

Meeting Minutes

City Council Regular Meeting

June 29, 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 Angel Encinas
*Councilmember Mark Stewart
Councilmember Christine Ellis
Councilmember OD Harris
Councilmember Jane Poston

Appointee Attendance

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

*Councilmember Stewart attended telephonically.

Absent/Excused

Vice Mayor Matt Orlando

Invocation

The invocation was given by Councilmember Ellis.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Poston.

Consent Agenda and Discussion

City Clerk

1. Approval of Minutes

Move City Council approve the Council meeting minutes of the Work Session of May 22, 2023; the Special Meeting of June 5, 2023; the Study Session of June 12, 2023; the Special Meeting of June 15, 2023; the Regular Meeting of June 15, 2023; and the Special Meeting - Budget Adoption of June 15, 2023.

City Manager

2. Resolution No. 5711 Approving an Amendment to the Master Roadway Maintenance Intergovernmental Agreement between Arizona Department of Transportation and the City of Chandler

Move City Council pass and adopt Resolution No. 5711 approving an amendment to the Master Roadway Maintenance Intergovernmental Agreement between Arizona Department of Transportation and the City of Chandler.

Cultural Development

3. Resolution No. 5701, Approving the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2023-24 between the City of Chandler and the Downtown Chandler Community Partnership, and Authorizing the City's Voluntary Contribution to the EMSD in the Amount of \$124,744.20

Move City Council pass and adopt Resolution No. 5701, approving the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2023-24 between the City of Chandler and the Downtown Chandler Community Partnership, and authorizing the City's voluntary contribution to the EMSD in the amount of \$124,744.20.

Development Services

4. Final Adoption of Ordinance No. 5053 Adoption of Historic Preservation District Landmark Zoning Overlay for the McCullough-Price House, a City-Owned Property Located at 300 S. Chandler Village Drive, near the Southwest Corner of West Frye Road and South Chandler Village Drive

Move City Council adopt Ordinance No. 5053, PLH23-0028, McCullough-Price House Historic Preservation District Landmark zoning overlay subject to the conditions as recommended by the Planning and Zoning Commission and the Historic Preservation Commission.

5. Final Adoption of Ordinance No. 5058 Goodyear Canal Historic Preservation District Landmark Zoning Overlay, for the Historic Canal Located on the West Side of Basha Road, Between Ocotillo Road on the North and Snedigar Park on the South

Move City Council adopt Ordinance No. 5058, approving PLH23-0034, Goodyear Canal Historic Preservation District Landmark zoning overlay subject to the conditions as recommended by the Planning and Zoning Commission and the Historic Preservation Commission.

6. Introduction and Tentative Adoption of Ordinance No. 5054, Rezoning and Preliminary Development Plan, PLH22-0057 McCance Duplex, Located One Lot South of the Southeast Corner of Chicago Street and Dakota Street, Generally Located North and West of Frye Road and Arizona Avenue
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5054 approving PLH22-0057 McCance Duplex, Rezoning from Multi-Family Residential District (MF-2) to Planned Area Development (PAD) for a duplex, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Development Plan
Move City Council approve Preliminary Development Plan PLH22-0057 McCance Duplex for site layout and building architecture for a two-story duplex, subject to the conditions as recommended by Planning and Zoning Commission.
7. Introduction and Tentative Adoption of Ordinance No. 5057, Rezoning and Preliminary Development Plan, PLH22-0062 Chavez Residence, Located East of the Southeast Corner of Chandler Boulevard and McClintock Drive
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5057 approving PLH22-0062 Chavez Residence, Rezoning from Single-Family (SF-8.5) district to Single-Family Residential/Planned Area Development (SF-8.5/PAD) for a single family home, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Development Plan
Move City Council approve Preliminary Development Plan PLH22-0062 Chavez Residence for site layout, subject to the conditions as recommended by Planning and Zoning Commission.
8. Introduction and Tentative Adoption of Ordinance No. 5056, Rezoning, Preliminary Development Plan, and Preliminary Plat, PLH22-0034/PLT22-0024 The Wayne, Located 1/4 Mile South of the Southeast Corner of Dobson and Warner Roads
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5056 approving PLH22-0034 The Wayne, Rezoning from Planned Area Development (PAD) for dog daycare, boarding, grooming, training, and related uses to PAD for multi-family residential, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Development Plan
Move City Council approve Preliminary Development Plan PLH22-0034 The Wayne for site layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Plat

Move City Council approve Preliminary Plat PLT22-0024 The Wayne, subject to the conditions recommended by Planning and Zoning Commission.

