

MINUTES OF THE STUDY SESSION OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, April 27, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 7:05 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Jack Sellers	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Rich Dlugas	City Manager
	Marsha Reed	Assistant City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

SCHEDULED PUBLIC APPEARANCES: Mayor Tibshraeny asked Vice Mayor Hartke to join him for the following presentations:

1. Service Recognitions

Mayor Tibshraeny announced there were four service recognitions, one from Municipal Utilities and three from Chandler Police.

Jose Flores, Utility Meter Tech - Municipal Utilities Director Dave Siegel recognized Joe Flores for his 25 years of service. Mr. Flores started part-time as a fuel attendant at Chandler Airport. He currently is a Meter Reader and has seen many changes over the years, starting with the conversion from paper documentation to the electronic era. Today with modern technology, all this information is saved electronically, and work orders are completed on tablets. In an interview Joe stated he enjoys his job and his coworkers very much. Joe is described by his coworkers as a hard worker with daily enthusiasm, and is a great asset to their department. Municipal Utilities is proud to have Joe as part of their team and they look forward to working with him in the many years to come.

Chief Duggan recognized the following three officers.

Officer Kevin Quinn – Officer Quinn started with the City as a patrol officer and then served 2 years as a crime scene officer. He then transferred to the Community Services section as a School Resource Officer at Hamilton High School, and has been there for 14 years.

Officer Quinn is part of the teaching staff for the Arizona Department of Education Foundation for legal services and teaches new school resource officers at both the local and national level. He served as President of the National Association of School Resource Officers and is currently their spokesperson. Currently Kevin is the President of the Arizona School of Resource Officers Association and has written numerous articles on school safety that has appeared in national and local news outlets. He is an advisor for **Safe and Sound**, a Sandy Hook initiative that

arose from the 2012 shooting. He is an original member of the Police Honor Guard. Chief Duggan congratulated Officer Quinn on his 20 years of service with the City of Chandler.

Lieutenant Dave LeVoy, Police Criminal Investigations – Lt LeVoy started with Chandler as a Patrol Officer and over the years has served in the Bike unit, Gang unit, in Special Assignments, the Honor Guard and as a Firearms Instructor. In 2005 Dave's patrol team was recognized for their outstanding efforts in resolving neighborhood quality of life issues. He has served as Swat Team Leader, playing a key role in the development of the departments Breeching program. He has served in the Professional Standards section where his duties included recruitment, hiring, accreditation, audits, and inspections. In 2009 he was promoted to Lieutenant, returning to patrol to manage three patrol teams and the K-9 Unit. In 2010 he was selected to lead the Persons Crime Section within the Criminal Investigation Bureau, and then in 2014 he was selected to lead the Special Investigation Section within that bureau. Today, Lt. LeVoy is in charge of overseeing Narcotics, Vice, Human Trafficking, Gang Enforcement, Criminal apprehension, and the Special Assignment units.

Chief Duggan thanked Lieutenant LeVoy for his active participation in the Police department, the various organizations, and committees and congratulated him on his 20 years of service.

Commander Dale Walters, Criminal Investigations – Commander Walters came to Chandler after serving 5 years with the Coconino County Sheriff's Department. Over the years Commander Walters has served on patrol, as a field training officer, a narcotics detective, and a detective in the Professional Standards section where he was assigned as an Internal Affairs Investigator.

He helped open the Chandler Heights Precinct and was later assigned to the Community Resources section where he managed training, crime prevention, school resources, and the volunteers. In 2010, Commander Walters was promoted to the rank of Commander and assigned as the field operations main station precinct Commander. In July of 2013 he assumed command of the Criminal Investigations Bureau, where he continues to serve today.

Chief Duggan congratulated Commander Walters on his 20 years of service, his dedication and contributions to the Chandler Police Department.

2. Proclamation: National Police Week and Peace Officers' Memorial Day

Mayor Tibshraeny read and then presented the National Police Week and Peace Officers' Memorial Day Proclamation to Chief Duggan.

3. Proclamation: Children's Mental Health Awareness Day

Mayor Tibshraeny read and then presented the Children's Mental Health Awareness Day Proclamation to Kim Foy, Committee member of the Mayor's Committee for People with Disabilities.

