland Security for the 2021 Urban Area Security Initiative (UASI) Enhanced Rapid Response Fire Teams, for Equipment and Training
Move City Council pass and adopt Resolution No. 5525, authorizing the City of Chandler to enter into a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the Urban Area Security Initiative (UASI) Enhanced Rapid Response Fire Teams, for equipment and training, in the amount of \$108,941, and authorizing the Fire Chief to implement provisions of the agreement.

Human Resources

12. Resolution No. 5519, Renewal Request to Industrial Commission of Arizona for Continued Exemption from Requirement to Post Security for Self-Insured Workers' Compensation Program
Move City Council pass and adopt Resolution No. 5519, renewing the request to the Industrial Commission of Arizona for continued exemption from requirement to post security for Self-Insurance Workers' Compensation Program.

Information Technology

13. Agreement No. 4409, with NST Technologies, Inc., for Information Technology Consulting Services
Move City Council approve Agreement No. 4409, with NST Technologies, Inc., for Information Technology consulting services, in an amount not to exceed \$300,000, for a period of one year beginning October 15, 2021, through October 14, 2022, with the option of up to four one-year extensions.

Management Services

14. Resolution No. 5527, Approving Reallocations for the Use of the American Rescue Plan Act (ARPA) Grant, and Remaining AZCares Grant Contingencies, as well as Allocation of General Fund From Items Now Funded With ARPA, to be Reallocated Based on Exhibit A, Beginning October 15, 2021.
Move City Council approve Resolution No. 5527, approving reallocations for the use of the American Rescue Plan Act (ARPA) Grant and remaining AZCares Grant Contingencies (217.1290.5911) in the amount of \$43,123,751, as well as \$7,652,044 of General Fund from items now funded with ARPA, to be reallocated as outlined in Exhibit A in the following City Council Strategic Framework Focus Areas and Goals: Economic Vitality, Innovation and Technology, Quality of Life, Neighborhoods, and Good Governance, beginning October 15, 2021.
15. FY 2021-22, Municipal Firefighter Cancer Reimbursement Fund Assessment per A.R.S. § 23-1703
Move City Council approve the payment to the Industrial Commission of Arizona (ICA), Municipal Firefighter Cancer Reimbursement Fund, in the amount of \$676,428.89, for Fiscal Year 2021-2022 assessment, and approve a budget transfer of \$676,428.89 from the General Fund, Management Services Department, Tax and License Division (101.1240.5816), to the Workers Compensation and Employer Liability Trust Fund, City Manager Department, Human Resources Division (736.1250.5618), to shift the payment pursuant to A.R.S. § 23-1703.
16. Ratification of Corrected Agreement No. PW2-936-4357
Move City Council ratify the corrected Agreement No. PW2-936-4357, with Capital Pump and Equipment, LLC; Foster Electric Motor Service, Inc.; Hennesy Mechanical Sales, LLC; James, Cooke & Hobson, Inc.; Keller Electrical Industries, LLC; KP Ventures Well Drilling & Pump Co, LLC; Layne Christensen Company; Phoenix Pumps, Inc.; Pumpman Phoenix/Scott's AZ Electric Motor Repair; Southwest Waterworks Contractors PM, LLC, dba Pumpman Waterworks; and Weber Water Resources, LLC, for water and wastewater equipment maintenance and repair services.
17. Claims Report for the Quarter Ended September 30, 2021
Move to accept the claims report for the quarter ending September 30, 2021, which is included with this memo as an attachment.
18. Purchase of Environmental Assessment Services
Move City Council approve the purchase of environmental assessment services, from Wood Environment and Infrastructure Solutions, Inc., utilizing the Arizona Department of Environmental Quality (ADEQ) Contract No. CTR055988, in an amount not to exceed \$164,489.98, and authorize the City Manager or designee to sign a linking agreement with Wood Environment and Infrastructure Solutions, Inc.
19. Purchase of Street Signs and Hardware
Move to approve the utilization of the City of Peoria Contract No. ACON19421, with Interwest Safety Supply, LLC, for the purchase of traffic signs and related hardware, in an amount not to exceed \$130,000.
20. License Series 12, Restaurant Liquor License Application for DLW Chicago Style Grill LLC, DBA Johnny's Greek & Burger Bar

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 156596, a Series 12, Restaurant Liquor License, for Denell Marie Cardenas, Agent, DLW Chicago Style Grill, LLC, DBA Johnny's Greek & Burger Bar, located at 4975 S. Alma School Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301543.

21. License Series 12, Restaurant Liquor License Application for Games Group Hospitality, LLC, DBA K-38 Beach Mex Cantina
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 160601, a Series 12, Restaurant Liquor License, for Jeffrey Craig Miller, Agent, Games Group Hospitality, LLC, DBA K-38 Beach Mex Cantina, located at 1155 W. Ocotillo Road, Suite 1, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301376.
22. New Liquor License Series 12, Restaurant Liquor License Application for POAF2, Inc., DBA Pork On A Fork BBQ
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 149578, a Series 12, Restaurant Liquor License, for Justin Daniel Erickson, Agent, POAF2, Inc., DBA Pork On A Fork BBQ, located at 1972 N. Alma School Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300687.