9. Introduction and Tentative Adoption of Ordinance No. 5055, Rezoning, Preliminary Plan, and Preliminary Plat, PLH22-0018/PLT22-0017 Honeysuckle Trail, Located at the Northwest Corner of Warner Road and Bullmoose Drive, Approximately ½ Mile West of Dobson Road Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 5055 approving PLH22-0018 Honeysuckle Trail, Rezoning from SF-33 to Planned Area Development (PAD) for single-family residential and a City Park, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH22-0018 Honeysuckle Trail for subdivision layout and housing product, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Plat

Move City Council approve Preliminary Plat PLT22-0017, subject to the conditions recommended by Planning and Zoning Commission.

DUANE LIDMAN, 2301 W PALOMINO DR. CHANDLER AZ, spoke in support of this item. Council can take the path to improve regional stormwater retention basin management for these neighborhoods by approving agenda items nine and ten.

10. Resolution No. 5698, Adopting Development Agreement with K. Hovnanian Great Western Homes, LLC, for Conveyance of Future Park Located North of the Northwest Corner of Warner Road and Bullmoose Drive, Approximately 1/2 Mile West of Dobson Road

Move the City Council pass and adopt Resolution No. 5698 authorizing the execution of the Development Agreement with K. Hovnanian Great Western Homes, LLC, for conveyance of future park.

11. Resolution No. 5705 Approving a Participation Agreement with the Arizona State Parks Board and State Historic Preservation Office Designating Chandler as a Certified Local Government in the State Historic Preservation Program

Move City Council approve Resolution No. 5705 authorizing the Mayor to enter into a Participation Agreement with the State Parks Board and the State Historic Preservation Office to designate Chandler a Certified Local Government in the State Historic Preservation Program.

12. Preliminary Development Plan, PLH23-0002 Raising Cane's, for Approval of a Restaurant with Drive-Through, Located at 7450 W. Chandler Blvd., Generally Located East of the Northeast Corner of Chandler Boulevard and I-10 Freeway

Move City Council approve Preliminary Development Plan PLH23-0002 Raising Cane's for a restaurant with a drive-thru, subject to the conditions as recommended by Planning and Zoning Commission.

13. Preliminary Development Plan, PLH23-0012 Concord Hospitality, for Approval of Site Layout and Building Architecture for a Four-Story Hotel on Approximately 2.67 Acres, Located in the Chandler Airport Center at the Southeast Corner of Cooper Road and Yeager Drive, Approximately ¼ mile South of the Loop 202 SanTan Freeway
Move City Council approve Preliminary Development Plan PLH23-0012 Concord Hospitality, for site layout and building architecture for a four-story hotel on approximately 2.67 acres, subject to the conditions as recommended by Planning and Zoning Commission.
14. Final Plat Approval for PLT22-0034 Earnhardt Ranch, Located at the Northeast Corner of Hunt Highway and McQueen Road
Move City Council approve Final Plat PLT22-0034 Earnhardt Ranch, as recommended by staff.
15. Final Plat Approval for PLT222-0032 Magnolia, Located on the North Side of Riggs Road, East of Cooper Road
(The applicant has requested this item be continued to the August 14, 2023, Council meeting)
Move City Council continue this item to the Council meeting of August 14, 2023.
16. Final Plat Approval for PLT23-0002 Commonwealth Lofts, Located on the South Side of Commonwealth Avenue, East of Hamilton Street
Move City Council approve Final Plat PLT23-0002 Commonwealth Lofts, as recommended by staff.
17. Use Permit, PLH22-0066 Crown Chevron, Approving the Installation of a Wireless Communication Facility, Located at 980 N. Cooper Road, at the Southwest corner of Ray Road and Cooper Road
Move City Council approve Use Permit PLH22-0066 Crown Chevron, subject to the conditions recommended by Planning and Zoning Commission.
18. Entertainment Use Permit, PLH23-0019 Ghett Yo Taco, for Live Outdoor Entertainment and Outdoor Speakers, Located at 241 S. Oregon St., North of the Northwest Corner of Arizona Avenue and Frye Road
Move City Council approve Entertainment Use Permit, PLH23-0019 Ghett Yo Taco, subject to the conditions recommended by Planning and Zoning Commission.

