

Meeting Minutes

City Council Study Session

September 18, 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 6:21 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

Consent Agenda and Discussion

Discussion was held on items 7, 11, 12, 13, 25, and 32.

Airport

1. Professional Services Agreement No. AI2302.201, with Dibble & Associates Consulting Engineers, Inc., for the Taxiway B Improvements Phase 1 Design Services
Move City Council award Professional Services Agreement No. AI2302.201 to Dibble & Associates Consulting Engineers, Inc., for the Taxiway B Improvements Phase 1 Design Services, in an amount not to exceed \$236,600.

City Clerk

2. Board and Commission Appointments
Move City Council approve the Board and Commission appointments as recommended.
3. Resolution No. 5734, Setting the 2024 City Council Regular Meeting Schedule

Move City Council pass and adopt Resolution No. 5734, setting the 2024 City Council Regular Meeting Schedule.

City Manager

4. Resolution No. 5722 Approving an Amendment to an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) for the Loop 202, Loop 101 Price Freeway to Val Vista Drive, Widening Project
Move City Council pass and adopt Resolution No. 5722 approving an Amendment to an Intergovernmental Agreement with Arizona Department of Transportation (ADOT) for the Loop 202, Loop 101 Price Freeway to Val Vista Drive, widening project.
5. Resolution No. 5731 Approving an Agreement with Maricopa Association of Governments (MAG) for a Pedestrian Connectivity Study in the Amount of \$100,000
Move City Council pass and adopt Resolution No. 5731 approving an Agreement with Maricopa Association of Governments (MAG) for a Pedestrian Connectivity Study in the amount of \$100,000.

Community Services

6. Agreement No. CS9-988-4086, Amendment No. 5, with Grounds Control, LLC, for City Parks Landscape Services
Move City Council approve Agreement No. CS9-988-4086, Amendment No. 5, with Grounds Control, LLC, for City parks landscape services, in an amount not to exceed \$1,828,000, for a one-year period, October 1, 2023, through September 30, 2024.

Cultural Development

7. Agreement No. 4676, with Lokahi, LLC, for the Washington Street Alignment Study
Move City Council approve Agreement No. 4676, with Lokahi, LLC, for the Washington Street Alignment Study, in an amount not to exceed \$160,000.

VICE MAYOR ORLANDO commented about the review of the Washington Street project's status and is considering abandoning it. He wants to assess if it is still viable based on Arizona Avenue's success. His main concern is having the option to do nothing or proceed with the project.

KIM MOYERS, Cultural Development Director, said that option is easy to add.

8. Purchase of LED Lighting Package for the Steena Murray Main Stage and the Hal Bogle Theatre at the Chandler Center for the Arts
Move City Council retroactively approve the purchase of LED lighting packages for the Steena Murray Main Stage and the Hal Bogle Theatre at the Chandler Center for the Arts, from Witte Lighting Services and Repair, LLC, in the amount of \$155,495.76.

Development Services

9. Area Plan Amendment, Rezoning, Preliminary Development Plan, and Preliminary Plat, PLH23-0011/PLH21-0069/PLT21-0046 Harris Place, Located 1/4 Mile West of the Southwest Corner of McQueen Road and Ocotillo Road
- Area Plan
Move City Council pass and adopt Resolution No. 5720 Kerby Property Area Plan amendment, PLH23-0011, as recommended by Planning and Zoning Commission.
- Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5064 approving PLH21-0069 Harris Place, 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 PLH21-0069 Harris Place 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 PLT21-0046 Harris Place, subject to the condition recommended by Planning and Zoning Commission.
10. Annexation ANX21-0005 Harris Place, Approving the Annexation of Two Parcels Totaling Approximately 3.4 Acres, Located West of the Southwest Corner of Ocotillo and McQueen Roads
Move City Council introduce and tentatively adopt Ordinance No. 5063 approving ANX21-0005 Harris Place, as recommended by Planning staff.
11. Use Permit PLH22-0055 K9 Resorts, Approving a Time Extension for an Outdoor Play Area for Dogs at 1870 W Germann Road, Suite #1, Located at the Northeast Corner of Dobson Road and Germann Road
Move City Council approve Use Permit PLH22-0055 K9 Resorts subject to the conditions recommended by Planning and Zoning Commission.

COUNCILMEMBER STEWART proposed removing the use permit for the dog park located on Chandler Heights. There have been no reports of any complaints, and as such, it is recommended that stipulation 5 be removed to avoid any unnecessary costs for the business owners.

MAYOR KEVIN HARTKE clarified that the discussion is about 1870 W Germann Rd. He emphasized that the neighboring establishments were good when they started, and the one in question had a valid use permit with no complaints. To avoid future inconvenience, the time constraint will be removed. However, should any issues arise, they will be addressed accordingly. Mayor Hartke

asked the council if they would remove the four-year time constraint. If everyone agrees tonight, the stipulation will be released on Thursday, and we will vote as usual, unless anyone objects.

COUNCILMEMBER ELLIS inquired about whether the staff had thoroughly assessed the potential impact of proceeding without any stipulations. The response indicated that there would be no hindrance to future plans.

