

Meeting Minutes

City Council Regular Meeting

December 8, 2022 | 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 Terry Roe
*Councilmember OD Harris
Councilmember Mark Stewart
Councilmember René Lopez
Councilmember Christine Ellis
Councilmember Matt Orlando

Appointee Attendance

Joshua Wright, City Manager
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Councilmember Harris 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 Councilmember Lopez.

Consent Agenda and Discussion

Airport

1. Resolution No. 5650 Approving an Airport Improvement Grant Agreement with the Federal Aviation Administration, in an amount not exceed \$350,000, for the design of the runway 4R-22L rehabilitation project at the Chandler Municipal Airport.

Move City Council pass and adopt Resolution No. 5650 for approval to enter into an agreement with the Federal Aviation Administration to accept an Airport Improvement Program grant in an amount not to exceed \$350,000 for the design of the Runway 4R-22L rehabilitation project.

City Clerk

2. October 27, 2022 Council Special Meeting Minutes
Move City Council approve the Council Meeting Minutes of the Special Meeting of October 27, 2022.

City Manager

3. Resolution No. 5653 Approving an Amendment to the Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Chandler to Provide Fixed Route Bus, Paratransit and RideChoice Service for Fiscal Year 2022-23
Move City Council pass and adopt Resolution No. 5653 approving an amendment to the Intergovernmental Agreement between the Regional Public Transportation Authority (RPTA) and the City of Chandler to provide fixed route bus, paratransit and RideChoice service for Fiscal Year 2022-23 in an estimated amount of \$2,152,159.
4. Resolution No. 5645 approval of an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) for the Loop 202: Price to Val Vista Widening Project
Move City Council pass and adopt Resolution No. 5645 approving an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) for the Loop 202: Price to Val Vista widening project in an amount not to exceed \$486,200.
5. Agreement No. TD6-155-3626, Amendment No. 4, for Transit Shelters and Related Services
Move City Council approve Agreement No. TD6-155-3626, Amendment No. 4, with Southwest Fabrication, LLC, for transit shelters and related services, in an amount not to exceed \$639,618, for the period of January 1, 2023, through December 31, 2024.

Community Services

6. Agreement No. CS0-910-4120, Amendment No. 3, with UBM Enterprise, Inc., for Park Restroom Cleaning Services
Move City Council approve Agreement No. CS0-910-4120, Amendment No. 3, with UBM Enterprise, Inc., for park restroom cleaning services, in an amount not to exceed \$174,865, for the period of December 1, 2022, through November 30, 2023.
7. Material Procurement Services Construction Manager at Risk Project No. PR2106.401, with Hunter Contracting Co., for the Tumbleweed Park Diamond Field Complex.

Move City Council Award Material Procurement Services Construction Manager at Risk Project No. PR2106.401 to Hunter Contracting Co., for the Tumbleweed Park Diamond Field Complex., in an amount not to exceed \$2,525,938.03.

Development Services

8. Introduction and Tentative Adoption of Ordinance No. 5042, Rezoning and Preliminary Development Plan, PLH22-0019 Hartford Square, located North of the Northeast Corner of Warner Road and Hartford Street

Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 5042 approving PLH22-0019 Hartford Square, Rezoning from AG-1 to PAD for medium density residential, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH22-0019 Hartford Square for site layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

9. Resolution No. 5648 and Introduction of Ordinance No. 5041, Area Plan Amendment, Rezoning and Preliminary Development Plan, PLH22-0006/PLH22-0007 Avenir, Located on the Northwest Corner of Pecos Road and Pennington Drive

Area Plan

Move City Council approve Resolution No. 5648 Gateway Area Plan amendment, PLH22-0007 Avenir, as recommended by Planning and Zoning Commission.

Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 5041 approving PLH22-0006 Avenir, Rezoning from PAD for Assisted Living to PAD for general office and medical office, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH22-0006 Avenir for site layout and building architecture subject to the conditions as recommended by Planning and Zoning Commission.

10. Final Adoption of Ordinance No. 5033, Zoning Code Amendment PLH22-0053 Data Centers, regulating the location and operation of Data Centers throughout the City of Chandler.

