

Meeting Minutes

City Council Regular Meeting

July 18, 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 OD Harris
Councilmember Angel Encinas
Councilmember Christine Ellis
Councilmember Mark Stewart
*Councilmember Matt Orlando
Councilmember Jane Poston

Appointee Attendance

Tadd Wille, Acting City Manager
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Vice Mayor Harris and Councilmember Orlando attended telephonically.

Invocation

The invocation was given by Mayor Hartke.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Poston.

Consent Agenda and Discussion

Airport

1. Job Order Project Agreement No. AI2405.401 with Combs Construction Company, Inc., Pursuant to Job Order Master Agreement No. JOC2406.401, for the Airport Annual Pavement Management
Move City Council award Job Order Project Agreement No. AI2405.401 to Combs

Construction Company, Inc., Pursuant to Job Order Master Agreement No. JOC2406.401, for the Airport Annual Pavement Management, in an amount not to exceed \$305,120.96.

City Clerk

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

City Manager

3. Resolution No. 5818, Approving Amendment No. 6 to the Intergovernmental Agreement for Transit Services Between the Regional Public Transportation Authority and the City of Chandler to Provide Fixed Route Bus, Paratransit, and RideChoice Services
Move City Council pass and adopt Resolution No. 5818, approving amendment No. 6 to the Intergovernmental Agreement for transit services between the Regional Public Transportation Authority and the City of Chandler to provide Fixed Route Bus, Paratransit, and RideChoice services for fiscal year 2024-2025, in an estimated amount of \$759,523.

Communications and Public Affairs

4. Agreement No. CP3-966-4488, Amendment No. 3, for Overflow Photocopying and Printing Services
Move City Council approve Agreement No. CP3-966-4488, Amendment No. 3, with LithoTech, Inc., for overflow photocopying and printing services, in an amount not to exceed \$150,000, for the period of one year, beginning August 25, 2024, through August 24, 2025.

Community Services

5. Agreement No. CS1-967-4327, Amendment No. 3, with Nutrien Ag Solutions, Inc., and Rentokil North America, Inc., dba Target Specialty Products, for Fertilizers, Herbicides, and Pesticides
Move City Council approve Agreement No. CS1-967-4327, Amendment No.3, with Nutrien Ag Solutions, Inc., and Rentokil North America, Inc., dba Target Specialty Products, for fertilizers, herbicides, and pesticides, in a combined amount not to exceed \$290,000, for a one-year term, August 1, 2024, through July 31, 2025.
6. Construction Manager at Risk (CMAR) Construction Services Agreement No. PR2206.401 with Hunter Contracting Co., for the Pickleball and Tennis Courts at Tumbleweed Park, Guaranteed Maximum Price (GMP) No. 1
Move City Council award CMAR Construction Services Agreement No. PR2206.401 to Hunter Contracting Co., for the Pickleball and Tennis Courts at Tumbleweed Park GMP No. 1, in an amount not to exceed \$1,776,697.99.

Development Services

7. Job Order Project Agreement No. DS2201.403 with Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC2409.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Desert Breeze
Move City Council award Job Order Project Agreement No. DS2201.403 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC2409.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Desert Breeze, in an amount not to exceed \$1,307,410.94.

Economic Development

8. Resolution No. 5827, Approving the Acquisition of Approximately 0.88 Acres of Vacant Land Located at the Northwest Corner of Ray Road and Pleasant Drive from HRM CSOK, LLC, for Five Hundred Thousand and no/100ths (\$500,000.00) Dollars, Plus Closing Costs, Phase I Environmental Site Assessment Costs, Escrow Fees, and Other Customary Related or Investigative Costs
Move City Council pass and adopt Resolution No. 5827 approving the acquisition of approximately 0.88 acres (38,333 square feet) of vacant land located at the northwest corner of Ray Road and Pleasant Drive from HRM CSOK LLC, an Idaho Limited Liability Company; authorizing the city's Real Estate Administrator to sign, on behalf of the city, the purchase agreement and other documents necessary to facilitate the acquisition; and authorize an appropriation transfer of the purchase price of Five Hundred Thousand and no/100ths (\$500,000.00) Dollars, plus closing costs, Phase I Environmental Site Assessment costs, escrow fees, and other customary related or investigative costs from the Strategic Opportunities Reserve in the General Fund, Non-Departmental, Designated Reserves account 101.1290.5921 to the General Fund, Economic Development account 101.1520.6111.
9. Agreement with the Greater Phoenix Economic Council (GPEC), Fiscal Year 2024-25, for Regional Economic Development Services, in the amount of \$139,678, for the period of July 1, 2024, through June 30, 2025
Move City Council approve the Fiscal Year 2024-25 agreement with the Greater Phoenix Economic Council (GPEC) for regional economic development services, in the amount of \$139,678, for the period of July 1, 2024, through June 30, 2025.

