

Meeting Minutes

City Council Regular Meeting

February 23, 2023 | 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 6:01 p.m.

Roll Call

Council Attendance

Mayor Kevin Hartke
Vice Mayor Matt Orlando
Councilmember OD Harris
Councilmember Mark Stewart
Councilmember Christine Ellis
Councilmember Jane Poston
Councilmember Angel Encinas

Appointee Attendance

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

Invocation

The invocation was given by Pastor Joel Tetreau, Southeast Valley Bible Church

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Stewart.

Scheduled Public Appearances

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

1. Recognition – Eva Salek

MAYOR HARTKE recognized Eva Salek, for reporting a house fire.

2. Recognition – Disability Award Recipients

MAYOR HARTKE invited Committee Member Jeff Deaver, Mayor's Committee for People with Disabilities forward.

MAYOR HARTKE shared that the Mayor's Committee for People with Disabilities serves as a liaison between the city council and the citizens of Chandler to increase awareness and accessibility and to provide programs for individuals with disabilities.

MAYOR HARTKE recognized the following

Kyler Lister, Student of the Year

Freddie Rodriguez, Student of the Year

Rose Escalante, Educator of the Year

Austin Rector, Volunteer of the Year

Jude Walker for Clarendale Assisted Living, Employer of the Year

3. Proclamation – March 2023 Disability Awareness Month

MAYOR HARTKE read the proclamation and invited Mayor's Committee for People with Disabilities members to accept.

COMMITTEE MEMBER JEFF DEEVER thanked the recipients of the awards and recognized their accomplishments. Mr. Deaver announced the Chandler Fun Run Thursday, March 2 at Tumbleweed Park at 10:15 a.m.

Consent Agenda and Discussion

Airport

1. Resolution No. 5666, Arizona Department of Transportation (ADOT) Airport Improvement Grant Agreement for Taxiway B - Phase 1
Move City Council pass and adopt Resolution No. 5666 authorizing a grant agreement with the Arizona Department of Transportation (ADOT) to accept a grant in an amount not to exceed \$2,035,200 for the design and construction of phase one of the Taxiway B improvements at the Chandler Municipal Airport; and authorizing the City Manager, or designee, to execute the grant agreement.
2. Agreement No. AP3-918-4559, with Aviation Management Consulting Group, Inc., for the Airport Strategic Business Plan
Move City Council approve Agreement No. AP3-918-4559, with Aviation Management Consulting Group, Inc., for the Airport Strategic Business Plan, in an amount not to exceed \$124,750.
3. Professional Services Agreement No. AI2202.201, with Dibble Engineering, for the Runway 4R-22L Pavement Improvements Design Services

Move City Council award Professional Services Agreement No. AI2202.201 to Dibble Engineering for the Runway 4R-22L Pavement Improvements, in an amount not to exceed \$269,529.

4. Professional Services Agreement No. AI2208.201, with WSP USA Environment & Infrastructure, Inc. for the Airport Fuel Tank Relocation Design Services
Move City Council award Professional Services Agreement No. AI2208.201 to WSP USA Environment & Infrastructure, Inc. for the Airport Fuel Tank Relocation Design Services, in an amount not to exceed \$112,424.

City Clerk

5. Approval of Minutes
Move to approve the Council meeting minutes of the Study Session of February 6, 2023; and the Regular Meeting of February 9, 2023.

Community Services

6. Construction Manager at Risk Project No. PR2106.401 with Hunter Contracting Co., Change Order No. 1, for the Tumbleweed Park Diamond Field Complex, Guaranteed Maximum Price (GMP) 2
Move City Council Award Construction Manager at Risk Project No. PR2106.401, Change Order No.1, to Hunter Contracting Co., for the Tumbleweed Park Diamond Field Complex, Guaranteed Maximum Price (GMP) 2, in an amount not to exceed \$18,977,649.41.