VICE MAYOR ORLANDO asked if it is the usual process for us to do these in terms of short-term and long-term, and if, after this one, they do not have to come back again. It is essential to ensure that we do not compromise future expectations for individuals coming forward.

KEVIN MAYO, Planning Administrator, said historically, they would approve them with a short lease and gradually extend it over time. The time periods used to be one, three, and five years before becoming unlimited. However, things have evolved over the years, and they now consider starting with a two-year period and then moving to four, six, or going straight to unlimited. They are no longer bound by rigid, tiered timelines, and the Planning and Zoning Commission shares similar thoughts. They are not limiting themselves by eliminating time conditions and can still address neighborhood complaints. For this case, it is agreed to stop the time condition.

VICE MAYOR ORLANDO asked when we will know more about use permits and asked if we need to address anything before the codes are fixed in November.

MR. MAYO said the time conditions we have been following are not officially documented. We have been implementing these tiered approaches based on policies we have developed over the years. We are currently seeking to modify our timeline guidelines. We have been working closely with the City Council and the Planning and Zoning Commission to make necessary adjustments to these tiers.

VICE MAYOR ORLANDO is cautious about granting permits as it could set precedents for others to request the same treatment. Vice Mayor Orlando said the city has strict stipulations for permits that may be more intrusive than the current one.

MR. MAYO acknowledged the concern and noted that neighborhood involvement can help tighten timelines.

COUNCILMEMBER ENCINAS asked for clarification on whether any other businesses or entities within the same industry have the same use permit.

MR. MAYO said currently, there are a handful of facilities of this type at different stages of the use permit life cycle.

COUNCILMEMBER STEWART mentioned that there is a cost associated with the process of obtaining use permits for neighborhood outreach and asked what the typical cost a small business owner faces with a use permit.

MR. MAYO said between \$300 to \$500, depending on if they do it themselves.

COUNCILMEMBER STEWART asked if council has the discretion to revoke a use permit at any time.

MR. MAYO said that it is not advisable that the zoning administrator can decide. Instead, the decision must be returned to the City Council for a formal vote.

COUNCILMEMBER STEWART said it would make business easier for good neighbors who do not have to keep coming back to us for approval and then spend that extra money.

COUNCILMEMBER HARRIS inquired about the tier steps and the set clause and asked if this something we have done before.

MR. MAYO yes, that we start with a short leash, gradually increase it, and then build trust to be a good community partner.

COUNCILMEMBER HARRIS said the purpose of the permit is to demonstrate a commitment to doing the right thing once it is released.

COUNCILMEMBER STEWART said our business owners are not a burden on our community, but rather essential to our growth. Let us support and assist them in their endeavors for success and contribution.

MAYOR HARTKE asked the City Attorney and City Manager to remove the stipulation so that it could be voted on during Thursday's regular meeting without needing further discussion.

12. Use Permit, PLH23-0036 Bottle and Bean, 2577 W. Queen Creek Road, Suite 100, generally located west of the southwest corner of Dobson and Queen Creek Roads
Move City Council approve case PLH23-0036 Use Permit to expand the serving area of a Series 7 Beer and Wine Bar license and Entertainment Use Permit approval for live indoor and outdoor entertainment, subject to the conditions recommended by Planning and Zoning Commission.

VICE MAYOR ORLANDO, extended his compliments to the staff, residents, and owner. He expressed his gratitude to Harley for resolving the issues that were causing concern among many residents. Vice Mayor Orlando acknowledged and appreciated the efforts made by everyone to find a solution that benefits all parties involved.

13. Final Plat Approval for PLT22-0038 Chandler Airport Business Center, Located at the Northwest Corner of Queen Creek Road and Cooper Road
Move City Council approve Final Plat, PLT22-0038 Chandler Airport Business Center, as recommended by staff.

VICE MAYOR ORLANDO asked about the employment thought process regarding this specific parcel.

MICAH MIRANDA, Economic Development Director, said this parcel is part of the Chandler Airpark plan. The plan outlines employment uses that the city favors, such as advanced manufacturing, aerospace aviation, and advanced business services. The final concepts and renderings of the building were influenced by council feedback from several years ago, emphasizing the design and aesthetics of the building. The aim was to attract high-end tenants rather than heavy warehouse distributions. This direction is where the product is heading.

VICE MAYOR ORLANDO said it appears that the recommended course of action is to stick with the economic development strategy for that area.

MR. MIRANDA said that is correct.

14. Final Plat Approval for PLT23-0016 Genesis of Chandler, Located at the Northwest Corner of Gilbert Road and the Loop 202 Santan Freeway
Move City Council approve Final Plat PLT23-0016 Genesis of Chandler, as recommended by staff.
15. Entertainment Use Permit, PLH23-0024 The Stillery, Time Extension for an Entertainment Use Permit for Live Indoor Entertainment and Outside Patio Speakers for Background Music Only, Located at the Northwest Corner of Arizona Avenue and Chicago Street
Move City Council continue Entertainment Use Permit PLH23-0024 The Stillery to the October 19, 2023, City Council meeting as recommended by Planning and Zoning Commission.

