

Meeting Minutes

City Council Regular Meeting

September 12, 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 6:00 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

*Vice Mayor Harris attended telephonically.

Invocation

The invocation was given by Mr. Don Mowzoon, Chandler Community of Baha'i Faith.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Stewart.

Consent Agenda and Discussion

City Clerk

1. Boards and Commissions Member Appointments
Move to approve the Council meeting minutes of the Work Session of April 19, 2024, Study Session of April 19, 2024, the Special Meeting - Micro Retreat of April 21, 2024, the Special Meeting of April 22, 2024, and the Regular Meeting of April 22, 2024.

Community Services

2. Agreement No. CS2-595-4335, Amendment No. 3, with Pioneer Landscape Centers, Inc., for Rock, Granite, and Miscellaneous Supplies
Move City Council approve Agreement No. CS2-595-4335, Amendment No. 3, with Pioneer Landscape Centers, Inc., for rock, granite, and miscellaneous supplies, in an amount not to exceed \$795,000, for a one-year period, September 1, 2024, through August 31, 2025.
3. Construction Agreement No. PR2206.401, Change Order No. 1, with Hunter Contracting Co., for the Tumbleweed Park Pickleball Complex
Move City Council award Construction Agreement No. PR2206.401, Change Order No. 1, to Hunter Contracting Co., in the amount of \$8,415,866.94, for the Tumbleweed Park Pickleball Complex.
4. Professional Services Agreement No. PR2206.452, with Dibble CM, LLC, for the Tumbleweed Park Pickleball Complex Construction Management Services
Move City Council award Professional Services Agreement No. PR2206.452 to Dibble CM, LLC, for the Tumbleweed Park Pickleball Complex Construction Management Services, in an amount not to exceed \$482,135.
5. Agreement No. CS4-958-4774, with Artistic Land Management, Inc., BrightView Landscape Services, Inc., Grounds Control, LLC, and West Coast Arborists, Inc., for the Supply and Installation of Trees
Move City Council approve Agreement No. CS4-958-4774, with Artistic Land Management, Inc., BrightView Landscape Services, Inc., Grounds Control, LLC, and West Coast Arborists, Inc., for the supply and installation of trees, in a combined amount not to exceed \$767,000, for a three-year term, September 13, 2024, through September 12, 2027, with the option to extend through June 30, 2028.

Development Services

6. Resolution No. 5835, Authorizing a License Agreement between Summit Infrastructure Group, LLC, and the City of Chandler for the Use of Public Property for the Establishment of Class 4 and Class 5 Telecommunications Systems
Move City Council pass and adopt Resolution No. 5835, authorizing the Mayor to execute the license agreement between Summit Infrastructure Group, LLC, and the City of Chandler for the use of facilities in the city's rights-of-way and public places to establish Class 4 and Class 5 Telecommunications Systems, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.
7. Resolution No. 5834, authorizing an amended and restated license agreement between Teleport Communications of America, LLC, and the City of Chandler for the Use of Public Property for the Establishment of Class 4 and Class 5 Telecommunications Systems

Move City Council pass and adopt Resolution No. 5834, authorizing the Mayor to execute the amended and restated license agreement between the Teleport Communications of America, LLC, and the City of Chandler for the Use of Facilities in the City's Rights-of-Way and Public Places to Establish Class 4 and Class 5 Telecommunications Systems, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.

8. Resolution No. 5832, Annexation of Maricopa County Right-of-Way Located on Cooper Road Between Alamosa Drive and Riggs Road
Move City Council pass and adopt Resolution No. 5832 approving annexation of county right-of-way located on Cooper Road between Alamosa Drive and Riggs Road, contingent upon approval by Maricopa County.
9. Preliminary Development Plan, PLH23-0065 Magnolia, Located ¼ Mile East of the Northeast Corner of Cooper Road and Riggs Road
Move City Council approve Preliminary Development Plan PLH23-0065 Magnolia, for single-family housing product to be constructed in a new subdivision, subject to the conditions as recommended by Planning and Zoning Commission.
10. Preliminary Development Plan, PLH24-0009 Chandler and Cooper Retail - Shops A, Located at the Northwest Corner of Cooper Road and Chandler Boulevard
Move City Council approve Preliminary Development Plan PLH24-0009 Chandler and Cooper Retail - Shops A, for a new drive-through building, subject to the conditions as recommended by Planning and Zoning Commission.
11. Use Permit, PLH24-0006 Ponderosa Dispensary, 318 S. Bracken Lane, Generally Located 1/2 Mile South of Chandler Boulevard and 1/4 mile east of Price Road
Move City Council approve Use Permit PLH24-0006 Ponderosa Dispensary, extending the annual time condition allowing the dispensary to operate in conjunction with marijuana cultivation and infusion facility, subject to the conditions recommended by Planning and Zoning Commission.
12. Entertainment Use Permit, PLH24-0014 Celoni Hospitality, LLC, DBA Recreo Cantina, 28 S San Marcos Place, Generally Located ¼ Mile South of the Southwest Corner of Arizona Avenue and Chandler Boulevard
Move City Council approve Entertainment Use Permit, PLH24-0014 Celoni Hospitality, LLC, DBA Recreo Cantina, to continue to allow live indoor and outdoor entertainment subject to the conditions recommended by Planning and Zoning Commission.
13. Entertainment Use Permit, PLH22-0056 Topsy Egg & The Uncommon, 1 E Boston Street, Generally Located ¼ Mile South of the Southeast Corner of Arizona Avenue and Chandler Boulevard