Police Department

23. Resolution No. 5523, authorizing an Intergovernmental Agreement between the City of Chandler and the City of Phoenix, and other identified cities, for the Award of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program
Move City Council pass and adopt Resolution No. 5523, authorizing an Intergovernmental Agreement (IGA) with the City of Phoenix, and other identified cities, for the award of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2021, in the amount of \$44,750; authorizing the Chief of Police to sign the IGA and administer, execute, and submit the Agreement and all documents and other necessary instruments in connection with such Agreement.
24. Payment of Annual Operations and Maintenance Costs for Public Safety Radio System Infrastructure
Move City Council approve the payment of operations and maintenance costs, system upgrade agreement, and narrow banding, for Fiscal Year 2021-2022, to the City of Phoenix, for participation in the Regional Wireless Cooperative, in an amount not to exceed \$564,081.
25. Service Agreement for Radio System Infrastructure Support
Move City Council approve the annual service agreement with Motorola Solutions Inc., for radio system infrastructure support, in the amount of \$89,359, for the term of August 1, 2021, through July 31, 2022.
26. Sole Source Purchase of Leica RTC360 3D Scanner Kit
Move City Council approve the sole source purchase of a Leica RTC360 3D Scanner Kit, from Surveyors Source, in the amount of \$121,861.85.

Public Works and Utilities

27. Resolution No. 5526, Approving a Sustainable Water Service Agreement Between Stryker Sustainability Solutions, Inc., a Delaware Corporation, and the City of Chandler
Move City Council pass and adopt Resolution No. 5526, approving a Sustainable Water Service Agreement between Stryker Sustainability Solutions, Inc., a Delaware Corporation, and the City of Chandler allocating Tier II Water for a medical device reprocessing facility located at 6635 West Frye Road.
28. Purchase of Backhoe
Move City Council approve the purchase of a backhoe, from Empire Machinery and Caterpillar, Inc., utilizing Omnia Partners Contract No. 161534, in the amount of \$134,126.84, and authorize the City Manager or designee to sign a linking agreement with Empire Machinery and Caterpillar, Inc.
29. Purchase of Street Sweeper
Move City Council approve the purchase of a Street Sweeper, from TYMCO, Inc., utilizing HGACBuy Contract No. SW04-20, in the amount of \$277,973.08, and authorize the City Manager or designee to sign a linking agreement with TYMCO, Inc.
30. Purchase of Traffic Bucket Trucks
Move City Council approve the purchase of two Bucket Trucks, from Altec, Inc., utilizing Sourcewell Contract No. 012418-ALT, in the amount of \$361,912, and authorize the City Manager or designee to sign a linking agreement with Altec, Inc.
31. Purchase of Water and Wastewater Maintenance Basin Recoating Services
Move City Council approve the purchase of water and wastewater maintenance basin recoating services, from Joseph Painting Company, Inc., dba JPCI Services, utilizing Town of Gilbert Agreement No. 321000003, in an amount not to exceed \$288,000, and authorize the City Manager or designee to sign a linking agreement with Joseph Painting Company, Inc., dba JPCI Services.
32. Agreement No. WW9-815-4055, Amendment No. 2, with Ferguson Enterprises, dba Ferguson Waterworks, for Composite Manhole Frames and Covers
Move City Council approve Agreement No. WW9-815-4055, Amendment No. 2, with Ferguson Enterprises, dba Ferguson Waterworks, for composite manhole frames and covers, in an amount not to exceed \$200,000, for a one-year period, October 1, 2021, through September 30, 2022.
33. Design and Construction Agreement No. WW1901.501, with Salt River Project, for the Reclaimed Water Interconnect Facility Turnout Structure Design and Construction
Move City Council award Design and Construction Agreement No. WW1901.501, with Salt River Project, for the Reclaimed Water Interconnect Facility Turnout Structure Design and Construction, in an amount not to exceed \$104,190.

34. Professional Services Agreement No. WW2005.202, with Dibble & Associates Consulting Engineers, Inc., for the Dobson Road and Chandler Boulevard Intersection Sewer Improvements Design Services
Move City Council award Professional Services Agreement No. WW2005.202, with Dibble & Associates Consulting Engineers, Inc., for the Dobson Road and Chandler Boulevard Intersection Sewer Improvements Design Services, in an amount not to exceed \$338,613.
35. Project Agreement No. WW2005.401, with B & F Contracting, Inc., Pursuant to Job Order Contract No. JOC1903.401, for the Chandler Heights Road Sewer Rehabilitation
Move City Council award Project Agreement No. WW2005.401, with B & F Contracting, Inc., Pursuant to Job Order Contract No. JOC1903.401, for the Chandler Heights Road Sewer Rehabilitation, in an amount not to exceed \$465,012.81.
36. Professional Services Agreement No. WW2005.451, with Dibble CM, LLC, for the Chandler Heights Road Sewer Rehabilitation Construction Management Services
Move City Council award Professional Services Agreement No. WW2005.451, with Dibble CM, LLC, for the Chandler Heights Road Sewer Rehabilitation Construction Management Services, in an amount not to exceed \$59,969.
37. Professional Services Agreement No. WA2008.271, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Post-Design Services
Move City Council award Professional Services Agreement No. WA2008.271, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Post-Design Services, in an amount not to exceed \$133,960.
38. Construction Manager at Risk Contract No. WA2008.401, Change Order No. 1, GMP-2, 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, Change Order No. 1, GMP-2, with Achen-Gardner Construction, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation, in an amount not to exceed \$4,277,697.35.
39. Professional Services Agreement No. WA2008.451, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Construction Management Services
Move City Council award Professional Services Agreement No. WA2008.451, with Wilson Engineers, LLC, for the Loop 101 and 202 Freeway Waterline Rehabilitation Construction Management Services, in an amount not to exceed \$296,750.