Move City Council adopt Ordinance No. 5033 approving Zoning Code Amendment PLH22-0053 Data Centers, as recommended by Planning and Zoning Commission.

11. Preliminary Development Plan Amendment, PLH22-0031 Dobson Town Place - Medical Office, located north of the northeast corner of Alma School and Queen Creek Roads
Move City Council approve Preliminary Development Plan Amendment PLH22-0031 Dobson Town Place - Medical Office, allowing 100% Medical Office on an existing office development, subject to the conditions as recommended by Planning and Zoning Commission.
12. Use Permit PLH22-0005 Crown Castle Wireless, located at 2055 S. Stearman Drive, at the southeast corner of Germann Road and Stearman Drive, approximately 1/4 mile west of Gilbert Road, Request for Continuation
Move City Council continue Use Permit PLH22-0005 Crown Castle Wireless to the February 23, 2023, City Council meeting, as requested by the applicant.

Facilities and Fleet

13. Agreement No. FF2-926-4522 for City Facilities Disaster Recovery and Remediation
Move City Council approve Agreement No. FF2-926-4522, with East Valley Disaster Services, Inc.; EHS Restoration, LLC; Phoenix Environmental Group, LLC; and Titan Restoration of AZ, LLC; for City facilities disaster recovery and remediation services, in a combined amount not to exceed \$250,000, for the period of one year, beginning December 15, 2022, through December 14, 2023, with the option of up to four one-year extensions.
14. Agreement No. PD2-055-4378, Amendment No. 1, for Police Vehicle Upfitting
Move City Council approve Agreement No. PD2-055-4378, Amendment No. 1, with American Emergency Products, Inc.; MHQ of Arizona; and Pride Outfitting, LLC; for Police and Fire vehicle upfitting, in an amount not to exceed \$722,125, for the period of December 1, 2022, through November 30, 2023.
15. Purchase of HVAC Equipment, Installation, Service and Related Products
Move City Council approve the utilization of the Mohave Educational Services Cooperative, Contract No. 19F-SMC-0904, for the purchase of HVAC equipment, installation, service and related products from Sun Mechanical Contracting, Inc., in an amount not to exceed \$1,100,000. The term of the Mohave Educational Service contract is valid through September 4, 2023.
16. Purchase of Sunset Library HVAC Installation Services
Move City Council approve the purchase of HVAC installation services at the Sunset Library, from TDIndustries, Inc., utilizing the Omnia Partners Contract No. R200403, in an amount not to exceed \$91,659, and authorize the City Manager to sign a linking agreement with TDIndustries, Inc.
17. Purchase of Energy Management Control System Services

Move City Council approve the purchase of Energy Management Control System Services, from Mesa Energy Systems, Inc., utilizing the State of Arizona Contract No. CTR062668, in an amount not to exceed \$250,000.

18. Purchase of Tires

Move City Council approve the utilization of the State of Arizona Contract No. CTR02117 with Firestone North America, the Sourcewell Contract No. 102517-GTC with Goodyear Tire and Rubber Company, and the Omnia Partners Contract No. 2019209 with Michelin North America, for the purchase of tires, in an amount not to exceed \$250,000.

Fire Department

19. Resolution No. 5649 Intergovernmental Agreement for Regional Fire Service Automatic Aid
Move City Council pass and adopt Resolution No. 5649 approving an Intergovernmental Agreement (IGA) with various cities, towns, fire districts, and governmental jurisdictions within the Regional Metropolitan Phoenix area to provide Automatic Aid for Fire Protection and Other Emergency Services; and authorizing the City Manager to sign the agreement on behalf of the City of Chandler.

Information Technology

20. Purchase of Oracle Annual Support and Maintenance Services

Move City Council approve the purchase of Oracle annual support and maintenance services, from Mythics, Inc., using Omnia Partners Contract No. 180233-002, in the amount of \$122,855, for a one-year term of January 31, 2023, through January 30, 2024.

