

Meeting Minutes

City Council Regular Meeting

January 11, 2024 | 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 6:01 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

Invocation

The invocation was given by Rev. Steve Foss, First Baptist Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Encinas.

Consent Agenda and Discussion

City Clerk

1. Approval of Minutes
Move City Council approve the Council meeting minutes of the Work Session of December 4, 2023, the Regular Meeting of December 4, 2023, the Study Session of December 4, 2023, the Work Session of December 7, 2023, the Regular Meeting of December 7, 2023, and the Special Joint Meeting of December 14, 2023.

City Manager

2. Resolution No. 5767, Designating the Chief Fiscal Officer for Officially Submitting the Fiscal year 2024 Expenditure Limitation Report to the Arizona Auditor General
Move City Council pass and adopt Resolution No. 5767, designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2024 Expenditure Limitation Report to the Arizona Auditor General.

Community Services

3. Professional Services Agreement No. PR2401.201, with J2 Engineering & Environmental Design, LLC, for Mesquite Groves Park Design Concept Services
Move City Council award Professional Services Agreement No. PR2401.201 to J2 Engineering & Environmental Design, LLC, for Mesquite Groves Park Design Concept Services, in an amount not to exceed \$155,042.
4. Certified Autism Center Agreement
Move City Council approve an agreement to qualify the Community Services Department, Parks and Recreation Divisions, with the Certified Autism Center designation, and authorize the City Manager to execute the agreement.

Development Services

5. Final 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
Move City Council 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.
6. Preliminary Development Plan, PLH23-0051 Paseo Lindo Chick-Fil-A, located at 3871 S. Arizona Avenue, at the northeast corner of Arizona Avenue and Ocotillo Road
Move City Council approve Preliminary Development Plan PLH23-0051 Paseo Lindo Chick-Fil-A for the modification of an existing drive-thru restaurant, including adding a drive-thru lane and shade canopy that encroaches into the western building setback, subject to the conditions as recommended by Planning and Zoning Commission.
7. Use Permit, PLH23-0061 Stingers Golf Club, 900 E. Pecos Road, Suite 1, located at the northwest corner of Pecos and McQueen Roads
Move City Council approve Use Permit PLH23-0061 Stinger's Golf Club for a Series 6 Bar License and Entertainment Use Permit for live indoor entertainment, subject to the conditions recommended by Planning and Zoning Commission.

8. Ordinance No. 5076 Rezoning and Resolution No. 5763 Area Plan Amendment, PLH23-0038 / PLH23-0039 Grayhawk Residences at Chandler, located at the northeast corner of Frye Road and Nevada Street, approximately 1/4 mile east of Arizona Avenue

Area Plan

Move City Council pass and adopt Resolution No. 5763 Chandler Redevelopment Element amendment, PLH23-0039 Grayhawk Residences at Chandler, as recommended by Planning and Zoning Commission.

Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 5076 approving PLH23-0038 Grayhawk Residences at Chandler, Rezoning from General Industrial (I-2) District to Planned Area Development (PAD) for Multi-Family Residential with Mid-Rise Overlay to allow heights up to seventy (70) feet, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH23-0038 Grayhawk Residences at Chandler for site layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

Facilities and Fleet

10. Purchase of Energy Management Control Systems Services from EMCOR Services Arizona
Move City Council approve the purchase of energy management control systems services, from EMCOR Services Arizona, utilizing the State of Arizona Contract No. CTR062668, in an amount not to exceed \$528,375.

Information Technology

11. Purchase of Information Technology Infrastructure and Consulting Services
Move City Council approve the purchase of information technology infrastructure and consulting services, from The Redesign Group, utilizing the State of Arizona Contract No. ADSPO 16-098163, in an amount not to exceed \$5,199,324.
12. Purchase of Risk Management Information System Software
Move City Council approve the purchase of risk management information system software, maintenance, and support services, from Origami Risk, LLC, utilizing the Pima County Contract No. AM-PO-15-041, in an amount not to exceed \$299,145 for the first year, and \$120,000 each in years two and three.
13. Purchase of Cisco Smartnet
Move City Council approve the purchase of Cisco Smartnet, from Sentinel Technologies, Inc., utilizing the 1GPA Contract No. 22-02PV-18, in the amount of \$272,132.

