

Meeting Minutes

City Council Study Session

June 24, 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 6:11 p.m.

Roll Call

Council Attendance

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

Appointee Attendance

Joshua Wright, City Manager
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

Scheduled Public Appearances

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

1. Recognition – CIVIC Graduation

MAYOR HARTKE recognized the 2024 CIVIC Graduation Class and invited Alexis Apodaca to recognize participants.

ALEXIS APODACA, Mayor & Council Public Affairs Senior Manager, presented certificates to the following CIVIC participants: Aashay Arora, Amanda Pate, Anna Cearley, Candice Turalba, Danya Hinton, Dennily Stricker, Eddie Mackay, James LeSueur, Jane Bjornstad, Jane Kallal, Judith Rosch, Kyle Koshiol, Linda Ems, Marcia Weiss, Melissa Bickham, Melody Lok, Michelle Wilson, Omar Rodriguez, Phelan Mahony, Stephanie Tyers, Steven Briggs, and Thomas (Tom) Bickham.

MS. APODACA thanked participants for their involvement in the program and dedication to civic engagement.

2. Recognition – Pretty Precise Step Team

MAYOR HARTKE recognized the Pretty Precise Step Team for winning the West Coast National Championship.

LATEKA CURTIS, coach, shared the Pretty Precise Team was established during the pandemic in 2020 to provide a safe space for young women. As a nonprofit, they support young women with mental health education and anti-bullying initiatives. The competition team members maintained a GPA of 3.6 and above while traveling to various locations for competitions.

Proclamation – Park and Recreation Month

MAYOR HARTKE read the proclamation and invited John Sefton, Community Services Director Corey Povar, Community Services Assistant Director, and the Park and Recreation team to accept.

COREY POVAR, Community Services Assistant Director, shared that this year's Park and Recreation month theme, "Where You Belong," celebrates how Park and Recreation professionals foster a sense of belonging in the community by providing inclusive programs and essential services. The month is also a great time to highlight the team, including park maintenance professionals, the recreation team, and numerous partners in play. Chandler strives to provide its residents and visitors a robust sense of belonging within Park and Recreation.

Consent Agenda and Discussion

Discussion was held on items 3, 7, 9, 15, and 33.

City Clerk

1. Approval of Minutes
Move City Council approve the Council meeting minutes of the Special Meeting of June 10, 2024, the Study Session of June 10, 2024, the Special Meeting of June 13, 2024, the Regular Meeting of June 13, 2024, and the Special Meeting - Budget Adoption of June 13, 2024.

City Magistrate

2. Agreement No. CC4-961-4762 for Public Defender Services Move City Council approve Agreement No. CC4-961-4762, for public defender services, with Michael J. Smith, Attorney at Law; Elizabeth Gonzalez, AJ Law Group, PLC; Jared Allen, Law Office of Jared Allen PLLC; Ursula H. Kanjoma, Gordwin Law, PLLC; Manny A. Jacobo, Jacobo Law Firm, PLLC; Alex D. Gonzalez, Attorney at Law; and Christopher J. Palmisano, The Law Offices of Christopher J. Palmisano, PLC, for public defender services, in an amount not to exceed \$427,000, for the period of one year, beginning July 1, 2024, through June 30, 2025, with the option of up to four one-year extensions.

Cultural Development

3. Resolution No. 5817, Authorizing the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2024-25 between the City of Chandler and the Downtown Chandler Community Partnership, and Authorizing the City's Voluntary Contribution to the EMSD in the Amount of \$130,981

Move City Council pass and adopt Resolution No. 5817, authorizing the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2024-25 between the City of Chandler and the Downtown Chandler Community Partnership, and authorizing the City's voluntary contribution to the EMSD in the amount of \$130,981.

LAUREN KOLL, Downtown Redevelopment Program Manager, discussed the EMSD contract between the city and the DCCP. As a reminder, the EMSD has existed for 19 years since its creation in 2005. The EMSD aims to provide public services above and beyond typical city services. It is important to note that the assessment process was approved by the board and authorized by property owners; one hundred percent of the assessment proceeds are paid to the district. The City Council officially established this district on May 23. The Council approved the annual assessment for 2024-2025, along with the voluntary city contribution of \$13,988. The next step is to consider the approval of the DCCP contract.

REBECCA HILL, Executive Director of DCCP, presented the following presentation.

- Downtown Chandler Community Partnership
- DCCP Mission Statement
 - The Downtown Chandler Community Partnership (DCCP) is a 501(c) 6 not-for-profit corporation whose mission is to mobilize leadership and resources to advance the development of Downtown Chandler as a regional destination for shopping, dining, living, culture, and the arts.
- 2024 DCCP Board of Directors
- 2024-2025 DCCP Services
- Management
 - Board and Stakeholder Engagement, Strategic Planning, Destination Management, Advocating for downtown businesses and overall improvements.
- Events
 - Farmer's Market, Wedding Walk, Small Business Saturday, Crawls including Sippin' Santas. Brunch Crwal, and hosted partnered events such as Fine Arts & Wine Festival, Beer, Bourbon & BBQ and Oktoberfest with our partners at San Tan Brewing and Peddle Haus
- Marketing
 - Promoting Downtown Chandler via social media, monthly newsletters, event branding and stakeholder notifications. Creating a stay and play campaign. Channel Your Chill to attract both residents and visitors to downtown during the summer months.

