

Meeting Minutes

City Council Study Session

July 14, 2025 | 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 6:34 p.m.

Roll Call

Council Attendance

Mayor Kevin Hartke
Vice Mayor Christine Ellis
Councilmember Angel Encinas
Councilmember Jane Poston
Councilmember Matt Orlando
*Councilmember OD Harris
Councilmember Jennifer Hawkins

Appointee Attendance

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

*Councilmember Harris attended virtually.

Consent Agenda and Discussion

Discussion was held on item 7.

Airport

1. Construction Agreement with Combs Construction Company, Inc., for Hangar Area Pavement Reconstruction
Move City Council award Construction Agreement No. AI2501.401 to Combs Construction Company, Inc., for Hangar Area Pavement Reconstruction, in an amount not to exceed \$4,459,866.95.
2. Professional Services Agreement with Dibble CM LLC for the Hangar Area Pavement Reconstruction Construction Management Services

Move City Council award Professional Services Agreement No. AI2501.451 to Dibble CM LLC for the Hangar Area Pavement Reconstruction Construction Management Services, in an amount not to exceed \$162,944.

3. Job Order Project Agreement No. AI2502.401 with SDB, Inc., Pursuant to Job Order Master Agreement No. JOC2402.401, for Annual Airport Pavement Maintenance
Move City Council award Job Order Project Agreement No. AI2502.401 to SDB, Inc., pursuant to Job Order Master Agreement No. JOC2402.401, for Annual Airport Pavement Maintenance, in an amount not to exceed \$222,589.22.

Community Services

4. Agreement No. CS1-967-4327, Amendment No. 4, 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.4, 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 \$200,000, for a one-year term, August 1, 2025, through July 31, 2026.
5. Job Order Project Agreement No. PR2504.402 with Hunter Contracting Co., Pursuant to Job Order Master Agreement No. JOC2419.401, for the Veterans Memorial Phase 3 Recognition Panels
Move City Council award Job Order Project Agreement No. PR2504.402 to Hunter Contracting Co., pursuant to Job Order Master Agreement No. JOC2419.401, for the Veterans Memorial Phase 3 Recognition Panels, in an amount not to exceed \$266,880.08.

Development Services

6. Introduction and Tentative Adoption of Ordinance No. 5131, Rezoning and Preliminary Development Plan, PLH24-0035 California Duplex, Generally Located 1/2 mile South of the Southwest Corner of Chandler Boulevard and Arizona Avenue (Continued from the Regular Meeting of June 12, 2025)
Rezoning
Move City Council introduce and tentatively adopt Ordinance No. 5131, approving PLH24-0035 California Duplex, Rezoning from Planned Area Development (PAD) for Single-Family Residential to PAD for a Duplex, subject to the conditions as recommended by Planning and Zoning Commission.
Preliminary Development Plan
Move City Council approve Preliminary Development Plan PLH24-0035 California Duplex for site layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

7. Introduction and Tentative Adoption of Ordinance No. 5133, Sign Code Text Amendment, PLH25-0013 Temporary Signs in the Right-of-Way
Move City Council introduce and tentatively adopt Ordinance No. 5133 authorizing the removal of illegal temporary signs in the public right-of-way and requiring them to be marked with the name and telephone number of the person or entity responsible for erecting the sign.

COUNCILMEMBER HARRIS asked how the ordinance would prevent false signage that targets or attacks citizens or businesses.

KELLY SCHWAB, City Attorney, clarified that the ordinance does not regulate the content of signs and does not address false statements or related issues within signage.

COUNCILMEMBER HARRIS asked whether the ordinance could be amended to ensure it addresses false or misleading signage.

MS. SCHWAB explained that there are several legal issues involved when attempting to regulate the content of signs. She offered to provide a more detailed discussion and legal advice on the matter, recommending that such a discussion take place in an executive session rather than in the open meeting.

COUNCILMEMBER HARRIS asked to go into executive session to discuss the legal concerns regarding the ordinance.