Management Services

21. Agreement No. 4399, Amendment No. 1, for Investment Management Services

Move City Council approve Agreement No. 4399, Amendment No. 1, with PFM Asset Management, LLC, and Allspring Global Investments, LLC, for investment management services, for a one-year term beginning January 1, 2023, through December 31, 2023.

22. Purchase of Maintenance, Repair, and Operational (MRO) Supplies

Move to approve the utilization of the Omnia Partners Contract No. 192163, with Grainger, Inc., for the purchase of maintenance, repair, and operational (MRO) supplies, for the term of January 1, 2023, through December 31, 2023, in an amount not to exceed \$300,000.

23. New License Series 7, Beer and Wine Bar Liquor License application for ImprovMania Entertainment, LLC, DBA Mic Drop Mania

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 214181, a Series 7, Beer and Wine Bar Liquor License, for Jared Michael Repinski, Agent, ImprovMania Entertainment, LLC, DBA Mic Drop Mania,

located at 51 E. Boston Street, and approval of the City of Chandler, Series 7, Beer and Wine Bar Liquor License No. 302239.

24. New License Series 12, Restaurant Liquor License application for KC of Chandler, LLC, DBA The Kickin Crab
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 212167, a Series 12 Restaurant Liquor License, for Carlson Bui, Agent, KC of Chandler, LLC, DBA The Kickin Crab, located at 1840 W. Chandler Boulevard, Suite 5, and approval of the City of Chandler Series 12 Restaurant Liquor License No. 303679.

Mayor and Council

25. Introduction and Tentative Adoption of Ordinance No. 5045 Amending the City Code, Section 2-2, Salaries of Mayor, Vice-Mayor and Councilmembers, to Restore Annual Salary Adjustments to Become Effective in Fiscal Year 2024-2025.
Move City Council introduce and tentatively adopt Ordinance No. 5045 Amending the Code of the City of Chandler, Chapter 2, Administration, by Amending Section 2-2, Salaries of Mayor, Vice-Mayor and Councilmembers, to Restore Annual Salary Adjustments to Become Effective in Fiscal Year 2024-2025; Providing for the Repeal of Conflicting Ordinances; and Providing for Severability.

Neighborhood Resources

26. Resolution No. 5647 Certifying Consistency with the Consolidated Plan, Supporting The A.R.M. of Save the Family Foundation of Arizona's Application to Maricopa County for Federal HOME Investment Partnerships Program Funds, and Committing to Administering Any Resultant Contract
Move City Council pass and adopt Resolution No. 5647 certifying consistency with the Consolidated Plan, supporting The A.R.M. of Save the Family Foundation of Arizona's application to Maricopa County for federal HOME Investment Partnerships Program funds, and committing to administering any resultant contract.
27. Resolution No. 5629 Accepting \$623,714.25 in Redistributed Emergency Rental Assistance Funds from the US Department of the Treasury and Amending Intergovernmental Agreement No. C-22-062-X-00 Between the City of Chandler and Maricopa County for Implementation of the Emergency Rental Assistance Program
Move City Council pass and adopt Resolution No. 5629 accepting \$623,714.25 in redistributed Emergency Rental Assistance funds from the US Department of the Treasury and amending Intergovernmental Agreement No. C-22-062-X-00 between the City of Chandler and Maricopa County for implementation of the Emergency Rental Assistance Program.

Police Department

28. Agreement No. 4549, with Crisis Response Network, a Division of Solari, Inc., for Crisis Response Services for the Chandler Police Department
Move City Council approve Agreement No. 4549, with Crisis Response Network, a Division of Solari, Inc., for crisis response services for the Chandler Police Department, in an amount not to exceed \$75,000 for the period of one year, beginning December 1, 2022, through November 30, 2023, with the option to extend for up to four one-year periods.
29. Service Agreement to Support the City of Chandler Radio System Infrastructure
Move City Council approve the annual service agreement with Motorola Solutions, Inc., for radio system infrastructure support, in the amount of \$101,105, for the term of August 1, 2022, through July 31, 2023.
30. Agreement No. PD8-968-3913, Amendment No. 3, with ACT Towing, LLC, dba All City Towing, for Police Towing
Move City Council approve Agreement No. PD-986-3913, Amendment No. 3, with ACT Towing, LLC, dba All City Towing, for police towing, for the period of January 1, 2023, through December 31, 2024.
31. Agreement for the Purchase of CommandCentral Aware Subscriptions
Move City Council approve the agreement for the purchase of CommandCentral Aware Subscriptions, from Motorola Solutions, utilizing the HGACBuy Contract No. RA05-21, in the amount of \$402,681.