Economic Development

16. Resolution No. 5735 Approving the First Amendment to the Intergovernmental Agreement Between the City of Chandler and the Arizona Department of Revenue for Distribution of Revenues Under A.R.S. §42-5032.02
Move City Council pass and adopt Resolution No. 5735 approving the first amendment to the Intergovernmental Agreement between the City of Chandler and the Arizona Department of Revenue for distribution of revenues under A.R.S. §42-5032.02.

Facilities and Fleet

17. Agreement No. No. BF2-910-4417, Amendment No. 1, for Janitorial Services

Move City Council approve Agreement No. BF2-910-4417, Amendment No. 1, with Universal Building Maintenance, LLC, dba Allied Universal Janitorial Services, for janitorial services, in an amount not to exceed \$548,720.28, for the period of one year, beginning June 15, 2023, through June 14, 2024.

Fire Department

18. Purchase of Fire Apparatus

Move City Council approve the purchase of a fire apparatus, utilizing the Houston Galveston Area Council (H-GAC) Contract No. FS12-19 or the Sourcewell Contract No. 113021, in an amount not to exceed \$1,100,000.

Information Technology

19. Agreement No. 4506, Amendment No. 3, with WalkMe, Inc., for the Digital Adoption Platform

Move City Council approve Agreement No. 4506, Amendment No. 3, with WalkMe, Inc., for the digital adoption platform for employee technology training, increasing the spending limit by \$140,000, for a revised amount not to exceed \$290,000.

Management Services

20. Resolution No. 5739, Authorizing the Submittal of a Pass-Through Tribal Gaming Revenue Sharing Grant Application From Dignity Health Foundation on Behalf of Salt River Pima-Maricopa Indian Community

Move City Council pass and adopt Resolution No. 5739 approving an intergovernmental agreement between the Salt River Pima-Maricopa Indian Community and the City of Chandler for the distribution of a pass-through Indian gaming revenue sharing grant in the amount of \$50,000 to Dignity Health Foundation-East Valley; and authorizing submission of a related pass-through grant application for a medication and durable medical equipment program for underserved hospital patients in the East Valley.

21. Agreement No. WH2-914-4361, Amendment 2, for Electrical Supplies

Move City Council approve Agreement No. WH2-914-4361, Amendment No. 2, with Consolidated Electrical Distributors, Inc., DBA Arizona Electric Supply, for electrical supplies, in an amount not to exceed \$400,000, for the period of September 1, 2023, through August 31, 2024.

22. New License Series 10, Beer and Wine Store Liquor License Application for Keith Brian Turner, Agent, Pizza A Go Go, LLC, DBA Pizza A Go Go

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 251532, a Series 10, Beer and Wine Store Liquor License, for Keith Brian Turner, Agent, Pizza A Go Go, LLC, DBA Pizza A Go Go, located at 478 N. Arizona Avenue, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 305632.

23. New License Series 12, Restaurant Liquor License Application for Kenneth James Barro, Agent, KJB Enterprises, Inc., DBA Barro's Pizza
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 250526, a Series 12, Restaurant Liquor License, for Kenneth James Barro, Agent, KJB Enterprises, Inc., DBA Barro's Pizza, located at 2041 N. Arizona Avenue, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 305757.

Neighborhood Resources

24. Resolution No. 5733 Approving the Program Year 2022–2023 Chandler Consolidated Annual Performance and Evaluation Report (CAPER) and Authorizing the City Manager or Designee to Submit the CAPER to the United States Department of Housing and Urban Development
Move City Council pass and adopt Resolution No. 5733 approving the Program Year (PY) 2022–2023 Chandler Consolidated Annual Performance and Evaluation Report (CAPER) and authorizing the City Manager or designee to submit the CAPER to the United States Department of Housing and Urban Development (HUD).

Police Department

25. Resolution No. 5740 Authorizing the Acceptance of Funds from the Arizona State Treasurer's Office as Set Forth in Senate Bill 1720 and Authorizing the Contingency Transfer of \$2,250,000 from the City's General Fund to Allow for Expenditures of the State Funds for the City of Chandler Police Department
Move City Council pass and adopt Resolution No 5740, authorizing the acceptance of \$2,250,000 from the Arizona State Treasurer's Office as set forth in Senate Bill 1720 and authorizing an appropriation transfer of General Fund, Non-Departmental, Contingency Account to allow for the expenditure of the state funds for the purposes set forth in this Council memo.

SEAN DUGGAN, Police Chief, gave a briefing on the item. In May, the state legislature passed Senate Bill 1720, which allocated earmarks for various Public Safety agencies in the state. Chandler PD received two earmarks: The first, worth \$250,000, is for purchasing pepper ball less-lethal systems for patrol officers. This device is like a paintball gun but shoots a tiny pellet containing pepper spray. It can apprehend combative or violent offenders without resorting to excessive force. The second earmark, worth \$2 million, is titled "Purchase Technology, Increase Services, and Enhance Officer Wellness." We plan to use half of this \$1 million to hire part-time, temporary employees, likely former police detectives, to assist current detectives with their caseloads. This will be especially useful in high-trauma areas such as human trafficking, internet crimes against children, and cold cases like homicides and sexual assaults. These individuals will work alongside our detectives to help solve cases. The remaining funding will be used to purchase new technologies for our real-time crime center and assist our detectives in various areas.

