

RESULTS



City Council Regular Meeting

Thursday, June 27, 2024
6:00 p.m.

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



Our Vision

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

Our Brand

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

Innovative Focus

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



Back row
Vice Mayor OD Harris, Mayor Kevin Hartke, Councilmember Mark Stewart

Front row
Councilmember Jane Poston, Councilmember Angel Encinas,
Councilmember Matt Orlando, Councilmember Christine Ellis

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, notice is hereby given to the members of the Chandler City Council and to the general public that the Chandler City Council will hold a **REGULAR MEETING** open to the public on Thursday, June 27, 2024, at 6:00 p.m., in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona. One or more members of the Chandler City Council may attend this meeting by telephone.

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

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



Regular Meeting Agenda

City Council Strategic Framework Focus Areas: Legend



Community Safety



Neighborhoods



Quality of Life



Sustainability and Technology



Connectivity



Economic Vitality

Call to Order 6:02 PM

Roll Call

Invocation - Pastor Jeff Caupp, Tri-City Baptist Church

Pledge of Allegiance

Consent Agenda passed unanimously, 6-0, Councilmember Encinas absent excused, and with the exception of Item No. 26, 5-0, Councilmember Poston recused.

Consent Agenda

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

Proposed Motion: Move to approve the Consent Agenda of the June 27, 2024, Regular Meeting, Items 1 - 36.



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.

Council Focus Area(s): 



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.


Council Focus Area(s): 



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.

Council Focus Area(s): 

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.

Council Focus Area(s): 

6. **Final Adoption of Ordinance No. 5101, Rezoning, PLH23-0057 Guerrero Residence, Located at 943, 953 and 963 North Mill Avenue, Generally Located 1/2 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.

Council Focus Area(s): 

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.

Council Focus Area(s): 

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.

Council Focus Area(s): 




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.

Council Focus Area(s): 

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.

Council Focus Area(s): 



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.

Council Focus Area(s): 


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.

Council Focus Area(s): 

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).

Council Focus Area(s): 

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.

Council Focus Area(s): 

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.



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**

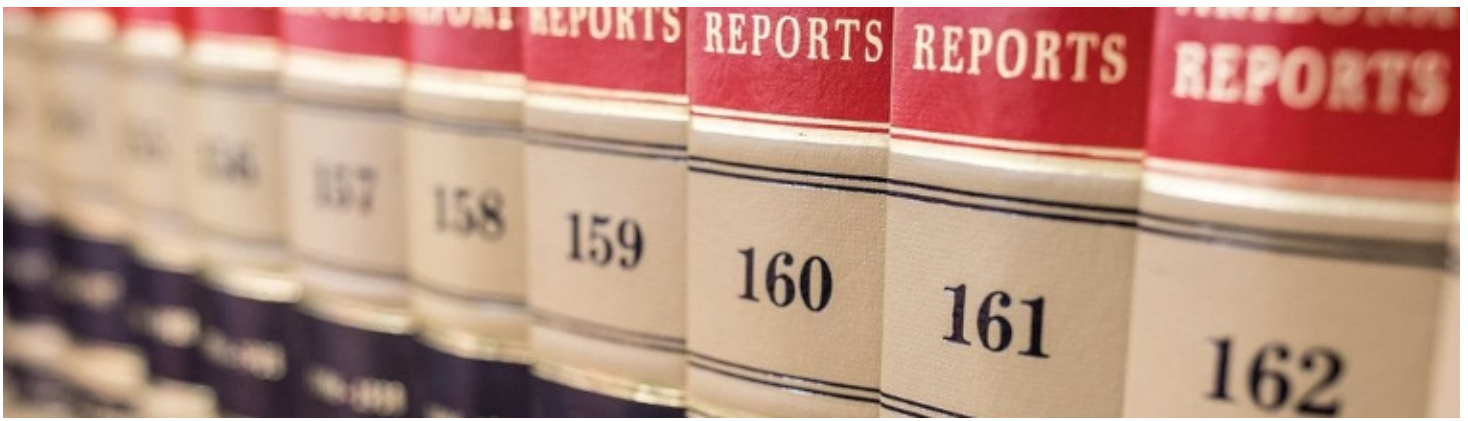
Move City Council pass and adopt Resolution No. 5760, amending Personnel Rule 15, Sections 4, Vacation Leave Accrual; 5, Maximum Accrual of Vacation Credits; 10, Statutory Sick Leave; 14, Bereavement Leave; 15, Military Special Leave; 17, Special Leave without Pay; 18, Extended Special Leave without Pay; 20, Doctor's Release; 21, Payment of Sick Leave; and 23, Administrative Leave

Council Focus Area(s): 

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.

Council Focus Area(s): 



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.

Council Focus Area(s):      

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.

Council Focus Area(s):  


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.

Council Focus Area(s):      

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.

Council Focus Area(s): 


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.

Council Focus Area(s): 


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.

Council Focus Area(s): 

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.

Council Focus Area(s): 



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.

Council Focus Area(s): 


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.

Council Focus Area(s): 


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.

Council Focus Area(s): 

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.


Council Focus Area(s): 



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).

Council Focus Area(s): 

34. **Purchase of Furniture**

Move City Council 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.

Council Focus Area(s): 



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.

Council Focus Area(s): 

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

Council Focus Area(s): 

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).

Council Focus Area(s): 

Passed unanimously 6-0

38. **Discussion and Possible Action to Direct the City Attorney to Prepare a Resolution Amending the City Council Rules and Procedures to Allow for Public Comment at City Council Subcommittee Meetings and Work Sessions**

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

Passed unanimously 6-0

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**

Unscheduled Public Appearances

Current Events

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

Adjourn 6:32 PM