Consent Agenda Motion and Vote

Councilmember Orlando moved to approve the Consent Agenda of the October 14, 2021, Regular City Council Meeting, with the exception of Consent Agenda Items No. 4 and 5 which were considered separately under the Action Agenda; Seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

Action Agenda Item No. 4 and Discussion

4. Introduction and Tentative Adoption of Ordinance No. 4991, Establishing a Military and Veterans Affairs Commission
Move City Council introduce and tentatively adopt Ordinance No. 4991, forming a Military and Veterans Affairs Commission.

COUNCILMEMBER LOPEZ thanked Bob Dalpe for his work on this and this would be a great enhancement and contribution to the City and residents.

MAYOR HARTKE called for citizens to speak.

David Waltzer, 3166 E. Palm Beach Dr., Chandler, said he has lived in the community for awhile and he has been working on this for a long time. Everyone needs to have a voice in Chandler including veterans. Mr. Dalphe said he was excited to support the Veterans Commission.

BOB DALPHE, 1104 W. Highland St., said many of the cities in the Valley have veteran commissions and Chandler should have one for a city of this size. Mr. Dalphe said there are at least 15,000 veterans living in Chandler. The veteran community is very diverse and have a unique set of challenges and issues. Mr. Dalphe said the veteran community does a lot of work for the community.

NICOLAS MAGALADES, 1953 E. Dana Way, Chandler, said he was excited to be part of the Arizona Veterans Commission and said there is a lot of things happening in the veteran community right now. Those who are transitioning out do not have assistance to help and this Commission would be a great point of contact to direct those veterans to resources they need.

COUNCILMEMBER HARRIS said he was very excited for the Veterans Commission and the transition from military service to civilian life can be very challenging. Councilmember Harris said this is not checking the box for us and this is Chandler taking action. Councilmember Harris looked forward to what the Veterans Commission would do and was ready to assist and be part of the conversation. This is a fundamental way to move the veterans community forward. Councilmember Harris said he shared language for the ordinance on Monday and was happy to see that taken into consideration.

COUNCILMEMBER LOPEZ said the establishment of the Commission is proof that City is committed to the veterans. The Commission is an advisory body to Council on all issues from the perspective of the veterans community and they would work in conjunction with the other non-profits and resources.

COUNCILMEMBER ELLIS said she was honored to be able to vote on the Veterans Commission and was looking forward to the work they would do.

COUNCILMEMBER ORLANDO said for all of the different veterans it does not matter what branch of service they are from or what their background is, the only thing that matters is that their uniform says United States. Councilmember Orlando thanked everyone for their service and said there is a lot of work ahead.

VICE MAYOR STEWART said he was honored to serve with the veterans on Council and said great things would come from this Commission.

MAYOR HARTKE thanked veterans for serving and thanked Bob Dalphe for his work putting together this Commission. Mayor Hartke said after tonight there would be applications available for people to apply. Mayor Hartke said seven people would serve on the Commission.

Action Agenda Item No. 4 Motion and Vote

Councilmember Lopez moved to approve Action Agenda Item No. 4 of the October 14, 2021, Regular City Council Meeting; Seconded by Councilmember Harris.

Motion carried unanimously (7-0).

Action Agenda Item No. 5 and Discussion

5. Professional Services Agreement No. 4347, with Cooperative Personnel Services, dba CPS HR Consulting, for a Diversity, Equity, and Inclusion Assessment
Move City Council approve Professional Services Agreement No. 4347, with Cooperative Personnel Services, dba CPS HR Consulting, for a diversity, equity, and inclusion assessment, in an amount not to exceed \$56,040.

MAYOR HARTKE said this is of great interest to the community. Transparency in this process is very important and Council welcomes anyone's input regarding this assessment. Mayor Hartke said they have selected an unbiased firm to effectively conduct the assessment. Mayor Hartke said this was a request from the Human Relations Commission and looked forward to starting the process. Mayor Hartke asked for clarification from the City Manager.

JOSHUA WRIGHT, City Manager, said this DEI study is a complex project and has many components and stakeholders. This also deals with topics that are very personal such as identity, faith, and culture. Mr. Wright said staff is confident they found the right consultant for this project. The need for the study was identified with the City's Human Relation Commission following a survey regarding the City's diversity and inclusion initiatives. One of the primary recommendations was an assessment of DEI initiatives to create a DEI roadmap for the future. A decision package was approved for this fiscal year budget. Earlier this year the Council adopted the strategic framework and the City's brand was rewritten to be include a diverse, equitable, and inclusive community. Council help meetings regarding a non-discrimination policy and directed the City Attorney to draft a non-discrimination resolution. In June, Council added that component into the scope of work for this study to get more feedback from the community. Because of the complexity and sensitivity of the study, staff sought an experienced consultant that was neutral and had a proven track record doing this type of study in local government. In the scope of work, staff expects the consultant to begin quickly and would present initial results in Spring 2022 to include any budget recommendations as well. The first phase is the creation of a DEI aspirational policy that would define what the successful outcome of the study looks like, internal and external communication strategy, and define what diversity, equity, and inclusion means to the City. The consultant would conduct individual interviews with each Councilmember during this phase. The second phase is an extensive community engagement process and all members of the community

would be given an opportunity to provide input if they so choose. The survey would be extensively promoted by the City and a focus group would be formed in addition to a webpage to promote transparency. The City would also conduct a survey among employees. It is not simply a survey but rather a holistic look at the City and find areas to improve on.