- Placemaking
 - Planting flowers, Placing American Flags for holidays, holiday lights and displays, and roof top lighting. Providing the overall feel of a welcoming and inviting downtown. Partnering with local businesses and community groups to build community.
- Clean Team
 - Remove litter, graffiti, stickers, trash cans, and wipe down surfaces. Serves as a downtown ambassador.
- Downtown Chandler Art Walk
- Partnerships & Collaborations
- City Departments
 - Chandler Center for the Arts
 - Library
 - Police
 - Vision Gallery
 - Homeless Navigators
 - Events Committee
 - Tourism
 - Parks & Rec
- Chandler Business Collaboration
 - Hamilton High School, Perry High School, First Credit Union, Reliable Maintenance, Randy Kiesel, CPA, Gerald Sajor Insurance Agency, Veggie Weggie, Tippy Toes Dance, British Swim School, Legacy Traditional Schools, Scheels, Andretti, Bautista Martial Arts, Yoga's Arc, Boys & Girls Club in Chandler, Kidtastic Dental, Chabad of the East Valley, U of A, ASU, Wicked Awesome Happy Hours, Signarama Chandler, Fast Signs Chandler

Development Services

4. Final Adoption of Ordinance No. 5103, Annexation ANX23-0003, Approving the Annexation of 13.57 Acres Located South of the Southeast Corner of Arizona Avenue and Germann Road
Move City Council adopt Ordinance No. 5103 approving ANX23-0003 Annexation of 13.57 acres located at the southeast corner of Arizona Ave and Germann Road, as recommended by Planning staff.
5. Final Adoption of Ordinance No. 5102, Rezoning, PLH23-0070 Chandler Palms Medical Offices, Located at 500 N. Juniper Drive, Generally Located 1/2 Mile North and West of Chandler Boulevard and McClintock Drive
Move City Council adopt Ordinance No. 5102 approving PLH23-0070 Chandler Palms Medical Offices, amending the existing PAD zoning to allow medical office uses, subject to the conditions as recommended by Planning and Zoning Commission.

6. Final Adoption of Ordinance No. 5101, Rezoning, PLH23-0057 Guerrero Residence, Located at 943, 953 and 963 North Mill Avenue, Generally Located ½ Mile East of the Southeast Corner of Kyrene and Ray Roads
Move City Council adopt Ordinance No. 5101 approving PLH23-0057 Guerrero Residence, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Single-Family Residential with reduced setbacks, subject to the conditions as recommended by Planning and Zoning Commission.

7. Resolution No. 5821 Development Agreement, Introduction and Tentative Adoption of Ordinance No. 5105 Rezoning, and Preliminary Development Plan; PLH23-0063 CBREIM Frye, Located at 2500 West Frye Road, Generally Located at the Northwest Corner of Frye Road and Ellis Street (Continued from the Regular Meeting of May 9, 2024)
Development Agreement
Move City Council pass and adopt Resolution No. 5821, authorizing a Development Agreement between the City of Chandler and CPUS West Frye Road, LP, related to the development and operation of an expanded data center on the property, including removal of water-based cooling equipment at the existing data center.
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5105 approving PLH23-0063 CBREIM Frye, Rezoning from Planned Industrial District (I-1) and Planned Area Development (PAD) for Office Development to PAD for Data Center uses and Planned Industrial (I-1) uses with a Mid-Rise Overlay for building heights up to 95 feet, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Development Plan
Move City Council approve Preliminary Development Plan PLH23-0063 CBREIM Frye for site layout and building architecture for the expansion of an existing data center on approximately 14.5 acres, subject to conditions as recommended by Planning staff.

TAYLOR EARL, attorney, Earl & Curley Zoning and Land Use Law, presented the following presentation.

- PLH23-0063 Data Center Expansion
- Existing Data Center
- Proposed Expansion
- High-Level Design
- Perspectives
- Points of Discussion with Data Centers
 - Sound
 - Water Usage
 - Job Creation
- City's New Regulations for Data Centers
 - Measure ambient sound before you build

- Community engagement
- Measure ambient sound after you start operating
- New ambient sound levels cannot exceed pre-operation sound levels
- Baseline Study
- Sound Mitigation Techniques
- Sound Mitigation techniques on expansion center:
 - Location of units on rooftop
 - Increased parapet height
 - Acoustic Wall System
- Baseline Study
 - Sound engineers have confirmed we will be compliance with City's sound ordinance.
 - Violation of sound ordinance will be violation of development agreement.
- Water Usage
- Water Recovery
 - Expansion: no water chillers
 - Existing Data Center: replace all water chiller with air chillers
 - 14.03 Million Gallons used onsite in 2023
- Job Creation
- Expansion would create new jobs
 - Parking lot does not generate jobs
 - Anticipated Job Count for Data Center Expansion = 40-50 Additional Jobs
- Mid-Rise Overlay
- Mid-Rise Development Policy
 - 1.1 Community Placemaking Policies
 - G. Encourage building heights greater than 45 feet at select locations in accordance with the Mid-Rise Development Policy.
- Request Complies with Mid-Rise Overlay
 - Location is within Price Road Corridor
 - Nearest SFR is 1,400 to the east (Min. 300' required)
 - High-Level design complements Frye Road and Price Road Corridor
 - Height helps mitigate sound
 - Additional capacity equates to additional jobs
- Development Agreement
- Key Provisions
 - No new water-based cooling systems
 - Removal of water-based cooling systems prior to certificate of occupancy
 - Violation of City sound provisions for data centers is also a violation of agreement
- Summary:
 - Results in Major Water Savings
 - Will comply with City's Strict sound standards
 - High-level Design will complement Frye Road and Price Road Corridor
 - Puts Parking lot to better economic use

COUNCILMEMBER STEWART said data is the new gold rush and expressed a desire to support groups, communities, and businesses in Chandler and Arizona. He commended the partner for becoming a sustainable community member and expressed gratitude for their efforts.