4. Recognition: Citizen Life Saving Heroism

Fire Chief Clark asked Karen Walker, Keith Melton and Steve Sprague to join him in front of the Council dais. On March 26th, Ms. Walker was driving on the San Tan freeway when she suffered a life threatening emergency. Traveling at 65 mph Karen became unconscious. Her vehicle began to veer into the semi-truck next to her. Keith Melton, driving the semi-truck, noticed Karen

was slumped over her steering wheel. Keith used his truck to guide Karen's and worked at keeping her car from veering across traffic. When Steve Sprague noticed what was going on, he passed Karen's vehicle and maneuvered in front of her car and, working together, they were able to slow her car down and move over to the shoulder. The men immediately called 911 and Karen was taken to the hospital.

Chief Clark thanked them for their quick thinking and unselfish actions.

5. Recognition: Citizen Heart Saver Award

(This presentation was made before Item 4, taken out of order from the printed agenda)

Fire Chief Jeff Clark asked Mr. and Mrs. Robert Thiede and their neighbors, Chuck Downs and Russell Larsen to join him in front of the Council dais. Chief Clark stated that on February 17th Mr. Thiede collapsed in his home. His wife ran next door seeking help from their neighbors, Chuck Downs and Russell Larson. The men were administering CPR when Chandler Fire & Medical arrived. Chandler paramedics quickly started advanced life saving measures including administering cardiac medication and electric shock. Mr. Thiede continued to receive CPR during transport to the hospital, and upon arrival started breathing without assistance and his heart began to beat on its own. On February 28th Mr. Thiede was discharged from the hospital and continues to recuperate at home. By taking quick action, Chuck Downs and Russell Larson helped save their neighbors life. Chief Clark thanked them for stepping up and helping their neighbor.

6. SRP Voting Rights for Chandler Residents - Randy Miller

Mr. Randy Miller 2490 E. Toledo Court, Gilbert AZ, said he wanted to inform everyone about the SRP voting rights.

He stated on December 8, 2014, SRP came out with a 3.9% increase for all their customers, and at the same time trying to instate a solar demand fee for solar customers only. The On Peak demand for solar customers increased the cost so much that it defeated the purpose of becoming a solar consumer.

According to his calculation, his personal bill would have increased by 315% year over year if he was not grandfathered into his solar plan. This proposed increase killed installs across the SRP area in Arizona. Before the price change, there were approximately 500 applications per month for solar. Recently there have only been 57 applications from December to April. He said this affects jobs all across the state in a variety of fields, not just those related to solar and power. SRP is not regulated by a public body, not even the Corporation Commission. In 1937 SRP was granted a quasi-judicial body of governance. He and others started researching on how they could change the governance board so there was a better representation on the SRP Board. What they have found out, is the only way to make this change is through an election. He provided a map of the SRP territory, showing 10 districts in the territory, and explained voting is based on the amount of land you own in the district. By using this method, it proves to be virtually impossible for the consumers to have a voice or any affect over price adjustments.

The Mayor thanked Mr. Miller for his information.

CONSENT:

Mayor Tibshraeny asked Chief Duggan to address item number 21- Purchase of Lizard Q, a digital camera crime scene capture system.

Chief Duggan stated the system is a digital camera with an embedded micro-computer. This is used for taking very precise pictures and measurements at crime scenes, which are then used for forensic evidence to build an investigation on serious crimes. The device is quite small and very portable. It can be placed in a vehicle, in a room, hallways, or even large structures. The funding for this would come from Racketeer Influenced and Corrupt Organization (RICO) money, more commonly known as asset forfeiture money, from criminal investigations over the past years. The cost of this equipment is roughly \$61,000.

- 1a. **MINUTES** of the Chandler City Council Special Meeting (Micro Retreat) of April 13, 2015.
- 1b. **MINUTES** of the Chandler City Council Special Meeting (Exec Session) of April 13, 2015.
- 1c. **MINUTES** of the Chandler City Council Study Session of April 13, 2015.
- 1d. **MINUTES** of the Chandler City Council Regular Meeting of April 16, 2015.

