

RESULTS



City Council Regular Meeting

Thursday, November 9, 2023
6:00 p.m.

Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ





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

Our Vision

We are a world class City that provides an exceptional quality of life.

Our Brand

A safe, diverse, equitable and inclusive community that connects people, chooses innovation and inspires excellence.

Innovative Focus

Innovation is the lifeblood of our community. The introduction of new ideas and methods is rooted in Chandler's culture and heritage. This thread of innovation embodies how we connect, plan and serve our city to be a contemporary, financially responsible and safe place to live and work.

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, notice is hereby given to the members of the Chandler City Council and to the general public that the Chandler City Council will hold a **REGULAR MEETING** open to the public on Thursday, November 9, 2023, at 6:00 p.m., in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona. One or more members of the Chandler City Council may attend this meeting by telephone.

Persons with disabilities may request a reasonable modification or communication aids and services by contacting the City Clerk's office at 480-782-2181 (711 via AZRS). Please make requests in advance as it affords the City time to accommodate the request.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.



Regular Meeting Agenda

City Council Strategic Framework Focus Areas: Legend



Community Safety



Neighborhoods



Quality of Life



Sustainability and Technology



Connectivity



Economic Vitality

Call to Order 6:00 PM

Roll Call

Invocation - Rev. Dr. Roy Cheriyan, International Assembly of God

Pledge of Allegiance

Consent Agenda

Items listed on the Consent Agenda may be enacted by one motion and one vote. If a discussion is required by members of the governing body, the item will be removed from the Consent Agenda for discussion and determination will be made if the item will be considered separately.

Proposed Motion: Move to approve the Consent Agenda of the November 9, 2023, Regular Meeting, Items 1 - 37.

Consent Agenda Items 1 - 37 passed unanimously



City Clerk

1. **Board and Commission Appointments**

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



Community Services

2. **Purchase of Library Bookmobile/Techmobile**

Move City Council approve the purchase of a Library Bookmobile/Techmobile, from Farber Specialty Vehicles, utilizing Omnia Contract No. 128867, in the amount of \$634,519.

Council Focus Area(s):   

3. **Agreement No. CS3-918-4620, Tree Inventory and Urban Forest Management Plan**

Move City Council approve Agreement No. CS3-918-4620, with ArborPro, Inc., for the tree inventory and urban forest management plan, in an amount not to exceed \$145,000.

Council Focus Area(s):  

4. **Agreement No. C20-910-4120, Amendment No. 4, with UBM Enterprise, Inc., for Park Restroom Cleaning Services**

Move City Council approve Agreement No. CS0-910-4120, Amendment No. 4 with UBM Enterprise, Inc., for park restroom cleaning services, in an amount not to exceed \$178,225, for the period of one year, December 1, 2023, through November 30, 2024.

Council Focus Area(s):  

5. **Agreement No. 4561, with Active Network, LLC, for Recreation Registration System**

Move City Council approve Agreement No. 4561, with Active Network, LLC, for the recreation registration system for the period of three years, in an amount not to exceed \$175,000 in year one, beginning November 1, 2023, through October 31, 2026

Council Focus Area(s):  



Cultural Development

6. **2024-2029 Ostrich Festival License Agreement among the City of Chandler, the Chandler Chamber of Commerce, and Steve LeVine Entertainment, LLC**
Move City Council approve the 2024-2029 Amended and Restated Ostrich Festival License Agreement for Chandler Ostrich Festival among the City of Chandler, the Chandler Chamber of Commerce, and Steve LeVine Entertainment, LLC.

Council Focus Area(s):   

7. **Purchase of Tree Grates and Landscape Fencing**
Move City Council approve the purchase of tree grates and landscape fencing to be located along Arizona Avenue, from Iron Age Designs, in the amount of \$205,539.


Council Focus Area(s):  



Development Services


8. **Ordinance No. 5072 Rezoning, PLH23-0035 Galveston Commercial, 4100 W. Galveston St., Generally Located 1/2 Mile North of the Northwest Corner of McClintock Drive and Chandler Boulevard**

Move City Council introduce and tentatively adopt Ordinance No. 5072 approving Rezoning PLH23-0035 Galveston Commercial, amending existing PAD zoning to allow medical office uses, subject to the conditions as recommended by Planning and Zoning Commission.

