

Meeting Minutes

City Council Regular Meeting

September 21, 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 6:02 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

*Councilmember Harris attended telephonically.

Invocation

The invocation was given by Pastor Mike Gowans, Bethel Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Ellis.

Scheduled Public Appearances

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

1. 2023 Employee of the Year Awards

Raudel Castanon, Human Resources
Kristine Clark, Cultural Development

Martin Cortez-Rodriguez, Community Services
Nathan Duncan, Police Department
Val Gale, Fire Department
Jennifer Honea, Communications and Public Affairs
Tyrell Mauck, Public Works and Utilities
Corina Meister, Management Services
Priscilla Quintana, Neighborhood Resources
Donnielle Ruiz, Law Department
Nicholas Ruscito, Development Service
Wes Thomson, Information Technology

2. Recognition – Operation Back to School Sponsors

JANE ANDERSEN, For Our City Board Chair, recognized and thanked the 2023 Operation Back to School Sponsors: Chandler Police, Chandler Fire, Compass Christian Church, Chandler Unified School District Nutrition, Stick Figures Boutique, AZCEND, Just Serve, Chandler Housing Youth Program, Chandler Boys and Girls Club, Chandler Unified School District, The Church of Jesus Christ of Latter Day Saints, Blue Cross Blue Shield, The Shop at Lefties, Chandler Care Center and Edwards Vacuum.

Consent Agenda and Discussion

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.
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.

KEN McALLISTER, 24206 S 124th St., spoke on item five in the preliminary development plan; that the covenants, conditions, and restrictions (CC&R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcing this requirement. Mr. McAllister requested that item number five be removed from the stipulation for approval of this development plan.

MAYOR HARTKE asked the City Attorney to address concerns.

KELLY SCHWAB, City Attorney, shared that CC&Rs are private contracts between the HOA and residents who live there, the city can require that the development has CC&Rs, and the city can require some items in CC&Rs. The city does not enforce CC&Rs.

MAYOR HARTKE asked if there are things in the CC&R that are there in an initial statement that the HOA can enforce or not.

MS. SCHWAB said the city can require that there be CC&Rs from an HOA for a development, they can require certain legal provisions be included in the CC&Rs, but the city does not enforce CC&Rs.

MAYOR HARTKE said the content of the CC&R is up to the HOA to develop, alter, or enforce.

MS. SCHWAB said that was correct with the provision that the city can require certain things to be in the CC&Rs.

COUNCILMEMBER STEWART proposed holding off on item number five in the preliminary development plan.

VICE MAYOR ORLANDO asked Mr. McAllister what he would like in the CC&Rs.

MR. McALLISTER answered that he would not like to add anything to the CC&Rs, but remove the requirement that the city is requiring of the landscaping be installed within 180 days of occupancy as there is no city code that mandates front yard landscaping in a private property matter.

VICE MAYOR ORLANDO asked how this requirement affects Mr. McAllister.

MR. McALLISTER answered that the city has no jurisdiction on this private property matter and requested this to be removed from this development.

COUNCILMEMBER STEWART moved to suspend item number five in the preliminary development plan.

MS. SCHWAB said that Council does not come back to address final approval of the development plan.

COUNCILMEMBER STEWART thanked Mr. McAllister for speaking.

Item No. 9 Motion to Amend and Vote

Councilmember Stewart moved to remove Condition No. 5 from the Preliminary Development Plan; seconded by Councilmember Orlando.

Motion carried unanimously 6-0 (Councilmember Harris absent).

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.
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.
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.

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.

Mayor and Council

24. Employment Agreement for City Magistrate Scott Silva
Move City Council approve the City Magistrate employment agreement with Scott Silva for the term of October 9, 2023 through October 8, 2025.

Neighborhood Resources

25. 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

26. 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.

COUNCILMEMBER STEWART spoke in support of this item.

VICE MAYOR ORLANDO spoke in support of this item and thanked state representative Julie Willoughby.

27. 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.

28. 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.

29. 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.

30. 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

31. 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.

32. 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.

33. 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.

34. 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.

35. 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.

36. 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.

37. 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.

38. 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.