MAYOR HARTKE inquired about the destination of the funds and whether Chief Duggan and state representatives agreed.

CHIEF DUGGAN said the funds will primarily be allocated towards combating human trafficking and crimes against children. This includes supporting the work of our detectives and investing in technology that will enhance their investigations.

COUNCILMEMBER ENCINAS thanked staff and Representative Willoughby.

CHIEF DUGGAN expressed appreciation for Representative Willoughby's support in city policing.

VICE MAYOR ORLANDO asked if there is an established contract for hiring employees or if we must do it piecemeal, which would take more time.

CHIEF DUGGAN said we are collaborating with the Human Resources department to draft the job description. Once it is finalized, we can post it and assess the number and quality of applications we receive. From there, we can decide which candidates to hire.

VICE MAYOR ORLANDO said that rather than having a broad contract, we could ask our employment agency about their expertise.

CHIEF DUGGAN said they aim to recruit retired or former law enforcement officers with complex investigations experience.

COUNCILMEMBER STEWART inquired of the City Manager whether it would take considerable time to receive the appropriation from the state. Is it possible to follow the model used with Intel, where we utilize our general fund resources and receive reimbursement, to expedite the process?

JOSHUA WRIGHT, City Manager, said a bill has been established to provide the city with quarterly installments of funds. The first installment has already been received, and the city will continue to receive these funds throughout the year. However, measures will be taken to ensure project execution is not hindered as the funds come in. "Float" is the term used to describe this process.

COUNCILMEMBER STEWART thanked Chief Duggan for his dedication to ending trafficking and crimes against children in the city. The funding will greatly assist in this effort.

COUNCILMEMBER HARRIS asked about the pepper gun that was mentioned earlier and asked for details about the current weapons we have available.

CHIEF DUGGAN said adding this tool will enhance our current systems, starting with our training, presence, communication, and de-escalation techniques. In addition to our existing tools, such as

tasers, wrap technology, batons, and pepper spray; this new tool can create distance in certain situations, preventing injuries often occurring during direct engagement with a suspect. Using this non-lethal device, we can assert control from space and aim for compliance without excessive force. The idea is to augment our existing methods rather than replace them.

COUNCILMEMBER HARRIS asked if every officer will now be equipped with pepper spray as part of their de-escalation tool.

CHIEF DUGGAN said we will purchase around 50 of these devices and assign two to three per team, like our other specialized equipment. As this is a unique device, it requires enhanced training and responsibility. While every officer is issued a taser and pepper spray, this device necessitates more specialized training. Our goal is to have at least two to three of these devices available for each team, and since multiple teams work throughout the city, there will always be someone available to respond quickly when needed.

COUNCILMEMBER HARRIS asked if the \$250,000 budget would cover the cost of the devices as well as the necessary training.

CHIEF DUGGAN said that the overtime includes training and covers all the logistics.

26. Agreement No. PD3-200-4510, Amendment No. 2, with FX Tactical, LLC, and Skaggs Companies, Inc., for Police Uniforms
Move City Council approve Agreement No. PD3-200-4510, Amendment No. 2, with FX Tactical, LLC, and Skaggs Companies, Inc., for police uniforms, increasing the spending limit by \$200,000, for a revised amount not to exceed \$474,000.
27. Agreement No. PD4-680-4661, with Adamson Police Products, for the Purchase of Police the PepperBall System
Move City Council approve Agreement No. PD4-680-4661, with Adamson Police Products, for the purchase of PepperBall products, in an amount not to exceed \$200,000.
28. Furniture Purchase from Goodmans, Inc., for Police Work Area and Storage Renovation
Move City Council approve the purchase of furniture for the Police Work Area and Storage Renovation, from Goodmans, Inc., utilizing the Omnia Partners Contract No. 2020000622, in an amount not to exceed \$305,268.33.
29. Purchase of Mobile Communication Services
Move City Council approve the purchase of mobile communication services, from AT&T FirstNet, utilizing the State of Arizona Contract No. CTR052804, in an amount not to exceed \$120,000.

Public Works and Utilities

30. Introduction of Ordinance No. 5066 Granting a Non-Exclusive Power Distribution Easement to Salt River Project Agricultural Improvement and Power District (SRP), for Replacement of 12 Kilovolt (kV) Electric Cable and Conduit and Extension of a Power Line at the City's Water Facility
Move City Council introduce and tentatively adopt Ordinance No. 5066 granting a non-exclusive power distribution easement to SRP for replacement of 12 kV electric cable and conduit and extension of a power line at the City's water facility, located at 2107 N. 91st Place, in consideration for the payment of \$1,000.
31. Resolution No. 5718, Approving an Intergovernmental Agreement Between the City of Chandler and the Flood Control District of Maricopa County for the Construction, Construction Management, Operation, and Maintenance of the Detroit Basin Area Drainage Improvements
Move City Council pass and adopt Resolution No. 5718, approving an Intergovernmental Agreement between the City of Chandler and the Flood Control District of Maricopa County for the construction, construction management, operation, and maintenance of the Detroit Basin Area Drainage Improvements.
32. Resolution No. 5723 Authorizing the City Manager to Expand, Amend, and Extend Five Water Conservation Rebate Programs; and Further Authorizing the City Manager to Apply for and Accept Grant Funds from the Water Infrastructure Finance Authority Related to Four Water Conservation Measures
Move City Council pass and adopt Resolution No. 5723 authorizing the City Manager to expand, amend, and extend five water conservation rebate programs; and further authorizing the City Manager to apply for and accept funds from WIFA related to four water conservation measures.