COUNCILMEMBER ENCINAS expressed concern about potential noise for future residents nearby. After discussion, he was reassured about the plan, strategy, and noise standards. He also confirmed zero complaints from the fire station about the area's sound.

8. Use Permit, PLH24-0003 El Oasis, Located at 482 E. Erie Street, Approximately 1/4 Mile North of the Northwest Corner of Chandler Boulevard and Hamilton Street
Move City Council approve Use Permit PLH24-0003 El Oasis, approving a time extension to a operate a community center and community garden, subject to the conditions recommended by Planning and Zoning Commission.

Economic Development

9. Resolution No. 5809 Approving an Amendment to the Intergovernmental Agreement Between the City of Chandler and the Arizona Board of Regents, on Behalf of Arizona State University, for the Delivery of Business Incubator and Ecosystem Building Services, in an Amount Not to Exceed \$275,000 Annually
Move City Council pass and adopt Resolution No. 5809 approving an amendment to the Intergovernmental Agreement between the City of Chandler and the Arizona Board of Regents, on behalf of Arizona State University, for the delivery of business incubator and ecosystem building services, in an amount not to exceed \$275,000 annually, for the period of one year, beginning July 1, 2024, through June 30, 2025.

KRISTIN SLICE, Director of Community Entrepreneurship, Arizona State University, presented the following presentation.

- Chandler Endeavor Venture Innovation Incubator
- Every new business per 100 people adds \$485 to average household income in a community. Right to Start Foundation, 2024
- More new businesses starting correlates with lower income inequity – Right to Start Foundation, 2024
- Every 1% increase in entrepreneurial activity in a state correlates with 2% decline in poverty. _ Right to Start Foundation, 2024
- From July 2023 to July 2024 ASU Edson E+I engaged 1,053 people in the Chandler Endeavor ecosystem (unique innovators in events, email signups, one on one wayfinding, co-working space) – ASU Edson E+I
- ASU Charter
 - ASU is a comprehensive public research institution, measured not by whom it excludes, but by whom it includes and how they succeed; advancing research and discovery of

public value; and assuming fundamental responsibility for the economic, social, cultural overall health of the communities it serves.

- Chandler Endeavor Objectives
 - Chandler Endeavor Venture Innovation Incubator is an innovative open-access community incubator focused on advancing the development of early and growth-stage ventures by providing access to highly tailored support and resources igniting innovation.
- Optimizing Entrepreneurial Capacity
- Real Business. Real Impact. Real Scale
- Edson E+I
- Our Mission is to serve as the connecting and collaborating resource across ASU and the global community, providing support and material resources for entrepreneurship.
- Our approach is intentionally inclusive and experiential, with a goal of creating partners for life. We meet entrepreneurs where they are, creating access and providing opportunities to engage and grow.
- Partnership the community entrepreneurship team is a fully grant funded team, within Edson E+I.
- Chandler Endeavor Venture Innovation Incubator
 - Chandler founders, small business owners, entrepreneurs and more are using innovation to accelerate their growth
 - 9 Month forums with online TDR Modules
 - 44 Additional events including Pitch In, Founder Friday and more
 - 98 Number of founders who have joined the online platform
- What we've done
- Major milestones completed since June 2023
 - 2 Open cohorts completed focusing on market validation and funding
 - 2 Venture Challenge Pitch Competitions yielded 52 applications and awarded \$15,000 in seed funding
 - Mission Crews (targeted resources support) launched for SAAS and niche consumer products
 - 7 advanced ventures have been provided dedicated office space
- Who we served
 - 640 Repeated in-depth engagements
 - 45% Of participants identified as a race other than white, mirroring the diversity of the Chandler community
 - 29% Of participants identified as woman founders compared to 13.2% of startups according to Carta
- Who we served
- Venture Prototyping in the Fabrication Shop
 - Millennium SynthFuels Bringing their patented air scrubbing technology to commercialization by converting CO2 to baking soda
 - DrainFunnel Machines injection molds to develop new bathtub clog prevention fixtures

- VulCreate Provides mechanical, electrical and software prototyping services to entrepreneurs
- Who we served
- Chandler Endeavor Business Incubator
- Mackenzie DeZolt
 - Developed sourdough prebiotic granola
- Justin Moore
 - Developed hemp based Protein for the fitness industry
- Brenda Noggy
 - Clinical trial enrollment options for cancer patients

MS. SLICE invited Justin Moore and Mackenzie DeZolt of the Chandler Endeavor Business Incubator to share their experiences.

JUSTIN MOORE, founder of Agoge, expressed gratitude for Chandler Endeavor's support. With their help, Agoge secured a multi-million-dollar USDA marketing contract, contributing to company growth, tax revenue, and job creation. Moore emphasized the importance of a supportive community and home base for entrepreneurs and thanked everyone for their support.

MACKENZIE DEZOLT expressed gratitude to Chandler Endeavor as a supportive entrepreneurial family that has provided guidance and mentorship, helping her win funding and connect with new opportunities. She looks forward to continued growth with the Chandler community.

MS. SLICE continued the presentation.