MAYOR HARTKE acknowledged Councilmember Harris's request, noting that no immediate action could be taken due to posting requirements. He said the item would be addressed at Thursday's meeting and stressed the importance of moving forward to ensure the ordinance is in place before the November election. He added that any content concerns could be discussed separately and agreed to revisit the issue once Councilmember Harris returns.

COUNCILMEMBER HARRIS asked whether the issue would be addressed before Thursday and requested clarification on the timeline being discussed.

MAYOR HARTKE recommended proceeding with the item as it currently stands, with the option of amending it later if necessary. He also supported the City Attorney's suggestion to address any additional legal concerns in a future executive session.

COUNCILMEMBER HARRIS asked to discuss the issue in an executive session before Thursday, seeking additional legal input to inform his decision more effectively.

MAYOR HARTKE said while there may be interest in the Council to discuss the issue further, the matter cannot be delayed tonight. Mayor Hartke added that a separate conversation would be more appropriate unless a majority of Councilmembers disagree.

COUNCILMEMBER ORLANDO asked what the city can do if someone intentionally shares false information. He wanted to know if that was the main issue they were talking about.

MS. SCHWAB said that constitutional and Supreme Court cases govern content regulation. She noted that whenever the city tries to regulate the content of signs, whether truthful or not, legal issues arise that must be considered. However, individuals who believe a sign contains false information about them may have other ways to address those concerns. She added that it is uncommon for cities to regulate sign codes based on the content or truthfulness of the signs.

COUNCILMEMBER ORLANDO said he knew some research had been done recently. He wasn't sure if this was the first time the issue had come up. He remembered discussing it before the issue was brought up, but didn't know it was still unresolved. He said he wanted to understand what the city can and can't do. He asked if they could obtain a clear summary by Thursday regarding what they want to do, what individuals can do, and what actions are possible.

MS. SCHWAB said she would be happy to send out that information. She explained that this is not a new issue, it's something the city has dealt with for many years. While she didn't have a summary ready, she said she could put one together.

COUNCILMEMBER ORLANDO said that sounded fair and added it might help answer the other Councilmember's questions.

COUNCILMEMBER POSTON asked for clarification on the timing of the ordinance. She also requested a brief overview of what the ordinance entails.

MS. SCHWAB said if the Council approves the ordinance on Thursday, it will come back for final approval in August. Signs for the November 4 election can start going up in late August, 71 days before the election. She explained there would be a short time when signs could be posted before the new rules take effect. If the ordinance is approved, that time could be used to inform the public, and the city could start enforcing the rules in early September.

COUNCILMEMBER POSTON asked for clarification, confirming that the ordinance requires two readings, and said that's part of the issue being discussed.

MS. SCHWAB said that is part of the issue, explaining that according to the city charter, two readings are required.

VICE MAYOR ELLIS asked for a quick explanation to help the public understand why this is being discussed now. She said people have the right to speak freely, even on signs, and the city can't stop that. Vice Mayor Ellis asked what the ordinance aims to accomplish and what rules people would have to follow when posting signs.

MS. SCHWAB said the proposed ordinance would require all temporary signs to include contact information for the person responsible. This would help staff reach out if there's a problem, such as an issue with a campaign finance, or political signs, and give that person a chance to fix it. Ms. Schwab explained that the current city code doesn't require contact information for temporary signs and only limited information for political signs. Because the Supreme Court has ruled that cities can't treat sign types differently under the First Amendment, this rule would apply to all temporary signs in Chandler.

VICE MAYOR ELLIS asked if the city would be allowed to remove a sign if the required contact information is not included.

MS. SCHWAB said that once the ordinance goes into effect, the city would be allowed to remove signs that do not include the required contact information.

VICE MAYOR ELLIS said in that case, the city is following through on what was initially intended with the ordinance.

MS. SCHWAB confirmed that it was the direction given by the Council.

VICE MAYOR ELLIS asked what could happen if the city tries to regulate sign content. She mentioned that during the last two elections, they weren't allowed to do that and wanted to know what's different now.