2. **FINAL ADOPTION OF ORDINANCE NO. 4614, DVR15-0009 NORTH OF THE NORTHWEST CORNER MCQUEEN ROAD AND HUNT HIGHWAY**, establishment of the initial City zoning of Agriculture (AG-1) on approximately 10 acres located north of the NWC of McQueen Road and Hunt Highway.

3. **FINAL ADOPTION OF ORDINANCE NO. 4615, DVR15-0007 SOUTH OF THE SOUTHEAST CORNER CHANDLER HEIGHTS AND COOPER ROADS**, establishment of the initial City zoning of Agriculture (AG-1) on approximately 10.78 acres located south of the SEC of Chandler Heights and Cooper roads.

4. **FINAL ADOPTION OF ORDINANCE NO. 4617, DVR14-0028/PPT14-0016 MISSION ESTATES**, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Residential.

5. **FINAL ADOPTION OF ORDINANCE NO. 4622** authorizing the City of Chandler, as owner, to dedicate to the public, for use as such, the streets and easements as shown on a minor land division map of Palm Lane.

6. **INTRODUCTION OF ORDINANCE NO. 4624** granting a no-cost irrigation easement through, over, under and across a portion of Ellis Street, adjacent to the Continuum project, to Salt River Project to pipe an existing irrigation ditch and accommodate future development of this area.

7. **RESOLUTION NO. 4847** authorizing the amendment of the Personnel Rules to replace all references in the Personnel Rules to the "Human Resources Manager" with "Human Resources Director", and amend Personnel Rule 1, Section 12, Outside Employment; Personnel Rule 2, Section 5, Reclassification; Personnel Rule 5, Section 5, Reasons for Disciplinary Action Up to and Including Dismissal; Personnel Rule 7, Requirements for Employment; Personnel Rule 9, Section 3, Medical Examinations; Personnel Rule 10, Section 6, Duration of Registers; Personnel Rule 11, Section 2, Referral of Eligible Candidates; Personnel Rule 12, Section 1, Period of Probation, and Section 3, Probationary Release and Unsuccessful Completion of Promotional Probation; Personnel Rule 15,

Section 1, Requesting Leaves of Absence; Section 2, Leave Authorization (Vacation Leave); Section 8, Sick Leave Accrual; Section 9, Use Of Sick Leave; Section 11, Workers' Compensation; and Section 18, Exempt Employee Special Leave.

8. **RESOLUTION NO. 4851** authorizing an application for and use of Fiscal Year 2015-2016 HOME Investment Partnerships Program (HOME) funds from the Cranston-Gonzalez National Affordable Housing Act provided through the Maricopa County HOME Consortium; and authorizing the City Manager to sign all related documents.
9. **RESOLUTION NO. 4852** authorizing the City Manager or his designee to execute and submit the Community Development Block Grant Fiscal (CDBG) 2015-2019 Five-Year Consolidated Plan and the 2015-2016 Annual Action Plan to the United States Department of Housing and Urban Development (HUD) and execute all subrecipient contracts.
10. **RESOLUTION NO. 4858** authorizing the extinguishment of the City's interest in a waterline easement, no longer needed for public use, located on the east side of Gilbert Road approximately one-quarter mile south of Ocotillo Road to the Roosevelt Water Conservation District (RWCD).
11. **BOARD AND COMMISSION APPOINTMENTS.**
12. **AGREEMENT NO. TD5-285-3494** with Wesco Distribution, for streetlight luminaires, in the amount of \$115,005.00.
13. **AGREEMENT NO. ST5-988-3510** with Artistic Land Management, Inc., for Landscaping Maintenance Areas 1, 2, 3, 4 and lots to be acquired by Transportation and Development for future development, in an amount not to exceed \$1,369,509.00, with the option to renew for four additional one-year periods.
14. **PROJECT AGREEMENT NO. WW1417.451**, with Carollo Engineers, Inc., for construction management services, for the Pecos-McQueen Lift Station Abandonment, pursuant to On-Call Water/Wastewater Services Contract No. EN1518.101, in an amount not to exceed \$52,545.00.
15. **AGREEMENT NO. 3387, AMENDMENT NO. 1** with Jeff Martin Consulting, LLC, for transportation consulting services, in an amount not to exceed \$53,000.00 for one year.
16. **CONSTRUCTION CONTRACT NO. WW1417.401**, to Degan Construction, LLC, for the Pecos-McQueen Lift Station Abandonment, in an amount not to exceed \$279,960.00.
17. **DESIGN AND CONSTRUCTION CONTRACT NO. WW1301.503**, to Salt River Project, for enhanced distribution facilities, for the Ocotillo Water Reclamation Facility Expansion, in an amount not to exceed \$262,576.00.
18. **CONSTRUCTION MANAGER AT RISK CONTRACT NO. WA1504.251**, to CSW Contractors, Inc., for pre-construction services, for Large Valve Replacement, in an amount not to exceed \$108,416.42.
19. **CONSTRUCTION CONTRACT NO. WA1415.401**, to R.K. Sanders, Inc., for the Frye Road Water Production Facility Wall, in an amount not to exceed \$173,055.00.
20. **PURCHASE** of Police Records furniture and installation from Wist Office Products, utilizing 1GPA Contract No. 14-163S, in the amount of \$52,876.38.
21. **PURCHASE** of LizardQ, a digital camera crime scene capture system, from Scene Capture, Inc. utilizing City of Mesa Contract No. 2015024, in the amount of \$61,800.00.