Move City Council approve Entertainment Use Permit, PLH22-0056 Tippy Egg & The Uncommon, to continue to allow live indoor and outdoor entertainment subject to the conditions recommended by Planning and Zoning Commission.

14. Entertainment Use Permit PLH24-0013 Showcase Legends Bar & Grill, 2386 N Alma School Road, Generally Located North of the Northwest Corner of Alma School and Warner Roads
Move City Council approve Entertainment Use Permit, PLH24-0013 Legends Showcase Bar & Grill, to allow for indoor live entertainment, speakers and television screens subject to the conditions recommended by Planning and Zoning Commission.
15. Entertainment Use Permit, PLH24-0007 Sawtooth Bar and Grill, 4929 W Ray Road, Generally Located at the Southeast Corner of Ray and Rural Roads
Move City Council approve Entertainment Use Permit, PLH24-0007 Sawtooth Bar and Grill, to continue to allow live indoor entertainment and entertainment, speakers and television screens, subject to the conditions recommended by Planning and Zoning Commission.
16. Use Permit, PLH24-0008 Fun Fusion Learning Center, 4640 E Peach Tree Drive, Generally Located 1/4 Mile North and West of Hunt Highway and Val Vista Drive (APPLICANT REQUESTS WITHDRAWAL)
Move City Council withdraw PLH24-0008 Fun Fusion Learning Center, Use Permit to allow residential childcare for up to 10 children in an existing single family home as requested by the applicant.

Facilities and Fleet

17. Agreement No. BF2-910-4417, Amendment No. 2, for Janitorial Services
Move City Council approve Agreement No. BF2-910-4417, Amendment No. 2, with Universal Building Maintenance, LLC, DBA Allied Universal Services, for janitorial services, in an amount not to exceed \$548,720.28, for the period of one year, beginning June 15, 2024, through June 14, 2025.
18. Purchase of Carpet Installation Services
Move City Council approve the purchase of carpet installation services for the Sunset Branch Library, from Wholesale Floors, LLC, utilizing the State of Arizona Contract No. CTR072520, in an amount not to exceed \$113,529.44.

Fire Department

19. Purchase of Ambulances
Move City Council approve the purchase of one 2024 Horton 623 Type-I Custom Ambulance, in the amount of \$398,638, and authorize the order placement of nine Horton 623 Type-I Custom Ambulances, in the amount of \$4,283,653, to be paid upon vehicle delivery in future fiscal years from enterprise funds utilizing future year budget appropriation, from Professional Sales and Service, L.C., utilizing the HGAC Contract No. AM-10-23.

