

Meeting Minutes

City Council Regular Meeting

March 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 6:00 p.m.

Roll Call

Council Attendance

Mayor Kevin Hartke
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

*Councilmember Ellis and Councilmember Encinas attended telephonically.

Absent

Vice Mayor Matt Orlando - excused

Invocation

The invocation was given by Pastor Victor Hardy.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Hartke.

Consent Agenda and Discussion

City Clerk

1. Board and Commission Appointments

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

City Manager

2. Introduction and Tentative Adoption of Ordinance No. 5048, Amending City Code Chapter 22 – Short-Term Rentals, Related to the Regulation of Short-Term Rentals
Move City Council tentatively adopt Ordinance No. 5048, amending the Code of the City of Chandler by amending Chapter 22 – Short-Term Rentals, providing for the repeal of conflicting ordinances; providing for severability; and providing for penalties.

NOTE: An insubstantial change was made to Exhibit A to Ordinance No. 5048 relating to short term rentals to make it consistent with the City Code’s current language. Specifically, the word “recidivist” was replaced with “habitual offender”.

3. Resolution No. 5659 Authorizing the Execution of a License to Use Salt River Project Property, Located at the Consolidated Canal between Germann Road and Chandler Boulevard, to Conduct the Annual City of Chandler Family Bike Ride
Move City Council pass and adopt Resolution No. 5659 authorizing the execution of a license to use Salt River Project property, located at the Consolidated Canal between Germann Road and Chandler Boulevard, to conduct the annual City of Chandler Family Bike Ride Event.

Cultural Development

4. Resolution No. 5674 Authorizing Modification of the Assessment Diagram for the Downtown Chandler Enhanced Municipal Services District
Move Council adopt Resolution No. 5674 authorizing Modification of the Assessment Diagram; making a Statement and Estimate of Expenses for the Downtown Chandler Enhanced Municipal Services District; completing the Assessment; setting the Date for the Hearing On The Assessment; and ordering the Giving of Notice of Such Hearing.

Development Services

5. Introduction of Ordinance No. 5050, PLH22-0065 Vivas Property, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Single-Family Residential, Located at the Southwest Corner of Pecos and Cooper Roads
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5050 approving PLH22-0065 Vivas Property, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Single-Family Residential, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan (PDP) PLH22-0065 Vivas Property, for site layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

6. Resolution No. 5668, Authorizing a License Agreement between Qwest Corporation, dba CenturyLink QC, and the City of Chandler to Allow for Overlapping of Existing Aerial Plant in the City's Rights-of-Way

Move Council adopt Resolution No. 5668, authorizing the Mayor to execute the license agreement between Qwest Corporation, dba CenturyLink QC, and the City of Chandler to allow for overlapping of existing aerial plant in the City's rights-of-way, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.

7. Use Permit, PLH22-0005 Crown Castle Wireless, for Installation of a Wireless Telecommunication Facility, Located at 2055 S. Stearman Drive at the Southeast Corner of Germann Road and Stearman Drive, Approximately 1/4 Mile West of Gilbert Road

Move City Council approve Use Permit, PLH22-0005 Crown Castle Wireless, subject to the conditions recommended by Planning and Zoning Commission.

8. PLT21-0057 Final Plat of Parkside, Located South of the Southwest Corner of Frye Road and Cooper Road

Move City Council approve PLT21-0057 Final Plat of Parkside, as recommended by staff.

Economic Development

9. Resolution No. 5669, Approving an Uncrewed Aircraft Systems Pilot Project in West Chandler

Move City Council pass and adopt Resolution No. 5669 approving an Agreement between the Maricopa Association of Governments and the City of Chandler to consent to an uncrewed aircraft systems pilot project conducted by Airspace Link; and approving a related Pilot Project Agreement between Airspace Link and the City of Chandler.

Facilities and Fleet

10. Agreement No. FS0-060-4131, Amendment No. 3, for OEM Auto Parts and Service

Move City Council approve Agreement No. FS0-060-4131, Amendment No. 3, with Tex Chevrolet, dba Earnhardt Chevrolet; Earnhardt Enterprises, dba Earnhardt Toyota Scion; Earnhardt Gilbert Dodge, Inc., dba Earnhardt Chrysler Dodge Jeep Ram; Earnhardt Chandler Cadillac, Inc.; and Earnhardt Ford Sales Company, for OEM auto parts and service, for a period of one year, April 1, 2023, through March 31, 2024, in a combined total amount not to exceed \$350,000.