- What's Next?
- Monthly Forums
 - Hosted by the ASU Edson Entrepreneurship + Innovation Institute monthly, starting in September
- Venture Challenge
 - Hosted by the ASU Edson Entrepreneurship + Innovation Institute in December
- Pitch-In
 - Hosted by the ASU Edson Entrepreneurship + Innovation Institute 3rd Wednesday of every month, starting in September
- Founder Friday
 - Hosted by the ASU Edson Entrepreneurship + Innovation Institute once a month, starting September
- Photo-Partnership
 - Hosted by the ASU Entrepreneurship + Innovation Institute once a month, starting in September
- Venture Challenge
 - Hosted by the ASU Edson Entrepreneurship + Innovation Institute on May
- Author-Preneurship

- Hosted by the ASU Edson Entrepreneurship + Innovation Institute once a month, starting in September
- Thank you
- Questions

COUNCILMEMBER STEWART thanked Micah Miranda and the team for pulling this together with ASU. He expressed that this reflects everyone's vision for an entrepreneurial ecosystem in the East Valley. He appreciated ASU's effort in drawing talent from the area and emphasized the significance of providing support, guidance, and a nurturing environment for entrepreneurs. Councilmember Stewart commended the energy and passion of the people involved and highlighted the need for financing and angel investors to support these initiatives further.

COUNCILMEMBER POSTON asked how the organization plans to track those graduates and, with a focus on the City of Chandler, how the founders can be encouraged to stay in Chandler. She also inquired whether the organization collaborates with the city's Economic Development team.

MS. SLICE said their unique incubation model allows participants to come and go as it serves them. They have an open cohort model that runs every six months, with a pitch competition at the end. Over 90% of participants entered the second cohort, indicating the program's quality and desire to continue within the community. They focus on building a community and networks to ensure continued engagement. Resources like office space and funding are not enough to retain participants; fostering meaningful relationships is crucial.

VICE MAYOR HARRIS said he is impressed with the program's progress, noting the direct and pointed feedback given by the community. He commended the active engagement, collaboration, and partnerships with the community, acknowledging the positive impact on the Chandler community.

COUNCILMEMBER ORLANDO asked about changing the metrics from 1,000 to 500 and addressing other necessary metrics to enhance the program.

MS. SLICE said they have revamped their metrics by adding two new ones. The first one measures funding readiness and economic impact, aiming to capture the contributions of small business owners. The second metric is a connectivity score, evaluating the level of entrepreneur community support. These metrics reflect their focus on serving individual founders and contributing to the overall sustainability of the community.

COUNCILMEMBER ELLIS said she had the opportunity to meet with Dr. Crow at the Arizona Black Elected Officials' event. Dr. Crow expressed enthusiasm for being invited to contribute to making positive changes. He appreciated the passion displayed by Councilmember Ellis and their team during their community engagements. Councilmember Ellis also commended Micah's team for consistently delivering excellent work. She thanked the founders for creating a platform enabling

them to thrive and make a difference. Councilmember Ellis emphasized the importance of being actively involved in the community, engaging with people, and understanding their aspirations to provide the necessary support.

MAYOR HARTKE said it is critical to their effort to nurture entrepreneurs and innovation.

10. Agreement No. ED3-920-4587, Amendment No. 1, for Search Engine Optimization and Pay Per Click Services
Move City Council approve Agreement No. ED3-920-4587, Amendment No. 1, with Simpleview Worldwide, Inc., for search engine optimization and pay per click services, in an amount not to exceed \$109,200, for a one-year period, beginning July 1, 2024, through June 30, 2025.

Fire Department

11. Resolution No. 5819 Approving an Intergovernmental Agreement Extension between the City of Chandler and the Chandler County Island Fire District for the Provision of Emergency Services
Move City Council pass and adopt Resolution No. 5819 approving an Intergovernmental Agreement (IGA) extension between the City of Chandler and the Chandler County Island Fire District for the provision of emergency services.
12. Resolution No. 5816 Approving and Authorizing a Collaboration Agreement between Arizona State University and the City of Chandler for Participation in the AmeriCorps Program
Move City Council pass and adopt Resolution No. 5816 authorizing a Collaboration Agreement with the Arizona Board of Regents, for and on behalf of Arizona State University, for participation in the AmeriCorps Program.
13. Resolution No. 5807 Approving and Authorizing a Universal Affiliation Agreement Between Northern Arizona University and the City of Chandler
Move City Council pass and adopt Resolution No. 5807 authorizing an Intergovernmental Agreement (IGA) with the Arizona Board of Regents, for and on behalf of Northern Arizona University, for student participation in internships, clinical rotations, and other educational experiences with the Chandler Fire Department (CFD).
14. Resolution No. 5803 Approving and Authorizing a Student Placement Agreement Between Arizona State University and the City of Chandler
Move City Council pass and adopt Resolution No. 5803 authorizing the Mayor to execute a Student Placement Agreement between Arizona State University and the City of Chandler for the Chandler Fire Department Crisis Response Unit.

15. Agreement No. FD4-948-4766, First Responder Cancer Screenings
Move City Council approve Agreement No. FD4-948-4766, with Vincere Physicians Group, PLLC, dba Vincere Cancer Center, for first responder cancer screenings, in an amount not to exceed \$550,000, for the period of one year, beginning July 1, 2024, through June 30, 2025.

KEITH HARGIS, Assistant Fire Chief, gave a presentation on the importance of cancer prevention for Chandler firefighters. It was highlighted that cancer is now the leading cause of line-of-duty deaths for firefighters in the nation. Firefighters face a significantly higher risk of developing cancer compared to the general population. They are 200% more likely to be diagnosed with testicular cancer or mesothelioma, 150% more likely to be diagnosed with multiple myeloma or non-Hodgkin lymphoma, 140% more likely to be diagnosed with skin cancer, and 130% more likely to be diagnosed with malignant melanoma, brain cancer, or prostate cancer. The community of Chandler has experienced the impact of cancer firsthand, with one line-of-duty death due to cancer in 2018. Further, through a one-time grant-funded cancer screening program, eight different cancers were identified in department members, with one being severe and another nearly life-threatening. Early diagnosis and screening are crucial, as cancer symptoms often do not arise until the disease has progressed into later stages. From a financial perspective, it is more cost-effective to invest in screening services than funding cancer treatment, according to the World Health Organization. Treating cancer in early stages is two to four times less expensive than in later stages, not only due to the duration of treatment but also because early cancer has more opportunities for less invasive and less costly treatments. Therefore, screening is the most effective and economical way to reduce the impact of cancer on firefighters. The ongoing program with Vincere Cancer Center is instrumental in transitioning from the one-time grant-funded phase to an ongoing program with 95% participation, 19 significant findings, and eight identified cancers. Collaboration with a physician's group will enable the design of a comprehensive program addressing current firefighter health concerns.