Management Services

20. Resolution No. 5837 Authorizing the Submittal of a \$25,000 Pass-Through Indian Gaming Application from AZCEND to Gila River Indian Community
Move City Council pass and adopt Resolution No. 5837 authorizing the submittal of a \$25,000 pass-through Indian Gaming Revenue Sharing Grant Application from AZCEND to the Gila River Indian Community for Nutritious Food Boxes for Low-Income Children and Families.
21. Agreement No. 4481, Amendment No. 1, Financial Advisory Services
Move City Council approve Agreement No. 4481, Amendment No. 1, with Piper Sandler & Co., for financial advisory services, for a period of two years, beginning July 1, 2024, through June 30, 2026.
22. License Series 12, Restaurant Liquor License Application for Suman Kalyan Chowdary Kadiyala, Agent, SRI Delights, LLC, DBA Panchakattu Indian Cuisine
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 301057, a Series 12, Restaurant Liquor License, for Suman Kalyan Chowdary Kadiyala, Agent, SRI Delights, LLC, DBA Panchakattu Indian Cuisine, located at 5865 W. Ray Road, Suite 6, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307198.
23. New License Series 10, Beer and Wine Store Liquor License Application for Camila Alarcon, Agent, Goosies Wine Shop, LLC, DBA Goosies Wine Shop
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 299721, a Series 10, Beer and Wine Store Liquor License, for Camila Alarcon, Agent, Goosies Wine Shop, LLC, DBA Goosies Wine Shop, located at 2050 N. Alma School Road, Suite 4, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 307842.
24. Liquor License Series 12, Restaurant Liquor License Application for Ysena Marie Pimental, Agent, AY Holdings, LLC, DBA Mexico Magico Restaurant & Cantina
Move for recommendation to the State Department of Liquor Licenses and Control (DLLC) for approval of the State Liquor Job No. 296469, a Series 12, Restaurant Liquor License, for Ysena Marie Pimental, Agent, AY Holdings, LLC, DBA Mexico Magico Restaurant & Cantina, located at 474 W. Ray Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307875.
25. Liquor License Series 12, Restaurant Liquor License Application for Carlos Demetrius Howard, Agent, Sneaker Heads Sports Bar, LLC, DBA Sneaker Heads
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 301036, a Series 12, Restaurant Liquor License, for Carlos Demetrius Howard, Agent, Sneaker Heads Sports Bar, LLC, DBA Sneaker Heads, located at 3002 N. Arizona Avenue, Suite 18, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307694.

26. Liquor License Series 12, Restaurant Liquor License Application for Josh Ryan Carstens, Agent, Vero RP, LLC, DBA Vero Chicago Pizza-West Chandler
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 300191, a Series 12, Restaurant Liquor License, for Josh Ryan Carstens, Agent, Vero RP, LLC, DBA Vero Chicago Pizza-West Chandler, located at 2855 W. Ray Road, Suite 5, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307923.
27. License Series 10, Beer and Wine Store Liquor License Application for Wassim Nazih Suliman, Agent, F & W Gas, LLC, DBA Arco AM PM #42525
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 300299, a Series 10, Beer and Wine Store Liquor License, for Wassim Nazih Suliman, Agent, F & W Gas, LLC, DBA Arco AM PM #42525, located at 1735 S. Cooper Road, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 307677.
28. New Tele-Track Wagering Facility Site for TP Racing, LLLP, DBA Turf Paradise
Move for recommendation for approval of the application for a Tele-Track Wagering Facility Site license within Trophy Sports+Cards+Spirits, located at 2551 W. Queen Creek Road, Suite 4, for TP Racing, LLLP, DBA Turf Paradise.

Mayor and Council

29. Ordinance No. 5109, Forming a Resident Bond Exploratory Committee
Move Council pass and adopt Ordinance No. 5109, forming a Resident Bond Exploratory Committee, including a Steering Committee and Subcommittees, to review and identify programs requiring financing and to make recommendations to the Council regarding the use of bond financing.

Police Department

30. Resolution No. 5839, Intergovernmental Agreement with Mesa Unified School District No. 4 for Police Department Security Camera System Emergency Access
Move City Council adopt Resolution No. 5839, approving an Intergovernmental Agreement granting the Chandler Police Department emergency access to the Mesa Unified School District No. 4 Security Camera System; and authorize the Chief of Police, as designated by the City Manager, to conduct all negotiations and to execute and submit all documents necessary in connection with such an agreement.
31. Agreement No. PD3-200-4510, Amendment No. 3, with FX Tactical, LLC, and Skaggs Companies, Inc., for Police Uniforms
Move City Council approve Agreement No. PD3-200-4510, Amendment No. 3, with FX Tactical, LLC, and Skaggs Companies, Inc., for police uniforms, in an amount not to exceed \$350,000, for a one-year period, September 1, 2024, through August 31, 2025.