Management Services

11. New License Series 12, Restaurant Liquor License Application for Vijay Kumar Kandukuri Venkateshwarlu, Agent, Nakshatra Treats, LLC, DBA Biryani Pot
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 229383, a Series 12, Restaurant Liquor License, for Vijay Kumar Kandukuri Venkateshwarlu, Agent, Nakshatra Treats, LLC, DBA Biryani Pot, located at 2820 S. Alma School Road, Suite 15, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 304794.
12. New License Series 12, Restaurant Liquor License Application for Juanita Alicia Esparza, Agent, Buqui Bichi Chandler, LLC, DBA Buqui Bichi
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 231394, a Series 12, Restaurant Liquor License, for Juanita Alicia Esparza, Agent, Buqui Bichi Chandler, LLC, DBA Buqui Bichi, located at 325 S. Arizona Avenue, Suite 2, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 304808.
13. New License Series 12, Restaurant Liquor License Application for April Risa Hirschi, Agent, BJ's Restaurants Inc., DBA BJ's Restaurant & Brewhouse
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 218519, a Series 12, Restaurant Liquor License, for April Risa Hirschi, Agent, BJ's Restaurants Inc., DBA BJ's Restaurant & Brewhouse, located at 7151 W. Ray Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 304791.

Mayor and Council

14. Resolution No. 5675, City Council Rules and Procedures
Move City Council adopt Resolution No. 5675 amending City Council Rules and Procedures.

Police Department

15. Resolution No. 5671 Pertaining to the Submission of Projects for Consideration in Arizona's 2024 Highway Safety Plan
Move City Council pass and adopt Resolution No. 5671 pertaining to the submission of projects for consideration in Arizona's 2024 Highway Safety Plan and authorize the Chief of Police to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.

Public Works and Utilities

16. Resolution No. 5660 Approving the Abandonment of a Portion of the Temporary Drainage and Retention Easements No Longer Needed for Public Use Located on the Southeast Corner of Arizona Avenue and Balsam Drive

Move City Council pass and adopt Resolution No. 5660 approving the abandonment of a portion of the temporary drainage and retention easements no longer needed for public use located on the southeast corner of Arizona Avenue and Balsam Drive.

17. Professional Services Agreement No. WW2211.451, with Wilson Engineers, LLC, for the Ocotillo Water Reclamation Facility Influent Pump Station Odor Control Construction Management Services
Move City Council award Professional Services Agreement No. WW2211.451, to Wilson Engineers, LLC, for the Ocotillo Water Reclamation Facility Influent Pump Station Odor Control Construction Management Services, in an amount not to exceed \$498,330.
18. Construction Manager at Risk Agreement No. WW2211.401, with MGC Contractors, Inc., for the Ocotillo Water Reclamation Facility Influent Pump Station Odor Control
Move City Council award Construction Manager at Risk Agreement No. WW2211.401, to MGC Contractors, Inc., for the Ocotillo Water Reclamation Facility Influent Pump Station Odor Control, in an amount not to exceed \$7,815,392.50.
19. Professional Services Agreement No. ST2307.201, with EPS Group, Inc., for the Union Pacific Railroad (UPRR)/Willis Road Improvements Design Services
Move City Council award Professional Services Agreement No. ST2307.201 to EPS Group Inc., for the Union Pacific Railroad (UPRR)/Willis Road Design Services, in an amount not to exceed \$190,641.50.
20. Professional Services Agreement No. ST2301.201, with EPS Group, Inc., for the Armstrong Way and Hamilton Street Improvements Design Services
Move City Council award Professional Services Agreement No. ST2301.201, to EPS Group Inc., for the Armstrong Way and Hamilton Street Improvements Design Services, in an amount not to exceed \$143,998.50.
21. Professional Services Agreement No. ST2308.201, with NFra, Inc., for the Delaware Street Parking Lot Design Services
Move City Council award Professional Services Agreement No. ST2308.201, to NFra, Inc., for the Delaware Street Parking Lot Design Services, in an amount not to exceed \$194,793.
22. Professional Services Agreement No. WA2106.271, with Dick & Fritsche Design Group, Inc., for the Pecos Surface Water Treatment Plant Administration Building HVAC and Water Quality Lab Renovation Post-Design Services
Move City Council award Professional Services Agreement No. WA2106.271, to Dick & Fritsche Design Group, Inc., for the Pecos Surface Water Treatment Plant Administration Building HVAC and Water Quality Lab Renovation Post-Design Services, in an amount not to exceed \$116,351.50.