COUNCILMEMBER STEWART thanked Assistant Fire Chief Hargis for providing the data. He stressed the importance of both the human and economic elements involved. Early detection benefits people's well-being and results in cost savings. He expressed his desire to continue this investment in the next budget cycle.

COUNCILMEMBER ELLIS said early prevention is the most effective approach for addressing testicular cancer. She asked if the new program incorporates protection from heat in areas like testicular protection due to the correlation between heat and certain health concerns.

ASSISTANT CHIEF HARGIS said significant advancements have been made in protecting the groin, neck, and underarm areas, which are highly absorbent body parts. These advancements encompass not only the protective gear worn in these areas but also the treatment of the gear, the removal of gear, and the decontamination process. Gear is now bagged and not worn back to the station. It is washed and allowed to off-gas, and two turnouts are available. Firefighters can

change into clean gear and shower immediately. Recent data has provided insights into minimizing the absorption of carcinogens, such as through heat, open pores, or the materials used. Improvements have been made to rehabilitate and decontaminate equipment to address these concerns.

COUNCILMEMBER POSTON asked how this program differs from a typical cancer screening and how specific it is to our first responders.

ASSISTANT CHIEF HARGIS said their focus is on specific areas of learning in the region, specifically on advancements made in cancer detection over the last five years. Many agencies have received grants, and thousands of firefighters have undergone cancer screening. They have discovered cases of kidney cancer in 30-year-old patients, which is unusual for the general population. As a result, they have invested significantly in non-invasive screening techniques such as whole-body MRI. They conduct comprehensive radiology and cardiac screening, PFOS, and heavy metal testing. Their focus is on specific health issues that affect firefighters, including early colonoscopies due to the high incidence of colorectal cancer in this population. Efforts are tailored to the needs of the workgroup and have proven to be highly beneficial.

COUNCILMEMBER POSTON congratulated Assistant Chief Hargis on the 95% participation rate.

Human Resources

16. Resolution No. 5760 Amending Personnel Rule 15, Sections 4, Vacation Leave Accrual; 5, Maximum Accrual of Vacation Credits; 10, Statutory Sick Leave; 14, Bereavement Leave; 15, Military Special Leave; 17, Special Leave without Pay; 18, Extended Special Leave without Pay; 20, Doctor's Release; 21, Payment of Sick Leave; and 23, Administrative Leave
Move City Council pass and adopt Resolution No. 5760, amending Personnel Rule 15 Sections 4, Vacation Leave Accrual; 5, Maximum Accrual of Vacation Credits; 10, Statutory Sick Leave; 14, Bereavement Leave; 15, Military Special Leave; 17, Special Leave without Pay; 18, Extended Special Leave without Pay; 20, Doctor's Release; 21, Payment of Sick Leave; and 23, Administrative Leave
17. Agreement No. HR3-953-4609, Amendment No. 1, with Nationwide Retirement Solutions, Inc., for Deferred Compensation 457 Plan and Post Employment Health Plan Administration, Investment, and Trust Services
Move City Council approve Agreement No. HR3-953-4609, Amendment No. 1, with Nationwide Retirement Solutions, Inc., for Deferred Compensation 457 Plan and Post Employment Health Plan administration, investment, and trust services.

Law

18. Renewal of Commercial Insurance and Services for Fiscal Year (FY) 2024-25
Move City Council approve the renewal of commercial insurance and services for FY 2024-25 and authorize the City Attorney and Human Resources Director to sign all

documents related to obtaining commercial insurance and services in an amount not to exceed \$3,929,813.

Management Services

19. Ordinance No. 5095, Levying upon the Assessed Valuation of the Property within the City of Chandler, Arizona, Subject to Taxation a Certain Sum Upon Each One Hundred Dollars (\$100) of Assessed Valuation Sufficient to Raise the Amount Estimated to be Required in the Annual Budget, less the Amount to be Received from Other Sources of Revenue; Providing Funds for Various Bond Redemptions, for the Purpose of Paying Interest Upon Bonded Indebtedness and Providing Funds for General Municipal Expenses, all for the Fiscal Year Ending the 30th Day of June, 2025
Move City Council adopt Ordinance No. 5095, levying upon the assessed valuation of the property within the City of Chandler, Arizona, subject to taxation a certain sum upon each one hundred dollars (\$100) of assessed valuation sufficient to raise the amount estimated to be required in the annual budget, less the amount to be received from other sources of revenue; providing funds for various bond redemptions, for the purpose of paying interest upon bonded indebtedness and providing funds for general municipal expenses, all for the Fiscal Year ending the 30th day of June, 2025.
20. Introduction of Ordinance No. 5087 Amending City Code Chapter 45, Renaming the Chapter to Stormwater Drainage and Pollution Prevention and Adding or Amending Sections 45-1 to 45-12, Related to the Regulation of Stormwater Retention and Pollution Prevention
Move City Council introduce and tentatively adopt Ordinance No. 5087, amending City Code Chapter 45 Storm Drainage requirements by adding definitions, declaring stormwater pollution to be a public nuisance, declaring that altering or failing to maintain a stormwater collection system is a public nuisance, providing for enforcement through civil citation or criminal enforcement for willful violations or habitual offenders, adding construction and post-construction stormwater runoff/release control requirements, and providing for appeals.
21. Resolution No. 5815, Designating the Chief Fiscal Officer for Officially Submitting the Fiscal Year 2025 Expenditure Limitation Report to the Arizona Auditor General
Move City Council pass and adopt Resolution No. 5815, designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2025 Expenditure Limitation Report to the Arizona Auditor General.
22. Purchase of Utility Billing System Annual Support
Move City Council approve the purchase of utility billing system annual support services, from Advanced Utility Systems, in the amount of \$138,717.
23. License Series 12, Restaurant Liquor License application for Kenneth Micheal LaCivita, Agent, Special Wings 3, LLC, DBA Cogburn's Big Wings

