



## 2020 City Council Minutes

### **Regular Meetings**

January 9, 2020	October 12, 2020
January 23, 2020	October 15, 2020
February 13, 2020	November 2, 2020
February 27, 2020	November 5, 2020
March 23, 2020	
March 26, 2020	
April 20, 2020	
April 23, 2020	
May 14, 2020	
June 11, 2020	
June 25, 2020	
July 13, 2020	
July 16, 2020	
August 13, 2020	
August 27, 2020	
September 14, 2020	
September 17, 2020	

**Special Meetings Are Listed On Next Page**

## **2020 Special Meetings**

January 9, 2020 Public Safety Personnel Retirement System  
February 10, 2020 Budget Workshop  
February 13, 2020 Recycling Market  
February 27, 2020 Budget Live  
March 17, 2020 COVID-19  
March 23, 2020 Budget Workshop #2  
March 26, 2020 Airpark Area Plan Update  
April 8, 2020 COVID-19  
April 23, 2020 Situational Briefing  
April 23, 2020 CARES Act Funding  
May 11, 2020 COVID-19 Economic Practices  
May 13, 2020 COVID-19 Briefing  
June 2, 2020 Return to Service Plan  
June 8, 2020 Short Term Rentals  
June 8, 2020 Historic Preservation Commission  
June 11, 2020 CARES Act  
June 11, 2020 Budget and Briefing  
June 18, 2020 COVID-19  
June 25, 2020 Strategic Framework  
July 13, 2020 AZCares  
July 16, 2020 Citizen's Exploratory Bond Committee  
August 10, 2020 Recycling  
August 10, 2020 Citizen's Exploratory Bond Committee  
August 24, 2020 Election Canvass  
August 27, 2020 COVID-19  
September 14, 2020 Park Strategic Master Plan  
September 29, 2020 Building Condition Assessment  
October 1, 2020 Temporary Extension of Premises  
October 15, 2020 Multi Family Developments  
November 2, 2020 COVID-19 Financial Update  
November 23, 2020 General Election Canvass





**CITY OF CHANDLER COUNCIL MEETING MINUTES**  
**Regular Meeting**

Thursday, January 9, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, January 9, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
Terry Roe	Vice-Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
René Lopez	Councilmember
Matt Orlando	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Victor Hardy, Congregational Church of the Valley

PLEDGE OF ALLEGIANCE: Vice Mayor Roe led the Pledge of Allegiance

CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE JANUARY 9, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER McClymonds.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

- 1a. MINUTES of the Chandler City Council Work Session of December 9, 2019.
- 1b. MINUTES of the Chandler City Council Executive Session of December 9, 2019.
- 1c. MINUTES of the Chandler City Council Regular Meeting of December 9, 2019.

- 1d. MINUTES of the Chandler City Council Study Session Meeting of December 9, 2019.
  - 1e. MINUTES of the Chandler City Council Work Session of December 12, 2019.
  - 1f. MINUTES of the Chandler City Council Regular Meeting of December 12, 2019.
  - 1g. MINUTES of the Chandler City Council Work Session Meeting of December 12, 2019.
2. FINAL ADOPTION OF ORDINANCE NO. 4887, declaring that the document entitled "2019 City Reorganization Code Amendments" to be a public record; amending Chapter 2 of the Code of the City of Chandler by repealing Section 2-18, Administrative Services Department and adding a new Section 2-18 with the creation of an Information Technology Department; adding Section 2-19 by creating and organizing the Cultural Development Department; renumbering and moving Section 31-23 Arts Commission and Municipal Art Fund to Chapter 2, Section 2-20; deleting Section 31-23, Arts Commission and Municipal Art Fund from Chapter 31, Community Services, renumbering and moving Section 31-24, Establishment of Municipal Art Fund to Chapter 2, Section 2-21; deleting all references to Section 31-24, Establishment of Municipal Art Fund, from Chapter 31, Community Services; amending Chapter 3, Section 3-1.1 to identify the Chief Fiscal Officer and authorize the City Manager of the City of Chandler to designate the Chief Fiscal Officer; renaming Chapter 36, Low Cost Housing and Redevelopment to Neighborhood Resources; renumbering and moving Chapter 36, Section 36-1, Housing and Human Services Commission to Section 36-7; adding a new Section 36-1, Section 36-1.1, and Section 36-1.2 to Chapter 36, creating and organizing a Neighborhood Resources Department; and moving Section 2-7, Commission on Human Relations to Chapter 36, Section 36-6; reserving Section 2-7 and making conforming amendments to Chapters 2, 3, 31 and 36 to renumber and organize the Code of the City of Chandler; providing for the repeal of conflicting ordinances; and providing for severability.

BACKGROUND FROM COUNCIL MEMO:

As City operations evolve and positions vacate, the City Manager will review the organizational structure to ensure the most efficient operations are reflected. This review was completed and changes were incorporated as part of the Fiscal Year (FY) 2019-20 Adopted Budget. Ordinance No. 4887 aligns the Code with the updated organizational structure (attached) with the following City Code changes:

- 1) The Administrative Services Department was removed from Chapter 2, Administration, Section 18. The Department's Divisions of Human Resources, Fleet Services, and Building and Facilities are now part of the City Manager Department, organizational support; and Information Technology becomes its own Department;
- 2) The Information Technology Department was created in a new Chapter 2, Section 18;
- 3) The Neighborhood Resources Department was created in Chapter 36, Section 1, and the Chapter was renamed to Neighborhood Resources Department from Low Cost Housing and Redevelopment. Neighborhood Resources was previously part of the City Manager Department, organizational support. Related moves were included to shift the Housing and Human Services Commission from Chapter 36, Section 1 to Section 7, and the Commission on Human Relations from Chapter 2, Section 7 to Chapter 36, Section 6;
- 4) The Cultural Development Department was created in a new Chapter 2, Section 19. This new Department includes operations for Downtown which was previously part of the City Manager Department, organizational support, and Special Events, Museum, Vision Gallery,

- and Center for the Arts, which were all previously part of the Community Services Department;
- 5) The creation of the Cultural Development Department required moving the Arts Commission and Municipal Arts Fund from Chapter 31, Community Services, Section 23 and 24 to Chapter 2, Section 20 and 21.

Additionally, a final change was included that amends Chapter 3, Management Services Department – Finance and Procurement, Section 1.1 to identify the Management Services Director as the Chief Financial Officer and authorize the City Manager to designate this position.

#### FINANCIAL IMPLICATIONS:

The spending authority or appropriation by department and relating to this reorganization were approved as part of the FY 2019-20 Adopted Budget by Resolution No. 5280 on June 13, 2019, and Ordinance No. 4887 aligns the City Code with the updated organizational structure (attached).

Ordinance was introduced and tentatively adopted December 12, 2019

3. FINAL ADOPTION OF ORDINANCE NO. 4905, adopting updated versions of previously adopted Fire Department Standard Details and Public Works Design and Construction Standards and amending Chapter 43, Section 43-5, Subsections 43-4.5.A, 43-4.5.B, 43-4.5.C, 43-4.5.D, 43-4.5.E, 43-4.5.F and 43-4.5.I of the Code of the City of Chandler, relating to the adoption of these updated design and construction standards.

#### BACKGROUND FROM COUNCIL MEMO:

The City maintains and publishes Fire Department Standard Details, Engineering Standard Details and Specifications, and Technical Design Manuals, which have been created to guide developers and City staff on the design and construction of the City's infrastructure. These manuals were previously adopted by the City Council and last amended in May 2018 via Ordinance No. 4870.

In addition to various general revisions, this update includes new requirements to extend the useful life of sewer manholes, updated requirements for traffic impact studies, updated fiber optic communication cable and conduit standards, revisions to drainage standards providing more on-site development options, and continued updates for Americans with Disabilities Act compliance.

The Engineering Design Standards Committee, with representation from multiple City departments, reviews proposed changes to the design standards and makes recommendations for annual updates. This process also involves reviewing the Maricopa Association of Governments (MAG) Specifications and Standards and their annually proposed revisions to ensure a degree of consistency for builders and developers conducting business across multiple jurisdictions in Maricopa County.

This Ordinance would amend the following design standards:

- May 2018 Fire Department Standard Details
- May 2018 Standard Details and Specifications Manual
- May 2018 Technical Design Manual No. 1 & 2, Water & Wastewater System Design

- May 2018 Technical Design Manual No. 3, Drainage Policies and Standards
- May 2018 Technical Design Manual No. 4, Street Access and Design Control
- January 2016 Technical Design Manual No. 5, Traffic Signal Design
- May 2018 Technical Design Manual No. 5, Streetlight Design
- Adopt the 2020 revisions to the MAG Uniform Standard Specifications and Details with certain modifications

The revisions were provided to members of the development industry, including the Home Builders Association of Central Arizona, the Arizona Multihousing Association, utility providers, and engineering design consultants. Comments received were incorporated into these revisions, where appropriate.

The complete set of current and revised Standard Details and Specifications is available for review on the City Unified Development Manual website and on file with the City Clerk. A detailed summary of the changes is also attached.

This Ordinance was introduced and tentatively adopted on December 12, 2019.

4. FINAL ADOPTION OF ORDINANCE NO. 4908, PLH19-0051, LIBERTY MANOR, for the rezoning from single-family residential (SF-8.5) to Planned Area Development (PAD) for nine single-family homes, located on the southeast corner of Shawnee Drive and Dobson Road.

BACKGROUND FROM COUNCIL MEMO:

Site is 2.38 acres in area. Currently zoned SF-8.5. Surrounding neighborhood constructed in late 1970's. Subject site remained undeveloped as part of church property to south. Applicant proposes to fill-in this remnant vacant site with compatible land use of single-family residential.

Surrounding Land Use Data

North	Single-family residential	South	Koinonia Mennonite Church
East	Single-family residential	West	Single-family residential

Proposed Project Data

# of Lots	9
Density	3.78 du/ac
Lot Sizes	6,006 sq. ft. to 6,513 sq. ft.
Home Sizes	1,698 sq. ft. to 1,895 sq. ft.

Proposed Standards

# of Stories	All single story homes
Maximum Building Height	19 ft.
Maximum Lot Coverage	40%
Rear yard setbacks	10 ft.
Side yard setbacks	5 ft. and 8 ft.

Front yard setbacks	8 ft. and 20 ft. to forward facing garage door
Accessory structures	5 ft. from side or rear property line

## General Plan and Area Plan Designations

	Existing	Proposed
General Plan	Neighborhoods	(no change)

Planning staff finds the proposed development to be consistent with the General Plan, which allows a range of densities, including medium density residential, for infill parcels on arterial roads.

Neighborhood Outreach and Input

This request was noticed in accordance with the requirements of the Chandler Zoning Code. The neighborhood meeting was held on October 8, 2019. Seven residents attended the meeting; below are concerns presented by the residents and italicized staff responses:

- The visibility afforded to drivers waiting to enter Dobson Road from Shawnee Drive.
  - *The City Transportation Engineer has confirmed that the current conditions and proposed improvements meet Traffic Engineering's visibility standards.*
- Traffic on Dobson Road, especially during school hours, and the ability to make a left on to Dobson Road from Shawnee Drive
  - *2019 segment volume counts show 26,500 vehicles per day (vpd) on Dobson Road in the vicinity of this project. This type of roadway can typically accommodate up to 37,100 vpd at an acceptable level of service.*
  - *The proposed nine single-family homes will generate less than 100 daily vehicular trips and thus will fit well within the existing excess capacity of Dobson Road.*
- Flooding on private property approximately 12 houses to the east
  - *As part of Development Services' review of site construction drawings, the proposed development will be required to meet all Drainage Policies and Standards required by the City's Technical Design Manual.*
  - *Unfortunately, the resident who shared this complaint did not provide contact information at the meeting for staff to specifically reach out. Staff has visited the area to ensure no apparent non-permitted improvements have been made in the right-of-way that would redirect water onto private property. There are currently no filed complaints for this area; the last complaint received was flood related and resolved by the Environmental Management Division in September 2018.*

## Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting November 20, 2019.

Motion to Recommend Approval.

In Favor: 5    Opposed: 0    Absent: 2 (Heumann, Pekau)

The Planning and Zoning Commission moved to recommend approval of the rezoning as recommended by Planning staff.

## Review and Recommendation

Staff finds the proposed nine single-family homes to be compatible with surrounding land uses as follows:

- The proposed lots will be above 6,000 sq. ft. in area, which is relatively consistent with nearby existing lots ranging in size from 6,500 to 7,000 sq. ft. and larger. The homes will all be one-story in height and use modest rooflines to avoid over-massing the site.
- All nine homes will share the same architectural aesthetic design but there will be four home plans, two color palettes, and nine different lot sizes and shapes to produce a unique and interesting variety on-site.
- As compared to the development of large neighborhoods where homeowners choose their lot, plan, and elevation, the developer will be developing the site and constructing the homes and front lawns as shown.
- Additional stipulations recommended by Planning and Zoning Commission on the Preliminary Development Plan and adopted by the City Council on December 12, 2019 will further enhance the design and quality of the proposed development.

Planning and Zoning Commission and Planning staff find the proposal to be consistent with the goals of the General Plan and recommend approval subject to conditions.

#### Recommended Actions

Planning and Zoning Commission and Planning staff recommend the City Council approve the rezoning from SF-8.5 to PAD for 9 single family homes, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Liberty Manor" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0051, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Developer shall provide all required right-of-way dedications as determined by the Development Services Director at the time of construction plan review.
3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
4. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

7. All homes shall be single-story.
8. Minimum setbacks shall be as follows:

Rear yard setbacks	10 ft.
Side yard setbacks	5 ft. and 8 ft.
Front yard setbacks	8 ft. and 20 ft. to forward facing garage door
Accessory structures	5 ft. from side or rear property line

9. The maximum lot coverage shall be 40%.

Ordinance was introduced and tentatively adopted on December 12, 2019

5. TEMPORARY EXTENSION OF PREMISES, for B2 Backyard Grill LLC, dba Ghett Yo Taco, for Ghett Yo Taco Corn Hole Tournament on Saturday, January 25, 2020, from 10:00 a.m. to 9:00 p.m., located at 241 S. Oregon Street.