Fire Department

7. Resolution No. 5658 Approving an Intergovernmental Agreement (IGA) for Regional Emergency Operations and Disaster Services
Move City Council pass and adopt Resolution No. 5658 approving an Intergovernmental Agreement (IGA) between the City of Chandler and Maricopa County for regional emergency operations and disaster services.
8. Resolution No. 5665 Governor's Office of Highway Safety (GOHS) Grant Application
Move that City Council pass and adopt Resolution No. 5665, authorizing the submission of a Governor's Office of Highway Safety Grant for the Child Safety Seat Clinic program, in the amount of \$57,360, and authorizing the City Manager, or a designee, to perform grant-specific negotiations and submit documentation on behalf of the City of Chandler.

Information Technology

9. Purchase of Information Technology Temporary Contract Staffing Services
Move City Council approve the purchase of information technology temporary contract staffing services, from Computer Aid, Inc., utilizing the Sourcwell Contract No. 071321-CAI, in the amount of \$640,000.

10. Purchase of VMware Licenses Annual Support
Move City Council approve the purchase of VMware licenses and annual support, utilizing the State of Arizona Contract No. ADSP016-098163, with Dell Financial Services, LLC, in an amount not to exceed \$134,367.
11. Sole Source Purchase of BECSys7 Pool Chemical Controllers
Move City Council approve the sole source purchase of BECSys7 pool chemical controllers, from Aquatic Environmental Systems, in an amount not to exceed \$153,325.

Management Services

12. New License Series 12, Restaurant Liquor License Application for John Parley Cloward, Agent, PMR Group, LLC, DBA Roll Em Up Taquitos
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 218517, a Series 12, Restaurant Liquor License, for John Parley Cloward, Agent, PMR Group, LLC, DBA Roll Em Up Taquitos, located at 301 S. Arizona Avenue Suite 2, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 304665.

Police Department

13. Professional Services Agreement No. PD2301.101 with SmithGroup, Inc., for the Police Forensic Services Facility Study Consultant Services
Move City Council award Professional Services Agreement No. PD2301.101 to SmithGroup, Inc., for the Police Forensic Services Facility Study Consultant Services, in an amount not to exceed \$281,835
14. Job Order Project Agreement No. PD1302.404 with Caliente Construction, Inc., Pursuant to Job Order Project No. JOC1910.401, for the Public Safety Training Center Fitness and Parking Metal Shade Structures
Move City Council award Job Order Project Agreement No. PD1302.404 to Caliente Construction, Inc., Pursuant to Job Order Project No. JOC1910.401, for the Public Safety Training Center Fitness and Parking Metal Shade Structures, in an amount not to exceed \$462,090.03.

Public Works and Utilities

15. Resolution No. 5561 Approving the Purchase of Real Property Needed for the Hamilton Street Improvements from Appleby Road to Ocotillo Road
Move City Council pass and adopt Resolution No. 5561 determining that acquisition of real property needed for the Hamilton Street Improvements from Appleby Road to Ocotillo Road is a matter of public necessity; approving the purchase of such real property at market value plus closing and escrow fees; authorizing the City's Real Estate Administrator to sign, on behalf of the City, the purchase agreements and any other documents necessary to

facilitate these acquisitions; approving eminent domain proceedings as needed to acquire said real property and obtain immediate possession thereof; and approving relocation services as may be needed and required by law.