MS. SCHWAB said the law has not changed and the First Amendment still provides strong protections for free speech, especially political speech. She explained that the city must remain neutral and avoid regulating viewpoints, as doing so could lead to legal challenges.

VICE MAYOR ELLIS asked if that means the city could face lawsuits.

MS. SCHWAB said yes.

COUNCILMEMBER HARRIS stated that an executive session is necessary to discuss this further. He said there are many questions about the First Amendment and that this is about content rules. He pointed out a difference between political signs and problems between businesses, such as if one business puts up false or negative signs about another. He wants to ensure the city protects businesses and people while signs are displayed in public. He said the discussion should focus on solving these real issues, not just on legal rights.

MAYOR HARTKE said he knows Ms. Schwab is hesitant to discuss this openly right now. He's open to holding an executive session soon to go over it in more detail. While others can propose postponing the vote at Thursday's meeting, he doesn't support delaying because he wants the ordinance approved before the election. He's willing to participate in a future executive session to continue the discussion.

COUNCILMEMBER HARRIS thanked those supporting an executive session but expressed concern about approving the ordinance during an open meeting. He emphasized that many of his questions are still unanswered and that voting without clear answers would be unfair to himself, his constituents, and the people of Chandler. He again requested that his questions be addressed before the Thursday meeting.

MAYOR HARTKE thanked everyone and said they will wait to see what Council decides on Thursday.

8. Resolution No. 5921, Authorizing Amendment No. 1 to the existing License Agreement between Bicentel, LLC, and the City of Chandler for the Use of Public Property for the establishment of Class 4 and Class 5 Telecommunications Systems, for Joint Use and Construction of Telecommunications Facilities

Move City Council pass and adopt Resolution No. 5921, authorizing the City Manager's designee to execute Amendment No. 1 to the license agreement between Bicentel, LLC, and the City of Chandler for a joint use fiberoptic conduit project and concurrently approving an appropriation transfer from General Fund, Non-Departmental Cost Center, Contingency Account, in the amount of \$1,594,862, to the General Funds, Development Services Capital Projects Cost Center, Professional Services, Citywide Fiber Upgrades Program Account.

9. Area Plan Update, PLH25-0030 Downtown Region Area Plan, generally bounded by Ray Road, McQueen Road, Santan 202 Freeway, and Alma School Road

Move City Council withdraw the request to adopt the Downtown Region Area Plan, which will establish future land uses, objective design standards, and related goals and policies, and will also replace the current Downtown-South Arizona Corridor Area Plan in totality, and bringing forward to Council at the September 18, 2025, meeting.

Economic Development

10. Resolution No. 5920 Agreement with the Greater Phoenix Economic Council (GPEC), Fiscal Year 2025-26, for Regional Economic Development Services, in the amount of \$140,222, for the period of July 1, 2025, through June 30, 2026

Move City Council pass and adopt Resolution No. 5920, approving the Fiscal Year (FY) 2025-26 Agreement between the City of Chandler and the Greater Phoenix Economic Council (GPEC) for regional economic development services, in the amount of \$140,222, for the period of July 1, 2025, through June 30, 2026.

Facilities and Fleet

11. Professional Services Agreement with Kitchell/CEM, Inc. (CA Corp) for the Boys and Girls Club Tenant Improvements Construction Management Services
Move City Council award Professional Services Agreement No. BF2401.451 to Kitchell/CEM, Inc. (CA Corp) for the Boys and Girls Club Tenant Improvements Construction Management Services, in an amount not to exceed \$152,716.78.
12. Job Order Project Agreement No. BF2401.401 with Chasse Building Team, Inc. (AZ Corp), Pursuant to Job Order Master Agreement No. JOC2407.401, for the Boys and Girls Club Tenant Improvements
Move City Council award Job Order Project Agreement No. BF2401.401 to Chasse Building Team, Inc. (AZ Corp), Pursuant to Job Order Master Agreement No. JOC2407.401, for the Boys and Girls Club Tenant Improvements, in an amount not to exceed \$1,575,703.93.
13. Purchase of Vehicles and Upfitting
Move City Council approve the purchase of vehicles and upfitting, using multiple vendors under State of Arizona contracts, in a combined amount not to exceed \$3,421,076.