SIMONE KJOLSRUD, Water Resources Manager, presented the following presentation.

- Chandler Water Resources & Water Conservation
- Public Works & Utilities Water Resources
- Strategic Framework Direction
 - Sustainability and Technology
 - Embrace sustainable and global technology advancements by leading in the sustainability of water infrastructure and conservation.
 - Chandler's high-tech industries, businesses and talented workforce drive the local economy. We recognize the importance of infrastructure, water and streamlined city services that support key industries engaged in the development of current and future technologies
- Residential Rebates and Engagement
- Increase residential rebate incentives and add customer portal
 - Single Family Residential Grass Removal
 - Increase grass removal incentive from \$0.20/sq.ft. > \$1/sq.ft. of grass removed

- Reduce minimum from 1,000 sq. ft. to 500 sq. ft.
 - Artificial Turf limited to 1,000 sq. ft. maximum
- Single Family Residential Smart Controller
 - No Changes- reimburse 50% of cost (up to \$250)
- Customer Engagement Portal
 - Advanced Metering Infrastructure (AMI) integration
- Eliminate new home initial xeriscape rebate
 - (due to lack of participation)
- Non-Residential Rebates
- New Incentives and expand programs for non-residential customers
- New – Large Landscape Grass Removal
 - Reimburse 25% of project cost (up to \$75,000)
 - Non-functional grass removal incentive - \$3/sq. ft.
 - Minimum 5,000 sq. ft. to qualify
- New – Water Efficient Technology Rebate
 - Reimburse 50% of technology (up to \$10,000)
 - Remote cooling tower monitoring, sub-metering, leak detection technology, new technology
- Large Landscape Smart Controller Rebate
 - Reimburse 50% of smart controllers (up to 3,000)
 - Five smart controllers or one central control system

COUNCILMEMBER ENCINAS asked about the most used incentives by residents and businesses, and our plan to promote them for increased usage.

MS. KJOLSRUD said that we have primarily focused on our residential programs. Although we have made some rebate programs available to commercial customers, the incentives were not significant enough to make it worthwhile for them or large landscape HOA customers. However, we aim to create programs catering to both audiences. Our most popular program has been residential grass removal, and we offer other non-rebate programs where customers can request us to visit their homes for water-wise site visits and audits. We also have an extensive list of water conservation programs and education programs. If we receive support for these programs, we plan to launch a campaign next week, with a press release and digital marketing campaigns designed by a third-party firm. We will also hold in-person education events and share information through our newsletter. CAPA has been a great help in planning how to announce these programs.

COUNCILMEMBER ENCINAS asked whether this program emphasizes grass removal and promotes more turf-style landscaping, which is excellent for water conservation. Councilmember Encinas asked if there are any concerns regarding the heat and other effects.

MS. KJOLSRUD said we carefully consider the heat island effect when planning our programs. As part of our grass removal programs, several requirements are outlined in our policy. If your

application is approved, one of these requirements is to replace at least 50% of the grass with ground coverage such as trees and shrubs. This will help to create shade and reduce the overall heat impact.

VICE MAYOR ORLANDO said there are many commercial centers with inadequate landscaping. He asked if we could suggest incentivizing landlords who own these properties to incorporate more desert landscaping into their establishments.

MS. KJOLSRUD said our team is diligently identifying commercial, industrial, and HOA properties with which we can establish connections. Our aim is to inform them about the different programs we offer to assist them in maintaining the beauty of their properties. Our approach to creating low water use plans is centered on reducing water consumption. We will begin by targeting properties with higher water usage, particularly those with desert landscaping. Nonetheless, we aim to promote these programs to everyone.

VICE MAYOR ORLANDO said we should investigate other cities' programs for inspiration and incentivize replanting. Vice Mayor Orlando worries about the heat island effect and the trees being removed over time.

COUNCILMEMBER STEWART asked whether the trees on the commercial lot are subject to code enforcement. We have repeatedly asked our neighbors to conserve water, and it is important to continue engaging with our communities, customers, and constituents. We have already asked enough of our residents, but the available rebates are undoubtedly helpful. We offer one dollar per square foot to residents but three dollars per square foot to commercial businesses.

Ms. Kjolsrud clarified that the three-dollar per square-foot incentive is applicable only to a specific type of grass known as ornamental grass. This type of grass is commonly found in large landscapes and is not typically used in residential areas. It can be found in areas such as near fountains or in narrow strips that are difficult to water efficiently. Additionally, it may be on slopes where water does not penetrate the roots properly. These areas are considered non-functional grass and are the focus of the incentive program. This program is designed to encourage large landscape customers to remove these types of grass and receive an extra incentive for doing so.