Fire Department

10. Physical Examinations Appropriation for Fiscal Year (FY) 2024-25
Move that City Council approve the appropriation for Firefighter Physical Examinations for FY 2024-25 in accordance with the IGA with the City of Phoenix, in the amount of \$200,000.
11. Fire and Emergency Medical Dispatch Services Appropriation for Fiscal Year (FY) 2024-25
Move that City Council approve the appropriation for fire and emergency medical

dispatch services for FY 2024-25, in accordance with the current IGA with the City of Phoenix, in the amount of \$1,618,912.

Information Technology

12. Purchase of Electronic Document Management System Professional Services
Move City Council approve the purchase of electronic document system professional services, from InStream, LLC, in the amount of \$129,600.
13. Agreement No. 4613, Amendment No. 1, with Leapgen, LLC, for ERP Analysis Project
Move City Council approve Agreement No. 4613, Amendment No. 1, for the ERP analysis project with Leapgen, LLC, increasing

Law

14. Settlements and Pursuit of Claims in the Multi-District Litigation Matter of In re Aqueous Film-Forming Foams Products Liability Litigation
Move City Council authorize the City of Chandler's participation in settlements with defendant manufacturers named in the public water systems' portion of the Multi-District Litigation matter, In re Aqueous Film-Forming Products Liability Litigation, MDL 2:18-nm-2873-RMG, Case No. 2:23-cv-06881-RMG, relating to damages sustained from products containing per- and poly-fluoroalkyl substances (PFAS) (the "MDL"); authorizing the Director of Public Works & Utilities or his designee, after consultation with the City Attorney's Office, to complete all documentation, verify claims, and execute all releases and agreements on behalf of the City that are necessary to participate in settlements for the public water systems' portion of the MDL; and authorizing the City Attorney and outside counsel to continue to pursue litigation related to PFAS on behalf of the City.

Management Services

15. Liquor License Series 12, Restaurant Liquor License Application for Jared Michael Repinski, Agent, Grow a Pear, LLC, DBA Perfect Pear Bistro
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 297111, a Series 12, Restaurant Liquor License, for Jared Michael Repinski, Agent, Grow a Pear, LLC, DBA Perfect Pear Bistro, located at 2510 W. Chandler Boulevard, Suite 1, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307522.
16. New License Series 12, Restaurant Liquor License Application for Amy S. Nations, Agent, Angie's Food Concepts, LLC, DBA Angie's Prime Grill & Lobster
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 296061, a Series 12, Restaurant Liquor License, for Amy S. Nations, Agent, Angie's Food Concepts, LLC, DBA Angie's Prime Grill & Lobster, located at 4989 W. Ray Road, and approval of the City of Chandler, Series 12,

Restaurant Liquor License No. 307442.

17. New License Series 3, Domestic Microbrewery Liquor License Application for Jeffrey Dean White Jr., Agent, Exasperated Engineer Brewing, LLC, DBA Exasperated Engineer Brewing
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 296544, a Series 3, Domestic Microbrewery Liquor License, for Jeffrey Dean White Jr., Agent, Exasperated Engineer Brewing, LLC, DBA Exasperated Engineer Brewing, located at 1202 E. Bartlett Way, and approval of the City of Chandler, Series 3, Domestic Microbrewery Liquor License No. 307009.
18. Request to Add Sampling Privileges for a Series 9, Liquor Store Liquor License for Steven Patrick Mayer, Agent, Raley's Arizona, LLC, DBA AJ's Fine Foods #87
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 298813, a Series 9 Sampling, Liquor Store License for Steven Patrick Mayer, Agent, Raley's Arizona, LLC, DBA AJ's Fine Foods #87, located at 7131 W. Ray Road, and approval of the City of Chandler Series 9 Sampling, Liquor Store Liquor License No.302442 L9.