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 296366, a Series 12, Restaurant Liquor License, for Kenneth Micheal LaCivita, Agent, Special Wings 3, LLC, DBA Cogburn's Big Wings, located at 2050 N. Alma School Road, Suite 8, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307463.

24. License Series 12, Restaurant Liquor License Application for Tommy Van Ha, Agent, Tommy's Hi 5 Sushi, LLC, DBA Hi 5 Sushi
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 295434, a Series 12, Restaurant Liquor License, for Tommy Van Ha, Agent, Tommy's Hi 5 Sushi, LLC, DBA Hi 5 Sushi, located at 225 W. Warner Road, Suite 3, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307208.
25. License Series 10, Beer and Wine Store Liquor License Application for Pedro Paredes Gonzalez, Agent, Carniceria El Potrero #2, LLC, DBA Carniceria El Potrero
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 296102, a Series 10, Beer and Wine Store Liquor License, for Pedro Paredes Gonzalez, Agent, Carniceria El Potrero #2, LLC, DBA Carniceria El Potrero, located at 731 S. Arizona Avenue, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 307316.

Mayor and Council

26. City Manager Employment Agreement
Move City Council approve the City Manager Employment Agreement for Joshua Wright for the term of July 1, 2024, through June 30, 2026.
27. City Attorney Employment Agreement
Move City Council approve the City Attorney Employment Agreement with Kelly Schwab for the term of July 1, 2024, through June 30, 2026.
28. City Clerk Employment Agreement
Move City Council approve the City Clerk Employment Agreement with Dana DeLong for the term of July 1, 2024, through June 30, 2026.

Neighborhood Resources

29. Introduction and Tentative Adoption of Ordinance No. 5094, Approving the Eleventh Amendment to the Lease Agreement between the City of Chandler and Maricopa County Authorizing a Two-Year Lease Extension for Space in the Recreation Building at 660 S. Palm Lane, Chandler, Arizona, for use as a Head Start Facility
Move City Council introduce and tentatively adopt Ordinance No. 5094, approving the Eleventh Amendment to the lease agreement between the City of Chandler and

Maricopa County authorizing a two-year lease extension for space in the recreation building at 660 S. Palm Lane, Chandler, Arizona, for use as a Head Start Facility.

30. Introduction and Tentative Adoption of Ordinance No. 5093, Approving the Tenth Amendment to the Lease Agreement between the City of Chandler and Maricopa County Authorizing a Two-Year Lease Extension for Space in the Recreation Building at 130 N. Hamilton Street, Chandler, Arizona, for use as a Head Start Facility
Move City Council introduce and tentatively adopt Ordinance No. 5093 approving the Tenth Amendment to the lease agreement between the City of Chandler and Maricopa County authorizing a two-year lease extension for space in the recreation building at 130 N. Hamilton Street, Chandler, Arizona, for use as a Head Start Facility.
31. Resolution No. 5824, Authorizing the Human Services Funding Guidelines and Adopting the Service Area Priorities Recommended by the Housing and Human Services Commission Based on the Results of the 2024 Community Needs Assessment
Move City Council pass and adopt Resolution No. 5824 authorizing the Human Services Funding Guidelines and adopting the Service Area Priorities recommended by the Housing and Human Services Commission based on the results of the 2024 Community Needs Assessment.
32. Resolution No. 5823 Allocating Fiscal Year 2024-2025 General Funds in the Amount of \$2,083,776.27 to Various Non-Profit Agencies in Accordance with the Recommendations of the Chandler Housing and Human Services Commission and Staff
Move City Council pass and adopt Resolution No. 5823 approving and authorizing the allocation of Fiscal Year 2024-2025 General Funds in the amount of \$2,083,776.27 to various non-profit service providers in accordance with the recommendations of the Chandler Housing and Human Services Commission and staff.

Police Department

33. Resolution No. 5822 Intergovernmental Agreement for Participation in the East Valley Critical Incident Response Team
Move City Council pass and adopt Resolution No. 5822 approving an Intergovernmental Agreement among the City of Chandler, City of Apache Junction, Town of Gilbert, City of Mesa, Town of Paradise Valley, Town of Queen Creek, City of Scottsdale, and City of Tempe to provide mutual aid for critical force incidents as part of the East Valley Critical Incident Response Team (EVCIRT).

BRYAN CHAPMAN, Police Chief, gave a briefing on Resolution No. 5822. The East Valley Critical Incident Response Team effective July 1, 2024, eight East Valley Police agencies will participate in the East Valley Critical Incident Response Team, which is responsible for investigating any critical incident in death or violent severe injury involving law enforcement agencies. This applies to officers on or off duty while acting under the cohort of their authority this is in response to House

Bill 2650 which goes into effect July 1, 2025, which requires towns and municipalities to have agencies other than their own investigate critical incidents involving their personnel critical force incident is defined as either an officer involves shooting or any use of force in death or serious bodily injury. The East Valley Critical Incident Response Team will start July 1 and respond to other jurisdictions. What that means for Chandler PD is that we are part of this cohort and will be responsible for investigating critical incidents involving the Mesa Police Department. This is a trial period from July 1, 2024, of this year to July 1, 2025, of next year to work out the logistics to ensure we have on-call responsibilities and appropriate personnel responding to these and then providing the necessary investigative follow-up.