COUNCILMEMBER STEWART asked for more information on rebates for residents and commercial. Councilmember Stewart inquired if the \$5.7 million is the program's total cost and whether it represents the annual cost if fully utilized.

MS. KJOLSRUD said that the total cost of each grant fund is what you are asking about. If we were to expand these funds, they would need to be spent by the end of 2026. We anticipate these funds will be used over several years, and we have a few years to do so.

COUNCILMEMBER STEWART asked if that were all the grants and if no general fund was involved.

MS. KJOLSRUD said the water conservation program referred to only applies to single-family properties. The increase in cost, from 20 cents to a dollar, is a part of our regular fiscal year budget for water conservation. For commercial and HOA properties, the cost would be 25% of the total plus a \$3 incentive funded by grants.

COUNCILMEMBER STEWART asked about the percentage of the general fund.

MS. KJOLSRUD said that she would provide them with accurate percentages. An additional \$500,000 has been added to the water conservation budget, but it is uncertain how much is allotted for rebates and individual projects. The estimation is that around \$300,000 will be used to support rebates for single-family residences, while the remaining grant funds will be used to support other projects. It is important to note that there is a maximum of \$3,000 for single-family residences and \$75,000 for commercial projects. The cost of these projects can vary significantly; for instance, a commercial HOA grass removal program that removes 100,000 square feet of grass could cost anywhere from \$700,000 to \$800,000.

COUNCILMEMBER STEWART asked if there is more residential usage in the south part of Chandler or in our fixed-income communities in the northern region.

MS. KJOLSRUD said that information can be provided later.

MAYOR HARTKE said that if the council approves it, this will be effective on October 1st. In addition, we are holding a tree giveaway event at Veteran's Oasis Park, which coincides with this decision.

MS. KJOLSRUD said any shade coverage trees or shrubs do need to be on a low-water-use plant first. She did not know the types of trees being given away, but there is a list of low-water use plants that qualify. Ms. Kjolsrud said our water conservation staff is present and they have done an incredible job in devising new programs and providing support.

33. Resolution No. 5738 Approving a Development Agreement Between the City of Chandler and NXP USA, Inc., for the Construction, Financing, Operation, and Maintenance of a Replacement Well

Move City Council pass and adopt Resolution No. 5738 approving a development agreement between the City of Chandler and NXP USA, Inc., for the construction, financing, operation, and maintenance of a replacement well.

34. Agreement No. PW2-936-4357, Amendment No. 1, for Water and Wastewater Equipment Maintenance and Repair Services

Move City Council approve Agreement No. PW2-936-4357, Amendment No. 1 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; TW Associates, Inc.; and Weber Water Resources, LLC, for Water and Wastewater Equipment Maintenance and Repair Services, in a combined amount not to exceed \$12,570,000, for a two-year period, September 1, 2023, through August 31, 2025.

35. Agreement No. PW1-855-4313, Amendment No.2 with Aquafit Chlorination Systems, LLC; DPC Enterprises, L.P.; Hill Brothers Chemical Company; Momar, Inc.; Polydyne, Inc.; Salt Works; Solenis, LLC; Thatcher Company of Arizona, Inc.; Univar Solutions USA, Inc.; and Waternuts Aquatic Enterprise, Inc., dba Commercial Pool Repair, for the Purchase of Water Treatment Chemicals

Move City Council approve Agreement No. PW1-885-4313, Amendment No. 2, with Aquafit Chlorination Systems, LLC; DPC Enterprises, L.P.; Hill Brothers Chemical Company; Momar, Inc.; Polydyne, Inc.; Salt Works; Solenis, LLC; Thatcher Company of Arizona, Inc.; Univar Solutions USA, Inc.; and Waternuts Aquatic Enterprise, Inc., dba Commercial Pool Repair, for the purchase of water treatment chemicals, in a combined amount not to exceed \$13,100,000, for a one-year term, August 15, 2023, through August 14, 2024.

36. Agreement No. WW0-885-4192, Amendment No. 3, with Carbon Activated Corporation, for Activated Carbon

Move City Council approve Agreement No. WW0-885-4192, Amendment No. 3, with Carbon Activated Corporation, for activated carbon, in an amount not to exceed \$2,450,000, for a one-year period, October 1, 2023, through September 30, 2024.

37. Agreement No. 4674, with Hazen and Sawyer, for the Competition Impracticable Purchase of Lead and Copper Rule Revisions Program Implementation Services

Move City Council approve Agreement No. 4674, with Hazen and Sawyer, for the competition impracticable purchase of lead and copper rule revisions program implementation, in an amount not to exceed \$194,165.

38. Agreement No. WW3-885-4614, with US Peroxide, LLC, dba USP Technologies, for Iron Salt for Odor and Corrosion Control

Move City Council approve Agreement WW3-885-4614, with US Peroxide, LLC, dba USP Technologies, for iron salt for odor and corrosion control, in an amount not to exceed \$650,000, for a one-year period, September 21, 2023, through September 20, 2024, with the option of up to four additional one-year extensions.