Council Focus Area(s): 

9. **Resolution No. 5750, Authorizing a License Agreement between Ubiquity Arizona, LLC, and the City of Chandler**

Move City Council pass and adopt Resolution No. 5750, authorizing the Mayor to execute the license agreement between Ubiquity Arizona, LLC, and the City of Chandler for the use of facilities in the City's rights-of-way and public places to establish Class 4 and Class 5 Communications Systems, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.

Council Focus Area(s): 


10. **Resolution No. 5611 Approving a Development Agreement with Keystone at Hazelwood, LLC, Relating to Real Property Located at the Southeast Corner of Chandler Heights Road and 124th Street**

Move City Council pass and adopt Resolution No. 5611 Approving a Development Agreement with Keystone at Hazelwood, LLC, Relating to Real Property Located at the Southeast Corner of Chandler Heights Road and 124th Street

Council Focus Area(s):   


11. **Job Order Project Agreement No. DS2201.401 with Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Veterans Oasis**

Move City Council award Job Order Project Agreement No. DS2201.401 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Veterans Oasis, in an amount not to exceed \$936,605.

Council Focus Area(s): 


12. **Job Order Project Agreement No. DS2201.402 with Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Public Safety**

Move City Council award Job Order Project Agreement No. DS2201.402 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Public Safety, in an amount not to exceed \$794,886.20.

Council Focus Area(s): 

13. **Use Permit, PLH23-0043 Pizza Hut, for a Series 7 Beer and Wine Bar License, located at 1000 N. Arizona Avenue, at the northwest corner of Arizona Avenue and Ray Road**

Move City Council approve Use Permit, PLH23-0043 Pizza Hut, subject to the conditions recommended by Planning and Zoning Commission.

Council Focus Area(s): 

14. **Use Permit, PLH23-0030 Vega Duplex, 200 South Dakota Street, generally located ¼ mile south and west of Chandler Boulevard and Arizona Avenue**

Move City Council approve Use Permit, Vega Duplex PLH23-0030, to allow a new two-family dwelling on a property currently zoned MF-2 multiple-family residential, subject to the conditions recommended by Planning and Zoning Commission.


Council Focus Area(s):  



Economic Development

15. **Resolution No. 5743 Approving the First Amended Chandler Infill Incentive Plan and the First Amended Chandler Infill Incentive District**

Move City Council approve Resolution No. 5743 approving the First Amended Chandler Infill Incentive Plan and the First Amended Chandler Infill Incentive District.

Council Focus Area(s): 



Facilities and Fleet



16. **Purchase of HVAC Equipment, Installation, and Services from TD Industries; Johnson Controls, Inc.; Daikin Applied Americas, Inc.; and Trane U.S., Inc.**

Move City Council approve the purchase of Heat, Ventilation, and Cooling (HVAC) equipment, installation, and services, utilizing the Omnia Partners Contract No. R200403, with TDI Industries, Inc.; Contract No. R200402, with Johnson Controls, Inc.; Contract No. R200401, with Daikin Applied Americas, Inc.; and Contract No. 15-JLP-023, with Trane U.S., Inc., in a combined amount not to exceed \$985,000.

Council Focus Area(s): 

17. **Purchase of Doors, Locking Systems, Door Hardware and Operable Walls from C&I Show Hardware**

Move City Council approve the purchase of doors, locking systems, door hardware and operable walls from C&I Show Hardware, utilizing State of Arizona Contract No. CTR047674, in an amount not to exceed \$200,000.

Council Focus Area(s):  

18. **Purchase of Exhaust System Cleaning and Maintenance Services**

Move City Council approve the purchase of exhaust system cleaning and maintenance services, from KM Facility Services, utilizing City of Phoenix Contract No. CON156401-001, in an amount not to exceed \$250,000.

Council Focus Area(s): 💡

19. **Purchase of Energy Management Control System Services**

Move City Council approve the purchase of energy management control system services, from Mesa Energy Systems, Inc., utilizing the State of Arizona Contract No. CTR062668, in an amount not to exceed \$250,000.

Council Focus Area(s): 💡

20. **Purchase of Painting and Related Services**

Move City Council approve the purchase of painting and related services, from Ghaster Painting & Coatings, Inc., utilizing the 1GPA Contract No. 23-11PV-04, in an amount not to exceed \$395,000.