23. Construction Manager at Risk Agreement No. WA2106.401, with Caliente Construction, Inc., for the Pecos Surface Water Treatment Plant Administration Building HVAC and Water Quality Lab Renovation
Move City Council award Construction Manager at Risk Agreement No. WA2106.401, to Caliente Construction, Inc., for the Pecos Surface Water Treatment Plant Administration Building HVAC and Water Quality Lab Renovation, in an amount not to exceed \$1,319,649.
24. Construction Services Contract No. 4215045, Project No. ST1616, with Salt River Project, for the Ocotillo Road Improvements, Gilbert Road to 148th Street
Move City Council award Construction Services Contract No. 4215045, Project No. ST1616, to Salt River Project, for the Ocotillo Road Improvements - Gilbert Road to 148th Street, in an amount not to exceed \$425,572.

Consent Agenda Motion and Vote

Councilmember Harris moved to approve Consent Agenda Items 1-24 of the March 23, 2023, Regular City Council Meeting; Seconded by Councilmember Poston.

Motion carried unanimously (6-0), with the exception of Item No. 2 which passed by majority (5-1) with Councilmember Stewart dissenting.

Briefing and Discussion

25. Discussion and Direction to Staff Regarding Ideas for Further Revenue Cuts to Provide Assistance to the Citizens of Chandler as Discussed in the Budget Meetings, as requested by Councilmember Stewart

COUNCILMEMBER STEWART said that further discussion on this item will be tabled until a later time.

Informational

26. January 18, 2023, Planning and Zoning Commission Meeting Minutes
27. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved
28. Contracts and Agreements Administratively Approved, Month of February 2023

Unscheduled Public Appearances

DAVID FLETCHER, 701 S Dobson Rd, Mesa, shared that table tennis is highly popular among Chandler residents. Due to popularity, there should be a permanent table tennis area in Chandler's recreational facilities. Players have been setting up tables and equipment during times of play. The number of days and amount of time that table tennis is allowed should be increased.

MIKE FUSCHINO, 1081 W Boston Ct, Chandler, shared that the number of tables at different facilities is not enough for the growing amount of table tennis players. Table tennis is underfunded in comparison to other racket sports in Chandler. More hours and more days to play would help, but a permanent facility to play table tennis would be ideal. Mr. Fuschino added that Tumbleweed Recreation Center does not accept Silver & Fit health programs, despite covering other fitness programs like Silver Sneakers.

COUNCILMEMBER STEWART commented that table tennis is popular, and the demand has increased.

MIKE SIMPSON, 1724 E Caldwell St, Phoenix, project manager for Simpson Walker Contracting, contracted for the Tennis Center at Tumbleweed Park. The project was completed, but change orders still need to be approved by council to complete payment for the work.

VICTOR HARDY, 2220 E Spruce Dr, shared that he is resigning from the For Our City Chandler board.

Current Events

Mayor's Announcements

MAYOR HARTKE said the Chandler Jazz Festival will take place downtown from March 30 through April 2, 2023.

MAYOR HARTKE shared that March 23 is Piastewa Challenge Day, held at Piastewa Peak to honor women in combat, and National Chip and Dip Day.

MAYOR HARTKE shared the East Valley Mayor's Prayer Breakfast on the topic on youth mental health and suicide awareness will be held April 20, 2023.

MAYOR HARTKE wished everyone happy Easter and Passover.

Council's Announcements

COUNCILMEMBER POSTON congratulated the Chandler Chamber on the successful Ostrich Festival and thanked Chandler Public Safety for their efforts.

COUNCILMEMBER HARRIS shared that the One N Ten organization is celebrating 30 years of service and hosted a Fresh Brunch in celebration.

COUNCILMEMBER HARRIS shared that the Mental Health Symposium held at St. Matthews Church was a success.

COUNCILMEMBER HARRIS shared that the Chandler American Legion celebrated 104 years of service.

COUNCILMEMBER HARRIS announced the 2023 Biennial Beautillion March 25 at 6:00 p.m. at Gila River Resort Wild Horse Pass.

COUNCILMEMBER STEWART added that the Ostrich Festival was great. The Chandler Jazz Festival will be a fantastic event.

COUNCILMEMBER STEWART commented our budget is underway to move us forward to the 2023 and 2024 fiscal year.

COUNCILMEMBER STEWART congratulated Claret Ricegraf, 2023 Champions of the First Tech Robotics Challenge.

COUNCILMEMBER STEWART thanked Pastor Hardy for his contributions to the city.

City Manager's Announcements

JOSH WRIGHT, City Manager, thanked City staff for their contributions to the Ostrich Festival.

MR. WRIGHT added that this week the first class of Chandler-Gilbert Community College Interns started at the City. This is a great partnership with CGCC and we are looking forward to continuing our partnership.

Adjourn

The meeting was adjourned at 6:32 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: April 13, 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 March 2023. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of April, 2023.

City Clerk