Management Services

14. Resolution No. 5762 Adopting the System Development Fee Land Use Assumptions and Infrastructure Improvement Plan as Published in the City of Chandler, Arizona, System Development Fee Update: 2022-2032 Land Use Assumptions and Infrastructure Improvements Plan, Dated September 2023.
Move to approve Resolution No. 5762 adopting the System Development Fee Land Use Assumptions and Infrastructure Improvements Plan as published in the City of Chandler, Arizona, System Development Fee Update: 2022-2032 Land Use Assumptions and Infrastructure Improvements Plan, dated September 2023.
15. Adopt Notice of Intention to Modify Certain System Development Fees and Set the Date for a Public Hearing on February 22, 2024
Move to adopt the Notice of Intention to Modify Certain System Development Fees, and set the date for a Public Hearing on February 22, 2024.

Police Department

16. Resolution No. 5672 Acceptance and Approval of the Homeland Security Grant Program
Move City Council pass and adopt Resolution No. 5672 authorizing the acceptance of FY 2023 Homeland Security Agreement Nos. 23-AZDOHS-HSGP-23804-01 and 23-AZDOHS-HSGP-23804-02, authorizing the Mayor to execute the Agreements; and authorizing the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with such Agreements.

Public Works and Utilities

17. Final Adoption of Ordinance No. 5073 Granting a Non-Exclusive Utility Easement to Arizona Public Service Company
Move City Council approve the final adoption of 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).
18. Resolution No. 5757 Authorizing the Acquisition of a Temporary Construction Easement Required for the Chandler Boulevard Fiber Project
Move City Council pass and adopt Resolution No. 5757 authorizing the acquisition of a temporary construction easement (TCE) required for the Chandler Boulevard Fiber Project (Project No. TUF2308); authorizing the city's Real Estate Administrator to sign the purchase agreement and any other documents necessary to facilitate the acquisition; and authorizing relocation assistance as may be required by law.
19. Agreement No. PW3-962-4568, Amendment No. 1, with Cleanview Sewer Inspections, Inc., for Video Inspection of Sewer Lines

Move City Council approve Agreement No. PW3-962-4568, Amendment No. 1, with Cleanview Sewer Inspections, Inc., for video inspection of sewer lines, in an amount not to exceed \$250,000, for a one-year period, December 12, 2023, through December 11, 2024.

20. Purchase of Traffic Signal Maintenance Services and Equipment

Move City Council approve the purchase of traffic signal maintenance services and equipment, from CS Construction, Inc., utilizing City of Scottsdale Contract No. 2019-195-COS, and from AM Signal, LLC, utilizing Maricopa County Contract No. 230200, in a combined amount not to exceed \$801,700.

21. Agreement No. PW4-285-4704, with Cem-Tec Corporation, for Streetlight Poles

Move City Council approve Agreement No. PW4-285-4704, with Cem-Tec Corporation, for streetlight poles, in an amount not to exceed \$200,000, for a one-year term, January 18, 2024, through January 17, 2025, with the option of up to four one-year extensions.

Consent Agenda Motion and Vote

Councilmember Stewart moved to approve the Consent Agenda of the January 11, 2024, Regular City Council Meeting; Seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

Action Agenda

22. Election of Vice Mayor

Move City Council elect a Vice Mayor of the Council with a term beginning January 12, 2024, and ending January 9, 2025.

Action Agenda Motion and Vote

Mayor Hartke moved to elect Councilmember Stewart as Vice Mayor of the Council with a term beginning January 12, 2024, and ending January 9, 2025, Seconded by Councilmember Ellis.

Motion failed (3-4), with Vice Mayor Orlando, Councilmember Encinas, Councilmember Harris, and Councilmember Poston dissenting.

Councilmember Encinas moved to elect Councilmember Harris as Vice Mayor of the council with a term beginning January 12, 2024, and ending January 9, 2025, Seconded by Councilmember Ellis.

Motion carried (6-1), with Mayor Hartke dissenting. Note: Councilmember Stewart abstained from the vote, per the Council Rules and Procedures a voluntary abstention shall be counted as an "aye" vote.

Briefing

23. Briefing by Chandler Police Department regarding Teen Violence

MAYOR HARTKE began by condemning teen violence and announcing a zero-tolerance policy from the council. The group of teens causing fear and terror in this community or others will not be tolerated. The council will take active action to stop incidents of teen violence and hold those involved accountable. The police and City work closely with the community and neighboring cities to ensure this. The law will fully prosecute incidents of teen violence in Chandler, and we want to make it clear that it is not acceptable in our city. It is the responsibility of both schools and police to prevent and investigate such crimes in our community. Mayor Harke said we have committed resources to this cause and urged everyone to report any incidents of teen violence in Chandler to our Chandler Police Department.