Public Works and Utilities

32. Introduction of Ordinance No. 5038 Granting an Ingress-Egress Easement to Salt River Project Agricultural Improvement And Power District
Move City Council introduce and tentatively adopt Ordinance No. 5038 granting an ingress-egress easement to Salt River Project Agricultural Improvement and Power District (SRP), at no cost, for access to the City's Airport Water Reclamation Facility (AWRF) pump station from the Consolidated Canal.
33. Introduction of Ordinance No. 5040 Declaring Certain Real Property as No Longer Necessary for Use as a Public Roadway, Vacating a Portion of the South Side of Willis Road Between McQueen Road and Hamilton Street to the Abutting Property Owner
Move City Council introduce and tentatively adopt Ordinance No. 5040 declaring certain real property as no longer necessary for use as a public roadway, vacating a portion of the south side of Willis Road between McQueen Road and Hamilton Street to the abutting property owner, and authorizing the execution of all documents necessary to complete the abandonment.

34. Introduction of Ordinance No. 5034 Granting a Power Distribution Easement to Salt River Project Agricultural Improvement and Power District for Electrical Facilities to be Relocated West of the Northwest Corner of Elliot Road and San Marcos Place
Move City Council introduce and tentatively adopt Ordinance No. 5034 granting a power distribution easement to Salt River Project Agricultural Improvement and Power District (SRP), for electrical facilities to be relocated west of the northwest corner of Elliot Road and San Marcos Place, in exchange for payment of nine thousand five hundred ninety-eight dollars (\$9,598).
35. Resolution No. 5644 Approving the Abandonment of a Temporary Drainage Easement No Longer Needed for Public Use
Move City Council pass and adopt Resolution No. 5644 approving the abandonment of a temporary drainage easement no longer needed for public use, located on the southeast corner of Chandler Heights Road and 124th Street.
36. Resolution No. 5652 Approving an Amended Project Agreement Under the Public Infrastructure Master Agreement Between the City of Chandler and Intel Corporation
Move City Council pass and adopt Resolution No. 5652 approving an Amended Project Agreement under the Public Infrastructure Master Agreement dated May 24, 2019, between the City of Chandler and Intel Corporation, a Delaware Corporation, for Project No. 3 - Improvements to the Ocotillo Brine Reduction Facility and related public infrastructure needed to serve Intel's campus at 4500 S. Dobson Road, and authorize an appropriation transfer from the General Fund, Non-Departmental, Contingency Reserve to Wastewater Industrial Process Treatment Fund, Wastewater Capital, Plant Additions and Improvements, Intel OBRF Improvements Capital Program, in the amount of \$5.75 million, to be reimbursed through a combination of transaction privilege tax revenues set aside under A.R.S. § 42-5032.02 (80%) by the Arizona Department of Revenue (ADOR) and Intel private funds (20%).
37. Agreement No. MU0-962-4219, Amendment No. 3, with Cartright's Drain Service, Inc.; PM Plumbing and Mechanical, Inc.; RKS Plumbing and Mechanical, Inc.; and TALIS Construction Corporation, for Plumbing Services
Move City Council approve Agreement No. MU0-962-4219, Amendment No. 3, with Cartright's Drain Service, Inc.; PM Plumbing and Mechanical, Inc.; RKS Plumbing and Mechanical, Inc.; and TALIS Construction Corporation, for plumbing services, in an amount not to exceed \$820,000, for a one-year period, November 1, 2022, through October 31, 2023.
38. Agreement No. PW3-962-4568, with Cleanview Sewer Inspections, Inc., for Video Inspection of Sewer Lines

Move City Council approve Agreement No. PW3-962-4568, with Cleanview Sewer Inspections, Inc., for video inspection of sewer lines, in an amount not to exceed \$500,000, for a one-year period, December 12, 2022, through December 11, 2023, with the option of up to four additional one-year extensions.