BACKGROUND FROM COUNCIL MEMO:

B2 Backyard Grill LLC, dba Ghett Yo Taco, located at 241 S. Oregon Street, has requested a temporary extension of the alcohol serving area for a Ghett Yo Taco Corn Hole Tournament. The period of the extension is Saturday, January 25, 2020, from 10:00 a.m. to 9:00 p.m. The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

6. SPECIAL EVENT LIQUOR LICENSE, for National Association for Catering and Events, for Avoiding Job Burnout event on Tuesday, January 21, 2020, from 6:00 p.m. until 9:00 p.m., located at the Avion Center, 1733 E. Northrop Boulevard.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by National Association for Catering and Events for the Avoiding Job Burnout event on Tuesday, January 21, 2020, from 6:00 p.m. until 9:00 p.m., at the Avian Center located at 1733 E. Northrop Boulevard. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

ACTION AGENDA

7. ELECTION of Vice-Mayor for a one-year term from January 10, 2020, through January 14, 2021.

BACKGROUND FROM COUNCIL MEMO:

This item is presented for the Council to make its annual selection of a Vice Mayor of the Council. The City Charter, Article 2, Section 2.03(b), calls for the Council to elect from among its members a Vice Mayor who shall act as Mayor during the temporary absence or disability of the Mayor.

ACTION AGENDA – MOTION AND VOTE ITEM NO. 7

MAYOR HARTKE MOVED TO APPROVE THE ACTION AGENDA ITEM NO. 7 NOMINATING RENE LOPEZ AS VICE MAYOR; SECONDED BY COUNCILMEMBER STEWART.

MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES

None.

CURRENT EVENTS

A. Mayor's Announcements

MAYOR HARTKE announced Chandler was named the 6<sup>th</sup> best city to find a job by Wallet Hub. They rated 182 cities using 31 key metrics and Chandler tied six cities for highest median annual income. Mayor Hartke commended the Economic Development Team for providing diverse opportunities and the City overall because businesses have noted how easy it is to do business in Chandler.

MAYOR HARTKE said the Arizona Education Board has rated the schools and 7 of the 18 A+ schools are in Chandler and out of the 118 that received an A or A+, 27 of those schools are in Chandler. The schools are performing well and that is important to mention.

MAYOR HARTKE said this year is the 25<sup>th</sup> Annual Multicultural Festival and believed this would be the best year yet. This would be from noon to 6:00 p.m. January 18, 2020, at the Downtown Stage. There would be a variety of performances and food and beverages.

MAYOR HARTKE said the International Film Festival would be held at the Harkin's Theater at Chandler Fashion Center at 7:00 p.m.

MAYOR HARTKE said the MLK celebration would be January 20, 2020. The Chandler Men of Action would hold a celebration on January 19, 2020 at 6:00 p.m. at the Congregational Church of the Valley.

B. Councilmember's Announcements

COUNCILMEMBER STEWART said on January 22, 2020, there would be Live Lunch, which is a free lunchtime concert series held at the Downtown Stage and encouraged everyone to attend. This concert series will be held every Wednesday through April 1st.

COUNCILMEMBER STEWART said that it was National Law Enforcement Appreciation Day and recognized all of the law enforcement staff and encouraged everyone to give their appreciation and support.

COUNCILMEMBER McCLYMONDS announced voting was open for the People's Choice Awards for Chandler's Volunteer Recognition Awards Program for outstanding community volunteers. The public is encouraged to review the nominations and vote. Voting will close at 5:00 p.m. January 30. The winner would be announced February 6 at the Volunteer Recognition Breakfast.



VICE MAYOR ROE said last year was a great experience serving as Vice Mayor.

VICE MAYOR ROE said that Neighborhood Resources Staff had helped in a substantial way with the Salvation Army and their toy distribution and thanked them for all that they do.

VICE MAYOR ROE said Chandler continues this month with an opportunity to win exclusive State48 Chandler t-shirt. This month the focus is on arts and culture. To enter, take a photo of yourself enjoying arts and culture in Chandler and submit it on Instagram or Facebook. This month's challenge ends on January 27 and the winner would be announced on January 28.

MAYOR HARTKE thanked Councilmember Roe for all of his work as Vice Mayor.

COUNCILMEMBER HUANG thanked the Council with supporting the expansion of the Multicultural Festival in Chandler. This year there are some new additions. For the first time the event will include an Asian Village at the Community Center with testing stations to experience drinks from around the world.

COUNCILMEMBER LOPEZ said the Chandler International Film Festival is coming up on January 17-20, and the event would also include some special world premiers, film making workshops, discussion panels, and celebrity appearances as well as red carpet parties before and after. Councilmember Lopez said this year is the 35th anniversary of The Goonies and they would have Robert Davi who would be doing question and answers. He said they would be partnering with the Boys and Girls Club to fill seats with younger kids and parents to experience the movie. Councilmember Lopez said they would be 25<sup>th</sup> anniversary of Girlfight and this is the first feature film that Michelle Rodriguez was in who would also be attending. He said there would also be a screening of 108 Days in partnership with non-profits against sex trafficking. All of the proceeds from The Goonies and 108 Days would be going to these various non-profits.

COUNCILMEMBER ORLANDO thanked Councilmember Roe for his work as Vice Mayor.

COUNCILMEMBER ORLANDO welcomed back Holly Granillo who has been a longtime City employee and is also a Chief Petty Officer in the United States Naval Reserves. Ms. Granillo just got back from her third tour and looks forward to having her back.

#### C. City Manager's Announcements

MARSHA REED, City Manager, thanked Councilmember Roe for his service as Vice Mayor and congratulated Councilmember Lopez in now serving as Vice Mayor.

ADJOURNMENT: The meeting was adjourned at 6:18 p.m.

ATTEST:  City Clerk  
 Mayor

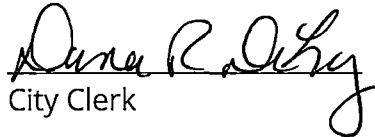
Approval Date of Minutes: January 23, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 9<sup>th</sup> day of January 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 23 day of January, 2020.



  
City Clerk



**CHANDLER CITY COUNCIL  
WORK SESSION MEETING MINUTES**

Thursday, January 9, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, January 9, 2020, in the Chandler City Council Chambers Conference Room, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:30 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
Terry Roe	Vice-Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
René Lopez	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Joshua Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Ryan Peters, Governmental Relations and Policy Manager; Steven Turner, Assistant to the City Manager; Morgan Lewallen, Community Engagement Specialist; Stephanie Romero, Public Information Officer; Dawn Lang, Management Services Director

1. League of Arizona Cities and Towns Presentation and discussion of the Arizona Public Safety Personnel Retirement System.

MAYOR HARTKE thanked everyone for attending and introduced Nick Ponder.

MARSHA REED, City Manager, introduced the discussion topic and said last year's presentation was disappointing, but the Public Safety Personnel Retirement System (PSPRS) now has a new administrator. Ms. Reed said there is a lot of frustration around this topic and said Mr. Ponder is very knowledgeable about this issue.

NICK PONDER, Legislative Director, provided information about his background and presented the following Power Point presentation.

- Topics of Discussion
  - Where are we now with PSPRS and how did we get here?
  - What are some best practices with PSPRS?
  - Summary of Actuarial Valuation
  - Future of PSPRS
- Section 1: PSPRS, A Historical Perspective
- Permanent Benefit Increase (PBI)
  - In 1986 the PSPRS plan was funded in excess of 100%
  - Retirees were not receiving an increase in their monthly retirement benefits
  - Unions approached the legislature to receive an annual adjustment to the retiree benefit and to equalize disparity between urban and rural pensions
  - Negotiations resulted in the PBI rather than a traditional COLA
  - PBI takes any investment earnings in excess of 9% and gives ½ of the excess to retirees by way of an increase to their monthly pension based on the average PSPRS benefit
  - Capped annual payments requiring anything exceeding cap to be rolled to subsequent year
- ½ Earnings above 9%
- PBI Disbursement Cap
- PBI Under the Microscope

COUNCILMEMBER ORLANDO asked if it was under 9% and what would happen then.

MR. PONDER said there was no PBI cap that was triggered. There are very few sub 9% years and in the past the fixed income rates were significantly higher than today. More investments could be put in fixed incomes to effectively guarantee a rate of return compared to today where there is only 1-2%.

- Deferred Retirement Option Plan (DROP)
  - Passed in 2000
  - Allows participants to enter into an agreement for up to 5 years stopping the calculation of their retirement but pooling money to be paid as a lump sum at the end of their agreement
- Deferred Retirement Option Plan (DROP)
  - Example
  - Problems w/DROP are that employers are not required to pay contributions once a participant enters DROP AND the plan is guaranteeing a high rate of return on DROP balances

COUNCILMEMBER ORLANDO asked if that was a check provided to the retiree who could invest it.

MR. PONDER said yes. The way that it is structured is like a 457. Someone could put the money in and take it out, but there may be penalties or it could be rolled over into a qualified plan. Mr. Ponder said they could do what they want with it.

COUNCILMEMBER ORLANDO said they gain money in this lump sum, but may take a little bit less of a premium in the pension.

MR. PONDER said yes, you would sacrifice a little bit lower of a pension for a larger lump sum.

- Is there a "healthy" funded status?
  - There has been significant public debate regarding what is an acceptable funded status for pension plans
    - The number circulating publicly over the last couple decades has been 80%
    - Some argue 100% or more is the only acceptable funded status while others indicate an amount as low as 70% is acceptable
  - We must first separate public from private pensions
    - What is the inherent difference between a corporation and a city?
  - Is it that easy?
- Is there a "healthy" funded status?
- So, how did we get here?
  - Permanent Benefit Increase (1986)
    - Good intentions gone bad – helping RURAL retirees
    - No funding level requirement
    - Year-to-year investment returns and the "bucket"
  - Actuarial calculations did not contemplate the PBI, was using outdate life expectancy tables, historically assumed 9% return
  - Global investment losses twice
    - 2001-2002 "Dot.com" loss of \$1.7 billion
      - Funding level drop from 127% to 101%
    - 2008-2009 "Great Recession" crunch
      - By FY 2010 funding level drops to 66%
  - DROP
  - Failure of 2011 reforms due to lawsuits
  - Demographic shifts
    - 2000: 2.7 active members to 1 pension, 2016: 1.6 actives to 1 pension
- Pension Reform – Round 1
  - SB1609 (2011)
    - Increased contribution rates
      - Barnes v. ASRS, Hall v. EORP, Parker v. PSPRS
    - Reduced PBI formula for active and retired members
      - Fields v EORP (2014), Hall v. EORP
    - Restricted Service Purchase
      - Pendergast v. ASRS
    - Capped employer contribution rates from EORP

- Fields v. EORP (2017)
  - Established Tier 2 requiring employees to pay higher contribution rates and remain in the system longer before retirement
  - On each of these reforms, except the creation of Tier 2, the courts struck down modifications ruling they were only applicable prospectively

COUNCILMEMBER LOPEZ asked about the court ruling and if the benefits stayed in place for Tier 1.

MR. PONDER said a Supreme Court case from 1965 said that pension benefits were a contract. Whenever the contract was started is what it was and it could not be altered in the middle of it. Mr. Ponder said he thought the 1998 constitutional change was unnecessary but yes, the only way to change benefits was to create a new tier. Mr. Ponder said in 2016, they did that creatively with the Round 2 reforms with Tier 3, and replacing the PBI with a COLA for all Tiers. Mr. Ponder said they are not impairing a benefit because they replaced something that was a variable versus something that was guaranteed.

COUNCILMEMBER ORLANDO asked if they used the COLA.

MR. PONDER said yes, with a 2% cap.

- League Task Force – Yardstick
  - Yardstick Element
    - Defined Benefit Plan
    - Free from Legal Challenge
    - New Statewide System
    - Plan Elements
      - Full Pooling
      - Equal Cost Sharing
      - Circumstantial Pension Increases
      - DC Supplement Those w/o Soc. Sec.
    - Governance Structure
      - Board of Trustees
      - Disability Boards
- Pension Reform – Round 2
  - SB1428 (2016)
    - Created a Tier 3 for public safety members
      - Required employees to share equally in cost of pension, 50/50 contribution rate
    - Greater age requirement before being eligible for retirement
    - Different graded multiplier structure for maximizing pension benefits
      - $DB\ Pension = Avg.\ Salary \times Years\ of\ Service \times Graded\ Multiplier$
    - Capped contributions on first \$100,000 of salary
    - Employee has option to join DB or DC plan

- Retiree must be retired 7 years or age 60 AND plan must be funded in excess of 70% from COLA's to be awarded
- Required PSPRS to study risk pooling and consolidating local boards
- Changed make-up of PSPRS Board, granting more representation to taxpayer representatives
- Round 2 (continued)
  - Proposition 124 (2016)
    - Struck the PBI from statute and replaced it w/ COLA capped @ 2% per year
    - Voter approved amendment to the constitution permitting the transition from PBI to COLA
      - Approved with > 70% public support
    - More predictable for PSPRS and easier to prefund
- 2017 Legislative Session
  - SB1063
    - Created a risk pool for employers w/250 or fewer police or fire employees
    - Employers with 251 or more employees will be in a single employer plan
  - HB2485
    - Granted PSPRS employers the permission to switch from a 20-year to a 30-year amortization period
    - Alterations to the transfer statute, ensuring that new employer doesn't pay for liabilities accrued in previous employment
- League Task Force – Yardstick
  - Yardstick Element Included in Tier 3
    - Defined Benefit Plan – Yes, default w/ option of DC
    - Free from Legal Challenge – Yes, prospective
    - New Statewide System – Yes, pools assets for all 230 plans
    - Plan Elements
      - Full Pooling – Partial, pooled for 250 EE's or fewer
      - Equal Cost Sharing – Yes, EE & ER share 50/50 in contributions
      - Circumstantial Pension Increases – Yes, COLA paid based on funded %
      - DC Supplement Those w/o Soc. Sec. – Yes, 3% EE & ER contributions to DC plan
    - Governance Structure
      - Board of Trustees – Partial, 4 labor, 4 taxpayer, 1 advisory committee
      - Disability Board

VICE MAYOR ROE said it seemed like the plan was headed toward self-correcting.