COUNCILMEMBER ORLANDO asked for more information about statistical analysis. Councilmember Orlando said they have received a lot of comments on this issue both positive and negative. Councilmember Orlando said he was concerned and wanted to reduce the polarization on this issue. Councilmember Orlando said he wanted a statistically valid poll and asked how this statistical analysis is done to actually reflect all Chandler residents.

MR. WRIGHT said the request for a statistically valid poll was taken into consideration when looking for the consultant. One of the unique aspects of the consultant was that they have extensive experience in DEI work but have shown they get statistically valid results. Mr. Wright said how the survey will be set up has not been defined yet. The focus groups will help define what it looks like and develop the questions to be asked. Mr. Wright said he did not want to duplicate the work done by the Human Relations Commission but rather wanted to build upon that.

COUNCILMEMBER ORLANDO said he understood they are still working through how to get the valid survey and did not want to polarize the issue more than it has become. Councilmember Orlando asked how the Human Relations Commission plays into this study.

MR. WRIGHT said the Human Relations Commission would play a critical role in the study and are mentioned several times in the scope of work to act sort of like a steering committee. The Human Relations Commission would have subcommittee to work specifically on this task and with staff to see how the study progresses.

MAYOR HARTKE asked if there was a way to ensure the comments received actually come from Chandler residents and not other places.

MR. WRIGHT said when the survey is designed there should be a way to limit to local Chandler residents only. Mr. Wright said there would be a lot of stakeholder and focus groups and other outreach to get feedback from residents. Staff also has a great relationship with the residents so they know how to get input from people who maybe we do not hear from every day.

COUNCILMEMBER HARRIS asked why this particular company was chosen and why they stood out.

MR. WRIGHT said it was very important to have an unbiased firm and did not have any background in Chandler on this issue so they could look at the information holistically and impartially. Mr. Wright said there has already been a lot of discussion on this issue. Mr. Wright said they looked at all the different firms that would be able to complete all of the different components of this as it is not an easy task. Not only did they need extensive experience in local government, working in the DEI space, but they also needed to be able to facilitate public processes, navigate public meetings, strategic planning work, complete statistically valid research. There were several companies, but the company selected was able to do all of these things and do so in a timely fashion. We did not want to wait for the study to go

on much longer and other consultants were not able to meet the timeline needed. Mr. Wright noted that was not the main driver as it was still important that they selected a high quality consultant.

COUNCILMEMBER HARRIS said there is a strong feeling that there were groups left out of the discussion and asked if staff has gone back to explain why this consultant was chosen.

MR. WRIGHT said he has had several phone calls and if someone has a question about process or about the firm, he would be happy to discuss it. Mr. Wright noted there is a difference between the procurement process and the study itself. Typically, the procurement process is done among staff. When they start the survey it will include all of the public input then everyone will have a chance for their input.

COUNCILMEMBER HARRIS said the Human Relations Commission must be very much involved in the process and the Commission needs to be uplifted and empowered to make recommendations and do what Council has asked them to do. Councilmember Harris wanted to ensure they feel empowered and that their voice matters. Councilmember Harris said he did talk to the consultant as this is a very important topic and he felt good about the conversation. Councilmember Harris said this conversation is not just for the residents but for the City as well and the City's policies. Councilmember Harris said the consultant has worked with a lot of cities to bring the community together. This topic should not be polarizing but rather a sign of being together and celebrating diversity. Councilmember Harris said he is here to represent the opinion of the people not his own opinion. There may be differences on this issue, but they need to come together. Council has had many discussions and has changed the brand to include diversity, equity, and inclusion. The diversity, equity, and inclusion was part of another department but now it is its own department. The City will continue to ensure that everyone's voice is heard and that they are put first because of their participation. Councilmember Harris said this study needs to be spot on. Councilmember Harris said this process may take sometime but encouraged people to stay engaged and do this together to shape the future of the community.

MAYOR HARTKE said he did read all of the comments received from the Human Relations Commission survey and looked forward to what the study would show as well. Mayor Hartke thanked the residents for being part of the survey and the next part of the this study.

MAYOR HARTKE invited residents to speak.

