

# Meeting Minutes

## City Council Study Session

December 4, 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 3, 18,19,21, 22, 37

#### City Clerk

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

#### Community Services

2. Purchase of Bucket Truck  
Move City Council approve the utilization of Sourcewell Contract No.110421-TER, for the purchase of a bucket truck, from Custom Truck One Source, in the amount of \$173,812.32.
3. Construction Manager at Risk (CMAR) Construction Services Agreement No. PR2201.401 with Chasse Building Team, Inc., and Municipal Arts Project Services Agreement with coLAB Studio, LLC, for the Tumbleweed Recreation Center Multi-Generational Facility Expansion

Move City Council award CMAR Construction Services Agreement No. PR2201.401, Guaranteed Maximum Price Proposal No. 1, to Chasse Building Team, Inc., for the Tumbleweed Recreation Center Multi-Generational Facility Expansion, in an amount not to exceed \$11,585,136; and award the related municipal arts project services agreement to coLAB Studio, LLC, in an amount not to exceed \$300,000; and authorize an appropriation transfer of \$25,000 from the General Fund, Non-Departmental Contingency account, to the Municipal Arts Fund, Center for the Arts, Improvements account.

JOHN SEFTON, Community Services Director, presented the item. This action item is to approve the construction contract for the Tumbleweed Recreation Center and a service agreement with coLAB Studio for the public art component. The multi-generational facility expansion will add 11,000 square feet of multi-functional space, including three multi-purpose rooms, two patios, a fitness room, a game room, restrooms, a lobby, a reception area, and updated landscaping. TRC had nearly 200,000 users last year, with 40% active adults. Participants are mostly youth ages six to 15, but over 4,600 have participated in various programs. Visit [chandleraz.gov/TRC](http://chandleraz.gov/TRC) for more information. The construction project includes Professional Services with our architect and a Construction Management Services agreement.

MAYOR HARTKE asked for a timeline for the TRC and an update on plans for the existing Senior Center and Community Center.

MR. SEFTON said the construction project will begin moving dirt in February of the new year and will take around a year to complete. They expect to finish it by late spring of 2025. The community center currently serves citizens with various activities, and they will continue to do so if space is available.

COUNCILMEMBER POSTON asked about the multigenerational approach of the senior center project, and asked if he would speak about the community's changing needs and demographics and ensure that programming will be integrated for both older and younger residents.

MR. SEFTON said the active and diverse community and the importance of recreational benefits. The Tumbleweed Recreation Center offers flexible space to build programs for various age groups, which include popular sports like pickleball. The center is also a multi-generational facility featuring activities such as quilting, computer use, and card games. The center's expansion will include a separate entrance for programs catering to older active adults, and the staff will be able to create unique and special events. The recent Christmas dinner held at the Senior Community Center exemplifies how the extra square footage will benefit the community.

COUNCILMEMBER POSTON asked if this was in response to what our residents wanted.

MR. SEFTON said during the 2017-2018 period that a needs assessment was conducted based on participant feedback and surveys. The purpose was to gather information on what the community wants and needs. This was done in response to the community's input.

VICE MAYOR ORLANDO said people with disabilities benefited from the Flex System and asked about the timeline for the second part of the project, which included a gymnasium.

MR. SEFTON said the gym expansion is popular and included in the CIP program. We will explore flexibility in funding for it.

4. Professional Services Agreement No. PR2201.271, with Barker Rinker Seacat Architecture, for the Tumbleweed Recreation Center Multi-Generational Facility Expansion Post-Design Services  
Move City Council award Professional Services Agreement No. PR2201.271 to Barker Rinker Seacat Architecture, for the Tumbleweed Recreation Center Multi-Generational Facility Expansion post-design services, in an amount not to exceed \$356,535.
5. Professional Services Agreement No. PR2201.452, with Marc Taylor, Inc., for the Tumbleweed Recreation Center Multi-Generational Facility Expansion Construction Management Services  
Move City Council award Professional Services Agreement No. PR2201.452 to Marc Taylor, Inc., for the Tumbleweed Recreation Center Multi-Generational Facility Expansion Construction Management Services, in an amount not to exceed \$1,453,055.
6. Agreement No. PW0-745-4183, Amendment No. 7, with M.R. Tanner Development and Construction, Inc., for Street Maintenance Repaving, Surface Seal, and Repair Services  
Move City Council approve Agreement No. PW0-745-4183, Amendment No. 7, with M.R. Tanner Development and Construction, Inc., for street maintenance repaving, surface seal, and repair services, increasing the spending limit by \$151,534 for the Arrowhead Aquatic Center north parking lot; and approve the transfer of appropriation from the Community Services Department, Existing Community Park Improvements Program (6PR530), to the Public Works and Utilities Department, City-Owned Parking Lot Maintenance and Resurfacing Program (6ST777) in the amount of \$151,534.

### Development Services

7. Introduction and Tentative Adoption of Ordinance No. 5074, PLH23-0029 Alma Office Building Rezoning, 877 N. Alma School Road, More Generally Located South of the Southeast Corner of Alma School and Ray Roads  
Rezoning  
Move City Council introduce and tentatively adopt Ordinance No. 5074 approving PLH23-0029 Alma Office Building Rezoning, Rezoning from Single-Family Residential (SF-8.5) to

Planned Area Development (PAD) for administrative office and limited commercial uses, subject to the conditions as recommended by Planning and Zoning Commission.

8. PLT22-0023 Final Plat for Hazelwood, Located South of Chandler Heights Road and East of 124th Street  
Move City Council approve Final Plat, PLT22-0023, as recommended by staff.
9. Use Permit, PLH23-0045 Buon Padre Pizza, 1080 E Pecos Road, Suite #23, Located at the Northeast Corner of Pecos and McQueen Roads  
Move City Council approve Entertainment Use Permit, PLH23-0045 Buon Padre Pizza, to allow televisions, speakers, and live entertainment within an outdoor patio, subject to the conditions recommended by Planning and Zoning Commission.

### **Facilities and Fleet**

10. Agreement No. PD2-055-4378, Amendment No. 2, and City of Phoenix Contract No. 159257-0, for Police Vehicle Upfitting Services  
Move City Council approve Agreement No. PD2-055-4378, Amendment No. 2, with American Emergency Products, Inc., MHQ of Arizona, and Pride Outfitting, LLC; and the utilization of the City of Phoenix Contract No. 159257-0, with Airwave Communication Enterprises, for Police and Fire Vehicle Upfitting, in a combined amount not to exceed \$1,263,311.
11. Purchase of Access Controls and Security Equipment  
Move City Council approve the purchase of access controls and security equipment, from APL Access & Security, Inc., utilizing the State of Arizona Contract No. CTR056377, in an amount not to exceed \$925,000.
12. Purchase of Generator Maintenance  
Move City Council approve Agreement No. PW3-936-4544, Amendment No. 1, with Valleywide Generator Service, LLC, and the utilization of the City of Mesa Contract No. 2019003, with W.W. Williams Company, Inc., for the purchase of generator maintenance services, in a combined amount not to exceed \$450,000.

### **Information Technology**

13. Agreement No. 4698 for Microsoft Information Technology Consulting Services  
Move City Council approve Agreement No. 4698, within Invoke, LLC, for Microsoft information technology consulting services, for a period of one year, beginning November 15, 2023, through November 14, 2024, in an amount not to exceed \$570,000.
14. Agreement No. 4577, with N. Harris Computer Corporation, for Implementation of Infinity CIS Version 5

Move City Council approve Agreement No. 4577, with N. Harris Computer Corporation, for implementation of Infinity CIS Version 5, in an amount not to exceed \$2,228,100, with a support and maintenance term of five years, with the option of up to four one-year extensions, and approve contingency transfers from the Water Operating Fund of \$435,610, the Wastewater Operating Fund of \$326,634, and the Solid Waste Operating Fund of \$217,756, for a total of \$980,000, to the IT Projects Capital Cost Center (1285), Utility Billing Replatform Program (6IC112).

### **Management Services**

15. Resolution No. 5756 Approving a Modification to and Renewal of the Intergovernmental Agreement Between the City of Chandler and the State of Arizona Department of Revenue for the Administration, Collection, Audit, and Licensing of Transaction Privilege Taxes, Use Taxes, Jet Fuel Excise and Use Taxes, and Rental Occupancy Taxes Imposed by Chandler  
Move the City Council approve Resolution No. 5756 approving a modification to and renewal of the Intergovernmental Agreement between the City of Chandler and the State of Arizona Department of Revenue for the administration, collection, audit, and licensing of Transaction Privilege Taxes, use taxes, jet fuel excise and use taxes, and rental occupancy taxes imposed by Chandler.
  
16. Purchase of Maintenance, Repair, and Operational (MRO) Supplies  
Move to approve the utilization of the Omnia Partners Contract No. 192163, with Grainger, Inc., for the purchase of maintenance, repair, and operational (MRO) supplies, for the term of January 1, 2024, through December 31, 2024, in an amount not to exceed \$300,000.

### **Neighborhood Resources**

17. Resolution No. 5758 approving an Intergovernmental Agreement between Maricopa County, Administered by its Human Services Department, and the City of Chandler to Accept Community Services Block Grant Funds  
Move City Council pass and adopt Resolution No. 5758 approving an intergovernmental agreement between Maricopa County, administered by its Human Services Department, and the City of Chandler to accept Community Services Block Grant funds in the amount of \$125,000; authorizing the City Manager to assign 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 grant.
  
18. Resolution No. 5761, Approving Amendment No. 1 to Intergovernmental Agreement C-22-23-079-X-00 between Maricopa County and the City of Chandler  
Move City Council pass and adopt Resolution No. 5761 approving amendment No. 1 to intergovernmental agreement C-22-23-079-X-00 between Maricopa County, administered by its Human Services Department, and the City of Chandler for heat relief services to extend the term to December 31, 2024; 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 agreement.

RIANN BALCH, Community Resources Senior Manager, presented the following presentation.

- Heat Relief Summer 2023
- Overview
  - The City of Chandler has supported heat relief services for persons experiencing homelessness for many years utilizing various funds sources.
  - In FY 23-24, Maricopa County made ARPA funds available to support services in three areas of the county
  - The cities of Chandler and Mesa partnered to provide comprehensive, coordinated services in the East Valley.
  - The City of Chandler procured services and administered the grant.
  - \$409,996 expended.
- Heat Relief Services
- Each City had the following services:
  - 1 day respite center
  - 10 cooling stations
  - Shower and laundry services
  - Mobile heat relief services
- Chandler Heat Relief Services FY 23/24
  - Chandler operated June – September
  - 567 unduplicated Chandler residents served
  - 8,619 hours of day respite center services
  - 10,232 water bottles distributed
  - 13,484 meals and snacks
  - 609 showers
  - 220 laundry services
- Next Steps
  - This amendment extends the contract through December 31, 2024, to provide time to plan for next season.
  - A new scope of work and budget will be developed for summer 2024. The amendment will come back to City Council for approval.
  - Chandler and Mesa will operate independently in FY 24/25.

COUNCILMEMBER ENCINAS asked if the \$409,996 was solely used in Chandler or split between the two cities.

MS. BALCH said the funds were split between the two cities, and we have \$600k to spend this year across both cities. We plan to begin in May of next year for an earlier start. This year, we were delayed until June due to late funding. However, the amendment ensures an early start for the project next year.

COUNCILMEMBER ENCINAS asked about upcoming services and mentioned the impact of excessive heat days on pedestrians in downtown Chandler.

MS. BALCH said they would like to offer 7-day week services next summer, regardless of excessive heat. They were unable to offer this last summer. Additionally, they are looking to expand their services to a location outside of downtown, as other areas in the city need their services.

COUNCILMEMBER ENCINAS asked if the services were provided within our neighborhood resources or if they collaborated with nonprofits and other organizations.

MS. BALCH said collaboration with various agencies is an integral part of their operations, and the current contract is just a segment of it. Besides their efforts, numerous non-profit organizations in the local community are providing relief to people by offering them a cool place to stay, water, and meals. They support these agencies and provide them with heat relief bags that contain toiletries, sunscreen, hats, and other necessary items. They have many collaborations, but they look forward to involving more agencies to serve during the daytime hours.

COUNCILMEMBER ENCINAS asked if the funds for heat relief could also be used during the wintertime in December, as it can get cold during that season.

MS. BALCH said we have not seen these funds being used for that.

COUNCILMEMBER ELLIS asked about the number of people helped by the Navigators program and how many were removed from homelessness. The program involved assessing needs and providing relief to 567 individuals.

MS. BALCH said they work with the Salvation Army daily, and their Navigators assist at the day respite center. She does not have the exact number of people they have helped move but can retrieve the data later.

COUNCILMEMBER ELLIS asked if the funds would allow some of our staff to sit down and participate in the summer planning sessions.

MS. BALCH said we are working together year-round, but funds are only available for the summer. We have started discussing with a larger group to enhance the services for the future and extend them beyond the summer season. The heat starts before May and lasts through October.

COUNCILMEMBER ELLIS said that everyone involved in the program is currently volunteering and not receiving compensation for their work towards making the plans.

MS. BALCH said yes, it is part of our duty in our work. These are the kinds of efforts we want to ensure that we know the city is also doing its part.

COUNCILMEMBER ELLIS said that the city is actively involved in addressing homelessness. Chandler showcased its efforts and progress during a previous presentation, generating a lot of interest and positive feedback.

COUNCILMEMBER ENCINAS asked if there was a way to collaborate with schools to provide heat relief for students walking home.

MS. BALCH said they received a grant this year for the homeless. They will use ARPA funds, which meet federal requirements. They will work year-round and plan to expand beyond the homeless.

### **Police Department**

19. Resolution No.5759 Authorizing Intergovernmental Agreements with the Chandler Unified School District No. 80, Kyrene Elementary School District No. 28, and Mesa Unified School District No. 4 for the Assignment of School Resource Officers to Schools Located Within the Chandler City Limits

Move City Council pass and adopt Resolution No. 5759 authorizing Intergovernmental Agreements (IGAs) with the Chandler Unified School District No. 80, Kyrene Elementary School District No. 28, and Mesa Unified School District No. 4 for the assignment of School Resource Officers to schools located within the Chandler City limits; authorizing the Mayor to sign the agreements; and authorizing the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with said program.

MELISSA DEANDA, Police Chief, gave a briefing on the item. This resolution permits school resource officers in public schools in Chandler. The officers currently serve three school districts, Chandler Unified School District (nine schools), Kyrene School District (two schools), and Mesa Unified School District (one school), making a total of 12 school resource officers in Chandler. The officers are deployed in the city's four high schools and eight middle schools. The school resource officers play a significant role on campus, fostering positive relationships with students, staff, and parents, providing education on social media bullying, drug awareness, and other topics, and ensuring the physical safety of students and staff. They also act as mentors to the students. The presence of officers on campus provides relief to the students, staff, and parents. Late last year, the city implemented the "absent employee relief" program, which deploys another officer to fill in for an officer who is absent due to sickness or pre-planned vacation. This program ensures that the presence of officers on campus is not affected. The IGA is valid for three years, enabling the city to continue providing services to the three school districts.

VICE MAYOR ORLANDO asked about the progress of the three civilian school resource officers working with the elementary schools.

CHIEF DEANDA said their project is progressing well. Last year, they received one-time funds around July, which allowed them to partner with the Chandler Unified School District to create a program. The program aims to have two to three school education and engagement specialists in place. They will work up to 19 hours a week but not more than 40 hours between them. The specialists will provide educational law enforcement material to sixth-grade students. The department has already started interviews and has identified two potential applicants undergoing a background check. They are still working with the Chandler Unified School District to finalize the program and plan to have the specialists in place around mid-March to the end of March this year.

VICE MAYOR ORLANDO inquired about how they will be there.

CHIEF DEANDA said they would be there for 19 hours a week for each person but no more than 40 hours a week between the two or three we end up hiring.

VICE MAYOR ORLANDO requested updates on the program, which consists of former police officers.

CHIEF DEANDA stated that being a former law enforcement officer would be a requirement.

VICE MAYOR ORLANDO expressed that the innovative program is something they are looking forward to. Whenever he talks to school officials or other city council members from different cities, they express their excitement to see how this program works out. It could serve as a gap filler for us in both the short- and long-term scenarios.

CHIEF DEANDA said other agencies are observing and evaluating our pilot program's success. When an officer is present on campus to provide education and physical security, it will greatly impact.

MAYOR HARTKE expressed his appreciation by giving a shout out to former councilmember Terry Roe. This was near and dear to his heart during his eight years on the council. Mayor Hartke was pleased to see that his efforts are now coming to fruition.

COUNCILMEMBER POSTON confirmed that these officers cover all middle and high schools within city limits.

CHIEF DEANDA confirmed that it covers the city's eight middle and four high schools.

COUNCILMEMBER POSTON mentioned that it also covers multiple school districts.

CHIEF DEANDA stated that we cover all public schools in the three districts previously mentioned.

COUNCILMEMBER POSTON asked if these positions are filled or if officers are in place today.

CHIEF DEANDA confirmed that all schools have officers assigned today. All eight junior high and four high schools are fully staffed. The department has also coordinated officer training and vacation schedules with school breaks to minimize vacancies or time away from their assigned schools.

COUNCILMEMBER HARRIS mentioned the City of Chandler is paying 50% and CUSD is paying 50%.

CHIEF DEANDA explained that the grant works by the state allotting a specific amount of money to each school for grant funding. If there is a gap that needs to be filled, such as having an officer on campus after state funding has been exhausted, the cost would be split equally between the Chandler Police Department and the school.

COUNCILMEMBER HARRIS inquired do you think the state will cover most of it.

CHIEF DEANDA said yes

### **Public Works and Utilities**

20. Introduction and Tentative Adoption of Ordinance No. 5073 Granting a Non-Exclusive Utility Easement to Arizona Public Service Company

Move City Council introduce and tentatively adopt Ordinance No. 5073 granting a non-exclusive utility easement to Arizona Public Service Company, at no cost, to accommodate the Wall Street Improvement Project (Frye Road to Chicago Street).

21. Resolution No. 5719 Authorizing the Acquisition of Real Property Rights Required for the Wall Street Improvement Project (Frye Road to Chicago Street)

Move City Council pass and adopt Resolution No. 5719 authorizing the acquisition of real property rights required for the Wall Street Improvement Project (Project No. CA2202), from Frye Road to Chicago Street; authorizing the city's Real Estate Administrator to sign the purchase agreements, authorizations to access property, and any other documents necessary to facilitate these acquisitions and access to the properties; authorizing eminent domain proceedings, as needed, to acquire said real property and obtain immediate possession thereof; and authorizing relocation assistance as may be required by law.

VICE MAYOR ORLANDO discussed with the City Attorney and City Manager regarding a current issue that may be related to some legacy issues. During the discussion, Vice Mayor stressed that eminent domain is a powerful tool for property owners. The resolution being discussed authorizes eminent domain proceedings. The language needs to be either removed or modified. Instead of saying that the city will take their property, the language should suggest that "eminent domain may be necessary. Vice Mayor Orlando also suggested putting a procedure in place to handle such situations, so they do not become a major issue discussed at the council meeting.

KELLY SCHWAB, City Attorney, stated that they are addressing the issue and will present a solution in writing to the Mayor and Council. They are aware of Vice Mayor Orlando's concerns and will return to the appropriate forum before taking any legal action.

VICE MAYOR ORLANDO expressed concern about the timing of litigation. He mentioned that there were executive sessions where staff presented one set of information in the past, while the council had a different understanding. This led to confusion and sometimes resulted in litigation. Therefore, he suggested that the council be fully informed beforehand to avoid litigation. Vice Mayor Orlando emphasized that the council should have the first chance to discuss any potential eminent domain procedures.

MS. SCHWAB reminded us that in most eminent domain cases, the project is already in progress, and there are often time restrictions on funding. However, an appropriate forum can still address the Vice Mayor's concerns.

VICE MAYOR ORLANDO expressed concerns about the lack of action to address certain issues, highlighting the need for proactive measures to avoid lawsuits. He emphasized timely communication and the importance of staff authority while supporting communication efforts. Vice Mayor Orlando believes the council should focus on vision and policy, leaving the negotiation of specific items to staff.

MAYOR HARTKE supports communication but does not want to remove staff's perceived authority. He believes in the staff's role in providing vision and policy and is concerned about timeliness and giving staff the authority to do their job. He supports communication but wants to ensure the staff has the power to do what is expected of them.

COUNCILMEMBER ELLIS emphasized the importance of having necessary resources available when needed. Keeping the option open as needed can broaden our scope and increase our ability to resolve any issue effectively and efficiently.

MAYOR HARTKE is uncertain about the possibility of addressing the matter before Thursday. However, we should find ways to address the council's concerns while being efficient and up-to-date.

VICE MAYOR ORLANDO expressed concerns about the Council's authority in making decisions related to eminent domain. He believes it should be the Council's responsibility, not the staff. He wants an upfront and transparent process before taking drastic measures, such as taking someone's property or undervaluing it.

COUNCILMEMBER HARRIS expressed concerns about using imminent domain to acquire properties during a meeting. He disagreed with its use and pointed out that the language in the policy was too vague. He suggested a more detailed policy that the Council would discuss and

agree upon before implementation. Harris concluded by emphasizing that eminent domain should only be used as a last resort when the community agrees it is necessary.

MAYOR HARTKE said he would like to see what can be done regarding a particular matter. If a solution cannot be voted on or passed by Thursday, the decision can be delayed. Although he does not wish to delay projects, he is putting the responsibility on the city manager and city attorney. The mayor would like to see what solutions they can develop and discuss further on Thursday.

JOSHUA WRIGHT, City Manager, acknowledged the concerns raised by the public regarding the use of eminent domain. He assured them that the city would work to develop a language that meets their needs before Thursday's meeting. However, he clarified that the use of eminent domain is exceedingly rare for the City of Chandler. It is always the last resort for any project and is only considered in extreme circumstances. He emphasized that using it is a natural disincentive as it takes more time and costs more money. The city will try to make a policy or codify what they already know to be the practice of the staff and bring it to the meeting.

COUNCILMEMBER HARRIS mentioned that the City Manager plans to provide an update on the issue by Thursday. However, Councilmember Harris expressed concern about the short time between Monday and Thursday to review the update. Councilmember Harris requested to table the issue later to allow more time to review the update. Councilmember Harris suggested putting a motion to table the issue.

MAYOR HARTKE asked about the project timeline.

MR. WRIGHT mentioned that he would have to check the importance of the timeline for the upcoming construction project, which is scheduled to begin around May 1st of next year. We would need some time to acquire around 14 properties, which could be little strips or easements of land. He would provide more information on this matter. However, he needed to check how this would affect the project's overall timeline. If they cannot prepare a document that satisfies the council's requirements before Thursday, they would inform the Council and withdraw it if necessary.

COUNCILMEMBER HARRIS asked how they would be contacted. He needed more time to understand it, even if we schedule a special session.

MAYOR HARTKE mentioned if it seems too complex, we can postpone it. However, let us proceed and see where it takes us now. He was not suggesting that they could not delay it if needed, but if they could achieve the goal they should try.

COUNCILMEMBER STEWART said they are working to resolve utility issues by placing them underground in 14 parcels. Compensation will be provided to the residents of those parcels. If

one parcel refuses, the entire project could be delayed, and the neighborhood could suffer. Vice Mayor Orlando suggested trying to talk to the residents if there are issues. Councilmember Stewart asked if the ordinance applies only to this project or globally.

MR. WRIGHT mentioned that the item on the agenda is solely for this project. However, we can discuss a broader plan that encompasses this project as well as other future projects. We will incorporate the language agreed upon during this discussion into those projects when appropriate.

COUNCILMEMBER STEWART said while there is a timeline to adhere to complete the project requested by a local business owner, we should not delay unnecessarily. As Vice Mayor Orlando pointed out, we must follow due process and not take people's property without the required documentation. However, we should also find a way to move forward without causing any unnecessary delays. If we can strike a balance, we can achieve a win-win situation and ensure the safety of the residents in the area.

22. Job Order Project Agreement No. ST2017.403, with Sunland Asphalt & Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1909.401, for Quiet Zone Improvements Move City Council award Job Order Project Agreement No. ST2017.403, to Sunland Asphalt & Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1909.401, for Quiet Zone Improvements, in an amount not to exceed \$237,410.40.

WARREN WHITE, Engineering (PE) Senior Manager, gave a briefing discussing quiet zones and their definition. A quiet zone is an area of railroad track where train horns are not required for crossings, except in some situations like maintenance or construction within 25 feet of the tracks. To meet the requirements for a quiet zone, the Federal Railroad Administration has stringent safety regulations, including proper signage, pavement markings, and gate arms. The project at hand is to improve the signage and pavement markings at the Union Pacific railroad crossings from Elliott Road South to Germain and at the Railroad and Chandler Boulevard Crossings east of 56th Street. The staff has worked closely with the Federal Railroad Administration to redesignate both East and West quiet zones, setting the city up for future success. The council has approved a new capital improvement program to maintain and expand the quiet zones south of Germain down to the city's southern border.

VICE MAYOR ORLANDO stated that this only applies to a portion of the city. He asked about the thoughts on that time frame for the final piece of the City in south Chandler.

MR. WHITE said as soon as they have completed this project staff plans to move forward with looking at continuing the quiet zone improvements south of Germain all the way down to Hunt Highway and Appleby and other Crossings

Vice Mayor Orlando asked about the timeline for the first project.

MR. WHITE stated that the improvements for this project will be completed in the spring of this year. The construction is expected to begin as early as January. Both the east and west quiet zones will be redesigned, and the train horn noise will stop.

VICE MAYOR ORLANDO said we are looking at about four to five months to approve the contracts. Hopefully, South Chandler will have similar time frames.

MR. WHITE said yes.

VICE MAYOR ORLANDO said then we are done with quiet zones.

MR. WHITE stated that quiet zones are here to stay, and every two to three years, efforts will be made to ensure they meet federal requirements.

VICE MAYOR ORLANDO said at least the initial groundwork will be done for the first phase.

COUNCILMEMBER POSTON expressed concern about a resident who was in a quiet zone but suddenly found themselves outside of it. Councilmember Poston questioned whether the parameters had changed and whether the federal government would approve the changes to avoid any future issues.

MR. WHITE stated that we have learned through this process that federal requirements are subject to change. However, with the new designation that we have established, we can maintain continuity in a better way. We will have to ensure that we do this by reviewing every intersection every two to three years to make sure the signage is in place and the markings are complete. We also need to work with the Federal Railroad Administration.

COUNCILMEMBER STEWART asked if there are any obstacles in expediting the process, and if there is anything we can do to help with the elected body that regulates the railroad and rules for our city.

MR. WHITE said that they have a process in place to redesignate the crossings, but there are instances where they need to work better with external entities who do work without communicating with them properly. He suggested discussing this in the future.

MR. WRIGHT wanted to add to Mr. White's comment and commend the Council for implementing a long-term capital program that did not exist before this fiscal year. They had a pre-established quiet zone, but there was no funding to maintain it continue reinvesting in its expansion or address any other issues that may arise. This is the first time the Council has supported such a program, and Mr. Wright wanted to thank them for it. Several Councilmembers have asked for this program, and it will enable them to go back every few years and ensure that they are

reinvesting in those quiet zones and not end up in a similar situation again. Mr. Wright believes that this is one of the most effective things the Council has been able to do, and he really appreciates it.

COUNCILMEMBER HARRIS said he is glad there is funding to address the noise issue. However, they want to ensure that the funding covers the area near their house.

23. Professional Services Agreement No. WA2401.451, with Hazen and Sawyer, P.C., for the Pecos Surface Water Treatment Plant Filter Improvements Phase 2 Construction Management Services  
Move City Council award Professional Services Agreement No. WA2401.451, to Hazen and Sawyer, P.C., for the Pecos Surface Water Treatment Plant Filter Improvements Phase 2 Construction Management Services, in an amount not to exceed \$189,290.
24. Job Order Project Agreement No. WA2401.402, with PCL Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1915.401, for the Pecos Surface Water Treatment Plant Filter Improvements Phase 2  
Move City Council award Job Order Project Agreement No. WA2401.402, to PCL Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1915.401, for the Pecos Surface Water Treatment Plant Filter Improvements Phase 2, in an amount not to exceed \$761,888.80.
25. Agreement No. PW2-988-4407, Amendment No. 2, with Artistic Land Management, Inc., for Public Works Landscape Services  
Move City Council approve Agreement No. PW2-988-4407, Amendment No. 2, with Artistic Land Management, Inc., for Public Works landscape services, in an amount not to exceed \$1,152,000, for a one-year term, January 1, 2024, through December 31, 2024.
26. Construction Manager at Risk Construction Services Agreement No. WW2206.401, Guaranteed Maximum Price (GMP) Proposal No. 2, with PCL Construction, Inc., for the Reclaimed Water Conveyance Improvements  
Move City Council award CMAR Construction Services Agreement No. WW2206.401, GMP No. 2, to PCL Construction, Inc., for the Reclaimed Water Conveyance Improvements, in the amount of \$10,967,208.
27. Professional Services Agreement No. WW2206.451, Amendment No. 1, with Wilson Engineers, LLC, for the Reclaimed Water Conveyance Improvements  
Move City Council award Professional Services Agreement No. WW2206.451, Amendment No. 1, to Wilson Engineers, LLC, for the Reclaimed Water Conveyance Improvements Construction Management Services, in the amount of \$1,316,320.

28. Professional Services Agreement No. WW2106.271, with Brown and Caldwell, Inc., for the Sewer Lift Station Rehabilitation Post-Design Services  
Move City Council award Professional Services Agreement No. WW2106.271 to Brown and Caldwell, Inc., for the Sewer Lift Station Rehabilitation Post-Design Services, in an amount not to exceed \$179,814.
29. Professional Services Agreement No. WW2106.451, Amendment No. 4, with Entellus, Inc., for the Sewer Lift Station Rehabilitation Construction Management Services  
Move City Council award Professional Services Agreement No. WW2106.451, Amendment No. 4, to Entellus, Inc., for the Sewer Lift Station Rehabilitation Construction Management Services, in the amount of \$1,058,243.84.
30. Construction Manager at Risk Construction Services Agreement No. WW2106.401, with MGC Contractors, Inc., for the Sewer Lift Station Rehabilitation  
Move City Council award CMAR Construction Services Agreement No. WW2106.401, to MGC Contractors, Inc., for the Sewer Lift Station Rehabilitation, in an amount not to exceed \$9,280,107.02.
31. Construction Manager at Risk (CMAR) Construction Services Agreement No. WW2106.402, with MGC Contractors, Inc., for the Manganaro Lift Station Electrical Improvements  
Move City Council award CMAR Construction Services Agreement No. WW2106.402, to MGC Contractors, Inc., for the Manganaro Lift Station Electrical Improvements, in an amount not to exceed \$2,707,998.57.
32. Construction Manager at Risk Construction Services Agreement No. WA2105.401, with PCL Construction, Inc., for the Water Facilities Optimization Improvements – Hunt Highway Water Production Facility Rehabilitation  
Move City Council award CMAR Construction Services Agreement No. WA2105.401, to PCL Construction, Inc., for the Water Facilities Optimization Improvements – Hunt Highway Water Production Facility Rehabilitation, in an amount not to exceed \$3,317,089.
33. Professional Services Agreement No. WA2105.451, with Water Works Engineers, LLC, for the Water Facilities Optimization Improvements – Hunt Highway Water Production Facility Rehabilitation Construction Management Services  
Move City Council award Professional Services Agreement No. WA2105.451, to Water Works Engineers, LLC, for the Water Facilities Optimization Improvements – Hunt Highway Water Production Facility Rehabilitation Construction Management Services, in an amount not to exceed \$127,130.

## Public Hearing

- 34. Public Hearing on Land Use Assumption and Infrastructure Improvement Plan Updates
  - 1. Open Public Hearing
  - 2. Staff Presentation
  - 3. Council Discussion
  - 4. Discussion from the Audience
  - 5. Close Public Hearing

## Informational

- 35. September 20, 2023, Planning and Zoning Commission Meeting Minutes
- 36. October 18, 2023, Planning and Zoning Commission Meeting Minutes
- 37. Contracts and Agreements Administratively Approved, Month of November 2023

## Adjourn

The meeting was adjourned at 7:15 p.m.

ATTEST: *Dana R. D'Long*                      *Kevin Harthe*  
City Clerk    Mayor

Approval Date of Minutes: January 11, 2024

## Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Chandler, Arizona, held on the 4th day of December 2023. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this <sup>11th</sup> \_\_\_\_\_ day of January, 2024.

*Dana R. D'Long*  
City Clerk