MR. PONDER said a change in one year would not fix it in the next year. Mr. Ponder said as more people get into Tier 3 it is more cost effective and it is binding. Since the contributions are shared 50/50 the employees are less likely to go to the legislature to ask for benefit increases often because they have to share in those increases as well. Mr. Ponder said it was changed and there are other parts that are being worked on.

VICE MAYOR ROE asked if members have a choice between Tier 2 and Tier 3 now.

MR. PONDER said if someone is a new hire they are in Tier 3, but they have the choice to select a defined contribution plan instead.

COUNCILMEMBER LOPEZ asked if Tier 1 is a flat contribution or percentage.

MR. PONDER said all Tiers are a percentage.

- Cost Savings
  - Employees sharing equally in costs
    - Tier 1 Share: EE = 17%, ER= 83% of incoming funds
    - Tier 2 Share: EE = 23.7%, ER = 76.3% of incoming funds
    - Tier 3 Share: EE = 50%, ER = 50% of incoming funds
- Cost Savings (continued)
  - Greater age requirement
    - Tier 1: 20 years of service, no age requirement; or 15 years of service, age 62
    - Tier 2: 25 years of service; or 52.5 years of age & 15 years of service (-4% per year for each year of service under 25)
    - Tier 3: 55 years of age & 15 years of service
  - Reduced graded multiplier formula
    - DB= Average Compensation x Years of Service x Graded Multiplier
    - Tier 3 averages 3.15% savings over Tier 2 (8.19% savings over Tier 1)
  - Capped pensionable contributions at \$100,000 (adjusted for CPI)
    - Federally capped for Tier 1&2 (\$215,000 approx.)
  - Employee option to join DB or DC
    - Employer contribution rate to DC=9%, no liabilities
- Cost Savings (continued)
  - Retiree must be retired 7 years or age 60 AND plan must be funded in excess of 70% for COLA's to be awarded
    - 70-79.99% funded =1.0% cap
    - 80-89.99% funded =1.5% cap
    - 90 or greater funded =2.0% cap
  - Required PSPRS to study risk pooling and consolidating local boards
    - Risk pooling passed w/ SB1063 (2017) for employers of 250 employees or fewer
    - Change in allocation of liabilities for transfer employees
  - Changed make-up of PSPRS Board, granting more representation to taxpayer representatives
- Section 2: Best Practices
  - What are best employer practices for paying down unfunded liabilities?



- Pay the employers entire annual required contribution (ARC) as early in the fiscal year as possible trying to take advantage of the time value of money and earn interest.
- Maintain employer contributions to PSPRS for individuals who enter DROP.
- Evaluate employer practice managed through Human Resources (Controllable Costs)

COUNCILMEMBER STEWART asked if instead of doing big lump sums, they pay early into the DROP program.

MR. PONDER said if there are five employees the contribution rate is x and if one of those employees goes into DROP the City is not required to pay for that employee anymore. Mr. Ponder said he is suggesting that the 30% the City would be paying now would be paid into the system.

MAYOR HARTKE said they have been trying to pay it down, and asked if they had been adding additional money and if it was the same thing.

MR. PONDER said no, but he would get to that. Mr. Ponder said this is for any City and can be done. More Cities that have more money in reserves can get into other best practices.

- Best Practices
  - What are other cities/towns doing to pay down unfunded liabilities?
    - Prescott passed a 0.75% dedicated sales tax, Globe passed a 0.3% dedicated sales tax
    - Certain cities are paying lump-sum payments from reserves to "kick-start" paying down UAAL (Coconino County increased funded status from 20% to 70% over a period of time with reserve payments)
    - If revenues outpace anticipated growth, city/town transfers additional revenues to PSPRS
    - If expenditures fall below appropriations @ end of the fiscal year, city/town transfers difference to PSPRS

MAYOR HARTKE asked if that was the same as the previous number 2 on the other slide and asked how it was different.

MR. PONDER said it depends on how it is viewed. It is excess money so it could be applied.

MAYOR HARTKE said it goes into the same account.

MR. PONDER said yes.

COUNCILMEMBER LOPEZ said they have been using one-time funds for these lump sums. If they take the 30% from the DROP program that would be out of the regular reoccurring funds so they could add additional money from two different places.

MS. REED said the best practices are not new to Chandler and this is something from the past few years. Ms. Reed said Ms. Lang is very familiar with these. Ms. Reed said they have been ramping up the ongoing payments over time as well, and in February they would be able to show where the annual costs are dropping.

COUNCILMEMBER ORLANDO said they wanted to ensure they are talking about the same thing.

MR PONDER said Chandler has been doing the right thing. It is things that are out of the City's control that give the perception that there is more they can do or they did something wrong. It is nothing that Chandler has done.

COUNCILMEMBER McCLYMONDS said when we made the plan to take the 14 year pay down and asked if the AAA status was given because of that approach.

DAWN LANG, Management Services Director, said the AAA status has been in place for quite some time. The pensions became a higher focus with rating agencies so when a City has a well thought out plan it bodes well to continue the AAA.

COUNCILMEMBER McCLYMONDS asked about the 80% number and if that is the City's goal.

MS. LANG said it is hard to project what the rating agency will do. Ms. Lang said as long as they continue to follow their financial policies and pay down the debt the City will continue to do well when it comes to the rating. Ms. Lang said they have all of these practices in place and wanted to ensure it is clear.

COUNCILMEMBER LOPEZ asked if that included the DROP contributions.

MS. LANG said yes it does get added to their payment and they pay it as a one time. Part of the total contribution is split between ongoing and one time already, so it is taken off and sent with the additional payment.

MR. PONDER said he does not necessarily say that 80% is the right number. Mr. Ponder said the conversation in the public sphere is 80% but the number varies based on opinion. Mr. Ponder said there is a goal of 100% funded status, but there is more to it than that including plan design and number of enrollees. Mr. Ponder said all of these are factors so they must look at the entire picture.

COUNCILMEMBER ORLANDO said a lot goes into a AAA bond rating. Councilmember Orlando said there is a trade off because there are other needs that must be met with the City's funding.

MR. PONDER said if they have the revenue then they put more into PSPRS to help pay it down, but each City is very different.

- Section 3: Chandler Summary
- Chandler Combined Police and Fire Assets and Liabilities
- Change in Funded Status, Explained
  - Reduction in assumed rate of return from 8.5% in 2009 to 7.3% in 2019
  - Reduction in projected salary growth from 5.5% in 2009 to 3.5% in 2019
  - Adjustment in amortization schedule from 30 years to 20 years for most plans
  - Loss of multiple lawsuits from 2011 pension reform
  - 2016 legislation adjusting from a PBI to a COLA
  - Mortality table adjustments
- Change in Funded Status, Payroll Growth

COUNCILMEMBER McCLYMONDS said if it was a 5.5 and asked if that was more conservative assumption, so we should have seen an improvement.

MR. PONDER said no, for the last time they had been assuming 5.5% they were assuming the salary would grow at a lower rate then what they were assuming previously, then they would need to pay more today and the unfunded liability is more than what was thought.

COUNCILMEMBER STEWART said they would have been paying in less than the expectation should have been.

MS. REED said Chandler is at 1.2%

MR. PONDER said the new administration at PSPRS hired a new actuary and they believe they would have more accurate assumptions.

COUNCILMEMBER ORLANDO asked if they were looking at a private sector plan.

MR. PONDER said he was not sure what they were looking at. Mr. Ponder said they have someone there that is tasked with reaching out to employers to be that conduit. Mr. Ponder said they have to be sensitive to the "rip off the band aid" approach because not all cities can do that. Mr. Ponder said since 2009, there have been changes to the amortization schedule. Mr. Ponder talked about some actuarial changes that have happened. Mr. Ponder said it is important to pay what they can today because these are constitutionally mandated. There is a significant savings over what it would cost down the road. It is not encouraged to extend the amortization and overtime increases what the City would pay.

MAYOR HARTKE said the frustration is that every year they go into discussion thinking about what has happened. Then when they go into the discussion the following year they expect to see some positive change, but yet it seems like no progress has been made and there is always something new that comes up.

MR. PONDER said he understood the feeling and this is a long-term proposition. The right changes are being made, but there was a lot of turmoil to get to this point.

- Change in Funded Status, Payroll Growth
- Change in Funded Status, Amortization
- Section 5: Upcoming Changes
  - 2016 reform led to:
    - Increased employer influence on the Board
    - League participation in the PSPRS Advisory Committee
    - PSPRS hiring new actuaries and new legal counsel
    - PSPRS efforts and Board direction at extensive outreach to employers (GROAz, ACMA, League Annual Conference, etc.)
  - Actuary is focused on reducing salary growth assumptions
  - Discussions about further decreasing the assumed rate of return
  - Potential calls from reform from outside entities
- Contact Information

COUNCILMEMBER STEWART asked if the 9% still gets taken off.

MR. PONDER said once they got rid of the PBI now there is an assumed rate of return so the peaks pay for the valleys and there is a built in COLA of 2%. They can build the COLA into whatever the benefit would be and now the assumptions are built in. Now they can anticipate for the right thing instead of it being a surprise every year.

COUNCILMEMBER LOPEZ asked if the PBI was eliminated for all Tiers.

MR. PONDER said it was for all Tiers. They all have COLAs now. The structures are a little bit different, but it is still a COLA.

COUNCILMEMBER STEWART asked about the PSPRS Board and how do they know this situation is not going to happen again and what is the accountability.

MR. PONDER said he appreciated the question. The Governor is the one that nominates people to the board. They all have a fiduciary responsibility and they must have the proper training and understand the role. Their role is to ensure the benefits employees are authorized to receive are adequately invested and paid out. Mr. Ponder said there was a period of time that people thought their role was to maximize people's benefits, but that is not the role. Mr. Ponder said their role is to provide information and not play a part in the legislation aspect to change benefits. Mr. Ponder said they did have some influence in the hiring of the administrator and believed the change is positive.

COUNCILMEMBER STEWART said they have a responsibility to the employees and to the taxpayer and when he was first learning about the issue there was not much representation from the City. Councilmember Stewart said it seems like now there is representation.

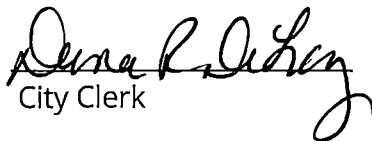
MR. PONDER said there are multiple seats and the League and County makes recommendations so it is more balanced. Mr. Ponder said it is important they have the proper fiduciary training and that the experience is there.


COUNCILMEMBER McCLYMONDS asked about the 19 number for unfunded liability and asked if that included their previous payment.

MS. LANG said it did not. The overpayment would be reflected on the next year's report.

ADJOURNMENT: The Work Session was adjourned at approximately 5:46 p.m.

ATTEST:

  
City Clerk

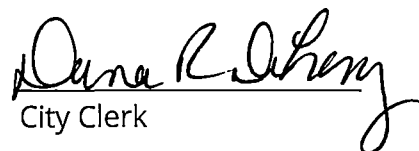
  
Mayor

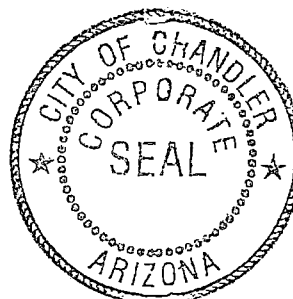
Approval Date of Minutes: January 23, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session Meeting of the City Council of Chandler, Arizona, held on the 9th day of January, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 23 day of January, 2020.

  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, January 23, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, January 23, 2020.

THE MEETING WAS CALLED TO ORDER BY VICE MAYOR RENE LOPEZ AT 6:00 P.M.

The following members answered roll call:

René Lopez	Vice-Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Mayor Kevin Hartke was absent and excused.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pratibha Somaiya, President of the Bhaktivedanta Cultural Center

PLEDGE OF ALLEGIANCE: Councilmember Roe led the Pledge of Allegiance

### **CONSENT AGENDA DISCUSSION**

3. RESOLUTION NO. 5323, adopting the provisions of a development agreement with 25 South Arizona Place, LLC, for development and parking in downtown Chandler. (CONTINUANCE FROM THE DECEMBER 12, 2019, CITY COUNCIL MEETING.)

COUNCILMEMBER ORLANDO thanked Staff for working with the developer to ensure the parking agreement would be fair for all that use it.

5. RESOLUTION NO. 5339, amending the Articles of Incorporation for the Industrial Development Authority (IDA) of the City of Chandler, Article III, Section 4, to allow assistance to businesses and industries located or headquartered in Chandler, Arizona. (STAFF REQUESTS WITHDRAWAL.)

COUNCILMEMBER ORLANDO asked if there was an investment fund relating to transactions that are made, and the interest from an IDA bond. He asked for confirmation there was about \$935,000 in the fund currently.

DAWN LANG, Management Services Director, said the investments that are held by the IDA are the fees accumulated off the bonds based on the par value of the bonds. The current balance is about \$935,000.

COUNCILMEMBER ORLANDO asked if the IDA and Economic Development can work together on ideas on how to utilize these funds to put the money back into Chandler.

MS. LANG said she could take it back to the IDA for a response.

13. PROFESSIONAL SERVICES AGREEMENT NO. WA2001.101, with HDR Engineering, Inc., for the Pecos Surface Water Treatment Plant Lab Study, in an amount not to exceed \$115,146.

COUNCILMEMBER ORLANDO said this is short-term project and they are looking for a long-term solution.

23. FINAL PLAT, PLT19-0050, CHANDLER INDUSTRIAL BUSINESS PARK, replat of three lots (9, 10, and 14) into five lots, on approximately 10.7 acres, located south of the southwest corner of Germann Road and Stearman Drive.

COUNCILMEMBER ORLANDO asked for a staff presentation.

DEREK HORN, Development Services Director, introduced the item. Mr. Horn said this is a subdivision plat to turn three lots into five lots. The project would consist of four flex industrial office buildings and there is a building called the Toy Barn on one of the lots. This building is a high-end storage condo and each space is owned by the individual owners to house expensive items like expensive cars or boats. The PAD was approved in 2004 for I-1 uses and there are no additional entitlements on it.