ACTING POLICE CHIEF MELISSA DEANDA addressed the recent surge of youth violence in the Southeast Valley, expressing concern and committing to ensuring the safety of residents. While the Chandler Police Department has not identified any cases of teen violence directly linked to the Gilbert goons, they remain vigilant and committed to addressing any matters that compromise the safety of the community, particularly the youth. Any acts of violence will not be tolerated, and every report of a criminal offense is treated with the utmost seriousness. The department is actively collaborating with other law enforcement partners and providing support and resources to aid in ongoing investigations. Patrol presence has been increased in areas prone to larger gatherings, and the safety of the community is of utmost priority.

COUNCILMEMBER POSTON asked for clarification on the official definition of a gang.

CHIEF DEANDA said to be classified or labeled as a gang, requires the involvement of three or more individuals engaging in criminal activities to enhance their status on the streets. This could involve any form of violence or financial gain. All such activities would be considered as constituting gang-related actions.

COUNCILMEMBER HARRIS emphasized unity and justice as MLK weekend approached. He urged the community to work together and start at home to educate children respectfully. He offered prayers for the Preston Lord family and reminded everyone to remember what MLK stood for and to strive to do better.

COUNCILMEMBER STEWART requested to hear neighbors' thoughts on what we can do here in Chandler. We feel for Preston's family, and we will move forward.

VICE MAYOR ORLANDO emphasized the importance of local government being the most trusted level of government due to the bond they share with their community. He pointed out that success or failure of one community affects all communities and that they stand with the audience in

demanding justice. Vice Mayor Orlando shared that Chandler would continue to work towards progress and has recently discussed additional programs that will be rolled out in the school system and public safety.

COUNCILMEMBER ELLIS mentioned that February is Teen Violence Month and urged community members to be proactive in preventing violence, not just reacting to it when it happens. We are one community, and we all have a responsibility to help guide and support our youth. Let us work together to stop violence and promote education.

COUNCILMEMBER ENCINAS expressed his condolences to Preston Lord's family and supported the mayor's commitment to ensure safety in Chandler for residents and visitors. To those wearing orange, thank you for raising awareness. Remember, if you see something, say something. It can make a significant difference.

Informational

24. November 15, 2023, Planning and Zoning Commission Meeting Minutes

Unscheduled Public Appearances

VICTOR HARDY, 2220 E. Spruce, Chandler, AZ, spoke about a movie about a man named Bayard Rustin, who organized a march in Washington. The movie starts with Aunt Barbara, an African American woman, sitting at a counter waiting for food. Suddenly, someone pours ketchup on her head. Victor is angry that he must talk about Dr. Martin Luther King Jr at a candlelight vigil. People have ignored him and shut doors in his face because he is black, and they see him as a troublemaker. Victor believes that the community should have acted before something tragic happened. They should have supported their children and worked together to prevent the tragedy. Victor is frustrated that he is the only African American present in the room. He wants to stand up for every young person who has ever been there. Victor expressed his disappointment that they did not cooperate as a community to prevent the tragedy.

MAYOR HARTKE read from an anonymous comment card that was presented. How many of you are concerned for your and your family's safety from these Gilbert goons?

ZEYNA PRUZHANOVSKY, 3612 E San. Carlos Pl., a Chandler resident for 13 years and a mother and teacher, praised the council for increasing safety patrols and their commitment to making Chandler safer. She encouraged community members to take walks in their neighborhoods, keep Chandler police emergency numbers on hand, and cooperate to bring justice to those affected by violence. Zeyna emphasized that the community is watching the council's response to youth violence in Chandler, and their actions can set a standard for other communities to follow.

BRIDGET VEGA, 11 N. Pueblo St., Gilbert, AZ., a mother, mental health, and human trafficking prevention advocate, emphasizes raising awareness and holding people accountable for their actions. She is concerned about the increasing suicide rates, sextortion, drug trafficking, and sexual assault on school campuses. Ms. Vega believes that partnering with nonprofits like Red Light Rebellion can help eradicate teen violence and prevent abusers from perpetuating emotional distress. She urges the community to connect with nonprofits like Red Light Rebellion to implement prevention programs and connect with school districts and town government officials. Ms. Vega emphasizes that children are watching, and their silence is deafening as they live in survival mode with coping mechanisms. She prays for healing, strength, and protection for those who report crimes, as their voices matter, and their lives are at stake.

CASSANDRA ERWIN, 9801 W. Golddust Dr., Queen Creek, AZ., said she is a mother of three children who attend Chandler Unified School District by choice. We need a convergent program for schools, residents, and children to stand unified in behaviors that support an upstanding citizen. Her request is for the City of Chandler, along with CUSD, to consider spearheading the Unified Upstander Initiative. This initiative will frontload our community with consistent messaging and an actionable plan suitable for each area of our collective community. Be the upstander, Chandler.