39. Professional Services Agreement No. WW2212.201, with Jacobs Engineering Group, Inc., for the Airport Water Reclamation Facility SCADA Upgrades Design Services

Move City Council award Professional Services Agreement No. WW2212.201 to Jacobs Engineering Group, Inc., for the Airport Water Reclamation Facility SCADA Upgrades Design Services, in an amount not to exceed \$4,048,073.

40. Professional Services Agreement No. WW2210.451, Amendment No. 2, with Entellus, Inc., for the Price Road Frontage Road Sewer Rehabilitation Construction Management Services
Move City Council award Professional Services Agreement No. WW2210.451, Amendment No. 2, to Entellus, Inc., for the Price Road Frontage Road Sewer Rehabilitation Construction Management Services, increasing the agreement limit by \$538,717.11, for a revised agreement amount not to exceed \$580,218.83.
41. Professional Services Agreement No. WW2302.201, with Dibble & Associates Consulting Engineers, Inc. dba Dibble, for the Price Road 66-inch Sewer Interceptor Rehabilitation Design Services
Move City Council award Professional Services Agreement No. WW2302.201, to Dibble & Associates Consulting Engineers, Inc. dba Dibble, for the Price Road 66-inch Sewer Interceptor Rehabilitation Design Services, in an amount not to exceed \$919,270.
42. Professional Services Agreement No. ST2101.451, with Ardurra Group, Inc., for the Detroit Basin/Gazelle Meadows Park Storm System & Associated Improvements Construction Management Services
Move City Council award Professional Services Agreement No. ST2101.451, to Ardurra Group, Inc., for the Detroit Basin/Gazelle Meadows Park Storm System & Associated Improvements Construction Management Services, in an amount not to exceed \$458,590.
43. Professional Services Agreement No. ST2103.201, with Kimley-Horn and Associates, Inc., for the Ray Road and Dobson Road Intersection Improvements Design Services
Move City Council award Professional Services Agreement No. ST2103.201, to Kimley-Horn and Associates, Inc., for the Ray Road and Dobson Road Intersection Improvements Design Services, in an amount not to exceed \$1,509,968.
44. Professional Services Agreement No. WW2208.451, with Dibble CM, LLC, for the Sewer Manhole Rehabilitation 2022 - Project 1 Construction Management Services
Move City Council award Professional Services Agreement No. WW2208.451, to Dibble CM, LLC, for the Sewer Manhole Rehabilitation 2022 - Project 1 Construction Management Services, in an amount not to exceed \$188,808.
45. Professional Services Agreement No. WW2208.452, with Dibble CM, LLC, for the Sewer Manhole Rehabilitation 2022 - Project 2 Construction Management Services
Move City Council award Professional Services Agreement No. WW2208.452, to Dibble CM, LLC, for the Sewer Manhole Rehabilitation 2022 - Project 2 Construction Management Services, in an amount not to exceed \$214,482.

46. Professional Services Agreement No. WA1903.451 and WA1908.451, Amendment No. 4, with Wilson Engineers, LLC, for the Arrowhead Water Production Facility Rehabilitation and Pecos Surface Water Treatment Plant Surge System
Move City Council award Professional Services Contract No. WA1903.451 and WA1908.451, Amendment No. 4, to Wilson Engineers, LLC, in the amount of \$219,960.
47. Construction Manager at Risk Construction Services Agreement No. ST2101.401 with Achen-Gardner Construction, LLC, for the Detroit Basin/Gazelle Meadows Park Storm System & Associated Improvements

Move City Council award Construction Manager at Risk (CMAR) Construction Services Agreement No. ST2101.401, to Achen-Gardner Construction, LLC, for the Detroit Basin/Gazelle Meadows Park Storm System & Associated Improvements, in an amount not to exceed \$10,182,770.05.
48. Construction Manager at Risk Construction (CMAR) Services Agreement No. WW2210.401, with B&F Contracting, Inc., for the Price Road Frontage Road Sewer Rehabilitation
Move City Council award CMAR Construction Services Agreement No. WW2210.401 to B&F Contracting, Inc., for construction of the Price Road Frontage Road Sewer Rehabilitation, in an amount not to exceed \$14,255,102.98.
49. Construction Manager at Risk Agreement No. WW2302.251, with B&F Contracting, Inc., for the Price Road 66-inch Sewer Interceptor Rehabilitation Pre-Construction Services
Move City Council award Construction Manager at Risk Project No. WW2302.251, to B&F Contracting, Inc., for the Price Road 66-inch Sewer Interceptor Rehabilitation Pre-Construction Services, in an amount not to exceed \$466,133.50.
50. Construction Agreement No. WA1903.401 and WA1908.401, Change Order No. 4, with Achen-Gardner Construction, LLC, for the Arrowhead Water Production Facility Rehabilitation and Pecos Surface Water Treatment Plant Surge System
Move City Council award Construction Agreement No. WA1903.401 and WA1908.401, Change Order No. 4, to Achen-Gardner Construction, LLC, for the Arrowhead Water Production Facility Rehabilitation and Pecos Surface Water Treatment Plant Surge System, in the amount of \$700,000.
51. Job Order Project Agreement No. WW2208.402, with FPS Civil, LLC, Pursuant to Job Order Master Agreement No. JOC1902.401, for the Sewer Manhole Rehabilitation 2022 – Project 2
Move City Council award Job Order Agreement No. WW2208.402, to FPS Civil, LLC, Pursuant to Job Order Master Agreement No. JOC1902.401, for the Sewer Manhole Rehabilitation 2022 – Project 2, in an amount not to exceed \$1,552,214.15.