COUNCILMEMBER ORLANDO said it was good they would potentially see some additional employment with those buildings.

VICE MAYOR LOPEZ clarified there was only street access to the development and not from the airport.

MR. HORN said that was correct.

35. SETTLEMENT Vincon Engineering Construction, LLC vs. City of Chandler in full and final satisfaction of all claims asserted without admitting liability for the amount of \$100,000 and further authorize the City Attorney to sign any necessary documents in such forms as are approved by the City Attorney to effectuate the terms and conditions of settlement in this action.

COUNCILMEMBER ORLANDO said they are using the City insurance policy for fraud on this item and inquired if the company had any fraud insurance as well that they could use.

KELLY SCHWAB, City Attorney, said they do not.

COUNCILMEMBER STEWART asked what the total payout for the insurance and the deductible.

MS. SCHWAB said the City received an invoice for approximately \$171,888 and that amount was paid to a criminal in another country. The police investigated the incident and the money cannot be located. Vincon Construction filed a notice of claim with the City and the City does have a crime protection policy, which they were able to use for the losses. The crime policy covered the damages, but there was a deductible that had to be paid.

COUNCILMEMBER STEWART said it was great they had an insurance policy for something like this and fraud and cybercrime is a huge across the world. He asked if there could be an audit to determine where some of these vulnerabilities may be to ensure it does not happen again.

MARSHA REED, City Manager, said this was the first time something like this had occurred in Chandler. Several years ago, they purchased fraud insurance and staff has been working to ensure it does not happen again and they would report to Council.

COUNCILMEMBER ROE said this is a loss to the City and is a serious matter. For the amount that the City spends the losses could have been much greater and it is great there was insurance for something like this. There is an independent audit that happens every year about procedures, but if there was something that could be done better he would like to learn more about it.

COUNCILMEMBER McClymonds said in his own business where he manages wealth, he had implemented additional verbal verification for changes like this. Councilmember McClymonds was happy to hear that this policy had now been implemented. He believed it would help minimize the chance of it happening again.

VICE MAYOR LOPEZ stated there was a speaker card and invited them to speak.

STEVE PASS, 487 W. Orchid Lane, Chandler, said he has been here since 1985. Mr. Pass said he read the article on this which mentioned \$300,000. Mr. Pass said he was interested to hear how the City was dupped and so he called the City Clerk who then had the Communications and Public Affairs Director follow up to explain what had happened. Mr. Pass said it is huge mistake and said he does not believe they should deny the contractor the full amount of money that was to be paid for the work done. Mr. Pass said both parties are victims and for anyone to talk about going to their companies insurance to make the difference is not right. An email sent to the contractor asking about the change was worthless. Mr. Pass said he did not know how much business this company did with the City, but most companies would not go after the City for the full amount. It would not be worth it to risk the relationship. Mr. Pass believed the fault rested with the City more than the contractor because they did not know the criminal had gotten into their accounts and started sending fraudulent emails to the City. Mr. Pass said the City did not do due diligence to make that kind of change on that amount of money. Mr. Pass said the City



should pay the entire amount because the work was done. Mr. Pass said he has no affiliation with Vincon Construction, but it is only right to pay them what they are owed.

COUNCILMEMBER ORLANDO asked for staff to provide a briefing about the incident.

MS. SCHWAB said the City processes a lot of invoices and the City procedure was followed hundreds of times. It is common to receive an email from a business to change the bank account information, where they have the current bank account information and the new bank account information. The City system generates an email that goes out to the business at the email address on file asking them to confirm they really want to do this and to contact the City within seven days. After that time, a second email goes out to confirm the change was made. The City paid the money and no one had thought anything of it. The person at fault in this situation is the criminal in China who managed to reroute funds from a bank account to China. The City had been talking to the contractor for almost six months. The contractor has an attorney and the City had worked with them. Whenever there is an issue, each side evaluates their case in court and both parties were able to reach an agreement. Both sides took a hit in the agreement, but they believe it is fair in light of everything that happened. Ms. Schwab said they believe it is an appropriate settlement and Vincon's attorney thought it was appropriate and signed the agreement.

COUNCILMEMBER ORLANDO wanted to clarify the email address was the same one they had been using all along, and that Vincon did not respond to the email. This email was not a phony email.

MS. SCHWAB said yes, that was correct.

COUNCILMEMBER ORLANDO said he had asked about the insurance because he wanted to ensure the City was not giving them a double payment if they had already been paid by their own insurance.

COUNCILMEMBER McCLYMONDS said back in 2018 Mayor and Council presented a change in the process for when they talk with the Police and Fire Unions. Councilmember McClymonds said they just went through that process and he felt it was a great change and thanked the staff for their buy-in.

#### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER ROE MOVED TO APPROVE THE CONSENT AGENDA OF THE JANUARY 23, 2020, CITY COUNCIL MEETING NOTING THE REMOVAL OF CONSENT AGENDA ITEM NO. 5; SECONDED BY COUNCILMEMBER McCLYMONDS.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (6-0).

#### CONSENT AGENDA ITEMS

- 1a. MINUTES of the Chandler City Council Study Session of January 6, 2020.
- 1b. MINUTES of the Chandler City Council Work Session of January 9, 2020.
- 1c. MINUTES of the Chandler City Council Executive Session of January 9, 2020.
- 1d. MINUTES of the Chandler City Council Regular Meeting of January 9, 2020.

2. INTRODUCTION OF ORDINANCE NO. 4910, granting a no-cost irrigation easement to Roosevelt Water Conservation District (RWCD), within a portion of Lindsay Road north of Brooks Farm Road, to accommodate the development of the Berge 80 subdivision.

BACKGROUND FROM COUNCIL MEMO:

Maracay Homes is developing the Berge 80 residential subdivision at the northeast corner of Lindsay and Brooks Farm roads. In order to relocate an RWCD irrigation facility that lies within the project, Maracay Homes is requesting the City grant RWCD an irrigation easement within a portion of Lindsay Road so that RWCD can connect to its existing facilities in the area. The easement is to be granted at no cost to RWCD because the developer has paid the required development fees as part of the approval process. The easement will be approximately 14 feet wide by 55 feet in length.

Staff has reviewed and approved the easement and legal description for the requested easement.

3. RESOLUTION NO. 5323, adopting the provisions of a development agreement with 25 South Arizona Place, LLC, for development and parking in downtown Chandler. (CONTINUANCE FROM THE DECEMBER 12, 2019, CITY COUNCIL MEETING.)

BACKGROUND FROM COUNCIL MEMO:

In March 2002, the City executed a Redevelopment Agreement with Equus Chandler, LLC, for the acquisition and redevelopment of the commercial office property located at 25 S. Arizona Place. The Redevelopment Agreement entered a lease agreement with the City giving the City of Chandler leasehold rights to 91 parking spaces in the garage at 100 E. Boston Street. In 2004, Equus Chandler, LLC, sold the building and parking garage to First Credit Union who became obligated to provide the 91 parking spaces to the City of Chandler pursuant to the terms of that agreement.

George Oliver Companies, 25 South Arizona Place, LLC, purchased the building at 25 S. Arizona Place and parking garage in October 2019. The building, to be renamed The Alexander, will receive \$5 million in renovations, creating an 112,000 square foot five-story modernized office building. The renovations will improve the building from Class B to premier Class A office space, enclosing the current ground floor plaza, adding shared spaces, and a health and wellness inspired amenity package. The improvements will also include a training center, coffee and juice bar, lounge and game area, library-themed common workspace, and a billiards room.

The upgrades to the building layout allows for additional office square footage in which additional parking spaces will be required. George Oliver Companies and staff reviewed current parking needs from the Community Center and the Senior Center. It was determined that the City would need to retain 60 parking spaces for the two centers, but could relinquish 31 parking spaces for the purpose of enhancing the economic vitality through increased employee base and increased property values in the downtown.

The new Development Agreement supersedes all prior agreements. The 25-year agreement allows the City to retain the 60 parking spaces, which are identified in Exhibit A of the Agreement. Exhibit A identifies 20 parking spaces on the ground level, 20 parking spaces on the 2nd floor, and 20

spaces on the 3rd floor, all on the east side of the garage closest to the Senior Center. The agreement also allows for the continuation of the City to lease the entire garage after 5:00 p.m. during the week and all day on weekends for residents, visitors, and users of the Community Center.

**FINANCIAL IMPLICATIONS:**

\$29,000 per year, for a period of five years, for the use of 100 E. Boston Street parking garage for residents and visitors of the downtown area during nights and weekends, will be funded from the General Government Capital Projects Fund, Non-departmental Capital Cost Center, Downtown Redevelopment Program (401.1291.5715.0.6GG619).

4. RESOLUTION NO. 5333, adopting minimum levels of relocation assistance as required under Arizona Revised Statute (A.R.S.) § 11-968(C).

**BACKGROUND FROM COUNCIL MEMO:**

Federal law provides for certain levels of relocation assistance under Title 49 of the Code of Federal Regulations, Sections 24.201 through 24.503. The City of Chandler follows this law when acquiring property for City projects. In 2010, State law was amended to mandate the adoption of federal relocation rules as a minimum for relocation assistance. A.R.S. § 11-968(C) requires that acquiring agencies adopt relocation assistance rules that provide, at a minimum, the level of relocation assistance prescribed under federal law. Because Chandler is an acquiring agency, it has consistently followed federal rules and regulations as a standard practice. This resolution formalizes that practice and adopts Title 49 of the Code of Federal Regulations as the City's relocation assistance policy, as required under State law.

**FINANCIAL IMPLICATIONS:**

Funds for relocation assistance are provided for in individual project budgets.

5. RESOLUTION NO. 5339, amending the Articles of Incorporation for the Industrial Development Authority (IDA) of the City of Chandler, Article III, Section 4, to allow assistance to businesses and industries located or headquartered in Chandler, Arizona. (STAFF REQUESTS WITHDRAWAL.)

**BACKGROUND FROM COUNCIL MEMO:**

Resolution No. 5339 amending the Articles of Incorporation for the Industrial Development Authority of the City of Chandler has been withdrawn from the January 23, 2020 Council meeting for further review by the IDA Board.

6. RESOLUTION NO. 5340, amending the 2016-2017 Intergovernmental Agreement (IGA) with Maricopa County, on behalf of the Maricopa HOME Consortium, authorizing the City Manager or designee to sign the amendment and all related documents on behalf of the City of Chandler, to receive HOME funds in the amount of \$370,876.29.

**BACKGROUND FROM COUNCIL MEMO:**

The City of Chandler receives HOME funds annually through the Maricopa HOME Consortium, which is comprised of the cities/town of Avondale, Chandler, Gilbert, Glendale, Peoria, Scottsdale,

Surprise and Tempe. For the Fiscal Year beginning July 1, 2019, the City is authorized to receive \$370,876.29 through an IGA with the Maricopa HOME Consortium.

The City conducted two public hearings on the allocation of Fiscal Year 2019-2020 HOME funds on March 27, 2019, and on April 8, 2019, with a continuation to April 11, 2019, to ensure multiple opportunities for input from the community.

The City Council authorized and approved Fiscal Year 2019-2020 HOME allocation at their meeting on May 23, 2019, with Resolution No. 5264. HOME funds were allocated to the Community Land Trust, First-Time Homebuyer Program operated by Newtown Community Development Corporation and the Tenant-Based Rental Assistance (TBRA) Program operated by the City of Chandler Housing and Redevelopment Division.

The Housing and Redevelopment Division will receive \$206,111.52 to provide a TBRA program for individuals and families experiencing homelessness in Chandler. Up to 25 homeless clients will be provided direct rental and utility deposit assistance to maintain housing or transition to a permanent housing source. Newtown will receive \$141,585.00 to provide affordable homeownership opportunities for up to two low income, Chandler first-time homebuyers who are priced out of the current housing market. In addition, the City will receive \$23,179.77 in funds to administer the Fiscal Year 2019-2020 HOME funds.

#### FINANCIAL IMPLICATIONS:

Funding for the HOME program is provided from the U.S. Department of Housing and Urban Development through the Maricopa HOME Consortium and does not require repayment by the City of Chandler.

7. PRELIMINARY DEVELOPMENT PLAN (PDP), PLH19-0033, LOTUS PROJECT, for a Comprehensive Sign Package for a new multi-tenant, light industrial and office development, located south of the southwest corner of Frye Road and Roosevelt Avenue, north of the Loop 202 Santan Freeway and west of Kyrene Road.

#### BACKGROUND FROM COUNCIL MEMO:

Approximately 53.6 acres. Subject site zoned Planned Area Development (PAD) for light industrial and office with Mid-Rise Overlay allowing building height up to 90 feet; approved April 12, 2018. PDP approved a mix of industrial and office buildings within two phases; signage was not included and required separate PDP submittal. Phase I approximately 463,200 sq. ft. of light industrial and advance manufacturing within four buildings; completed 2019. Phase II approximately 200,000 sq. ft. of office within two buildings or an alternative use of additional light industrial flex uses within three buildings; future construction

#### Proposed Signage

A mix of freestanding monument signs are proposed, two monument signs at the entry and seven tenant monument signs throughout Phases I and II. Proposed wall mounted signage includes either reverse pan channel and pan channel with face lit, halo illumination, or dual illuminated. One freestanding pylon sign is proposed with the completion of Phase II, totaling forty-five (45) feet tall with six proposed tenant panels adjacent to the San Tan 202 Freeway

Surrounding Land Use Data

North	Existing industrial development	South	Santan 202 Freeway
East	Undeveloped parcel owned by Tempe Unified High School District	West	Existing industrial development

Review and Recommendation

Planning staff supports the request for a Comprehensive Sign Package (CSP) for the multi-tenant light industrial and office development including freestanding monument and wall mounted signage. The CSP meets the intent of the Sign Code and proposed signage is architecturally integrated with the existing and future buildings within Lotus Project. The proposed forty-five feet pylon sign is appropriate at this location due to the proximity to the freeway and the multi-tenants proposed throughout the development. Planning and Zoning Commission and Planning staff recommend approval.

Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was in lieu of a neighborhood meeting due to lack of adjacent residential properties. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of January 15, 2020.

Motion to approve.

In Favor: 5    Opposed: 0    Absent: 2 (Eberle, Heumann)

At the Planning and Zoning Commission Study Session, stipulation four was added to change the orange material from a metal cabinet to cement masonry unit (cmu) block to be consistent with the existing architecture.

Recommended Action

Preliminary Development Plan

Planning and Zoning Commission and Planning staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. All signage shall be in substantial conformance with the Booklet, entitled "Lotus Project Comprehensive Sign Plan" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0033, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

4. The applicant shall work with staff to incorporate additional cmu on freestanding monument signs.
8. PRELIMINARY DEVELOPMENT PLAN (PDP), PLH19-0013, ANTIOCH COMMUNITY CHURCH, for site layout and building architecture for a campus expansion, located at 1125 N. Dobson Road, southeast corner of Dobson Road and Ironwood Drive. (CONTINUANCE FROM THE DECEMBER 12, 2019, CITY COUNCIL MEETING.)

**BACKGROUND FROM COUNCIL MEMO:**

Approximate 5.45 acre site. Subject site zoned Planned Area Development (PAD) for church with PDP; 1986. PDP approved total of four buildings within the campus. Zoning amended allowing private school uses on weekdays; 2011. Current proposal amends the PDP for the church campus, including a new sanctuary building with ornamental tower and future youth building encroaching into building setbacks along Dobson Road and Ironwood Drive. Zoning Code limits ornamental towers to 100 feet in height if complying with building setbacks (BSL)

**Surrounding Land Use Data**

North	Ironwood Drive, then Andersen Junior High School	South	Pennington Place (small lot single family homes)
East	Pennington Place (small lot single family homes)	West	Dobson Road, then Seton Catholic High School

**Proposed Project Data**

Existing Campus	<ul style="list-style-type: none"> <li>▪ 21,858 sq. ft. Total Existing Buildings: 9,994 sq. ft. Sanctuary and Offices 11,864 sq. ft. Classrooms Building</li> <li>▪ Building Heights 17-20 feet</li> </ul>
Proposed Phase 1	<ul style="list-style-type: none"> <li>▪ 20,400 sq. ft. Proposed Building with Sanctuary, Office, &amp; Multi-purpose space</li> <li>▪ 854 Seats total Proposed within Sanctuary</li> <li>▪ Building Height 24 feet with 48-foot attached ornamental tower</li> <li>▪ Deviate from required 50' to 40' BSL along Dobson Road with projected overhangs maintaining 32' BSL</li> <li>▪ Deviate from required 30' to 25' BSL along Ironwood Drive</li> <li>▪ Future right of way along Dobson Road requires an additional ten feet if Dobson Road is widened (see site plan), which could reduce BSL to 22' at overhangs but would not affect parking</li> <li>▪ Required parking 214 spaces; 224 Provided</li> <li>▪ Existing buildings painted to match new proposal</li> </ul>
Proposed Phase 2 Projected Five Years	<ul style="list-style-type: none"> <li>▪ Approximately 9,000 sq. ft. Youth Center</li> <li>▪ Building Height max. 30 feet</li> <li>▪ Deviate from required 30' to 25' BSL along Ironwood Drive</li> <li>▪ To be reviewed administratively through future submittal</li> </ul>

**Summary of Hours of Operation and Service**

Monday through Friday Daytime	Open during day time business hours Occasional study groups of 10-50 people
Tuesday, Thursday, & Friday August to May	Private school uses 14 rooms within existing building from 7:30 a.m. to 4 p.m.
Monday through Friday Evening	Study groups of a total of 50 – 200 people Finish prior to 10:00 pm.
Saturday	Study groups of 10 – 50 people
Sunday	Main day of worship, 2-3 services

#### Review and Recommendation

Planning staff has reviewed the request and finds that the proposed architecture provides an exceptional level of design that warrants the requested deviations. The proposed sanctuary's architecture uses a combination of storefront windows, exterior insulation and finish system (EIFS), concrete masonry unit (CMU) block, and large overhangs with live vegetation, which activates the corner and invites pedestrian connection. New sidewalks will be provided from the existing City sidewalks leading into the campus' courtyard between the existing buildings and new building. Generous landscaped areas of twenty-five (25) feet exist between the property line and back of curb along Dobson Road and additional landscaping will be provided as part of the development. A 48-foot ornamental tower is attached to the building along Dobson Road and is set back 39 feet. The tower consists of two panels using a mix of CMU and EIFS and will illuminate through indirect lighting between the panels during the evening. Planning staff worked with the applicant regarding location, height, and design of the tower and supports the ornamental tower request, as it has been incorporated into the design of the building by creating a pedestrian entry from Dobson Road that is proportionally scaled with the existing and proposed development. The Zoning Code permits ornamental towers to be as high as one-hundred feet when set back a minimum of fifty feet from the right-of-way.

Staff finds that the proposed PDP appropriately aligns with the goals of the General Plan and the existing PAD and exceeds the quality and intent of the previously approved PDP. The Planning and Zoning Commission and Planning staff recommend approval.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on September 25, 2019. Four residents, the applicant, a church representative, and Planning staff attended the meeting. Residents inquired about the campus expansion and proposed landscaping adjacent to the patio homes. All residents supported the request. As of the writing of this memo, Planning staff was contacted via email (attached) from an adjacent resident with concerns regarding construction noise and dust. Otherwise, staff is unaware of any concerns or opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of November 20, 2019.

Motion to Approve.

In Favor: 5    Opposed: 0    Absent: 2 (Heumann, Pekau)

Recommended Action

Preliminary Development Plan

Planning and Zoning Commission and Planning staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Submittal Booklet, entitled "Antioch Community Church" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
  2. Plans for the future youth center may be administratively approved by the Planning Administrator upon determining said future phase meets or exceeds the quality and design of the existing building and proposed addition.
  3. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator. The administrator may require that missing or existing failing or dead plants or trees be replanted or replaced with a different species to ensure better maintenance and life expectancy.
  4. The landscaping in all open-spaces shall be maintained by the property owner and shall be maintained at a level consistent with or better than at the time of planting.
  5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
  6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
9. MEMORANDUM OF UNDERSTANDING, with the International Association of Firefighters (IAFF), effective July 1, 2020, through June 30, 2022.

BACKGROUND FROM COUNCIL MEMO:

The City and IAFF commenced negotiations on October 8, 2019. A budget briefing was held on August 29, 2019, to start the process prior to the Association meetings with City Council on September 5, 2019. All articles in the Memorandum of Understanding (MOU) were open to negotiations. The City and IAFF were able to reach agreement on an initial two (2) year MOU that will be in effect from July 1, 2020, through June 30, 2022. The agreement does not include any areas to be reopened during the term. The Meet and Confer ordinance was amended in October, 2018, and allows for the Memorandum of Understanding to continue from year to year after the initial term above ends absent notice by either party of its desire to amend or modify the Memorandum of Understanding through Meet and Confer.

Substantive changes to the MOU include:

- Fund a merit increase of up to 5% for the term of the agreement for all eligible Firefighters, Fire Engineers, and Fire Captains.
- In August, 2020, the annual market survey will be completed using the methodology outlined in the MOU. For this survey only, each classification (Firefighter, Fire Engineer, Fire Captain) will be analyzed separately. If one or more classifications are found to be out of 4th position,



Human Resources will determine the percentage increase required to bring each classification into 4th position. All three classifications will be adjusted by the highest percentage increase of the three needed to bring a specific classification to the 4th position. The individual classification pay ranges will be adjusted and unit members shall receive the appropriate increase based on the formula described in the MOU.

- In FY 21/22, no market survey will be conducted. Effective July 1, 2021, each classification (Firefighter, Fire Engineer, Fire Captain) will receive a 0.75% market adjustment.
- Effective July 1, 2020, upon completion of one year of employment and annually thereafter, unit members assigned to a 24-day work period who have used fewer than 56 hours of sick leave (or the equivalent for unit members assigned to a 7-day, 40-hour work week) during the year preceding their anniversary date of employment may choose to convert 33.6 hours of sick leave (or the equivalent) to vacation or have the dollar equivalent deposited into their Retirement Health Savings Account. Based on IRS regulations, this will require a change to the current Retirement Health Savings program and will be offered city-wide.
- Effective July 1, 2020, the Association may spend up to one (1) hour with each new recruit to explain Association benefits.
- Grievance language was updated to resolve the conflict between the amended Meet and Confer Ordinance, Personnel Rule 18, and the agreement.

The City and IAFF request approval of this agreement.

10. MEMORANDUM OF UNDERSTANDING, with the Chandler Lieutenants and Police Sergeants Association (CLASA), effective July 1, 2020, through June 30, 2022.

#### BACKGROUND FROM COUNCIL MEMO:

The City and CLASA commenced negotiations on October 10, 2019. A budget briefing was held on August 29, 2019, to start the process prior to the Association meetings with City Council on September 5, 2019. All articles in the Memorandum of Understanding (MOU) were open to negotiations. The City and CLASA were able to reach agreement on an initial two (2) year MOU that will be in effect from July 1, 2020, through June 30, 2022. The agreement does not include any areas to be reopened during the term. The Meet and Confer ordinance was amended in October, 2018, and allows for the Memorandum of Understanding to continue from year to year after the initial term above ends absent notice by either party of its desire to amend or modify the Memorandum of Understanding through Meet and Confer.

Substantive changes to the MOU include:

- Fund a merit increase of up to 5% in FY 20/21 and FY 21/22 for all eligible Police Sergeants.
- In August, 2020, the annual market survey will be completed and an adjustment will be applied, if required, using the methodology outlined in the MOU.
- In August, 2021, the annual market survey will be completed and an adjustment will be applied, if required, using the methodology outlined in the MOU. If the August 2021 survey shows the Sergeant classification has moved out of the midpoint between the market comparison of the 3<sup>rd</sup> and 5<sup>th</sup> cities in the ranking, an adjustment will be applied to bring the classification into midpoint of 3<sup>rd</sup> and 5<sup>th</sup> position if required. This recalibration of 4<sup>th</sup> market position will occur only in FY 21/22.

- Effective July 1, 2020, a 5% Special Assignment Pay Differential will be paid to Sergeants assigned to the following specialties: SWAT, Criminal Apprehension Unit (CAU), Robbery/Homicide, Sex Crimes, Family Crimes, Computer Crimes, Gangs, Narcotics, Human Trafficking, Motors/DUI, and Vehicular Crimes Unit (VCU).
- Sergeants are eligible for one (1) Special Assignment Pay Differential only and the assignment is at the discretion of the Police Chief. Any removal from the special assignment is not grievable.
- Shift differential pay will increase each fiscal year shown in the chart below:

Shift	Current Rate	Effective July 1, 2020	Effective July 1, 2021
Mid-Day shift	\$0.30	\$0.50	\$0.60
Swing Shift	\$0.50	\$0.70	\$0.80
Graveyard Shift	\$0.70	\$0.90	\$1.00

- Grievance language was updated to resolve the conflict between the amended Meet and Confer Ordinance, Personnel Rule 18, and the agreement.

The City and CLASA request approval of this agreement.

11. MEMORANDUM OF UNDERSTANDING, with the Chandler Law Enforcement Association (CLEA), effective July 1, 2020, through June 30, 2022.

#### BACKGROUND FROM COUNCIL MEMO:

The City and CLEA commenced negotiations on October 10, 2019. A budget briefing was held on August 29, 2019, to start the process prior to the Association meetings with City Council on September 5, 2019. All articles in the Memorandum of Understanding (MOU) were open to negotiations. The City and CLEA were able to reach agreement on an initial two (2) year MOU that will be in effect from July 1, 2020, through June 30, 2022. The agreement does not include any areas to be reopened during the term. The Meet and Confer ordinance was amended in October, 2018, and allows for the Memorandum of Understanding to continue from year to year after the initial term above ends absent notice by either party of its desire to amend or modify the Memorandum of Understanding through Meet and Confer.

#### Substantive changes to the MOU include:

- Fund a merit increase of up to 5% in FY 20/21 and FY 21/22 for all eligible Police Officers.
- In August, 2020, the annual market survey will be completed and an adjustment will be applied, if required, using the methodology outlined in the MOU.
- In August, 2021, the annual market survey will be completed and an adjustment will be applied, if required, using the methodology outlined in the MOU. If the August 2021, survey shows the Police Officer classification has moved out of the midpoint between the market comparison of the 3<sup>rd</sup> and 5<sup>th</sup> cities in the ranking, an adjustment will be applied to bring the classification into midpoint of 3<sup>rd</sup> and 5<sup>th</sup> position if required. This recalibration of 4<sup>th</sup> market position will occur only in FY 21/22.
- Effective July 1, 2020, a 5% Special Assignment Pay Differential will be paid to Police Officers assigned to the following specialties: SWAT, Criminal Apprehension Unit (CAU), Robbery/Homicide, Sex Crimes, Family Crimes, Computer Crimes, Gangs, Narcotics, Human Trafficking, Motors/DUI, and Vehicular Crimes Unit (VCU).

- Police Officers are eligible for one (1) Special Assignment Pay Differential only and the assignment is at the discretion of the Police Chief. Any removal from the special assignment is not grievable.
- Shift differential pay will increase each fiscal year shown in the chart below:

Shift	Current Rate	Effective July 1, 2020	Effective July 1, 2021
Mid-Day shift	\$0.30	\$0.50	\$0.60
Swing Shift	\$0.50	\$0.70	\$0.80
Graveyard Shift	\$0.70	\$0.90	\$1.00

- Grievance language was updated to resolve the conflict between the amended Meet and Confer Ordinance, Personnel Rule 18, and the agreement.

The City and CLEA request approval of this agreement.

12. PROFESSIONAL SERVICES AGREEMENT NO. WA1914.202, with Black & Veatch Corporation, for the Hydraulic Modeling Improvements, in an amount not to exceed \$178,600.