Economic Development

19. Resolution No. 5713 Approving an Intergovernmental Agreement Between the City of Chandler and the Arizona Board of Regents, on Behalf of Arizona State University, for the Delivery of Business Incubator and Ecosystem Building Services, in an Amount Not to Exceed \$275,000, for the Period of One Year, Beginning July 1, 2023, Through June 30, 2024
Move City Council approve Resolution No. 5713 approving an Intergovernmental Agreement between the City of Chandler and the Arizona Board of Regents, on behalf of Arizona State University, for the delivery of business incubator and ecosystem building services, in an amount not to exceed \$275,000, for the period of one year, beginning July 1, 2023, through June 30, 2024.

Fire Department

20. Resolution No. 5699 Authorizing an Intergovernmental Agreement Between the City of Chandler and the Ak-Chin Indian Community for the Provision of Fire and Emergency Medical Training
Move City Council pass and adopt Resolution No. 5699 authorizing an intergovernmental agreement (IGA) between the City of Chandler and the Ak-Chin Indian Community to provide fire and emergency medical training to the Ak-Chin Fire Department (AKFD).

Information Technology

21. Agreement No. IT-918-4438, Amendment No. 2, with CE Wilson Consulting, for Professional and Project Consulting Services
Move City Council approve Agreement No. IT-918-4438, Amendment No. 2, with CE Wilson Consulting, for professional and project consulting services, increasing the spending limit by \$210,000, for a revised amount not to exceed \$360,000.
22. Agreement No. 4538, Amendment No. 2, with SAR Systems, LLC, for Professional Services to Implement Human Resource Benefits Administration System and Human Resource System Enhancements
Move City Council approve Agreement No. 4538, Amendment No. 2, with SAR Systems, LLC, for professional services to implement Human Resource Benefits Administration System and Human Resource System enhancements, increasing the spending limit by \$466,400, for a revised amount not to exceed \$901,700, and extending the term of the Agreement through December 31, 2024.
23. Purchase of Information Technology Temporary Staffing Services
Move City Council approve the purchase of information technology temporary staffing services, from Computer Aid, Inc., utilizing the Sourcwell Contract No. 071321-CAI, in an amount not to exceed \$4,269,600.

Law

24. Renewal of Commercial Insurance and Services for Fiscal Year (FY) 2023-2024

Move City Council approve the renewal of commercial insurance and services for FY 2023-24 and authorize the City Attorney and Human Resources Director to sign any and all documents related to obtaining commercial insurance and services in an amount not to exceed \$3,097,013.

Management Services

25. Resolution No. 5702 Authorizing the Submittal of a \$238,117.50 Pass-Through Indian Gaming Grant Application from Dignity Health Foundation – East Valley to the Ak-Chin Indian Community

Move City Council pass and adopt Resolution No. 5702 authorizing the submittal of a \$238,117.50 pass-through Indian Gaming Revenue Sharing Grant Application from the Dignity Health Foundation – East Valley to the Ak-Chin Indian Community for the purchase of simulation training equipment.

26. New License Series 7, Beer and Wine Bar Liquor License Application for Theresa June Morse, Agent, Hot Pizzas, LLC, DBA Pizza Hut #35851

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 244653, a Series 7, Beer and Wine Bar Liquor License, for Theresa June Morse, Agent, Hot Pizzas, LLC, DBA Pizza Hut #35851, located at 1000 N. Arizona Avenue, and approval of the City of Chandler, Series 7, Beer and Wine Bar Liquor License No. 201089.

27. New License Series 6, Bar Liquor License Application for Keldy Ray Winters, Agent, StillAZ, LLC, DBA The Stillery Chandler

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 239536, a Series 6, Bar Liquor License, for Keldy Ray Winters, Agent, StillAZ, LLC, DBA The Stillery Chandler, located at 130 S. Arizona Avenue Suite #4, and approval of the City of Chandler, Series 6, Bar Liquor License No. 202919.