52. Job Order Project Agreement No. WW2208.401, with Achen-Gardner Construction, LLC, Pursuant to Job Order Master Agreement No. JOC1901.401, for the Sewer Manhole Rehabilitation 2022 – Project 1
Move City Council award Job Order Project Agreement No. WW2208.401, to Achen-Gardner Construction, LLC, Pursuant to Job Order Master Agreement No. JOC1901.401, for the Sewer Manhole Rehabilitation 2022 – Project 1, in an amount not to exceed \$1,926,699.59.
53. Purchase of Water Service Line Material Field Verification Services
Move City Council approve the purchase of water service line material field verification services, from Hydra Consulting, LLC, and Metering Services, Inc., utilizing City of Tempe Agreement No. T23-087-01 and T23-087-02, in an amount not to exceed \$300,000.
54. Purchase of Pavement Maintenance Materials
Move City Council approve the purchase of pavement maintenance materials, from Pavement Restoration, Inc., utilizing Pinal County Contract No. 240328, in an amount not to exceed \$306,801.
55. Purchase of Landscape Sprinkler and Irrigation Supplies
Move City Council approve the purchase of landscape sprinkler and irrigation supplies from Ewing Irrigation Products, Inc.; Horizon Distributors, Inc.; and Sprinkler World of Arizona, Inc., utilizing the City of Mesa Contract No. 2020041, in a combined amount not to exceed \$250,000.
56. Purchase of Water Treatment Chemicals
Move City Council approve the purchase of water treatment chemicals, from Thatcher Company of Arizona, Inc., utilizing the Omnia Partners Contract No. 212528, and from Brenntag Pacific, Inc.; Hill Brothers Chemical Company; and Thatcher Company of Arizona, Inc., utilizing City of Mesa Contract No. 2020135, in a combined amount not to exceed \$3,857,819, for a one-year term, August 15, 2023, through August 14, 2024.
57. Approval of a Settlement with Trang Thi B Ngo for the Acquisition of Road Right-of-Way and a Temporary Construction Easement Required for the Chandler Heights Road Improvement Project
Move City Council approve a settlement with Trang Thi B Ngo, in the amount of \$320,000, plus required statutory interest, for road right-of-way, a temporary construction easement, and improvements required for the Chandler Heights Improvement Project from McQueen Road to Gilbert Road.
58. Report of City Manager, Emergency Authorization for McQueen Road Settlement Investigation/Repair
Move City Council accept and ratify this report of the emergency authorization by the City Manager, for the investigation and repair of the McQueen Road settlement, including

agreements with Achen-Gardner Construction, LLC, and Dibble CM, LLC, in a total amount of \$435,289.08.

MAYOR HARTKE invited JOHN KNUDSON, Director of Public Works, and Utilities, to provide a briefing on all items related to Public Works on the agenda.

John Knudson, Director of Public Works and Utilities, gave a briefing on the 28 agenda items, of which 15 were related to construction projects. Gazelle Meadows Park is one of the projects where large-diameter piping is installed to alleviate flooding. The city tries to maintain at least a mile between construction projects to minimize inconvenience to the public. The city is conducting video inspections of all 19,000 manholes in the city to assess pipes and manholes. Four projects are dedicated to improving wastewater collections, with one involving sewer line work along Price Road Frontage. The Ray and Dobson intersection requires attention as there have been concerns over traffic volume and safety issues. The city is designing a traffic project to address these concerns, with construction expected to begin in the 2026-2027 timeframe. Lastly, the Arrowhead Water Production facility project is now complete. The facility is located north of Arrowhead Park and features a new booster station to provide the city with the necessary water supply.

COUNCILMEMBER STEWART said your team and your staff do a phenomenal job on core competencies. The importance of staying proactive and investing in infrastructure to avoid past mistakes in other cities. We have the financing through the bond, which is now being put to work.

COUNCILMEMBER HARRIS thanked Mr. Knudson for his proactive approach in bringing up the issue of infrastructure and ensuring that the council is aware of the urgent need for it. Avoiding contaminated water and preventing equipment breakdown are essential in preventing water crises.

COUNCILMEMBER HARRIS requested signage with a link to more information could improve communication during ongoing construction projects to address residents' concerns and keep them informed.

Public Hearing

59. Public Hearing, Results of Biennial Impact Fee Audit

Briefing

60. Presentation / Briefing Regarding the City of Chandler's Community Outreach Navigators and Homelessness Programs, as requested by Councilmember Stewart

Informational

61. Study Session and Regular Minutes of July 19, 2023, Planning and Zoning Commission

Adjourn

Certification