Information Technology

14. Agreement No. 4506, Amendment No. 5, for the Digital Adoption Platform
Move City Council approve Agreement No. 4506, Amendment No. 5, with WalkMe, Inc., for the digital adoption platform, in an amount not to exceed \$173,019, for the period of one year, beginning June 30, 2025, through June 29, 2026.

Management Services

15. License Series 12, Restaurant Liquor License Application for Andrea Dahlman Lewkowitz, Agent, J. Alexander's Restaurants, LLC, DBA J. Alexander's
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 347346, a Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, J. Alexander's Restaurants, LLC, DBA J. Alexander's, located at 7111 W. Ray Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 309754.
16. New License Series 4, In State Wholesalers Liquor License Application for Jeffrey Craig Miller, Agent, Borracho Imports, LLC, DBA Borracho Imports
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 347660, a Series 4, In State Wholesalers Liquor License, for Jeffrey Craig Miller, Agent, Borracho Imports, LLC, DBA Borracho Imports, located at 2700 S. Gilbert Road, Suite 10, and approval of the City of Chandler, Series 4, In State Wholesalers Liquor License No. 309800.

Mayor and Council

17. Fiscal Year (FY) 2025-2026 Budget Amendments
Move City Council approve as presented the twenty-one one-time FY 2025-26 budget amendments totaling \$364,000 and two ongoing FY 2025-26 budget amendments totaling \$70,000, for a total of \$434,000 using Council Contingency, and authorize staff to transfer appropriation from the Non-Departmental Council Contingency to the respective departments.

Neighborhood Resources

18. Agreement No. NR5-952-4899, Human Services, General Services
Move City Council approve Agreement No. NR5-952-4899, for Human Services, General Services, with multiple contractors as detailed in the attached spreadsheet, in a combined amount not to exceed a total of \$865,443.01, for the period of one year, beginning July 1, 2025, through June 30, 2026.
19. Agreement No. NR5-952, Human Services, Core Services
Move City Council approve Agreement No. NR5-952, for Human Services, Core Services, with multiple contractors as detailed in the attached spreadsheet, in a combined amount not to exceed \$1,250,000, for the period of one year, beginning July 1, 2025, through June 30, 2026.

Police Department

20. Maricopa County Detention Services for Fiscal Year (FY) 2025-26
Move City Council approve the use of Maricopa County detention services, for the booking and housing of inmates, in an aggregate amount not to exceed \$1,477,573, for the period of one year, July 1, 2025, through June 30, 2026.
21. Purchase of Mobile Communication Services for Fiscal Year (FY) 2025-26
Move City Council approve the purchase of mobile communication services from AT&T FirstNet, utilizing the State of Arizona Contract No. CTR052804, in an amount not to exceed \$330,000.

Public Works and Utilities

22. Agreement No. PW5-890-4794, Amendment No. 1, for Water Meters
Move City Council approve Agreement No. PW5-890-4794, Amendment No. 1, with Ferguson Enterprises LLC, for water meters, in an amount not to exceed \$1,200,000, for the period of July 1, 2025, through June 30, 2026.
23. Agreement No. PW1-745-4336, Amendment No. 4, with Vincon Engineering Construction, LLC, for Right-of-Way Repairs

Move City Council approve Agreement No. PW1-745-4336, Amendment No. 4, with Vincon Engineering Construction, LLC, for right-of-way repairs, in an amount not to exceed \$225,000, for a one-year period, August 1, 2025, through July 31, 2026.

Informational

24. Contracts and Agreements Administratively Approved, Month of June 2025

Adjourn

The meeting was adjourned at 6:47 p.m.

ATTEST: _____
City Clerk Mayor

Approval Date of Minutes: August 11, 2025

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 14th day of July 2025. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of August, 2025.

City Clerk