Mayor and Council

28. Employment Agreement with Presiding City Magistrate

Move City Council approve the Presiding City Magistrate Employment Agreement with Alicia Skupin for the term of July 1, 2023, through June 30, 2025.

29. Employment Agreement for City Magistrates Michelle Lue Sang, and Alexis Nolle

Move City Council approve the City Magistrate employment agreements with Michelle Lue Sang, and Alexis Nolle for the term of July 1, 2023, through June 30, 2025.

30. Annual Salary Adjustments for the City Manager, the City Attorney, and the City Clerk

Move City Council approve the annual salary adjustments for the City Manager, City Attorney, and the City Clerk effective July 1, 2023, through June 30, 2024, as directed.

Neighborhood Resources

31. Resolution No. 5712 Authorizing the Allocation of Fiscal Year 2023-2024 General Funds in the Amount of \$2,301,051.38 to Various Non-Profit Agencies
Move City Council pass and adopt Resolution No. 5712, authorizing the allocation of Fiscal Year 2023-2024 General Funds in the amount of \$2,301,051.38 to various non-profit agencies in accordance with the recommendations of the Chandler Housing and Human Services Commission and staff.
32. Resolution No. 5706 Approving an Intergovernmental Agreement with the City of Mesa to Support Comprehensive Heat Relief Services for the Cities of Chandler and Mesa
Move City Council pass and adopt Resolution No. 5706 approving and authorizing the Mayor to execute an Intergovernmental Agreement with the City of Mesa to Support Comprehensive Heat Relief Services for the Cities of Chandler and Mesa from May 1, 2023, through September 30, 2023.
33. Resolution No. 5710 Authorizing the Grant Application and Acceptance of an Indian Gaming Revenue Sharing Grant from the Gila River Indian Community, on Behalf of the Chandler Housing and Redevelopment Division of the Neighborhood Services Department, to Replace Two Public Housing Youth Program Vehicles
Move City Council pass and adopt Resolution No. 5710 Authorizing the Grant Application and Acceptance of an Indian Gaming Revenue Sharing Grant from the Gila River Indian Community on Behalf of the Chandler Housing and Redevelopment Division of the Neighborhood Services Department in the amount of \$140,430.

Police Department

34. Resolution No. 5709 Authorizing the Acceptance of an Indian Gaming Revenue Sharing Grant from the Gila River Indian Community
Move City Council pass and adopt Resolution No. 5709 approving the grant application and authorizing the acceptance of an Indian gaming revenue sharing grant from the Gila River Indian Community, on behalf of the Chandler Police Department, for forensic equipment in the amount of \$78,090.

Public Works and Utilities

35. Final Adoption of Ordinance No. 5052 Declaring Certain Real Property as No Longer Necessary for Use as a Public Roadway
Move City Council adopt Ordinance No. 5052 declaring certain real property as no longer necessary for use as a public roadway; vacating the roadway located north and west of lots 586 through 594 in the Colonia Coronita Unit Four subdivision; quitclaiming any remaining City interest in the vacated roadway to the abutting private property owners of lots 586

through 594; and authorizing the execution of all documents necessary to complete the abandonment and quitclaim.

36. Resolution No. 5703 Authorizing Submittal of an Application for an Indian Gaming Revenue Sharing Grant to the Ak-Chin Indian Community
Move City Council pass and adopt Resolution No. 5703, authorizing the submittal of an application for an Indian Gaming Revenue Sharing Grant to the Ak-Chin Indian Community, for Water Conservation Education, in the amount of \$94,222.
37. Professional Services Agreement No. ST2304.101, with Stantec Consulting Services, Inc., for the City Owned Parking Lot Assessment Pre-Design Services
Move City Council award Professional Services Agreement No. ST2304.101, to Stantec Consulting Services, Inc., for the City Owned Parking Lot Assessment Pre-Design Services, in an amount not to exceed \$174,220.
38. Agreement No. ST2007.504, SRP No. 2100005, with Salt River Project, for the Construction of Irrigation Facilities to Accommodate the Hamilton Street Improvements Project – Iris Place to Appleby Road
Move City Council approve Agreement No. ST2007.504, SRP No. 2100005, with Salt River Project (SRP), for the construction of irrigation facilities to accommodate the Hamilton Street Improvements Project – Iris Place to Appleby Road, in an amount not to exceed \$138,218.
39. Construction Manager at Risk Agreement No. WW2206.401, with PCL Construction, Inc., for the Reclaimed Water Conveyance Improvements
Move City Council award Construction Manager at Risk Agreement No. WW2206.401, to PCL Construction, Inc., for the Reclaimed Water Conveyance Improvements, in an amount not to exceed \$2,614,687.
40. Professional Services Agreement No. WW2206.451, with Wilson Engineers, LLC, for the Reclaimed Water Conveyance Improvements Construction Management Services
Move City Council award Professional Services Agreement No. WW2206.451 to Wilson Engineers, LLC, for the Reclaimed Water Conveyance Improvements Construction Management Services, in an amount not to exceed \$202,450.