22. **PURCHASE** of aftermarket vehicle and equipment parts from Genuine Parts Co. NAPA, utilizing State of Arizona Contract No. ADSPO 039976, in an amount not to exceed \$85,000.00.
23. **USE PERMIT, ZUP15-0004 SAN TAN TECH CENTER**, to allow Office uses within a Planned Industrial (I-1) zoning district for approximately 11.88 acres located at 145 S. 79th Street.
24. **USE PERMIT, LUP15-0003 DIRTY BLONDE TAVERN**, Series 6 Bar License to sell and serve liquor for on-site consumption indoors and within an outside patio, and live entertainment indoors located at 4929 W. Chandler Blvd., Suite 12, SEC of Chandler Blvd.
25. **LIQUOR LICENSE**, Series 6, for Amy S. Nations, Agent, Stapleton Entertainment LLC, dba Dirty Blonde Tavern, located at 4929 W. Chandler Boulevard, Suite 12.
26. **USE PERMIT, LUP15-0004 CHENNAI FUSION GRILL**, Series 12 Restaurant License to sell and serve liquor for on-site consumption indoors located at 4929 W. Chandler Blvd., Suite 1, SEC of Chandler Blvd. and Rural Rd.
27. **LIQUOR LICENSE**, Series 12, for Arvinder Kaur, Agent, Chennai Fusion Café LLC, dba Chennai Fusion Grill, located at 4929 W. Chandler Boulevard, Suite 1.
28. **LIQUOR LICENSE**, Series 12, for Andrea Dahlman Lewkowitz, Agent, Smashburger Acquisition Phoenix LLC, dba Smashburger #1477, located at 2925 S. Alma School Road, Suite 8.
29. **TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE**, Series 6, held by South Sand LLC, dba Sandbar Mexican Grill for a Cinco de Mayo Celebration on Saturday, Sunday, Monday, Tuesday and Wednesday, May 2, 3, 4, 5 and 6, 2015, located at 7200 W. Ray Road.
30. Under Public Hearing.
31. **RESOLUTION NO. 4862** calling a Special Election on August 25, 2015, for the purposes of submitting a proposed charter amendment to the voters regarding the dates of the Mayor and Councilmember elections in Chandler.

PUBLIC HEARING: (Thursday)

PH1. DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT ASSESSMENT FOR FISCAL YEAR 2015-2016

1. Open Public Hearing
2. Staff Presentation
3. Council Discussion
4. Discussion from the Audience
5. Close Public Hearing

30. **RESOLUTION NO. 4855** authorizing the 2015-2016 Annual Assessment for the Downtown Chandler Enhanced Municipal Services District.