Council Focus Area(s): 💡

21. **Agreement No. FF2-926-4522, Amendment No. 1, for City Facilities Disaster Recovery and Remediation Services**

Move City Council approve Agreement No. FF2-926-4522, Amendment No. 1, with EHS Restoration, LLC, East Valley Disaster Services, Inc., Phoenix Environmental Group, LLC, and Titan Restoration of AZ, LLC, for city facilities disaster recovery and remediation services, in an amount not to exceed \$250,000, for the period of one year, beginning December 15, 2023, through December 14, 2024.


Council Focus Area(s): 🛡️💡



Fire Department

22. **Resolution No. 5742 Adopting an Educational Services Agreement with Maricopa County Community College District**

Move City Council pass and adopt Resolution No. 5742, authorizing the Chandler Fire Department (CFD) to enter into an Educational Services Agreement with Maricopa County Community College District (MCCCD) to offer college credit to CFD Paramedic students for college courses, and authorizing the City Manager, or designee, to perform all necessary provisions of the agreement.

Council Focus Area(s): 

23. **Resolution No. 5741 Authorizing a Grant Agreement with the Governor's Office of Highway Safety to Continue the Child Safety Seat Clinic Program**

Move City Council pass and adopt Resolution No. 5741 approving a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2024 award in the area of Occupant Protection, to continue the Child Safety Seat Clinic Program, in the amount of \$37,089.


Council Focus Area(s): 



Information Technology


24. **Enterprise License Agreement with Environmental Systems Research, Inc. (ESRI)**

Move City Council approve Agreement No. 4695, with Environmental Systems Research, Inc. (ESRI), for an enterprise license for Geographic Information System (GIS) software, in the amount of \$591,159.36 for a three-year period, beginning March 12, 2024, through March 11, 2027.

Council Focus Area(s): 

25. **Purchase of Oracle Annual Support and Maintenance Services**

Move City Council approve the purchase of Oracle annual support and maintenance services, from Mythics, Inc., utilizing the Omnia Partners Contract No. R190801, in the amount of \$123,038, for the period of one year, January 31, 2024, through January 30, 2025.


Council Focus Area(s): 



Management Services


26. **New License Series 6, Bar Liquor License Application for Keith Brian Turner, Agent, Tee Willy Enterprises, LLC, DBA Stinger's Golf Club**

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 259046, a Series 6, Bar Liquor License, for Keith Brian Turner, Agent, Tee Willy Enterprises, LLC, DBA Stinger's Golf Club, located at 900 E. Pecos Road, Suite 1, and approval of the City of Chandler, Series 6, Bar Liquor License No. 305986.

Council Focus Area(s): 

27. **New License Series 12, Restaurant Liquor License Application for Mai Thi Nguyen, Agent, Pho Mai AZ, LLC, DBA Pho Mai**

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 258586, a Series 12, Restaurant Liquor License, for Mai Thi Nguyen, Agent, Pho Mai AZ, LLC, DBA Pho Mai, located at 393 W. Warner Road, Suite 103, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 202727.

Council Focus Area(s): 



Neighborhood Resources


28. **Resolution No. 5747 Approving Amendment No. 5 to the Intergovernmental Agreement Between Maricopa County Administered by its Human Services Department and City of Chandler to Accept Federal HOME Investment Partnerships Program Funds in the Amount of \$442,726; Reallocate 2019 HOME Investment Partnerships Program Funds in the Amount of \$141,585, and Extend the Expenditure Term to September 30, 2025**

Move City Council pass and adopt Resolution No. 5747, Approving Amendment No. 5 to the Intergovernmental Agreement Between Maricopa County Administered by its Human Services Department and City of Chandler to Accept Federal HOME Investment Partnerships Program Funds in the Amount of \$442,726; Reallocate 2019 HOME Investment Partnerships Program Funds in the Amount of \$141,585, and Extend the Expenditure Term to September 30, 2025; Authorizing the Adjustment of the Performance Timeline to the HOME Investment Partnerships American Rescue Plan Program Funds; Authorizing the City Manager to Sign All Related Documents and Assurances on Behalf of the City of Chandler; and Further Authorizing the City Manager to Take All Action Necessary or Prudent to Implement the City's HOME Investment Partnerships and HOME Investment Partnerships American Rescue Plan Program Activities.