BACKGROUND FROM COUNCIL MEMO:

The City provides water to customers using multiple treatment facilities, well sites, and reservoirs within two pressure zones. Over the last decade, the City of Chandler has experienced substantial growth which has resulted in significant expansion of the water production and supply systems. As the City continues the move into maintaining and optimizing the water utility, City staff has determined this to be an opportune time to holistically analyze the system to ensure water quality while providing a reliable and sustainable service to the customers. A standard industry concept to investigate infrastructure or operational changes to optimize water systems to increase efficiency and reliability is computer hydraulic model evaluations.

The project scope of work consists of updates to the existing hydraulic model, capacity assessments of the supply, storage, and pumping facilities, fire flow analyses, identification of critical facility outages that may disrupt service to areas in the distribution system, and assessment of the existing pressure zone configuration. The result will be a detailed roadmap of changes needed to the operations, storage, transmission, existing zone configuration, and production sites, and will identify the amount of capital investment needed to ensure the expected level of service. The final deliverable will be a technical memorandum documenting the results and recommendations. The contract completion time is 270 calendar days following Notice to Proceed.

13. PROFESSIONAL SERVICES AGREEMENT NO. WA2001.101, with HDR Engineering, Inc., for the Pecos Surface Water Treatment Plant Lab Study, in an amount not to exceed \$115,146.

BACKGROUND FROM COUNCIL MEMO:

The Pecos Surface Water Treatment Plant (SWTP), located at 1475 E. Pecos Road, was put into service in 1989. The laboratory at the facility, located in the Administration Building, is critical to the operation of the City's water systems and houses equipment and staff whose duties are essential to meet state and federal regulatory standards. Safety requirements, as well as

laboratory technology, have changed over the years, requiring modernization of the existing facility.

This study will consider long-term needs for the laboratory and prepare a space needs assessment to support operations as currently conducted. The assessment will include concept-level plan layouts of options along with cost estimates. The contract completion time is 180 calendar days following Notice to Proceed.

14. PROFESSIONAL SERVICES AGREEMENT NO. WA2002.201, with Wood Environmental & Infrastructure Solutions, Inc., for the design of the Wall Street Utility Improvement (Frye Road to Chicago Street), in an amount not to exceed \$132,910.

BACKGROUND FROM COUNCIL MEMO:

As part of Downtown Chandler redevelopment, assessments of the water system in the Downtown area recommend improvements necessary to replace aging infrastructure. To ensure adequate and reliable levels of service for the existing and proposed developments along Wall Street, this project will replace the waterline in Wall Street between Frye Road and Chicago Street. Due to the high-profile location of the work and accessibility requirements for adjacent businesses and property owners, the Job Order Contract delivery method will be employed for construction.

The project scope of work consists of coordination with stakeholders and utilities, production of construction documents and technical specifications, permit assistance, and cost estimating. Additional scope will include design of infrastructure to accommodate future private utility relocations. The contract completion time is 144 calendar days following Notice to Proceed.

15. PROFESSIONAL SERVICES AGREEMENT NO. WA2006.201, with Wilson Engineers, LLC, for the design of the Chandler Boulevard Waterline Replacement Improvements (Chippewa Place to Meadows Drive), in an amount not to exceed \$114,920.

BACKGROUND FROM COUNCIL MEMO:

The City's Water Distribution Division currently maintains over 36,000 valves and 1,100 miles of pipe in the potable water system. This project is a continuation of a program to replace water mains that are susceptible to main breaks due to age and condition. The program evaluates water infrastructure, identifying high priority water mains in need of replacement. Replacement of City water mains will result in improved system reliability and reduced liability from water damage as a result of main breaks.

This project includes design services for permitting and development of construction documents for the replacement of approximately 1,200 linear feet of water mains, ranging in size from 8-inch to 12-inch in diameter, located in Chandler Boulevard from Chippewa Place to Meadows Drive. In addition, water valves will be installed on Parklane Boulevard and Commonwealth Avenue to provide additional isolation capabilities in the area. New development is anticipated in this area in the near future, and this project will replace potable waterlines before adjacent development commences. Due to the fast timeline of the proposed development, the Job Order Contract delivery method will be used for construction.

The project scope of work consists of project management, utility coordination, geotechnical investigation, design development, and permitting assistance. The contract completion time is 210 calendar days following Notice to Proceed.

16. PROFESSIONAL SERVICES AGREEMENT NO. WW2004.201, with Dibble & Associates Consulting Engineers, Inc., dba Dibble Engineering, for the Sewer Manholes Assessment 2020, in an amount not to exceed \$345,536.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department administers an ongoing Wastewater Sewer Assessment Program to evaluate, prioritize, and repair manholes within the City's collection system. This program will evaluate the structural condition of the sewer collection system. The findings will help prioritize rehabilitation or replacement of wastewater sewer manholes. Sewer infrastructure will be inspected through closed circuit television, 3D optic scanner, and manned entry. This work will focus on arterial streets and other critical sewer facilities. As a result of this study, wastewater facility rehabilitation projects will be brought forward in the future for City Council consideration. In addition, Dibble Engineering will provide City staff with assessment data for integration into the City's maintenance management programs, as well as incorporation into the City's geographic information system.

The project scope of work consists of project management services, inspection of sewer manholes, and recommendations for rehabilitation of this infrastructure. The contract completion time is 300 calendar days following Notice to Proceed.

17. PURCHASE of electrical and lighting products and services utilizing 1 Government Procurement Alliance (1GPA) Contracts 17-13PV-07, 17-13PV-05, 17-13PV-03, 17-13PV-02, listed respectively, with Utility Construction Company, Inc., Urban Energy Solutions, Inc., Hawkeye Electric, Inc., and DECA Southwest, Inc., in a combined amount not to exceed \$500,000.

BACKGROUND FROM COUNCIL MEMO:

The City frequently uses outside vendors for the repair and maintenance of electrical and lighting equipment. Approval of these contracts will provide the City with four (4) contractors to repair and replace electrical equipment throughout the City's parks. In addition to general maintenance of the lighting systems within Chandler's parks, the following parks have been identified for electrical and lighting equipment replacement and installation in Fiscal Year 2019-20: Chuparosa Park, Arrowhead Meadows Park, Pine Shadows Park, Maggio Ranch Park, Shawnee Park, and Windmills West Park.

18. PURCHASE of Cisco network switches, from Dimension Data North America, Inc., utilizing the 1GPA Contract No. 16-11PV-05, in the amount of \$149,989.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler IT Department is recommending the purchase of Cisco Network equipment to replace existing network infrastructure that has reached end of life and maintenance. This purchase will support data center resources that help deliver Citywide application connectivity.

This purchase recommendation is part of the Fund 403 Technology Replacement Program and was sized with 5 years of support and maintenance included.

19. PURCHASE of VMware licenses and annual support, from vCore, utilizing the State of Arizona Contract No. ADSP016-098163, in the amount of \$200,000.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler IT Department leverages VMWare technologies to create efficiencies in infrastructure resources for applications and critical City services. Staff is recommending this purchase of additional VMWare software to support the DELL/EMC VxRail solution. That solution will be providing server and storage resources for Citywide applications such as Lucity, ESRI GIS, MyTimekeeper, Accela, etc. This purchase will be co-termed to the existing VMWare maintenance and renewed annually.

20. PURCHASE of Cisco network equipment and professional services, from Dimension Data North America, Inc., utilizing 1GPA Contract No. 16-11PV-05, in the amount of \$89,780.

BACKGROUND FROM COUNCIL MEMO:

The Ocotillo Brine Reduction Facility (OBRF) treats up to 3 million gallons per day (MGD) of industrial wastewater. In order to improve data collection and use, the OBRF is utilizing the current Cisco computer network De-Militarized Zone (DMZ) to optimize data collection and use along with allowing remote access to the facility's Supervisory Control and Data Acquisition (SCADA) system. The SCADA system provides automation of all OBRF treatment systems.

The DMZ system was recently developed and implemented by the Public Works & Utilities and Information Technology (IT) departments for use by the water and wastewater group. This DMZ addition will allow the OBRF to utilize an existing system for use with a site-specific SCADA system while safely integrating the existing Hach Water Information Management Solution and Lucity Utility programs. OBRF staff, in cooperation with the City's IT Department, is procuring equipment that will enable the data collection and remote systems access. Costs associated with this purchase will be reimbursed by Intel.

21. PURCHASE of network equipment and professional installation services for the Pecos Surface Water Treatment Plant, from Aspen Technologies, Inc., utilizing State of Arizona Contract No. ADSP017-169276, in the amount of \$90,000.

BACKGROUND FROM COUNCIL MEMO:

The Pecos Surface Water Treatment Plant (SWTP), located at 1475 E. Pecos Road, treats and delivers up to 60 million gallons per day of drinking water to Chandler residents. To support this mission, the Pecos SWTP serves as a central hub for operations, maintenance, and water quality staff. Computer work stations are located throughout the facility and utilize a wired network system to transmit data across the utility.

A recent audit conducted by the City's Information Technology Department identified the need to replace the facility's aging network wiring infrastructure. Replacing the wiring will improve network speed and reliability throughout the facility. In addition to replacing the existing cabling, this

project will also provide Wi-Fi access to the maintenance shop at the Pecos SWTP. This will increase the ability of staff to share data across the organization and will pave the way for mobile data solutions in the future.

22. SOLE SOURCE PURCHASE of Supervisory Control and Data Acquisition (SCADA) system support, from Wunderlich Malec Engineering, Inc., in an amount not to exceed \$142,250.

BACKGROUND FROM COUNCIL MEMO:

The Ocotillo Brine Reduction Facility (OBRF), located at 3737 S. Old Price Road, uses a SCADA system to gather and analyze real-time data used to monitor and control the treatment plant and equipment. The SCADA system utilizes General Electric (GE) Cimplicity software that was installed and recently upgraded by WME. This software is needed to ensure plant equipment can be controlled and operated per design specifications and within permitted limits. This sole source purchase is for support and maintenance performed during the recent plant upgrades funded by Intel. Costs associated with this purchase will be reimbursed by Intel.

23. FINAL PLAT, PLT19-0050, CHANDLER INDUSTRIAL BUSINESS PARK, replat of three lots (9, 10, and 14) into five lots, on approximately 10.7 acres, located south of the southwest corner of Germann Road and Stearman Drive.

BACKGROUND FROM COUNCIL MEMO:

Approximately 10.71 net acres. Zoned Planned Area Development (PAD) for industrial; approved 1999

This plat is to replace three existing lots (9, 10, and 14) of Chandler Airport Business Park with five lots to allow for the development of a high-end self-storage establishment as well as four new light industrial buildings. The plat also creates new and identifies existing temporary drainage easements and public utility easements.

Recommended Action

Upon finding the consistency with the General Plan and the approved zoning, Planning staff recommends the City Council approve the Final Plat.

24. FINAL PLAT, PLT17-0029, MCQUEEN COMMONS, for a new townhome development, on approximately 1.4 acres of residential lots and tracts, located approximately one-quarter mile south of the southeast corner of Ray and McQueen roads.

BACKGROUND FROM COUNCIL MEMO:

Approximately 1.46 net acres. Zoned Planned Area Development (PAD) for townhomes; approved 2013

The plat creates the individual residential lots and tracts for a new townhome development and establishes and delineates the private streets. It also creates and shows the necessary easements for access, water lines, drainage, irrigation and utilities.

Recommended Action

Upon finding consistency with the General Plan and the approved zoning, Planning staff recommends the City Council approve the Final Plat.

25. SPECIAL EVENT LIQUOR LICENSE, for Ahwatukee Lacrosse, Ahwatukee Lacrosse Bags Tournament on Sunday, February 9, 2020, from 11:00 a.m. until 6:00 p.m., located at Sandbar Mexican Grill, 7200 W. Ray Road.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Ahwatukee Lacrosse for the Ahwatukee Lacrosse Bags Tournament on Sunday, February 9, 2020, from 11:00 a.m. until 6:00 p.m., located at Sandbar Mexican Grill, 7200 W. Ray Road.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with Neighborhood Resources to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

26. SPECIAL EVENT LIQUOR LICENSE, for The Greater Cause, Angry Crab Southwest Cajun Festival on Saturday, February 15, 2020, from Noon until 9:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by The Greater Cause for the Angry Crab Southwest Cajun Festival on Saturday, February 15, 2020, from Noon until 9:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

27. SPECIAL EVENT LIQUOR LICENSE, for The Greater Cause, Chili Bourbon & Beer festival on Saturday, February 29, 2020, from Noon until 9:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by The Greater Cause for the Chili Bourbon & Beer festival on Saturday, February 29, 2020, from Noon until 9:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.



With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

28. SPECIAL EVENT LIQUOR LICENSE, for The Greater Cause, KNIX BBQ & Beer Festival on Saturday, March 28, 2020, from Noon until 10:00 p.m., located at Tumbleweed Park, 745 E. Germann Road.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by The Greater Cause for the KNIX BBQ & Beer Festival on Saturday, March 28, 2020, from Noon until 10:00 p.m., located at Tumbleweed Park, 745 E. Germann Road.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

29. LIQUOR LICENSE, Series 7, Beer and Wine Bar Liquor License, for Andrea Dahlman Lewkowitz, Agent, Trimark Chandler Hospitality LLC, dba Element by Westin Chandler Fashion Center, located at 44 S. Chandler Village Drive.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 23, 2020:

New License, Series 7, Beer and Wine Bar Liquor License, for Andrea Dahlman Lewkowitz, Agent, Trimark Chandler Hospitality LLC, dba Element by Westin Chandler Fashion Center, located at 44 S. Chandler Village Drive.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 7, Beer and Wine Bar Liquor License, the business may sell beer and wine only for on- or off-premise consumption.

30. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Francisco Javier Diaz, Agent, Rapidomart LLC, dba Rapido Mart, located at 500 E. Chandler Boulevard, Suite 2.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 23, 2020:

New License, Series 10, Beer and Wine Store Liquor License, for Francisco Javier Diaz, Agent, Rapidomart LLC, dba Rapido Mart, located at 500 E. Chandler Boulevard, Suite 2.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

31. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Chajrud Vangchailued, Agent, Mama Thai LLC, dba Mama Thai Kitchen, located at 4995 S. Alma School Road, Suite 1.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 23, 2020:

New License, Series 12, Restaurant Liquor License, for Chajrud Vangchailued, Agent, Mama Thai LLC, dba Mama Thai Kitchen, located at 4995 S. Alma School Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

32. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Lauren Kay Merrett, Agent, Rosas LLC, dba Rosa's Mexican Grill, located at 3002 N. Arizona Avenue, Suites 18 and 19.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on January 23, 2020:

New License, Series 12, Restaurant Liquor License, for Lauren Kay Merrett, Agent, Rosas LLC, dba Rosa's Mexican Grill, located at 3002 N. Arizona Avenue, Suite 18 and 19.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

33. PERMANENT EXTENSION OF PREMISES, Series 12, Restaurant Liquor License, for SanTan Brewing Company Inc., dba SanTan Brewing Company, located at 8 S. San Marcos Place.

BACKGROUND FROM COUNCIL MEMO:

Staff recommends Council forward a recommendation for approval of a Permanent Extension of Premises for State Liquor License No. 12076999, a Series 12, Restaurant Liquor License, held by SanTan Brewing Company Inc., dba SanTan Brewing Company, located at 8 S. San Marcos Place, and further, that approval be given for the Permanent Extension to the City of Chandler Liquor License No. 111265 L12.

SanTan Brewing Company Inc., dba SanTan Brewing Company, located at 8 S. San Marcos Place, has requested a Permanent Extension of their alcohol serving area to include outside seating.

The Police Department has no objections to the permanent extension of premises. All fees have been paid.

34. AGREEMENT NO. BF7-910-3730, AMENDMENT NO. 3, with Ghaster Painting & Coatings, Inc., for painting and related services, for the period of January 1, 2020, through December 31, 2020, in an amount not to exceed \$180,000.

BACKGROUND FROM COUNCIL MEMO:

The City uses painting and drywall services in various City buildings. These agreements provide the City with a contractor who will be on call to accommodate various painting, drywall, and texturing services required throughout the City. By using this agreement, the City will eliminate the need to acquire written quotes each time a service or an emergency arises, while reducing the cost and length of response time per call. Building and Facilities plans on utilizing this contract for interior painting at various city buildings. In addition, the Public Works and Utilities Department will be utilizing the contract for painting of well sites, pumps and piping and the Parks Division for ramadas and restrooms.

35. SETTLEMENT Vincon Engineering Construction, LLC vs. City of Chandler in full and final satisfaction of all claims asserted without admitting liability for the amount of \$100,000 and further authorize the City Attorney to sign any necessary documents in such forms as are approved by the City Attorney to effectuate the terms and conditions of settlement in this action.

BACKGROUND FROM COUNCIL MEMO:

Staff recommends City Council authorize the settlement in the matter of Vincon Engineering Construction, LLC vs. City of Chandler in the amount of \$100,000.

36. BOARD AND COMMISSION APPOINTMENT.

Chandler Cultural Foundation Management Board

Appointed Sherida McMullan

37. SPECIAL EVENT LIQUOR LICENSE, for Arians Family Foundation, A Night at the Museum fundraiser on Saturday, February 22, 2020, from 6:00 p.m. until 10:00 p.m., located at Chandler Museum, 300 S. Chandler Village Drive.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Arians Family Foundation for the A Night at the Museum fundraiser on Saturday, February 22, 2020, from 6:00 p.m. until 10:00 p.m., located at Chandler Museum, 300 S. Chandler Village Drive.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

#### UNSCHEDULED PUBLIC APPEARANCES

None.

#### CURRENT EVENTS

##### A. Mayor's Announcements

VICE MAYOR LOPEZ announced there would be a celebration of life for former Mayor Jerry Brooks at 10 a.m. on February 1, at the Chandler Center for the Arts. Vice Mayor Lopez said he was more than a political figure he was a visionary leader, he was a friend, and a big advocate for the arts in the City. Mayor Brooks was instrumental in the construction of the performing arts center. He had a vision to create a cultural facility to bring more jobs the City and create a higher quality of life for the citizens. Mayor Brooks would be missed by many.

##### B. Councilmember's Announcements

COUNCILMEMBER STEWART said Mayor Brooks would sit him down and always talked about listening to the people. Mayor Brooks was instrumental in ensuring the Price Corridor stayed the employment corridor and created a wonderful environment in Chandler.

COUNCILMEMBER STEWART said he had the opportunity to interview a bunch of kids from the Chandler Entrepreneur's Week at the Children's Business Fair at AJ Chandler Park. Councilmember Stewart encouraged everyone to watch the videos on the City's Facebook page.

COUNCILMEMBER STEWART said the Multicultural Festival was great and thanked staff for all the work they had done.

COUNCILMEMBER McCLYMONDS said Mayor Brooks had told him something had to be done at the Veteran Oasis Park Memorial and it was the next budget cycle they were able to move it up, but it is a shame he did not get to see it completed.

COUNCILMEMBER McCLYMONDS said the City would open its Section 8 housing waitlist January 17 at 8:00 a.m. Applicants may apply online or request a paper application by phone. The deadline is February 10. This year applicants would be selected via lottery and placed on the Section 8 waitlist. Free computer access is available at all City of Chandler Public Library locations and staff would be available at the Downtown Library on select dates.

COUNCILMEMBER HUANG expressed his condolences to Mayor Brook's family.

COUNCILMEMBER HUANG said there was a large turnout at the Multicultural Festival.

COUNCILMEMBER HUANG said every Wednesday there is Live at Lunch at 12:00 p.m. until April 1 for a free lunchtime concert series at the Downtown Stage.

COUNCILMEMBER ROE said on February 20 Mayor Hartke will host the State of the City address at the Chandler Center for the Arts. The event will feature a Made in Chandler Expo. The Expo would take place at 5:30 p.m. and the Mayor would make his comments at 6:00 p.m. The Expo would have interactive activities, locale fare from Chandler businesses, live music, and local artists. Councilmember Roe said Mayor Brooks was a big part of that, and was his friend.

COUNCILMEMBER ORLANDO shared his condolences to the Brooks family. Councilmember Orlando said Mayor Brooks was always concerned with the Veterans' Memorial and Councilmember Orlando said they would get it built. He said Mayor Brooks was a Colonel in the Air Force and when Councilmember Orlando made Colonel, it was the first time he could call Mayor Brooks by his first name and not feel subordinate.

COUNCILMEMBER ORLANDO said February 8 at 10:00 a.m. would be the Chandler Science Spectacular. This is a free event and unique opportunity for citizens to explore the science and engineering in their own backyard. There are over 45 exhibitors and the event is great to get the whole family involved in science. The Chandler Symphony would also be playing around 2:00 p.m.

C. City Manager's Announcements

MARSHA REED, City Manager, announced that on Monday the City would be releasing the 2019 Annual Report.

ADJOURNMENT: The meeting was adjourned at 6:33 p.m.

ATTEST: *Dana R. DeJoy* *Krisi Hartke*  
City Clerk Mayor

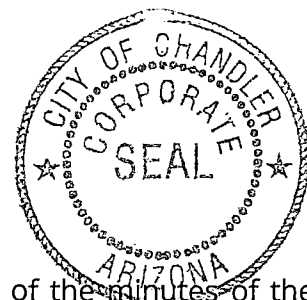
Approval Date of Minutes: February 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 23<sup>th</sup> day of January 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of February, 2020.

*Dana R. DeJoy*  
City Clerk





**CHANDLER CITY COUNCIL  
BUDGET WORKSHOP #1 MEETING MINUTES**

Monday, February 10, 2020

MINUTES OF THE BUDGET WORKSHOP #1 MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, February 10, 2020, in the Chandler City Council Chambers Conference Room, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:31 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice-Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
*Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Roe attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Joshua Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Ryan Peters, Governmental Relations and Policy Manager; Dawn Lang, Management Services Director; Matthew Burdick, Communications and Public Affairs Director; Micah Miranda, Economic Development Director; Cori Garcia, Mayor and Council Communications Manager; Matt Dunbar, Budget Manager.

1. Opening Remarks

MAYOR HARTKE thanked everyone for attending

MARSHA REED, City Manager, introduced the discussion topic and invited staff to present.

2. Financial Outlook and Priority Based Budgeting

DAWN LANG, Management Services Director, presented the following Power Point presentation.

- The Future's in Sight 2020 Vision
  - 01 Financial Outlook and Priority Based Budgeting
  - 02. Preliminary 5-Year Ongoing General Fund Forecast
  - 03. Public Safety Personnel Retirement System (PSPRS)- To be discussed in detail 2/24/2020
  - 04. Preliminary Capital Improvement Plan
  - 05. Preliminary Property Tax Update
- The Future's in Sight 2020 Vision
- Sound Budgeting Practices Support Financially Sustainable Goal
  - Maintains AAA Bond Ratings from Moodys, Fitch and S&P rating agencies
    - Continue adherence to all fiscal policies
    - Continue pay-down of pension obligations
  - Structurally Balanced
    - Ongoing revenues support ongoing expenditures
    - One-time revenues support one-time expenditures
  - Maintain Strong Reserves
    - 15% General Fund contingency reserve
    - Budget Stabilization Reserve at a minimum of \$10M

COUNCILMEMBER ORLANDO asked about using the word maintain. He thought it sounded as if they were just doing the minimum and maybe they could change the wording to enhance the meaning.

MS. LANG said thought that was an excellent point. She said each year they are looking at opportunities to enhance and add services, but they want to ensure they maintain at a minimum their expenditure levels.

MAYOR HARTKE confirmed they can use the word maintain, but also acknowledge they have enhanced services.

COUNCILMEMBER ORLANDO said the word maintain sounds like the City just does the minimum, but the City also enhances a lot of programs.

COUNCILMEMBER STEWART asked if this was part of a mission or vision statement or if it was just for Council.

MAYOR HARTKE said it was for Council.

COUNCILMEMBER LOPEZ said maintain is not the minimum, but it is what they have agreed to and maintenance is something they all need to do.

COUNCILMEMBER ORLANDO thought sustainable was a different term than maintain.

MS. LANG said the Priority Based Budget is to ensure the budget meets the Council goals and meets the needs to the citizens and they would discuss it later in the presentation.

MS. LANG continued the presentation.

- Financial Outlook
  - Economy is in its longest, but slowest expansion on record
  - Growth of sustainable revenue remains steady for now, but economic downturn projected beginning FY2022-23
  - Development revenues continue increasing current one-time, but at a slower rate
  - Mindful that potential State legislative actions may threaten City revenues
  - Volatility in global recycling market causing significant impacts

VICE MAYOR LOPEZ asked about recycling and the significant impact.

MS. LANG said the recycling budget is part of the solid waste enterprise fund. She said it is a small fund in relation to others and it must be self-supporting. The Waste Management contract is increasing significantly compared to before.

COUNCILMEMBER STEWART said they are anticipating increases in the recycling market and asked if that would negatively impact the entire budget.

MS. LANG said no, it is one topic important to the citizens.

MAYOR HARTKE said they would be having a separate meeting on recycling.

MS. REED said the solid waste fund contingency is around \$10 million. The one-year increase on recycling is 10% of that so it is significant to the fund, but not the overall budget.

MS. LANG continued the presentation.

- Fiscal Foundations – Guiding Today into the Future
  - Financial Policies (Adopted by Council Jan. 14, 2016)
  - Operating Management (includes completing Priority Based Budgeting process)
  - Capital Management
  - Reserves (Jan. 26, 2017) (Mar. 22, 2018)
  - Debt Management
  - Long-Range Financial Planning
  - Grant Management
  - Investment
  - Accounting, Auditing, and Financial Reporting
  - Added Jun. 27, 2019, Pension Funding

MS. REED said the Priority Based Budgeting is something they have done every few years and the departments must tie their activities to Council objectives. Then computer program then assigns the programs to a quartile. She said there may be some surprise to where some programs fell in



the quartiles. Ms. Reed said that just because a program fell in a lower quartile it did not mean that the program should be discontinued or that the program was not important.

MAYOR HARTKE said putting out fires did not rate in a high quartile, but it may not be something that Council had really addressed because the service is already done so well. Mayor Hartke said water management did not rate as high either, but it was extremely important and was something that had always been done well.

MATT DUNBAR, Budget Manager, continued the presentation.

- Priority Based Budgeting (PBB)
  - Identified all programs/services provided for good governance and to our community, including the related cost to provide them
  - Scored the programs based on how aligned they are with Council goals
  - Allows us to use data to identify opportunities to reallocate, outsource or partner
- 352 Programs Delivering Services to Our Community
  - 248 Community and 104 Governance Programs
  - Program Examples:
    - Patrol Services
    - Park Maintenance
    - AWRF Wastewater Treatment
    - Pecos Supply Water
    - Building Plan Review
    - Code Enforcement
    - Streets/Road Maintenance
    - Downtown Business and Development
    - Fixed Route Transit
    - Judicial/Courtroom Services
    - Fire Suppression
    - Business Attraction
    - Media Relations
    - Literacy Programs
    - Airport Operations
    - Council Agenda Management
- PBB Program Costs Allocated Based on Alignment to Council Goals

COUNCILMEMBER McCLYMONDS asked if quartile 3 and 4 have been sectioned off to know what the numbers are to see how they separate and drill down into the different areas.

MS. LANG said this information reflects what they have done after making some corrections. She said they were able to identify ones that were only aligning with one program and reevaluate the necessity of it. For example, fire suppression is now in quartile 2 where it fell in 3 before. Ms. Lang said sometimes they get questions from directors and when they look at the scoring it makes sense why it falls where it falls, but some of them needed to be adjusted.

COUNCILMEMBER ORLANDO asked if there was a list of the evaluation they were using.

MS. LANG said yes, it included the goals and program attributes to give more context around the scoring.

MR. DUNBAR said the nice thing about the quartiles is that they are able to drill down and find more information about the dollars spent, more about the program, and how they were scored.

MR. DUNBAR continued the presentation.