KEASHA BEACH, 453 N. Pelican Dr., Chandler, on behalf of Base Arizona, said herself and the organization takes issue with the process of selection. Part of the strategic goals are being a leader in trust and transparency and fostering a contemporary culture that embraces unity. As a City government that bolsters those goals it has not lived up to that regarding the hiring process of this company. There was not a public RFP process for public review and the public did not know the criteria for making this selection until it was already made nor where they consulted regarding the scope of work. Over \$26,000 is budgeted to internal staff conversations. The Human Relations Commission involvement looks like it is only a DEI presentation to them. Ms. Beach said they were not made aware of the 25 selected to participate in the focus group community engagement process. Ms. Beach said this process has not been transparent which does not illicit trust in the community. This is for a company with experiencing administering a poll using an unbiased scientific methodology getting a wide and accurate sample of Chandler residents' opinion on the matter not a city survey as stated in the scope of work. There is a

designated representative to design the assessment and audit protocol to include the data collection tools. Ms. Beach asked Council not to vote on this contract and to leave it open for further discussion.

COUNCILMEMBER ORLANDO asked how the 25 people were going to be selected.

MR. WRIGHT said there is an application process where they would get stakeholders during one phase of the project. This is intended to be a wide group of people engaged in DEI organizations today. This is not a preselected list, there would be an application process.

EDUARDA SCHRODER, 3480 W. Ross Dr., Chandler, thanked the City for wanting to hire a diversity consultant. Diversity, equity, and inclusion describe programs that help facilitate the representation and participation of diverse groups. A DEI consultant could help conduct an assessment of the organization and lay out a strategic plan to help the City grow with an action plan. The consultant would do an extensive poll of residents to understand what concerns there are. Ms. Schroder said Chandler Pride looks forward to engaging in the process.

TYLER CONAWAY, 4169 W. Orchid Ln., Chandler, Human Relations Commission Chair, said he was very excited to see their recommendation come to life. Chairman Conaway thanked all of the Commissioners for their work on this topic as well as the Chandler Chamber and various community groups that came together to help advance the discussion. Chairman Conaway said he was very encouraged by the dialogue that was happening tonight as well as the opportunity to engage Chandler residents. This has been a topic of discussion nationwide but Chairman Conaway said he looked forward to seeing what Chandler had to say. Chairman Conaway said the Human Relations Commission is ready to work with the consultant and Council. There is the HR audit which is really focused on Chandler internally and then also the focus externally to see what initiatives would be beneficial.

CRYSTAL BLACKWELL, 6812 W. Shannon St., Chandler, said she was happy to hear they are moving the needle and going to have a consultant in place, but her concern was the process for the RFP. The RFP process is designed to eliminate bias and is in place to prevent systemic racism. When we overlook this process it does not allow women owned businesses, minority owned businesses, an even playing field. This is about diversity, equity, and inclusion, and Ms. Blackwell's concern was why the RFP process was not followed. Ms. Blackwell said she understood having an organization outside the state may make sense but there are hundreds of organizations that did not get an opportunity to bid for a quote to help and support what Chandler is trying to do. Ms. Blackwell said the City values are commitment, communication, diversity, innovation, integrity, respect, and teamwork. This is something that we need to stand on and hold ourselves accountable and ask if this was the right process in selecting a consultant.

MAYOR HARTKE asked how this was advertised.

MR. WRIGHT clarified that an RFP is not the only method of procurement and there are a lot of ways for public procurement and it depends on the unique nature of the task presented. The goal of public procurement is to get the best value for goods and services for the tax payer. Mr. Wright said staff looked, with the procurement office, at 18 different firms that seemed to have the skill sets they were looking for. From that list, staff reached out to the top eight and they received back four proposals. From there, staff narrowed it down to two and had a virtual interview process and then made the

recommendation. There were several firms that were qualified but this is a complex project and they narrowed it down based on what staff believed Council was looking for.

MAYOR HARTKE said this conversation started the previous fiscal year when they announced they would be doing this and made it available for inquiries. Mayor Hartke asked if that was months before the selection process began.

MR. WRIGHT said yes, this was on Council's radar last fall when the Human Relations Commission made their recommendation and that was factored into the budget briefing as well.

MAYOR HARTKE said in May of June they really talked about the process and that was about four months before they went out.

COUNCILMEMBER HARRIS clarified this was not a traditional RFP and the concern today is that the public did not get the opportunity to bid on it.

MR. WRIGHT said that is correct, it was not an RFP process. Not all items go through the RFP process as it depends on what is being asked of staff to deliver. The procurement office identified vendors that have experience doing this type of work, contacted them, and make sure this was an expedient process. Mr. Wright said staff also knew there was not going to be a long list of people that would be able to do all of the different components that Council was asking. Mr. Wright said he believed it to be a fair process, but it was not a traditional RFP which is the case for other items as well.

COUNCILMEMBER HARRIS said he did not know it was not an RFP and was concerned about that. Councilmember Harris said that does not necessarily change his opinion on the company since he did have a conversation with them but he did have reserves about the item.

ANGEL ENCINAS, 230 S. Dakota St., Chandler, said he is an actively engaged resident, small business owner, and local relator. Mr. Encinas said he has grown up in downtown Chandler and over the past three decades he has seen the City change dramatically. Mr. Encinas has lived, worked, and studied within the community and its residents. Mr. Encinas said he is a proud member of the LGBT and Latino communities and the introduction of the non-discrimination ordinance gave him a sense of pride that the City was doing something to make him feel more comfortable at home. Mr. Encinas said this process has somewhat dampened that pride, but he still holds strong that the City would make the right decision. Mr. Encinas said he has been fortunate to not have experienced an overt attack in Chandler personally however there are still some spaces in Chandler where he still does not feel completely free or safe to be himself without any repercussions based on his race or sexuality. Mr. Encinas said he understands that there are no completely safe spaces in life and it is not the role of the government to dictate people's beliefs but it is the role of the government to protect all of its residents. Building trust among any minority community involves the powers that be to engage inflicted communities into the decision-making process particularly on issues like the one that brings us here tonight. It is of critical importance that from this point forward residents are involved from those communities and that residents are polled accurately and representatively to ensure an unbiased and accurate sample and their views, they must use a scientific proven method. Mr. Encinas proposed an independent citizen review committee to ensure they are getting the most accurate unbiased information possible.