16. 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 \$830,472.
17. Professional Services Agreement No. WA2301.101, with Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C., for the Recovery Well Permit Capacity Study Consultant Services
Move City Council award Professional Services Agreement No. WA2301.101 to Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C., for the Recovery Well Permit Capacity Study Consultant Services, in an amount not to exceed \$193,066.
18. Agreement No. PW0-745-4123, Amendment No. 4, with M.R. Tanner Development and Construction, Inc., for Street Maintenance and Repair Services
Move City Council approve Agreement No. PW0-745-4123, Amendment No. 4, with M.R. Tanner Development and Construction, Inc., for street maintenance and repair services, increasing the spending limit by \$655,000, for a revised amount not to exceed \$1,555,000.
19. Agreement No. PW0-745-4183, Amendment No. 4, with M.R. Tanner Development and Construction, Inc., for Street Maintenance Repaving, Surface Seal, and Repair Services
Move City Council approve Agreement No. PW0-745-4183, Amendment No. 4, with M.R. Tanner Development and Construction, Inc., for street maintenance repaving, surface seal, and repair services, in an amount not to exceed \$9,101,647.17, for a one-year term, May 1, 2023, through April 30, 2024.

Consent Agenda Motion and Vote

Vice Mayor Orlando moved to approve the Consent Agenda of the February 23, 2023, Regular City Council Meeting; Seconded by Councilmember Stewart.

Motion carried unanimously (7-0).

Action Agenda Discussion, Motion and Vote Item No. 20

20. At the Request of Councilmember Mark Stewart, Discussion and Vote on Implementing an Annual Inflation Relief Moratorium on Chandler City Grocery 1.5% Tax
After discussion, the Council would consider a vote be taken to move forward with the crafting of an ordinance for an immediate inflation relief moratorium or to explore alternative approaches to financially help our community.

COUNCILMEMBER STEWART introduced the item. The economic changes nationwide effect the Chandler community and families. Suspending or sunseting the grocery tax can help the folks that need it the most. We face inflationary challenges which creates hardship. He said he would like to suspend the grocery tax of the 1.5% on all non-prepared foods. Councilmember Stewart would like this to go into effect April 15, 2023, if possible, or July 1, 2023, to start the next fiscal year. During COVID-19, the federal government issued federal monies which created inflationary pressures, the funding was to be used to shore up municipal budgets. Chandler was able to take the money and reinvest back in the small business community because of the work done by previous leadership and city staff's financial planning practices. Councilmember Stewart said we have the opportunity to help the people at home, if there is anything we can do to help, we should consider it. A food tax reduction is a tax relief for everyone. Chandler's culture of fiscal responsibility was set decades ago. Our standard is to provide the best possible services at the lowest cost possible. Chandler has a \$10 million emergency fund and a \$38 million contingency fund which are not earmarked for anything specific. The contingency budget could be lowered to 12% of our budget, the three percent reduction would net us \$26.6 to serve as a buffer to inflationary overruns while providing relief to the community. City revenues this year have come in over forecasted amounts. Suspension of the entire 1.5% tax would cost the city \$14 million. Suspending a half amount at a .75% tax would cost us \$7 million. We are equipped to address staff decision packages, PSPRS paydown, and continuing to provide excellent service if we were to take the sales tax cut. Chandler is doing well, and this is an opportunity to give back to those who need it. If approved, this item would be reviewed annually.

Councilmember Stewart moved to direct staff to draft an ordinance to suspend the collection of the city's grocery transaction privilege tax at 1.5% effective July 1, 2023, and require Council to reconstitute or continue the suspension before the last regular council meeting of February of each year.

Motion failed due to lack of second.

MAYOR HARTKE asked staff what direction this item could take.

KELLY SCHWAB, City Attorney, said that the conversation could stop now, or a motion could be made.

MAYOR HARTKE asked for further discussion or another motion.

COUNCILMEMBER ELLIS said that when staff is present to give us direction and explain what is next, it is important for us to listen. Councilmember Ellis discussed the possibility of this item with staff and was concerned with the removal of the tax. She thought this could be tabled to the next meeting to give them a chance to get more information and have more conversation to explore

ideas on how to help others. There could be other options to address this important situation with staff recommendations. Discussing this item further at the March 20 meeting can give us more options to see where else we can help address inflation.

MAYOR HARTKE asked to clarify that this conversation would continue in the budget conversation next month to look for other options to provide financial relief to residents.