Council Focus Area(s):  

29. **Resolution No. 5752, Intergovernmental Agreement Between Maricopa County and the City of Chandler to Accept American Rescue Program Funds for Affordable Housing Projects**

Move City Council pass and adopt Resolution No. 5752 Approving the Intergovernmental Agreement Between Maricopa County, Administered by its Human Services Department, and the City of Chandler to Accept American Rescue Program Funds in the amount of \$10,000,000, Authorizing the City Manager to Sign all Related Documents and Assurances on Behalf of the City of Chandler; and Further Authorizing the City Manager to Take all Action Necessary or Prudent to Implement the City's Affordable Housing Projects.


Council Focus Area(s): 



Police Department

30. **Purchase of DUI Command Center**

Move City Council approve the purchase of a DUI Command Center (DUICC), from LDV, Inc., utilizing HGAC Contract No. AM10-23, in the amount of \$668,203.

Council Focus Area(s): 



Public Works and Utilities


31. **Resolution No. 5753, Approving Amendment No. 2 to the New River and Agua Fria Underground Storage Project Intergovernmental Agreement**

Move City Council pass and adopt Resolution No. 5753, approving Amendment No. 2 to the New River and Agua Fria Underground Storage Project Intergovernmental Agreement; and authorizing the Mayor to sign the agreement and all related documents on behalf of the city.

Council Focus Area(s): 


32. **Resolution No. 5754, Groundwater Savings Facility Storage Agreement with New Magma Irrigation and Drainage District**

Move City Council pass and adopt Resolution No. 5754, approving a Groundwater Savings Facility Agreement between New Magma Irrigation and Drainage District and the City of Chandler

Council Focus Area(s): 


33. **Agreement No. PW0-745-4121, Amendment No. 4, with Choice Maintenance & Asphalt Services, LLC, for Asphalt Rubber Crack Seal Services**

Move City Council approve Agreement No. PW0-745-4121, Amendment No. 4, with Choice Maintenance & Asphalt Services, LLC, for asphalt rubber crack seal services, in an amount not to exceed \$515,860, for a one-year term, January 1, 2024, through December 31, 2024.

Council Focus Area(s): 


34. **Purchase of Asphalt Crack Sealant**

Move City Council approve the purchase of asphalt crack sealant, from Superior Supply, Inc., utilizing the Arizona Department of Transportation (ADOT) Contract No. CTR066733, in an amount not to exceed \$275,000.

Council Focus Area(s): 


35. **Purchase of Water Meter Repair and Replacement Services**

Move City Council approve the purchase of water meter repair and replacement services, from Metering Services, Inc., utilizing City of Tempe Contract No. WUD21-015-01, in an amount not to exceed \$400,000.

Council Focus Area(s): 

36. **Purchase of Street Sweeper**

Move City Council approve the purchase of a street sweeper, from Nescon, LLC, utilizing Maricopa County Contract No. 190170-S, in the amount of \$348,826.55.

Council Focus Area(s): 

37. **Purchase of Traffic Bucket Truck**

Move City Council approve the purchase of a Versalift bucket truck, from Utility Crane & Equipment, Inc., utilizing Sourcewell Contract No. 110421-TIM, in the amount of \$237,285.

Action Agenda

38. **Introduction and Tentative Adoption of Ordinance No. 4992 Amending Chapter 14 of the City Code to Expand the Definition of Animal Cruelty and Allow Seizure of Animals When There is Evidence of Abuse**

Move City Council introduce and tentatively adopt Ordinance No. 4992 amending Chapter 14 of the City Code to more specifically define animal cruelty; to include a new offense for animal hoarding; to strengthen the City's unlawful restraint law; to allow peace officers to seize animals for cruelty, hoarding, or unlawful restraint; to provide for the disposition of displaced animals; and to authorize post seizure hearings to determine the lawfulness of any seizure and forfeiture of any animal subjected to cruelty, hoarding, or unlawful restraint.

Council Focus Area(s): 

Approved with a vote of 7-0

Informational

39. **Contracts and Agreements Administratively Approved, Month of October 2023**
40. **Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved**

Unscheduled Public Appearances

Current Events

1. Mayor's Announcements
2. Council's Announcements
3. City Manager's Announcements

Adjourn 7:00 PM