RICK HEUMANN, 4310 W. Dublin St., Chandler, incoming Chair of the Chamber of Commerce and Chair of the Coalition for Diversity within the Chamber, said they represent over 1,500 companies and over 170,000 employees throughout Chandler. Mr. Heumann said they started this process in 2017 to address diversity and inclusion and it is important that this is a very transparent method. Mr. Heumann said he appreciated Councilmember Orlando's comment on having a true transparent poll not a survey. A survey open to the world would be very hard to get accurate information. Chandler has been a leader in the Valley on a lot of different things but now Chandler is a follower. Mr. Heumann said the Chamber represents a lot of people and would expect to be part of this process and did not know if they needed to also fill out an application. Mr. Heumann said they want this process to be transparent, open, and people to feel their voices are heard and it is being scientifically done not just a random survey.

DR. WILLIAM CRAWFORD, 1252 N. McKemy Ave., Chandler, said he has lived in the City for over 23 years and was proud to represent the Chamber of Commerce's Diversity, Equity, and Inclusion Committee as one of the co-chairs. Dr. Crawford said the Chamber's DEI Committee consists of community leaders committed to diversity education, and they work tirelessly to promote inclusion and equity within Chandler businesses. According to a recent Gallup poll more than 70% of Arizonans agree that combating discrimination on the basis of race, religion, gender, and sexual orientation is a necessary action in creating an equitable Arizona for everyone. The diversity and inclusion consultant tonight would have an opportunity to conduct an unbiased scientific study. The process must be transparent, open to public input, and result in clear actionable items directly related to the consultant's findings. This is an issue that touches all Chandler residents, and it is expected of leaders in the community that a citizens' panel coordinates with this diversity consultant every step of the way. As a diversity education leader in the community, it is vitally important that citizens knowledgeable in DEI be involved in this consultation and that their voices are heard and valid. Dr. Crawford said the Chamber's DEI Committee looks forward to having a seat at the table.

JOSEPH YANG, 4909 W. Joshua Dr., Chandler, said his concern is that he has not heard about this company from any of the media outlets the City has. Mr. Yang said there is a lot of talk about transparency, but the process has not been transparent up until this point. Mr. Yang said history would repeat itself if we do not learn from it. Mr. Yang asked for more transparency in the process. Mr. Yang said that Chandler has been, is, and always will be a diverse City and community. The City has always welcomed our diversity with open arms and asked why there was a sudden push for a focus on diversity. Mr. Yang said Chandler has always been open to diverse cultures.

COUNCILMEMBER HARRIS asked if he could amend the motion to go to a regular RFP and how that would be done.

KELLY SCHWAB, City Attorney, said the motion is to approve the contract and that would be a substitute motion not an amended motion. Ms. Schwab said her recommendation, unless the mover and the second what to withdraw the motion, would be to vote on the existing motion and if it fails propose the new motion.

COUNCILMEMBER ORLANDO asked if there could be a motion to table.

COUNCILMEMBER LOPEZ said the motion already has a second and would need to be voted on.

COUNCILMEMBER ORLANDO said he was reading the procedures and they state the item under consideration could be tabled.

MS. SCHWAB said normally a motion to table normally is done before a motion to take action. Ms. Schwab said making a motion to table would not be normal procedure because there is already a motion and a second.

COUNCILMEMBER ELLIS said there are people in favor of this item and others that take issue with how the company was selected. Councilmember Ellis asked if this is something that they would look for firms only in Chandler or is the search nationwide. Councilmember Ellis asked if there was a firm in Chandler that would be able to do all of the things that Council has asked.

MR. WRIGHT said one of the primary goals in identifying a consultant was finding someone who did not have any connection to the issue at hand. Mr. Wright said they wanted to ensure it was an unbiased study and the firm did not have any history with Chandler on this issue. There are a lot of different feelings on this issue and there are a lot of opinions which is great and that is exactly what they want. Mr. Wright said they wanted a firm that would be completely neutral and impartial reviewer. There are a lot of moving parts and this is why staff brought forward this recommendation.

COUNCILMEMBER ELLIS said if this would be changed to go back out to an RFP that this be sent nationwide.

COUNCILMEMBER HARRIS said this is part of the process and as a leader he needs to go with what the public wants. Councilmember Harris said he believed that staff acted in good faith but if the public feels there was a misstep then there needs to be a remedy. If this were put back out for an RFP they may still end up with the same company but wanted to remedy the situation and do this in good faith and do it the right way for the community.

COUNCILMEMBER LOPEZ said he understood the concerns but as a Council they directed for this to be done quickly and it has already been a year since the Human Relations Commission made the recommendation.