PATRICIA EVANS, 4673 E. Cherry Hills Dr., Chandler, AZ., has been experiencing organized gang stalking since 2018. She has experienced loud noises, the destruction of plants, and frequent follow-ups at restaurants and stores. She has also experienced car damage and scratches. The police department in Chandler is investigating the issue, and she is seeking help. She is being harassed daily by helicopters and airplanes and is seeking information on the police department's response to organized gang stalking. She is seeking help from anyone who has heard of organized gang stalking or has experienced similar incidents.

NICKI CONNELLY, 810 E. Orangewood Pl., Chandler, AZ., Her son was a victim of a jumping here in Chandler on November 19th, 2022. He was walking with friends to the movies when a group of kids harassed them. The son screamed and was punched in the head, and then a car pulled around by BJ's Bar and Grill. The kids jumped out and stomped him in the head and his back violently. The son, a tough football player, tried to stand up but was kicked in the face. The police called 911, and the boys scattered. The mother and husband filed a police report, and the police said this happens frequently in Chandler. The mother was upset about her son and the situation but supported the police department. The incident highlights the importance of being aware of such incidents in Chandler.

MELISSA CICONTE, the stepmother of Preston Lord, a 16-year-old boy who was brutally attacked at a Halloween party, has been a high-profile investigation case. Preston was a junior at Combs High School, a member of the basketball and golf teams, and a leader of the Honor Society. He was a loyal, respectful, truth-seeking, responsible, and compassionate young man who stood up for the weaker. Preston's death has impacted the Chandler community and the entire East Valley,

raising concerns about teen violence and bullying. A grassroots campaign initiated by Katie McPherson and supported by the Lord family aims to promote and educate youth on teen violence and bullying, aiming to decrease incidents both in and out of school. The campaign aims to empower youth, build self-confidence, and give them the courage to stand up against bullying. The stepmother requests that the campaign be named in Preston's honor.

STEPHANIE JARNAGON, 4403 S. Mingus Pl., Chandler AZ., In December 2022, their 16-year-old son was the victim of a gang-style attack at the SanTan Mall in Gilbert at In-N-Out. The attack involved a group of boys who demanded money from him, but he refused. The attackers were later prosecuted, and the others were dropped. The case was not an isolated incident, as Gilbert Police had responded to several reports of brass knuckle incidents in the previous month. Chandler leaders can help address the escalation and teen violence in the East Valley. Actionable ideas include convening a regional task force, collaborating with state lawmakers to prevent the easy availability of brass knuckles, and working with the community and leaders to find solutions and hold criminals accountable for their actions. The support of the Chandler community and leaders, such as Mayor Harkey Chandler, the city council, and the Chandler Police Department, have expressed empathy and pledged to find solutions to the issue. Their son is a student and athlete who was like Preston and strongly advocated for the Second Amendment.

BILL CONLEY, 251 E. Betsy Ct, Gilbert AZ., said his heart goes out to the pastor and all of them feel for him, they will never know what he feels, and there is nothing that they can say to make it better but he said that he had made a huge impact on his life and he had given him things to think about and had reminded him of things and for that, he was grateful and was sincerely sorry of the pain that you and your friends and your family go through it's unacceptable and he knew all of them will do what they can to help. He said his daughter is 16 and is similar to Preston as well goes to high school about two miles north of where Preston was murdered in her history class, one of the suspects in the case is in her class today. He said he could not believe the difference between the two City councils. He said he was not going to rail on Gibert city council but he could tell that Chandler Council is impressive. He thanked the Council and could not believe the difference between the two city councils and what he would not give to have that in his city.

LISA ALGER, 2302 E Butler St., Chandler AZ., As a Chandler resident and parent of a young adult attending Chandler schools, the city and school district have tried to improve youth's mental and emotional health. However, recent events highlight the need for more action. Chandler-Gilbert and Queen Creek are interconnected, and the community must partner to address acts of violence. Victims and their families deserve justice, and the youth deserve safety. The community should create a team violence subcommittee and partner with neighboring cities to address these issues. Adults should be upstanders, as children are watching and paying attention. Chandler's participation with neighboring cities will pave the way for a safer community.