32. Purchase of Cloud Conversion and Annual Support and Maintenance Services for the Police Records Management System and Computer Aided Dispatch System
Move City Council approve the purchase of computer aided dispatch (CAD) and records management system (RMS) annual support and maintenance services, from Versaterm Public Safety, Inc., for a period of three years, beginning August 1, 2024, through July 31, 2027, in an amount not to exceed \$533,458 in the first year, and authorize a payment not to exceed \$99,250 for the RMS cloud conversion.
33. Purchase of 9-1-1 Call-Handling Equipment for the State of Arizona 9-1-1 System Conversion
Move City Council approve the purchase of 9-1-1 call-handling equipment, utilizing the State of Arizona Contract No. CTR055782, with AT&T Corp., in an amount not to exceed \$1,327,644.57 for Fiscal Years 2024-2025 through 2029-2030, and authorize an appropriation transfer of \$536,153 from the General Fund, Non-Departmental, Contingency Account to the General Fund, Police Department, Communications Division, Other Expense Account.
34. Payment to Support the City of Chandler Radio System Infrastructure
Move City Council approve the payment to the City of Phoenix, in an amount not to exceed \$579,849, for the Fiscal Year 2024-25 participation in the Regional Wireless Cooperative (RWC), including operations and maintenance costs, the system upgrade agreement, and narrow banding.

Public Works and Utilities

35. Agreement No. 4800, with Ferguson Enterprises, LLC, for the Advanced Metering Infrastructure Project
Move City Council approve Agreement No. 4800, with Ferguson Enterprises, LLC, for the AMI project, in an amount not to exceed \$14,000,000.
36. Purchase of Water Maintenance Basin Recoating Services
Move City Council approve the purchase of water maintenance piping recoating services, from Joseph Painting Company, Inc., dba JPCI Services, utilizing Town of Gilbert Agreement No. 321000003, in an amount not to exceed \$223,000.
37. Job Order Project Agreement No. WA2403.401, with WaCo, LLC, dba WaCo Contracting, Pursuant to Job Order Master Agreement No. JOC2418.401, for the Small Water Valve Replacements
Move City Council award Job Order Project Agreement No. WA2403.401, to WaCo, LLC, dba WaCo Contracting, pursuant to Job Order Master Agreement No. JOC2418.401, for the Small Water Valve Replacements, in an amount not to exceed \$1,800,847.17.
38. Professional Services Agreement No. WA2403.451, with Sunrise Engineering, LLC, for the Small Water Valve Replacements Construction Management Services

Move City Council award Professional Services Agreement No. WA2403.451, to Sunrise Engineering, LLC, for the Small Water Valve Replacements Construction Management Services, in an amount not to exceed \$272,814.

39. Purchase of Valve Truck
Move City Council approve the purchase of a 2024 Ford F550 Valve Truck, from San Tan Ford, utilizing State of Arizona Contract No.CTR059323, in the amount of \$227,047.81.
40. Introduction of Ordinance No. 5106 Granting a Non-Exclusive Power Distribution Easement to Salt River Project Agricultural Improvement and Power District, at No Cost, for Electrical Facilities Relocation Required as Part of the Chandler Heights Road Improvement Project
Move City Council introduce and tentatively adopt Ordinance No. 5106 granting a non-exclusive power distribution easement to SRP, at no cost, for electrical facilities relocation required as part of the Chandler Heights Road Improvement Project.
41. Professional Services Agreement No. WW2401.201, Amendment No. 1, with Wilson Engineers, LLC., for the Water Reclamation Facility Improvements Phase 3 Design Services
Move City Council award Professional Services Agreement No. WW2401.201, Amendment No. 1, to Wilson Engineers, LLC., for the Water Reclamation Facility Improvements Phase 3 Design Services, in the amount of \$1,027,795.60.
42. Purchase of Streetlights, Signals, and Intelligent Transportation Systems Components
Move City Council approve the purchase of streetlights, signals, and ITS components, from CS Construction, Inc., utilizing Town of Gilbert Contract No. 323000238, in an amount not to exceed \$460,000.
43. Purchase of Traffic Signal Poles and Components
Move City Council approve the purchase of traffic signal poles and components, from Solar Traffic Controls, LLC, utilizing Maricopa County Agreement No. 200125-C, in an amount not to exceed \$150,000.
44. Purchase of Refrigerated Liquid Carbon Dioxide
Move City Council approve the purchase of refrigerated liquid carbon dioxide, from Reliant Gases, Ltd., utilizing City of Glendale Contract No. C20-0792, in an amount not to exceed \$300,000.
45. Professional Services Agreement No. ST1614.451, Amendment No. 4, with Ritoch-Powell & Associates Consulting Engineers, Inc., for the Chandler Heights Road Improvements (McQueen Road to Gilbert Road) Construction Management Services
Move City Council award Professional Services Agreement No. ST1614.451, Amendment No. 4, to Ritoch-Powell & Associates Consulting Engineers, Inc., for the Chandler Heights Road Improvements (McQueen Road to Gilbert Road) Construction Management Services, increasing the contract limit by \$288,991.78.