COUNCILMEMBER ORLANDO asked whether there would be a rotation between cities or if the focus is specifically on working with Chandler and Mesa. For instance, would Gilbert hold one session and Queen Creek another?

CHIEF CHAPMAN said the logistics are different for every city depending on their participation. Chandler Police Department's role in this will be specific to investigating critical incidents in the City of Mesa; however, we will also send support personnel for other jurisdictions, but will not be the lead investigative agency. We may send a detective to support other agencies in jurisdictions like Gilbert, Tempe, or Scottsdale.

COUNCILMEMBER ORLANDO asked who would be investigating Chandler if they needed that assistance.

CHIEF CHAPMAN said his understanding is that Mesa PD will.

COUNCILMEMBER ORLANDO asked if this aligns with the county's broader program.

CHIEF CHAPMAN said the state is putting together a Statewide Critical Incident Response Team through the Department of Public Safety. This team will be responsible for the entire state. Preparing for this has been a logistical challenge, as they have been recruiting personnel and working on establishing relationships for the past year. Looking ahead, if for any reason the East Valley Critical Incident Response Team cannot respond effectively, the default agency to investigate any incidents in the City of Chandler would be the DPS Statewide team.

COUNCILMEMBER ORLANDO said there is a year to learn some lessons, which is always good. They could share those with the state's DPS if they decide to go that route.

CHIEF CHAPMAN said the city will have a visual representation of the pilot within a year. A third party is involved in part of the house bill, which aims to establish transparency and accountability. It is essential to clarify that there are no concerns about the quality of investigations from the detective bureau. However, this requirement is legislatively mandated for every agency in the state as part of the house bill.

COUNCILMEMBER ORLANDO said Chief Chapman has done an incredible job in the past of being an honest broker, ensuring the public's trust. In addition to the Police Citizen Review Board, which provides another layer of oversight, this would provide a third level of assurance that could be relied upon to get to the bottom of any incident.

CHIEF CHAPMAN commented that this is another check and balance.

34. Purchase of Furniture

Move City Council to approve the purchase of furniture, for the Chandler Police Department Computer Crimes Unit, utilizing the State of Arizona Contract No. CTR067414, with Wist Business Supplies & Equipment, in an amount not to exceed \$118,798.94.

Public Works and Utilities

35. Final Adoption of Ordinance No. 5100 Authorizing a Contract and Grant of Easement with the United States of America for Irrigation Facilities Located at the Northwest Corner of Dobson Road and Pecos Road

Move City Council adopt Ordinance No. 5100 authorizing the City of Chandler to enter into a Contract and Grant of Easement with the United States of America for irrigation facilities located at the northwest corner of Dobson Road and Pecos Road in consideration for payment of the market value of the property from CRP/Sparrow Chandler Owner, LLC.

36. Purchase of Vacuum Excavator Truck

Move City Council approve the purchase of an 18" Hydro-Excavator Vacuum Truck, from Haaker Equipment Company, utilizing Sourcewell Contract No. 101221-VTR, in the amount of \$634,753.35

Action Agenda

37. Fiscal Year (FY) 2024-2025 Budget Amendments

Move City Council approve as presented the twenty-five one-time budget amendments totaling \$340,000 and eight ongoing budget amendments totaling \$61,000 for a total of \$401,000 using Council Contingency and authorize staff to transfer appropriation from the Non-Departmental Council Contingency to the respective Departments after final adoption of the FY 2024-25 Budget and Capital Improvement Program (CIP).

Discussion

38. Discussion and Possible Action to Amend the City Council Rules and Procedures to Allow for Public Comment at City Council Subcommittee Meetings and Work Sessions

Move to direct staff to prepare a resolution for City Council consideration to amend the City Council Rules and Procedures, as discussed.

COUNCILMEMBER ORLANDO, based on a request by some citizens, submitted a request to amend the City Council Rules and Procedures to allow for Public Comment at City Council Subcommittee Meetings and Work Sessions.

MAYOR HARTKE introduced this item and said citizens can provide input during study sessions, scheduled public appearances on Thursdays, and regular Council meetings. They can also comment on individual items. This proposal provides a mechanism for citizens to speak at subcommittee meetings and work sessions. A Council resolution changed the process a year and a half ago, and the plan is to discuss, modify, and formalize these changes tonight.

KELLY SCHWAB, City Attorney, said Councilmembers must submit a notice to update the Council when bringing an item forward. The item is then discussed at the study session and the Thursday meeting. If an ordinance or resolution is required, the City Council majority directs the City Attorney to draft the necessary document. Any amendments to the Council rules, such as including public comment for subcommittees and work sessions, must be made by resolution. Tonight's discussion will inform the decision to bring back a resolution with the amended rules and procedures for action at the next Council meeting.

MAYOR HARTKE asked if there would be a motion to pass the resolution on Thursday or if there would just be a consensus for them to draft it, with a vote scheduled for the July meeting.

MS. SCHWAB recommended that a motion giving direction to that effect be made on Thursday if the Council desires it.