Consent Agenda Motion and Vote

Councilmember Ellis moved to approve the Consent Agenda of the June 29, 2023, Regular City Council Meeting; Seconded by Councilmember Harris.

Motion carried unanimously (6-0).

Action Agenda

41. Fiscal Year (FY) 2023-24 Budget Amendments

Move City Council approve as presented the twenty, one-time budget amendments totaling \$380,000 and four, ongoing budget amendments totaling \$52,000, for a total of \$432,000 using \$11,000 of Fiscal Year 2022-23 Council Contingency and \$421,000 of Fiscal Year 2023-24 Council Contingency, and authorize staff to transfer appropriation from the Non-Departmental Council Contingency account to the respective departments in Fiscal Year 2023-24.

STEVEN TURNER, Assistant to the City Manager, presented the following presentation.

- Fiscal Year FY 2023-23 Budget Amendments
- City Council Budget Amendments FY 2023-24
- City Council Budget Amendments Policy & Procedures
 - Funds used to have a beneficial impact on the community or City department operations
 - Can be used to fund projects/programs that were not recommended in budget
 - Support the City Council's Strategic Framework focus areas
 - City Manager assigns projects/Programs to City departments for implementation
 - Staff submits a list of suggested budget amendments
 - Council members may suggest budget amendment options
 - Support from at least two Council members before appearing on recommended list
 - City Council may vote on amendment items as a group or individually
- Proposed Council Budget Amendments
 - Budget Amendment
 - Assigned Department
 - Amount
 - Amendment Sponsor
- Questions

MAYOR HARTKE asked what the parameters around the Trap Neuter and Release program are in terms of people feeding feral animals at our parks.

MR. TURNER said this is an expansion of the current program to target specific areas where we have seen problems with feral cats. It is designed to provide education and strict parameters we have regarding feeding, trapping, and neutering.

Action Agenda Motion and Vote

Councilmember Harris moved to approve the Action Agenda Item No. 42 of the June 29, 2023, Regular City Council Meeting; Seconded by Councilmember Encinas.

Motion carried unanimously (6-0).

Informational

42. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved
43. Contracts and Agreements Administratively Approved, Month of May 2023

Unscheduled Public Appearances

PAULA MCCALL, Resident, business owner, and founder of Semicolon Society Chandler thanked Mayor, Council, and staff for the approval of item 31. The Semicolon Society organization is one year old and focuses on providing Chandler-based events, activities, presentations, information, and resources to our community with an emphasis on mental health awareness and suicide prevention.

Current Events

Mayor's Announcements

MAYOR HARTKE shared the ribbon cutting for Bechtel as they opened a new Chandler office. This facility will serve customers in semiconductor batteries and battery material centers and welcomed Bechtel to Chandler.

MAYOR HARTKE wished everyone a safe and enjoyable Independence Day. Mayor Hartke asked that we all be thoughtful of the noise that the fireworks can create, and its impacts on our pets and our vets who struggle with noise. Mayor Hartke said you find all the Chandler fireworks rules at Chandleraz.gov/fireworks

Council's Announcements

COUNCILMEMBER ELLIS spoke about the soccer match happening tonight Mexico against Haiti and said may the best team win tonight.

COUNCILMEMBER HARRIS spoke about the celebration of Juneteenth and all the residents that came out to support it.

City Manager's Announcements

None.

Adjourn

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

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: July 17, 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 29th day of June 2023. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of July, 2023.

City Clerk