46. Purchase of Pavement Maintenance Materials
Move City Council approve the purchase of pavement maintenance materials, from Pavement Restoration, Inc., utilizing Pinal County Contract No. 240328, in an amount not to exceed \$306,801.
47. Agreement No. 4521, Amendment No. 2, Supervisory Control and Data Acquisition (SCADA) Maintenance Services
Move City Council approve Agreement No. 4521, Amendment No. 2, with Schneider Electric Systems USA, Inc., for the sole source purchase of SCADA maintenance services, in an amount not to exceed \$146,102, for the period of one year, July 1, 2024, through June 30, 2025.
48. Resolution No. 5833 Authorizing a Grant Application for, and Acceptance of Grant Funds from, the Community Grants Program Administered by the U.S. Environmental Protection Agency (EPA) in the Amount of \$3,000,000
Move City Council pass and adopt Resolution No. 5833 authorizing a grant application for, and acceptance of grant funds from, the Community Grants Program Administered by the U.S. EPA in the amount of \$3,000,000.

Consent Agenda Motion and Vote

Councilmember Orlando moved to approve the Consent Agenda of the September 12, 2024, Regular City Council Meeting; Seconded by Councilmember Encinas.

Motion carried unanimously (7-0).

Informational

48. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved
49. Contracts and Agreements Administratively Approved, Month of August 2024

Unscheduled Public Appearances

JAMES PAYNE, 2209 W. Colt Rd., shared his experiences about living in the Orangetree neighborhood. Mr. Payne spoke about maintaining the open park space as a dual-purpose stormwater retention basin and a public park for the benefit of the neighborhood. Mr. Payne thanked his neighbors for their support.

MARY ELLEN ATTENUCCI, 2406 N. Palomino Ct., spoke about a professional looking park in the Orangetree neighborhood that will accommodate all residents. There are a lot of park users in the neighborhood that would use a walking path. Neighbors want a park that is done well and provides space for the new neighbors as well as the established neighborhood.

TY SHERMON, 2518 W. El Alba Way, spoke about if the retention basin was turned into a gated gravel area, property values would decrease. Mr. Shermon requested a park be built in the area.

MAYOR HARTKE asked staff to follow up.

COUNCILMEMBER ENCINAS requested an update on the development of the new neighborhood.

Current Events

Mayor's Announcements

MAYOR HARTKE provided an update regarding the Arizona League of Cities and Towns Annual Conference, which was attended by City Council and the Mayor's Youth Commission. Working with Arizona's cities and towns is a great opportunity for City Council and the Mayor's Youth Commission.

MAYOR HARTKE announced the Getting Arizona Involved in Neighborhoods GAIN kickoff event, which will begin at 9:00 a.m. on Saturday, September 14.

Council's Announcements

COUNCILMEMBER ENCINAS announced the beginning of Contigo events in Chandler to celebrate Hispanic Heritage Month, including the Quinceañera Fashion Show Fiesta at Hamilton Library on September 14, Lowrider Storytime at the Downtown Library on September 16, and Movie Night at LOOK Cinema on September 22.

COUNCILMEMBER ELLIS provided information about the Midwest Food Bank Out Drive Hunger Golf Classic on September 26, beginning at 8:00 a.m., to benefit the food bank's mission of feeding the community.

COUNCILMEMBER ELLIS announced Chandler Domestic Violence Commission's 16th Annual Domestic Violence Awareness event on September 24, beginning at 10:00 a.m., and Candlelight Vigil on October 24, beginning at 5:30 in the City Hall Courtyard for Domestic Violence Awareness.

COUNCILMEMBER STEWART spoke about Constitution Day event held on September 17, beginning at 8:30 a.m. in the City Hall Courtyard to celebrate and reflect on the cornerstone of America's constitutional republic.

COUNCILMEMBER ORLANDO said the Softball Field Opening Event was a great success and thanked Mayor, Council, and staff.

COUNCILMEMBER POSTON announced the opening of ACT Medical Park in Chandler, which will host cutting-edge medical and research services.

None.

The meeting was adjourned at 6:25 p.m.

Approval Date of Minutes: October 14, 2024

DATED this _____ day of October, 2024.

City Clerk