COUNCILMEMBER ORLANDO said several residents expressed their desire to speak at Council meetings, work sessions, study sessions, and subcommittees. He commented on instances where residents could not speak at subcommittee meetings due to legal reasons and suggested that the residents put their requests in writing. He also encouraged them to reach out to all Councilmembers, as any changes to policy and procedures would require agreement from all seven Councilmembers. He discussed the issue at a previous meeting and hopes to establish formal procedures for resident participation. Councilmember Orlando also highlighted the history of the Council being one of the first to televise Council meetings and create websites for public outreach. He expressed concern about recent restrictions on dialogue and emphasized the Council's commitment to transparent communication with the community. The goal is to formalize these practices in writing, ensuring that everyone has a say in the decision-making process.

MAYOR HARTKE suggested that up to 15 minutes be allowed at the end of the session for individuals to speak, with a three-minute time limit per person, to avoid interrupting the main discussion. This will provide an opportunity for everyone to contribute. Does anyone else have anything to add to this.

COUNCILMEMBER POSTON said Vice Mayor Harris and Councilmember Stewart participated in a test-run subcommittee meeting. At the meeting, they discussed adjustments that could be made to ensure that everyone had the opportunity to speak and that expectations were clear. Suggestions were made to allow people to speak at the beginning of the meeting, after each agenda item, or at the end. It was proposed to make some changes to the process, including having a clock on the table to manage speaking time. Councilmember Poston expressed that the meeting sometimes felt more like a conversation between attendees and the city staff rather than an opportunity for residents to address the Councilmembers directly. Emphasizing the importance of maintaining a formalized process while allowing for relaxed dialogue in subcommittee meetings, Councilmember Poston advocated for necessary adjustments to enhance the functionality of the process.

MAYOR HARTKE said there are several ways to modify it, including requesting the City Attorney to draft a document, sending it to the Council, and making adjustments.

COUNCILMEMBER POSTON said she would like Vice Mayor Harris and Councilmember Stewart to share their opinions.

VICE MAYOR HARRIS said the subcommittee meeting was productive but expressed concerns about its structure and dynamics. To facilitate efficient and focused discussions, he suggested a strict timekeeping system, parliamentary rules, and a more formal format. In addition, there was a proposal to appoint a designated leader to manage the proceedings. Vice Mayor Harris appreciated the community's input and wanted to minimize unsolicited pitches during the meetings and maintain a sharp focus on the agenda. Vice Mayor Harris sought the Mayor's guidance and input in formalizing these suggestions to enhance the effectiveness of future meetings.

COUNCILMEMBER STEWART said it is essential for transparency, accessibility, and community involvement in Chandler. He discussed the need for a living document that evolves to address community issues and input. He highlighted the benefits of engaging with the public and obtaining diverse perspectives while acknowledging the challenge of balancing special interest groups' advocacy. Additionally, he expressed a desire to allow more time for public input before meetings and stressed the importance of involving the community in decision-making processes. Councilmember Stewart emphasized the significance of open communication, community engagement, and evolving discussions for Chandler's benefit.

COUNCILMEMBER ELLIS said concerns were brought up during the retreat session. She emphasized the importance of maintaining a respectful and professional atmosphere during discussions and stressed that shouting and finger-pointing should not be allowed. Councilmember Ellis highlighted the need for clear guidelines to ensure that all conversations are

respectful and focused on finding solutions. She also emphasized the importance of being accessible and open to communication outside formal meetings.

COUNCILMEMBER ENCINAS said he supports giving residents a voice in the discussions. He emphasized the need for a straightforward procedure for residents to sign up and receive meeting notifications. His main concern is ensuring the meetings maintain high decorum and respect for everyone's time.

MAYOR HARTKE said that the conversation could continue on Thursday. If there are any private ideas, it is recommended that they be shared with the City Attorney, as they cannot be discussed outside of the meeting. However, the conversation can be resumed on Thursday for further discussion and decision-making.

COUNCILMEMBER ORLANDO said this has provided excellent feedback, and the Council can now focus on policy procedures. He supports Councilmember Stewart's point about avoiding sales pitches and sticking to the agenda. Councilmember Orlando emphasized the importance of staying on topic and not engaging in discussions unrelated to the agenda, as it is not lawful. He also suggested briefing the audience on each agenda item to address public concerns efficiently.

VICE MAYOR HARRIS said it may have been better to let them wait until the end because he felt they got a bit off track, which took the staff out of the flow.

COUNCILMEMBER POSTON agreed and mentioned that the discussion had veered off track and the timing was not ideal. She suggested that the subcommittee could have some discretion in deciding when to address questions from the audience, even if it is typically done at the end.

COUNCILMEMBER STEWART said that inviting a knowledgeable resident, such as the young lady who provided valuable information that subcommittee members were unaware of, to a subcommittee meeting for questioning could be very beneficial. He emphasized that providing more input from the public is essential and should be the goal.

COUNCILMEMBER POSTON said there was transparency and good ideas that we could address overall it was great timing.

MAYOR HARTKE said consistency in decision-making is essential. He mentioned that everyone should be able to share their ideas, and a straightforward process would help.

VICE MAYOR HARRIS said that if a person runs out of time while speaking during the meeting, they can still connect with Councilmembers or the staff afterward to continue the dialogue started in the subcommittee meetings. This allows for additional flexibility and encourages residents to engage with staff even after the subcommittee meetings.

Informational

- 39. May 15, 2024, Planning and Zoning Commission Meeting Minutes
- 40. Contracts and Agreements Administratively Approved, Month of May 2024
- 41. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

Adjourn

The meeting was adjourned at 7:45 p.m.

ATTEST: *Dana R. D'Long*
City Clerk

Kevin Harthe
Mayor

Approval Date of Minutes: July 15, 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 24th day of June 2024. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 15th day of July, 2024.

Dana R. D'Long
City Clerk