COUNCILMEMBER ELLIS said yes and explained that it would go back to staff to evaluate the logistics of the proposed ordinance or examine alternate options for financial relief.

MAYOR HARTKE asked if there was a second to the motion to continue the conversation to look for cost savings to alleviate the impact of inflation on our citizens in other ways and bring it to the next budget meeting.

COUNCILMEMBER STEWART said he would like to second the motion and thought tabling the discussion and tabling a vote on an ordinance for a later date would be good. He is not adding to the motion.

VICE MAYOR ORLANDO asked to clarify that the motion is not to resurrect a resolution or ordinance, but to continue discussion for potential further revenue cuts.

MOTION AND VOTE

COUNCILMEMBER ELLIS moved to continue the discussion of potential further revenue cuts and cost savings to alleviate the impact of inflation on Chandler residents to the March budget meeting; Seconded by Councilmember Stewart.

Motion carried unanimously (7-0).

COUNCILMEMBER STEWART asked if this item could be brought forward subsequently and voted on at consecutive Council meetings. He thought after the discussion at the budget meeting, the ordinance can be brought forward in the next meeting.

MAYOR HARTKE asked if the direction was to not further this call.

MS. SCHWAB said that the consensus was to let discussion proceed without any specific direction on any ordinance but as part of the budget.

MAYOR HARTKE called for speakers.

JEFF WENINGER, 1360 S. Camelia Ct., said that this is not a luxury tax – this is a tax on what people need every day. This recession or inflationary period is different than previous economic states.

Grocery inflation is sky-high. The 2023-2024 budget is still in the works, and there is lots to consider before approval; however, ideas like this should not be discouraged. Chandler is entitled to certain state shared revenue, and urban revenue sharing will be high in the future. Mr. Weninger said that this idea should continue to be considered.

Informational

21. Contracts and Agreements Administratively Approved, Month of January 2023

Unscheduled Public Appearances

None.

Current Events

Mayor's Announcements

MAYOR HARTKE thanked staff and council for the State of the City 2023 event. We have the lowest transaction tax of any city, and other ways in which we continue to make life valuable for our community.

MAYOR HARTKE announced the Relay for Life event on Saturday, March 11, 2023 at 3:00 p.m. at Perry High School to raise money for cancer survivors.

MAYOR HARTKE announced the Chandler Chamber Ostrich festival March 16 – 19, 2023 at Tumbleweed Park.

Council's Announcements

COUNCILMEMBER ENCINAS shared that he will be at the Chandler Innovation Fair Saturday, February 25, 2023.

COUNCILMEMBER ELLIS introduced the Public Safety Fair, Saturday, March 4 at 9:00 a.m. at the Chandler Police Main Station.

COUNCILMEMBER ELLIS said University of Arizona is hosting a lunch and learn event Friday, February 24, 2023, at 12 p.m.

VICE MAYOR ORLANDO announced the Chandler Innovation Fair will be Saturday, February 25, 2023, at 10:00 a.m. at Dr. A. J. Chandler Park showcasing science and innovation in Chandler.

COUNCILMEMBER STEWART congratulated council and staff for a great State of the City event. Councilmember Stewart encouraged everyone to watch the videos created for the event.

COUNCILMEMBER STEWART shared the Beer and Barbeque Festival Saturday March 25, 2023, at 12:00 p.m. at Tumbleweed Park.

COUNCILMEMBER HARRIS shared that he had the opportunity to speak about Black History Month at schools around the valley, we need to advocate to have an inclusive history.

COUNCILMEMBER POSTON recognized the Mission of Mercy nonprofit in Chandler that offers free medical primary care and free prescription medication to individuals without insurance.

City Manager's Announcements

JOSH WRIGHT, City Manager, thanked the Economic Development team for their work for planning the Innovation Fair.

Adjourn

The meeting was adjourned at 6:54 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: March 20, 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 23rd day of February 2023. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of March, 2023.

City Clerk