39. 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.

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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.

47. 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.

48. 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.

49. 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.

50. 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.

51. 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.

52. 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.

53. 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.
54. 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.
55. 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.
56. 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.
57. 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.
58. 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.

59. 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.

Consent Agenda Motion and Vote

Vice Mayor Orlando moved to approve the Consent Agenda of the September 21, 2023, Regular City Council Meeting, with the exception of Item No. 11 and Item No. 33 which were moved to the Action Agenda; seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

Action Agenda No. 11

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.

Action Agenda No. 11 Motion and Vote

Councilmember Stewart moved to approve Use Permit PLH22-0055 K9 Resorts subject to the conditions recommended by Planning and Zoning Commission with the deletion of condition number 5, requiring the applicant to reapply after 4 years, seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

Action Agenda No. 33

33. 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.

VICE MAYOR ORLANDO asked to know if we need to increase this funding during the year.

MR. WRIGHT said that if we come up against this limit, then staff would come back and revisit for further direction.

Action Agenda No. 33 Motion and Vote

Councilmember Stewart moved to 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 with increasing the single-family residential grass removal rebate from 20 cents per square foot to 2 dollars per square foot for the maximum rebate of three thousand dollars for each single-family residential property and further authorizing the City Manager to apply for and accept funds from WIFA related to the forward water conservation measures for this program, seconded by Councilmember Poston.

Motion carried unanimously (7-0).

Public Hearing

60. Public Hearing, Results of Biennial Impact Fee Audit

Open Public Hearing

MAYOR HARTKE opened the public hearing at 6:38 p.m.

Staff Presentation

RYAN FIELDER, Budget and Research Administrator, presented the following presentation.

- Biennial Impact Fee Audit Results
- Background
 - A.R.S. 9-463.05, Requirement for Cities with Impact Fees
 - Form Advisory Committee OR
 - Perform Biennial Audit of Impact Fee Program
 - Chandler chose biennial audit – all Arizona communities collecting SDF's perform the audit versus forming an Advisory Committee
- Biennial Audit
 - Conducted by Heinfeld, Meech & Co
 - Covers FY 2020-21 and FY 2021-22
- Audit Procedures
 - Compare growth projections to Land Use Assumptions (LUA) and Infrastructure Improvements Plan (IIP)
 - Review Progress of IIP projects
 - Review fee collections and capital project expenditures

- Results
 - One finding – 80 permits reviewed with one utilizing incorrect land use type for the fee calculation; a refund has been made of the excess fees paid
 - No inequities reported
 - Biennial audit requirement met
 - No formal action required by Council
- Overview of State Statute Requirements if a City Collects Impact Fees
 - Annual Report – filed annually on website and with City Clerk
 - Biennial Audit – process completed tonight
 - System Development Fee Update – in process
 - Engage external consultant to update SDF Report (LUA, IIP, and related fees) – began January 2022
 - Make SDF Report available to City website at least 60 days before public hearing (October 6, 2023)
 - Public Outreach and Council Work Session
- Overview of State Statute Requirements continued
- No Formal Action Required

Council Discussion

VICE MAYOR ORLANDO asked what the sample of permits was used.

MR. FIELDER answered that all permits pulled were from a 2-year period.

VICE MAYOR ORLANDO asked if the sample of 80 permits is representative of the population of permits.

MR. FIELDER said they looked at the total pool to pull a sample and test.

VICE MAYOR ORLANDO asked if there are any legislative changes in effect since the last impact fee update.

MR. FIELDER said there are no legislative changes.

Discussion from the Audience

None.

Close Public Hearing

MAYOR HARTKE closed the public hearing at 6:44 p.m.

Briefing

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

RIANN BALCH, presented the following presentation.