Action Agenda Item No. 5 Motion and Vote

Councilmember Lopez moved to approve Action Agenda Item No. 5 of the October 14, 2021, Regular City Council Meeting; Seconded by Councilmember Ellis.

Motion carried by majority (5-2), Councilmember Harris and Councilmember Ellis dissenting.

Informational

40. Study Session & Regular Minutes of September 1, 2021, Planning and Zoning Commission
41. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

Unscheduled Public Appearances

BRAD FRENCH, 1870 E. Ross Rd., said in the last two weeks there was a midair collision at the Chandler Airport about 60 days ago there was an incident where a bonanza when off the runway. The response time to get crash fire rescue to an incident is about 12 minutes. For an aircraft accident 12 minutes is atrocious. There were four people in the bonanza crash who would have burned to death during that time if it were not for two men working in the hangar, went without hesitation to pull the people from the aircraft. There was a fireball over 100 feet in the air. The fire department when they arrived could not get through the gates because the gates at the airport were inoperable. They had to put out the fire from outside the fence line. Mr. French said they need better response time for the fire department. The fire department does not do any training at the airport except for one crew. There is no coordination with the control tower and the control tower has radio issues to and from the fire department.

COUNCILMEMBER ELLIS asked what the response time for the fire department.

MR. WRIGHT said he did not have that information, but staff would provide that to Council.

COUNCILMEMBER ELLIS said her understanding of the two accidents at the airport were outside of the City's control. Councilmember Ellis asked for more information be given to Council and the public about the situations. Councilmember Ellis said safety is priority number one.

MR. WRIGHT said he would get that information.

MARVIN WESSEL JR., 100 S. Stellar Pkwy, Chandler, said he was involved in a crash and fire at the airport and his plane was a total loss because of the inoperable gates at the Chandler Airport and the fire department could not get through. Mr. Wessel said after the most recent crash the Fire Battalion Chief held a meeting with airport personnel and asked what was happening. Inoperable gates was the answer and the fire department does not know how to respond to emergencies at the airport. Mr. Wessel said this issue has been brought up to the Mr. Wright multiple times. Council approved a \$100 million airport plan with \$0 for improved safety features even though several people have asked for safety features at the only airport users meeting that was held. Mr. Wessel said they asked Mr. Wright why there was no fire department at the Airport and why there were no safety gates, and his answer was because they do not have to. The Fire Captain spoke out at the meeting and he was suspended for speaking out and retired from the fire department because he did not want to work in a hostile work environment. Mr. Wessel provided a petition to the City Clerk.

COUNCILMEMBER ELLIS said she wanted a report back from staff on all of these incidents. Councilmember Ellis said it sounds like the fire department is not well trained or prepared to respond to those incidents. Councilmember Ellis said if they are running an airport that is not safe for their residents then they need to do something about it immediately. If it is safe and it is so, then it needs to be said.

COUNCILMEMBER ORLANDO said as the budget cycle starts he wanted to see what options there were to have a more robust fire department presence near the airport. It is important to take a look and there have been several incidents over the last year and issues with the gates not being opened.

Councilmember Orlando said he wanted to see options to have closer or on-premises firefighting capabilities.

MAYOR HARTKE read the following comment card:

JENNIFER GOEHRIR, 1782 W. Oriole Way, Chandler, wrote the following:

What is going on with plans to expand data centers in the Price Corridor and will the neighborhoods be kept informed? Will they have say?

MAYOR HARTKE asked staff to follow up with the resident.

Current Events

Mayor's Announcements

MAYOR HARTKE said there was a ribbon cutting with the Chandler Public Library Makery. The Makery is a state-of-the-art space for the community to turn an idea into reality to create a product or start a business. This is a great addition to makers space resources such as the innovation center. The Makery is unique and is suitable for all and features a studio and multimedia for audio and video content.

MAYOR HARTKE said this weekend is the annual GAIN event, on October 16, which was a statewide event encouraging neighborhood watch programs and bring the community together to fight against criminal activity.

Council's Announcements

COUNCILMEMBER LOPEZ said yesterday was the Navy's 246th birthday.

VICE MAYOR STEWART recognized Chandler's officers in Washington DC tonight to escort family members of fallen officers at a candlelight vigil. Vice Mayor Stewart said they are proud of the work they are do and wanted to recognize those who have fallen in the line of duty.

COUNCILMEMBER ELLIS said the City has reopened the application for housing and the deadline to submit has been extended another week.

COUNCILMEMBER ORLANDO said in regards to the discussion earlier, it is important to keep this process as transparent as possible moving forward and that message was received loud and clear. Councilmember Orlando said they need to keep moving forward on this issue.

City Manager's Announcements

None.

Adjourn

The meeting was adjourned at 7:42 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 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 14th day of October, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk

Meeting Minutes

City Council Special Meeting

October 25, 2021 | 4:00 p.m.
Council Chambers Conference Room
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Mayor Kevin Hartke at 3:31 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, arrived at 3:55 pm
Councilmember Matt Orlando

Appointee Attendance

Josh Wright, Acting City Manager
Debra Stapleton, Assistant City Manager
Dawn Lang, Deputy City Manager/CFO
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

Staff in Attendance

Kim Moyers, Cultural Development Director
Christopher Kramer, Jennings Strouss Law Firm
Scott Frerichs, Jennings Strouss Law Firm

Set an Executive Session

1. Litigation and Contracts--A.R.S. § 38-431.03(A)(3) and (A)(4) Discussion or consultation with the City Attorney for legal advice and in order to consider its position and instruct its City Attorneys regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation relating to contracts with DT Chandler, LLC for the Overstreet Development and Parking Garage and Sites 1 and 2 located generally in the southwest corner of Chandler Boulevard and Arizona Avenue.