39. Agreement No. PW3-936-4544, with Valleywide Generator Service, LLC, for Generator Maintenance Services
Move City Council award Agreement No. PW3-936-4544 with Valleywide Generator Service, LLC, for generator maintenance services, in an amount not to exceed \$270,000, for a one-year term, December 12, 2022, through December 11, 2023, with the option of up to four additional one-year extensions.
40. Agreement No. SW2-926-4419, Amendment No. 1, with Kary Environmental Services, Inc., for Household Hazardous Waste Disposal Services
Move City Council approve Agreement No. SW2-926-4419, Amendment No. 1, with Kary Environmental Services, Inc., for household hazardous waste disposal services, in an amount not to exceed \$60,000, for the period of one year, beginning November 15, 2022, through November 14, 2023.
41. Construction Manager at Risk Agreement No. ST2101.251, with Achen-Gardner Construction, LLC, for the Detroit Basin/Gazelle Meadows Park Storm System & Associated Improvements Pre-Construction Services
Move City Council award Construction Manager at Risk Agreement No. ST2101.251, to Achen-Gardner Construction, LLC, for the Detroit Basin/Gazelle Meadows Park Storm System & Associated Improvements Pre-Construction Services, in an amount not to exceed \$236,460.69.
42. Agreement No. PW2-988-4407, Amendment No. 1, with Artistic Land Management, Inc., for Public Works Landscape Services
Move City Council approve Agreement No. PW2-988-4407, Amendment No. 1, with Artistic Land Management, Inc., for Public Works landscape services, in an amount not to exceed \$1,071,500, for a one-year term, January 1, 2023, through December 31, 2023.

Consent Agenda Motion and Vote

Councilmember Lopez moved to approve the Consent Agenda of the December 8, 2022, Regular City Council Meeting; Seconded by Vice Mayor Roe.

Motion carried unanimously (7-0).

Informational

43. Study Session and Regular Meeting Minutes of October 19, 2022, Planning and Zoning Commission
44. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

Current Events

Mayor's Announcements

MAYOR HARTKE recognized and thanked the Teen Advisory Group from the Chandler Library in attendance.

MAYOR HARTKE announced the Wreaths Across America at Valley of the Sun Cemetery, December 17, at 8:00 a.m., remembering the service of the veterans of the valley.

MAYOR HARTKE wished the Chandler community a merry Christmas and happy new year.

Council's Announcements

COUNCILMEMBER LOPEZ announced the Chandler International Film Festival will be returning to Chandler January 21 to 29, 2023, showcasing 120 films from over the world.

COUNCILMEMBER LOPEZ wished everyone merry Christmas, happy holidays, and happy new year, and thanked Mayor and Council for their teamwork.

VICE MAYOR ROE wished everyone happy holidays. Vice Mayor Roe thanked Chandler staff and Mayor and Council.

COUNCILMEMBER STEWART said our community works together, we will always work with our neighboring cities to do great things and serve those who need it. Councilmember Stewart wished everyone happy Hanukkah and merry Christmas.

COUNCILMEMBER ELLIS recognized the Zora Folley Mural at Flo Yoga Cycle, by Giovannie Dixon, recently unveiled by the Arts Commission.

COUNCILMEMBER ELLIS said happy holidays to staff and thanked them for their work this year.

COUNCILMEMBER ORLANDO wished the community and staff happy holidays.

City Manager's Announcements

JOSHUA WRIGHT, City Manager, thanked Mayor and Council for a wonderful 2022 on behalf of staff. Mr. Wright wished Mayor and Council happy holidays.

Adjourn

The meeting was adjourned at 6:20 p.m.

ATTEST: *Dana R. D'Angelo*
City Clerk

Kevin Harthe
Mayor

Approval Date of Minutes: January 12, 2023

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 8th day of December 2022. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12th day of January, 2023.

Dana R. D'Angelo
City Clerk