BEN ANDRES 3147 E. Silo Dr., Gilbert AZ., I am husband and father, and I live in the Morrison Ranch Warner Groves neighborhood. The neighborhood is frequented by the Gilbert Goons, who have been causing problems in the past. On Halloween night, a group of teens rode into the neighborhood and lit a partial stick of dynamite at a neighbor and his 12-year-old son. The explosion was massive, causing minor injuries and minor burns on their hands and clothing. The homeowner who owned the cameras did not want the video to go public due to fear of retaliation. This incident highlights the need for immediate intervention to address the issue and restore safety in Gilbert, Mesa, and Queen Creek. He appreciated the opportunity to share personal experiences and the importance of addressing youth violence in their community.

KATEY MCPHERSON, 19690 E. Vallejo St., Queen Creek AZ., discussed the recent tragedy in Chandler, Arizona, where a group of goons killed a child. She said she works in social media responsibly, connecting the dots to many children attending Chandler Unified schools, including Ground Zero. She mentioned three mothers who have been the ultimate upstanders. Two of the mothers almost lost their sons to senseless violence. She urged everyone to join hands in this effort with love in their hearts and minds. They also highlight the lack of male role models in the lives of these boys, who may have been absent, incarcerated, or corporate fathers. She urged the men in the room and across the valley to join hands in this effort, as these boys and their victims need their help.

ELIZABETH WARD HARRIS, a 23-year resident of Chandler, Arizona, In July 2020, their youngest daughter was bullied and caught racial slurs by other young kids in Chandler. She mentioned a recent incident where young boys attacked them on their campaign trail. She urged parents to take responsibility for raising their children and not turn a blind eye to societal issues. They stress the importance of discipline and presence in their children's lives. She emphasized the need for parents to take responsibility for their children's behavior and not make excuses for bad behavior. She urges the community to unite and make a difference in their children's lives.

Current Events

Mayor's Announcements

MAYOR HARTKE said it is important to report any incidents of teen violence in Chandler to the Chandler Police Department. Posting information on social media is not a substitute for contacting the police. In an emergency, please call or text 911 to report it. For non-emergency incidents, please call or text 480- 782 4130. You can submit anonymous tips, images, and videos online to the Chandler police. Additionally, anonymous tips can be shared by calling 480 782 4440.

MAYOR HARTKE announced the Chandler Multicultural Festival downtown this Saturday, January 13, from 11:00 am to 6:00 pm at Dr A.J. Chandler Park. It is a part of our celebration of unity each January and encouraged the community to join.

MAYOR HARTKE announced The Chandler Innovation Center is hosting a free event called "Mayor's HOA Roundtable" on January 17 from 4:00 to 5:30 PM. The event aims to educate, connect, and provide resources for HOA members. All are invited to attend.

MAYOR HARTKE mentioned the seventh annual Chandler International Film Festival kicks off on Friday, January 19, and will run through January 28.

MAYOR HARTKE announced the Chandler Municipal Airport is celebrating its 75th anniversary with a community open house airport day on Saturday, January 20.

Council's Announcements

COUNCILMEMBER ENCINAS announced that MLK weekend is a day of reflection, urging people to read, watch, or read about the fight for civil rights, highlighting the importance of understanding the past.

COUNCILMEMBER ELLIS wished a happy MLK month and gave the rest of her time to Vice Mayor Harris for information on the MLK Awards.

COUNCILMEMBER ORLANDO said council heard the community tonight and we will huddle with our staff and come up with some good solutions. As someone mentioned, we have led this valley in many things, such as graffiti removal, solar, recycling, and street infrastructure. We will take up the challenge and determine how to work with our neighbors to improve this community.

COUNCILMEMBER STEWART thanked speakers for sharing their experiences. We want to work with other council members and community leaders to address these issues and create a safer community. Their input is valuable, and we appreciate the willingness to be part of this effort. Councilmember Stewart mentioned retiring police chief, Sean Duggan, for implementing a culture of service that made our community proud of our police department. We wish him the very best in his retirement.

VICE MAYOR HARRIS announced the Dr. Martin Luther King Jr. Awards ceremony will take place this Friday, January 12, from 4:00 to 5:00 pm. The ceremony will be held in the council chambers. He invited everyone to come out and show their support for the winners of this prestigious award. Vice Mayor Harris said January 15th is Martin Luther King Day, and we reflect on Dr. King's life and legacy. His commitment to justice and equality continues to inspire us today. The city of Chandler has events lined up to celebrate his life, including the Dr. MLK Award ceremony tomorrow evening. We will honor Chandler residents who have significantly contributed to creating a socially just community.

COUNCILMEMBER POSTON acknowledged the emotional nature of the evening and thanked all the parents who shared their concerns. As a mother, she empathized with everyone and promised