Action Agenda Motion and Vote

Councilmember Orlando moved to hold an Executive Session Meeting immediately following the Special Meeting; seconded by Councilmember Harris.

Motion carried unanimously (7-0).

Adjourn

The meeting was adjourned at 3:31 pm.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 1, 2021

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 25th day of October 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2021.

City Clerk



City Council Memorandum City Manager's Office Memo No.

Date: November 1, 2021
To: Mayor and Council
Thru: Josh Wright, City Manager
Ryan Peters, Strategic Initiatives Director
From: Dana DeLong, City Clerk
Subject: Introduction and tentative Adoption of Ordinance No. 4991, Forming a Military and Veterans Affairs Commission

Proposed Motion:

Move City Council adopt Ordinance No. 4991, forming a Military and Veterans Affairs Commission.

Background:

The City of Chandler currently has 35 citizen advisory boards and commissions, allowing Mayor and Council to receive valuable resident input in varying areas of service delivery and to gather advice from diverse communities of interest. A majority of cities in the Valley have a military and/or veterans board or commission, providing an opportunity to hear directly from veterans and members of the military as to how their respective communities can support those that have served.

In Chandler, the Diversity, Equity & Inclusion (DEI) Office currently handles a variety of veterans programming, including coordinating Veterans Day recognition events and working with local organizations to promote support services that are available to Chandler's veterans and active-duty residents. Additionally, there are active, self-run veteran advocacy organizations, but none that have the purview to provide information to Mayor, Council and staff directly.

The Military and Veterans Affairs Commission will provide a forum for Commissioners to collaborate and partner with the City and outside stakeholders to further support Chandler's military community. The Commission will advise Mayor and Council on veteran programs, policies and practices and will act as a community forum for Chandler's active-duty military members and veterans. Applications for commission membership will be made available upon Council adoption. All commission meetings will be subject to the Arizona open meeting law.

Ordinance No. 4991 was introduced and tentatively adopted on October 14, 2021.

Attachments

Ordinance No. 4991

ORDINANCE NO. 4991

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE CODE OF THE CITY OF CHANDLER, CHAPTER 2 ADMINISTRATION, BY ADDING SECTION 2-22, RELATING TO THE CREATION OF THE MILITARY AND VETERANS AFFAIRS COMMISSION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, The City of Chandler is home to a strong and dedicated community of military personnel and veterans that have bravely served their country in various capacities; and

WHEREAS, The Chandler City Council is committed to honoring the service and sacrifice of Chandler's military, veterans, their families, and the organizations that serve them; and

WHEREAS, The Chandler City Council recognizes the opportunity to provide a forum for collaboration and partnership to further support the military and veteran community.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Chandler, Arizona, that Section 2-22 of Chapter 2 of the Chandler City Code, is hereby added to read as follows:

2-22. Military and Veterans Affairs Commission

There is hereby established the Military and Veterans Affairs Commission, which shall consist of seven (7) members, appointed by the Mayor, subject to approval of the Chandler City Council. These members shall be residents of Chandler or representatives of veteran focused businesses or associations serving the residents of the City. At least five (5) members will be current members or veterans of the United States Armed Forces, or representatives from veteran service organizations serving the residents of the City.

2-22.1 Terms of Office. The terms of office for the Commission shall be for three (3) years, except during the establishment of the commission the terms shall be staggered to allow for a transition of membership. Initial members shall be appointed for the following terms: Two (2) members shall serve for one (1) year; two (2) members shall serve for two (2) years; and three (3) members shall serve for three (3) years.

2-22.2 Purpose, Function and Duties. The Military and Veterans Affairs Commission shall serve as an Advisory Commission to the Chandler City Council. The Commission may adopt rules of procedure which may, among other things, set forth the time and place of meetings and the operating procedures of the Commission. The purpose, function and duties of the Military and Veterans Affairs Commission shall be:

- A. To advise the Mayor and Council concerning military and veterans related issues including the quality and effectiveness of veteran's services in Chandler;
- B. Educate the military and veteran community on available resources and support;
- C. Collaborate and coordinate activities with military and veteran associations, commissions, and relevant government agencies; and
- D. Consider ways to acknowledge and honor the service and dedication of current military service personnel, veterans, and their family members; and
- E. Such other functions and duties as may from time to time be approved by the City Council.

2-22.3 Officers and staff. The Military and Veterans Affairs Commission shall elect its own officers at the first meeting of each year. No officer elected to the Commission shall serve in the same capacity for more than two (2) consecutive one-year terms. The City Manager/designee shall staff the Military and Veterans Affairs Commission.

2-22.4. Grounds for Removal or Forfeiture of Office. The grounds for removal of members of forfeiture of office will be in accordance with Section 2-6 of this Code.

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed.

Section 3. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, on this 14th day of October 2021.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this 14th day of October, 2021.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4991 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 14th day of October, 2021, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



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