Mayor and Council

19. Resolution No. 5825 City Council Rules and Procedures Amendment
Motion City Council pass and adopt Resolution No. 5825 City Council Rules and Procedures amendment to Section VIII - Order of Business to establish a public comment agenda item at City Council work sessions and subcommittee meetings.

Public Works and Utilities

20. Agreement No. PW5-890-4794, with Ferguson Enterprises LLC, for Water Meters
Move City Council approve Agreement No. PW5-890-4794, with Ferguson Enterprises LLC, for water meters, in an amount not to exceed \$3,500,000, for the period of July 1, 2024, through June 30, 2025.
21. Agreement No. PW1-745-4336, Amendment No. 3, with Vincon Engineering Construction, LLC, for Right-of-Way Repairs
Move City Council approve Agreement No. PW1-745-4336, Amendment No. 3, with Vincon Engineering Construction, LLC, for right-of-way repairs, in an amount not to exceed \$200,000, for a one-year period, August 1, 2024, through July 31, 2025.
22. Agreement No. ST0-988-4194, Amendment No. 4, with BrightView Landscape Services, Inc., for Revegetation and Storm Repair Services
Move City Council approve Agreement No. ST0-988-4194, Amendment No. 4, with BrightView Landscape Services, Inc., for revegetation and storm repair services, in an amount not to exceed \$665,000, for a one-year period, August 1, 2024, through July 31, 2025.

23. Agreement No. PW2-988-4516, Amendment No. 2, with BrightView Landscape Services, Inc., for Landscape Maintenance Areas 1 through 4
Move City Council approve Agreement No. PW2-988-4516, Amendment No.2, with BrightView Landscape Services, Inc., for landscape maintenance areas 1 through 4, in an amount not to exceed \$2,965,746, for a one-year period, August 22, 2024, through August 21, 2025.
24. Introduction and Tentative Adoption of Ordinance No. 5104 Granting a Non-Exclusive Power Distribution Easement to Salt River Project Agricultural Improvement and Power District, at No Cost, for Electrical Facilities Necessary for the Reclaimed Water Interconnect Facility (RWIF) Improvements
Move City Council introduce and tentatively adopt Ordinance No. 5104 granting a non-exclusive Power Distribution Easements.

Consent Agenda Motion and Vote

Councilmember Stewart moved to approve the Consent Agenda of the July 18, 2024, Regular City Council Meeting; Seconded by Councilmember Encinas.

Motion carried unanimously (7-0), with the exception of Item No. 8 which passed by majority (6-1), Councilmember Stewart dissenting.

Informational

25. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved
26. Contracts and Agreements Administratively Approved, Month of June 2024
27. Claims Report for the Quarter Ended June 30, 2024

Unscheduled Public Appearances

None.

Current Events

Mayor's Announcements

MAYOR HARTKE recognized newly appointed Board and Commission members.

MAYOR HARTKE spoke about Operation Back to School, where volunteers in the community provided needed supplies for Chandler students returning to school.

MAYOR HARTKE highlighted the Chandler Neighborhood Excellence Awards, the annual awards recognizing Chandler neighborhoods for their participation in GAIN and Chandler neighborhood leaders. Nominations are open online for this year's awards.

MAYOR HARTKE provided information about the Chandler Summer Reading Challenge, a great event for Chandler libraries and a great way for readers to challenge themselves to explore new adventures.

Council's Announcements

COUNCILMEMBER ELLIS thanked the volunteers and organizations that made Operation Back to School a success.

COUNCILMEMBER ELLIS provided information about the Neighborhood Registration Program, where neighbors can receive updates on city programs, services, and events and to become eligible for financial assistance through the Neighborhood Assistance Program.

COUNCILMEMBER ELLIS shared condolences to the family of Ebonee Flack Sifuentes.

COUNCILMEMBER STEWART congratulated Leah Powell, Neighborhood Resources Director, for her achievements in winning the Gabe Zimmerman Community Builder Award.

COUNCILMEMBER STEWART thanked community members for bringing focus to Item 19 regarding Council Rules and Procedures to enhance for community engagement.

City Manager's Announcements

None.

Adjourn

The meeting was adjourned at 6:17 p.m.

ATTEST: _____

City Clerk

Mayor

Approval Date of Minutes: August 12, 2024

Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of Regular Meeting of the City Council of Chandler, Arizona, held on the 18th day of July 2024. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of August, 2024.

City Clerk