- PBB Opportunities Completed or to be Evaluated
  - Utility Billing – CAPA Print, Mail, and Graphics
    - Potential outsourcing can save on equipment, resources, and enhance service
  - Utility Services and Solid Water – Customer Service Center
    - Potential consolidation of calling and cashiering
  - Public Works and Utilities – Grease Trap Inspections
    - Potential outsourcing can save on equipment and resources
  - Transportation Policy – First Mile/Last Mile Partnership
    - Explore public-private partnership to provide low cost access to transit without extending bus routes
  - Fire – Reimbursement/Revenue Offset
    - Potential additional regional training and education in conjunction with our own
  - Police – Continue partnerships with cadets and volunteers
    - Shows utilizing volunteers equates to 5 public safety FTE and continues to be cost effective
  - Development Services – Staff Reallocation
    - Process improvements and increasing automation allow for reallocation of staff to improve customer services and efficiency
  - Neighborhood Resources – VITA Program
    - Outsources program to free up staff managing internally for reallocation to other programs

COUNCILMEMBER HUANG inquired about old equipment and if it was still usable was there a method to sell it to outside companies.

MS. LANG said they do have a process to take it to auction on an online platform and they can recapture money back into the General Fund as a miscellaneous revenue source. Ms. Lang said there is an equipment replacement fund in the City that is under-utilized. Ms. Lang said there is an audit of equipment that is taking place across the City of equipment that is \$10,000 or greater to create a sustainable plan for all City equipment. There is also a vehicle replacement fund and a technology replacement fund, but the equipment replacement fund really needs more review.

COUNCILMEMBER HUANG asked if they need to have a new process in place.

MS. LANG said they have reviewed the fleet replacement process, but they have not reviewed an equipment replacement fund process and that is currently under review and they will report on it later this year.

COUNCILMEMBER HUANG said if they were going to replace equipment, perhaps some small businesses would like to purchase the old equipment directly.

MS. LANG said they do have the public auction where anyone in the City can see all of the items and bid on them. It is a great program and has been a good revenue source.

COUNCILMEMBER ORLANDO said the last time they did priority based budgeting they evaluated the training needed to transfer some of the staff to other departments and inquired if this was included as well. He asked if a function was outsourced could the people be retrained to go into other parts of the City.

MS. LANG said they do look at vacancies or freed up position time. It is one of the things departments look at instead of hiring employees. She said there are training dollars to teach them new skills and put them where they could have a higher value. Each year they look at vacant positions to reallocate them to fit the services today.

COUNCILMEMBER ORLANDO asked if employees understood this and if there were opportunities to stay in the organization. Councilmember Orlando said he did not want them to feel this was a job reduction.

MS. LANG said this is something they have been doing for years so it is not new. The Priority Based Budgeting data is used to be more efficient. Ms. Lang said when they try to do something more efficiently, the employees are part of the review process to see what they can do and some are reprogrammed to other areas where customer service benefits.

MS. REED said the last time Councilmember Orlando went through Priority Based Budgeting was during the recession period and there were discussions of employees being moved around. As they are going through this process, employees are very much aware and if there were a need, they would consider all HR aspects before doing anything.

### 3. Preliminary 5-year Ongoing General Fund Forecast

MS. LANG continued the presentation.

- Preliminary 5 – Year Ongoing General Fund Forecast
- Annual General Fund Revenues and Expenditures
  - Annual Inflow
    - 84% Local Taxes and Licenses and State Shared Revenues
    - 7% Charges for Services (i.e., Parks, Rec, Building, Planning, Library)
    - 3% Misc Receipts (i.e., Interest Inc., Fines, Leases, Surplus Sales)
    - 6% Property Tax and Indirect Costs

- Annual Outflow
  - 76% Personnel (Wages/Benefits)
  - Ongoing Base Budget (i.e. Ongoing Base Budget (i.e., Ops./Maint., Supplies, Utilities)
  - One-Time Decision Package Needs
  - Transfers to Replacement Funds
- If Revenues Exceed Expenditures, General Fund Balance Increases

MAYOR HARTKE said he remembers when he was first on Council in 2008, because of the looming recession they had projected zero growth where other cities expected growth. Mayor Hartke said they did not anticipate the recession being what it was. Mayor Hartke said he believes businesses look to see if the City is stable. It is better to be surprised in a positive sense, having conservative projections helps them remain stable during the downturns, and it has served them well in the past.

MS. LANG continued the presentation.

- Preliminary Ongoing General Fund Forecast
  - The ongoing forecast reflects expenditures that are supported by sustainable revenue growth
- Preliminary Ongoing General Fund Forecast – Revenues
  - FY 2020-21 Preliminary Revenues are \$258.7M
  - Over 81% is Vulnerable to Economic Volatility
  - FY2019-20
    - Increases by 3.0% (\$6.3M) over prior year
    - Local Sales Tax support 52% of total ongoing
    - State shared revenue support 29% of total ongoing
  - FY 2020-21
    - Higher one-time revenue results in lower ongoing %
    - 15% (\$39.8M) of total revenues considered one-time
    - Continued development affecting sales tax collections and permit revenue
  - Revenues based on actuals through December 2019
- Ongoing and One-Time Sales Tax Revenues
  - Ongoing sales tax revenues reflect growth over time
  - One-time sales tax revenues fluctuate due to economic volatility
- Preliminary Ongoing General Fund Forecast – Personnel Expenditures
  - Approximately 76% of ongoing operating budget is personnel
    - Includes estimated major benefit increases of retirement, health and workers compensation over the 5- year forecast
    - Does not include estimated salary adjustments for non-public safety
    - Includes MOU changes; public safety merits of 5% (2 years0, estimated 4<sup>th</sup> market of 1.5% (2<sup>nd</sup> year 0.75% for Fire), new Police specialty pays and increased shift differential (\$0.20/hr)

- Retirement Rates Increased
  - PSPRS contribution increased 6.7% (\$598K ongoing/ \$625K one-time)
  - ASRS contribution increased 0.9% (\$65K)
- Position counts unchanged from prior year
- Vacancy savings rate continues at 1.5%

COUNCILMEMBER HUANG asked for more information on the vacancy saving rate.

MS. LANG said they budget every position if it was filled from July 1<sup>st</sup> through June 30<sup>th</sup> however people come and go so there is always going to be some vacancy in the City. This is a savings when they are not paying for an employee. This is reduced by about 1.5% which is about \$2.5 million.

COUNCILMEMBER ORLANDO asked if the 1.5% was about average in the area.

MS. LANG said she was not sure how they compare to other cities. Ms. Lang said they look at the trends for the City of Chandler.

COUNCILMEMBER ORLANDO asked how it was trending.

MS. LANG said they are usually able to meet the 1.5%. Last year they were not able to meet the 1.5% because they had to use some one-time funds to pay ongoing, but that was because they did not know the value of the MOU contracts at the time. That was the first year they did not set aside enough.

COUNCILMEMBER ORLANDO asked what the percentage of ongoing versus one-time.

MS. LANG said she would be able to provide him the details.

COUNCILMEMBER ORLANDO would like to see the trends for each category.

MS. LANG said she would be able to provide the detail at a later time.

MS. LANG continued the presentation.

- Preliminary Ongoing General Fund Forecast –Expenditures
  - Prioritize ongoing demands (Maintain > Enhance > New)
  - Already included in Preliminary ongoing forecast
    - Contractual public safety wage changes and employee benefit increases
    - Operations and maintenance on capital improvement projects based on current CIP
    - Department ongoing base budgets unchanged
  - Remaining ongoing surplus of \$3.8M available
    - Maintain existing service levels (utilities, service contracts, supplies, staffing)

- Enhance or add to service levels
- Change general employee wage/benefit
- Reallocations of existing budgets
- Considerations on moving continuous one-time to ongoing
- FY 2020-21 Department General Fund Decision Packages
  - \$6.0M ongoing requests
  - \$8.4M one-time requests
  - 23 positions requested

MS. REED said the last few years they had done a lot of maintenance using one-time funds, generally in community services or facilities, but those costs are really ongoing. Ms. Reed said as they look at the budget they are trying to get them into the ongoing budget.

COUNCILMEMBER STEWART asked for an example.

MS. REED said they are contracting to have all of the lights at the fields fixed every year. This is something they have to do every year and instead of adding staff to do it they have done it contractually because they have not been able to afford, through the budget process, to put it into ongoing. Ms. Reed said this has been funded for three years straight with one-time money, but it really needs to be in the ongoing budget. Ms. Reed said this is one example, but there are other examples such as at the aquatics center.

COUNCILMEMBER STEWART asked how that happened and why they did not know they needed ongoing funds to run a pool.

MAYOR HARTKE said they knew it and Council has voted on it every year.

COUNCILMEMBER STEWART said he assumed the maintenance of the parks and pools would be an ongoing thing. Councilmember Stewart asked if they had used onetime dollars since these were created.

MS. REED said no, some of the facilities are aging and as they age, the cost goes up so they are higher than the original estimates. Ms. Reed said they need to bring on staff or they need to contract it and it has worked well.

VICE MAYOR LOPEZ asked if it was a symptom of fluctuations because there may be expenses they do not have to do every year like plastering a pool.

MS. REED said that was correct those would be one-time funds but some of the items like lighting that need to be ongoing instead of one-time.

MAYOR HARTKE said a few years ago, coming out of the recession, they focused on street maintenance and after that they began to focus on the parks. Mayor Hartke said they have

started to ask for more enhancements on the parks and these requests went into contractual agreements rather than adding staff. Those decisions had come from Council.

MS. LANG said there is an initial need, but they are trying to determine what level of maintenance is appropriate. There are many pilot programs to determine if it was effective or not and how much was spent so they can determine the appropriate amount.

MS. LANG continued the presentation.

- Determine Priorities for One-Time Dollars
  - New Capital
  - Capital Maintenance
  - Reduction of Pension Debt
  - Save – Reserves
  - Operations and Maintenance
- 4. Public Safety Personnel Retirement System (PSPRS) – Detailed discussion will be February 24, 2020

MS. LANG continued the presentation.

- Public Safety Personnel Retirement System (PSPRS) – Detailed discussion will be February 24, 2020
- Chandler Combined Police and Fire Assets and Liabilities
  - Funding status is starting to increase
    - Additional payments began in FY2016-17 Budget
    - Pension reform and actuarial changes continue

COUNCILMEMBER ORLANDO said part of the issue is the reevaluation they are doing during the audit and agrees with what Ms. Lang is saying.

MS. LANG said Councilmember Orlando is correct.

- More Changes Anticipated
  - PSPRS Board has new actuary
  - Prior actuarial methodologies are being questioned
  - May reduce salary growth assumptions
  - May further decrease assumed rate of return
  - May change how gains or losses are amortized closed (current), open or layered
  - PSPRS provided a modeler 2/5/2020 to help us quantify changes
  - Results are Slow but Effective
    - Pay-down plan formulated 2015
    - Overpayments began FY 2016-17 with \$12.5M reflected through 6/30/2019 actuarial report
    - \$25M overpayment reflected in next report

- Implementing best practices and correcting actuarial flaws is vital
- Unfunded liability and rates will eventually go down if we stay the course
- Our funded levels have increased
- Options for early pay-down at different percentages are being evaluated
- Will be discussed in detail Feb. 24

5. Preliminary Capital Improvement Plan

MS. LANG continued the presentation.

- Preliminary Capital Improvement Plan (CIP)
- CIP Guidelines
  - Maintain existing infrastructure
  - Finish planned construction of parks and southeast arterial streets\*
  - Limit new projects that add ongoing operations and maintenance
  - Address public needs
  - Challenges
    - Various master plan studies in progress
    - Construction costs are high (about 11% increase on bids)
  - CIP guidelines support financially sustainable goal
- Continue Focus on Chandler's Aging Infrastructure
  - Maintaining high quality of life for our 262,808 residents
  - 65 square miles
  - 2,087 miles of streets
  - 27,960 street lights
  - 244 signalized intersections
  - 1,215 miles of potable water lines
  - 933 miles of sanitary sewer
  - 31 operating wells
  - 67 developed parks (1,271 acres)
  - 45 lighted fields
  - 50 municipal buildings
  - 781 fleet vehicles/trucks

COUNCILMEMBER STEWART asked when Council would be receiving the nonessential fleet report.

MS. REED said it was presented to the Council subcommittee several months ago and it did get sent to all of the Council members. The fleet management software installation is underway now. As part of the review, they have eliminated between 25 to 30 vehicles.

COUNCILMEMBER STEWART asked if there was a plan to downsize or eliminate some of the City buildings to reduce the costs.



MS. REED said they have done a deeper dive on the old fire building. There are a couple of other facilities that are aging, but before they put money into those they need to take a deeper look.

MS. LANG continued the presentation.

- Capital Projects Under Review in the 10-Year Plan
  - Minimize any increase in amount of property tax paid by homeowners and businesses
  - Leaving secondary tax rate flat at \$0.87 with a 4% estimated increase in assessed value, generates \$1.05M for debt service on additional bonds
  - Various community/regional park improvements
  - Remaining arterial street projects, Almas School, and Gilbert road projects
  - Street, park, facility, and utility infrastructure maintenance
  - Technology and fiber projects
  - Public safety projects and maintenance of capitalized equipment
  - Critical Airport needs
  - Veterans memorial
  - Additional traffic signals
  - Needed utility plant rehabilitation
  - Advanced Metering Infrastructure (AMI)
  - A bond election will be needed to support future projects

#### 6. Preliminary Property Tax Update

MS. LANG continued the presentation.

- Preliminary Property Tax Update Assessed Values Not Yet Received
- Property Tax Rate Comparison FY 2019-20 (per \$100 of Assessed Valuation)
  - Gilbert 0.9889
  - Scottsdale 1.0412
  - Chandler 1.1281
  - Mesa 1.1870
  - Peoria 1.4400
  - Glendale 1.8585
  - Phoenix 2.1296
  - Tempe 2.4020
- Impact of Increase to Median Value of Homeowner
  - \$0.01 increase to Property Tax Rate brings \$313K additional levy to the City
- Breakdown of \$1 of Typical Chandler Property Tax Bill
  - Typical Tax Bill Cents from Every Dollar Taxed
  - City of Chandler 9.8 Cents
  - Maricopa County and Special Districts 22.7 Cents
  - Public Schools 67.5 Cents
  - