

Meeting Minutes

City Council Study Session

November 6, 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 6:31 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 2, 3, 9, 15, 22, 28.

City Clerk

1. Board and Commission Appointments
Move to approve the Council meeting minutes of the Work Session of April 19, 2023, Study Session of April 19, 2023, the Special Meeting - Micro Retreat of April 21, 2023, the Special Meeting of April 22, 2023, and the Regular Meeting of April 22, 2023.

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.

JOHN SEFTON, Community Services Director, introduced Item No. 2. During the 2023-2024 budget process, Library staff submitted a decision package for a mobile library, which was approved. Item No. 2 seeks approval to proceed with the contract and associated budget appropriations. It is expected to take 18-24 months to construct and look to have a total contract amount of \$634,519. This is funded through Intel development agreement contribution and a contribution from Friends of the Library. Library leadership is identifying communities within Chandler that may need mobile library services. The bookmobile will offer mobile technology classroom program space and a small traveling book collection. Parking is available close to the library.

VICE MAYOR ORLANDO thanked staff and shared excitement for this project. Vice Mayor Orlando asked about the expected hours of service of the bookmobile.

MR. SEFTON said the intention is to have the bookmobile operating year-round. Weeks of service will vary on events or activities.

COUNCILMEMBER HARRIS mentioned partnering with other City departments to ensure the bookmobile reaches events and communities.

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.

MR. SEFTON said this item was introduced as a decision package in the 2023-2024 budget as well, through Parks Operations division, the need for contractual services to create a tree inventory and urban forestry management plan. This one-time funding contract approval goes to ArborPro, selected for their value after an RFP process. They will also provide tree inventory data and collection and software, urban forest management plan and ways to maintain and improve our tree stock. This information will include quantity, species, location, tree health, and recommended maintenance activities. This is supplemented by a grant from the Department of Forestry and Fire Management. This work will start after January 1, 2024, and is estimated to be completed within one quarter.

VICE MAYOR ORLANDO commented that this is more than just a plan, there will be action to strategically improve shade structures.

MR. SEFTON said one of the best outcomes of this item will be the tree database that can be used in other GIS systems. Trees are important to the infrastructure of our neighborhoods and assess where we need to be.

MAYOR HARTKE thanked Mr. Sefton for the successful Arbor Day event and asked if trees are still being distributed.

MR. SEFTON said it was a one-day event and commended Treeland Nursery for their great partnership in putting on this event. Through other funding sources, we plan to continue events such as the tree distribution and other educational events. Mr. Sefton said this legacy project is important to continue for programming and public education.

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.
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

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.
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.

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.
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.

VICE MAYOR ORLANDO asked if there is a plan that tracks coverage in the city and spaces for improvement.

MICAH MIRANDA, Economic Development Director, said there are many fiber providers throughout the community, and Ubiquity intends to focus on north Chandler. There will be competition in the market for residential utility providers and private business providers.

VICE MAYOR ORLANDO asked if there are any areas in Chandler with the need for additional fiber providers.

DENNIS AUST, Telecommunications & Utility Franchise Manager, said the influx of multiple fiber providers is to fill in gaps of coverage to the city. Originally providers focused on areas like south Chandler or newer neighborhoods, now the providers will connect to older neighborhoods and expand to add competition among companies.

VICE MAYOR ORLANDO asked if we are covering the area.

MR. AUST said between the number of providers, most of the city will be covered relatively quickly within the next five years.

COUNCILMEMBER POSTON asked what Chandler does to minimize disruption to neighbors.

MR. AUST answered that there is a team that does plan review of designs and inspects their work and works with HOAs and residents to ensure any impacts are restored to similar or better conditions.

COUNCILMEMBER POSTON asked about notification of work.

MR. AUST said there is a lot of coordination between many projects and plan reviewers consider these in conjunction for design and construction.

MAYOR HARTKE asked how we keep up with the plan review process with the demand of these projects.

MR. AUST said the department is currently keeping up with the workload. As we enter the first phases of these with the first providers, we are working to acquire temp assistance and putting forth a decision package to request additional help.

MAYOR HARTKE asked how long we can expect this high volume of providers.

MR. AUST said the timelines companies provide is an estimate of three to five years to cover the entire city. There are workforce challenges in this, including city staff and contract labor for design

and construction. Realistically, we may be looking at a five to ten year window for city fiber connectivity.

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

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.

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.

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.

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.

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.

MICAH MIRANDA, Economic Development Director, introduced the item; this is one of council's strategic framework policy document focus areas on redevelopment and infill. This is intended to redevelop the north / south arterials especially throughout north Chandler and expand historic area to include downtown and west Chandler. This amendment updates timeline incentives for public infrastructure improvements and setbacks, site design in concert with project cornucopia. Recommendations will aid redevelopment in north Chandler.

COUNCILMEMBER ELLIS thanked staff for their work on this project.

MR. MIRANDA recognized the Economic Development Advisory Board and council subcommittee for their feedback on this project as well.

COUNCILMEMBER STEWART said economic development, like planning development, is a smart move for the business community and surrounding neighborhoods will feel the benefits. This is an exciting development for our community.

VICE MAYOR ORLANDO said it makes sense to expand the area of the project. Vice Mayor Orlando asked if the \$250,000 cap on reimbursement of public infrastructure costs is flexible.

MR. MIRANDA said that we must be mindful of the gift clause. We would have to coordinate with Legal to ensure that what we give out is not in violation of the gift clause, depending on the scale of the project and the net benefit to the city.

VICE MAYOR ORLANDO asked if there is negotiation opportunity present to look at additional dollars.

MR. MIRANDA said yes.

MAYOR HARTKE asked if that were to change, it would come back to Council.

MR. MIRANDA said everything that would come back as an incentive agreement would come through Council.

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.

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.
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.
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.
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.
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.

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.

KEITH HARGIS, Assistant Fire Chief, introduced the item. This is a reconnection of a relationship with the Maricopa County Community Colleges, this is the next iteration of this program. The current version allows firefighters to provide education and training and allow opportunities for firefighters to earn college credits. This agreement has resulted in savings in the paramedic education program and fire academy. Development classes can also gain college credits.

COUNCILMEMBER ELLIS thanked staff for their work on this item and for promoting continued education. Councilmember Ellis asked about the future of this education agreement.

ASSISTANT CHIEF HARGIS said the paramedic education program has been instituted since 2006. It is a rigorous program, and allowing credit accumulation through these programs helps firefighters to pursue further education in the medical field. The program is going through the final stages of accreditation, we are currently the only department that has full in-house accreditation and standalone program.

COUNCILMEMBER ELLIS said this is important to take the City of Chandler to the next level.

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.

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.
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.

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.

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.

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.

KARIN BISHOP, Community Development Senior Program Manager, introduced the item. This item seeks approval for an amendment to an existing IGA with Maricopa County for HOME Investment Partnerships Program Funds. The amendment includes several items: allocation for an additional programmed year 2023-24 funds to City of Chandler to support new construction of Villas on McQueen, a reallocation of HOME funds in a prior year to support tenant based rental assistance program and extend the expenditure term, as well as revising the activity timeline for HOME ARPA funds supporting the Villas on McQueen project.

COUNCILMEMBER ELLIS said this promotes affordable housing. Councilmember Ellis asked how many units this project will have.

MS. BISHOP answered there are approximately 6 existing units of the total 157 that will be designated as affordable housing, and 2 additional units from other funds.

COUNCILMEMBER ELLIS said this is good news for Chandler and thanked staff for their work on this.

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.

Police Department

30. 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.

MAYOR HARTKE noted that Item No. 30 would appear on the Action Agenda on Thursday's regular council meeting.

31. 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.

Public Works and Utilities

32. 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.
33. 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

34. 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.
35. 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.
36. 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.
37. 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.
38. 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.

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

Adjourn

The meeting was adjourned at 7:01 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: December 4, 2023

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 6th day of November 2023. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of December, 2023.

City Clerk