- Update on Homeless Programs
- Homelessness in Maricopa County: HMIS Systems Data
- Homelessness in Maricopa County: Point-In-Time Count
- Continuum of Homeless Services in Chandler
 - Outreach and Engagement
 - Navigation and Crisis Services
 - Chandler Connect, Heat Relief, Operation Blue Ride, Crisis Response
 - Temporary Accommodations
 - Intensive Case Management
 - Operation Open Door, iHELP, DV shelter
 - Transitional Housing
 - Housing Stability Services
 - Tenant-based Rental Assistance, Rapid Rehousing
 - Permanent Housing
 - Wrap Around Services and Community Integration
 - Vouchers, Public Housing, Affordable Housing
- Community Navigation Team
 - 7 days/week, 13.5 hours / day
 - Outreach and Engagement (Chandler Connect)
 - Non-Congregate Shelter (Operation Open Door)
 - Support Court
 - Connections to Services and Housing
 - Professional Credentials
- Chandler Connect: FY 2022-2023
 - Street Outreach and Engagement
 - 621 households, including 717 persons served
 - 75% positive outcomes
- Operation Open Door: FY 2022-2023
 - Non-congregate Shelter
 - 151 households, including 306 persons served
 - 94% positive outcomes
- Housing Stability Team
 - Landlord Recruitment and Engagement
 - Housing Search and Selection
 - Move-in Assistance
 - Intensive Case Management
 - Housing Stability Services

- Community Integration
- Follow-up Care
- Housing Stability Case Management: FY 2022-2023
 - Supports TBRA, EHV, and HCV Tenants
 - 63 households, including 85 persons served
 - 97% positive outcomes
- Chandler Heat Relief Services: FY 2023 (through 9/15)
 - Funded by Maricopa County
 - Provided by Resurrection Street Ministries and Chandler Salvation Army
 - Day Respite Center and 10 Hydration / Cooling Stations, Mobile Services
 - 411 unduplicated Chandler residents served
 - 2,927 daily respite center visits
 - 7,070 hours of respite center services
- ChangeUp Campaign
 - Public awareness and fundraising campaign
 - reduces panhandling and foot traffic
 - Encourages use of services
 - Supports Chandler Homeless Programs
 - Text to donate

COUNCILMEMBER STEWART thanked Ms. Balch for the update, the efforts put forth in Chandler are being noticed. Councilmember Stewart asked when we can expect to see the homeless population decrease.

MS. BALCH answered that the solution will be found in more affordable housing, more support services to keep people in the housing that they are already in, and more behavioral health services.

COUNCILMEMBER ELLIS said we are a community that cares and thanked Ms. Balch and the team for their work. Councilmember Ellis asked if there is enough support from the community to continue improvement in this program.

MS. BALCH said the support is there, they just need continued support in other efforts to combat the issue.

COUNCILMEMBER ELLIS added to pass on the message to other representatives to continue the work being done.

VICE MAYOR ORLANDO asked if the highest population group making up the homeless population is seniors.

MS. BALCH said yes, seniors are absolutely the highest population group facing homelessness. There are many people whose income is not keeping up with rental increases. There is a large dementia issue as well. We need advocacy for safe places for seniors to have support and shelter.

VICE MAYOR ORLANDO requested to know if any new information or needs come up.

COUNCILMEMBER ELLIS asked to find a way to partner with assisted living and investigate other options.

Informational

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

63. Contracts and Agreements Administratively Approved, Month of August 2023

Unscheduled Public Appearances

KOCO GARCIA spoke regarding an ongoing Chandler Police investigation of animal abuse.

MAYOR HARTKE asked to ensure that further conversations happen on this issue.

VICE MAYOR ORLANDO asked to look at hoarding and failure to provide care ordinances for the future to further help police officers in a case like this.

Current Events

Mayor's Announcements

MAYOR HARTKE announced the Chandler Art Walk is returning at 11 a.m. on Sundays with more information on downtownchandler.org

MAYOR HARTKE announced the Annual Domestic Violence Awareness Breakfast on September 26 at 10 a.m. with registration on Eventbrite.

MAYOR HARTKE announced the neighborhoods GAIN event on October 14 from 3 to 8 p.m.

MAYOR HARTKE announced the opening of Scheels at Chandler Fashion Square on September 30 at 9:30 a.m.

Council's Announcements

COUNCILMEMBER ENCINAS highlighted the work on kicking off the Contigo Events celebrating Hispanic Heritage Month in Chandler and thanked our partners on these events.

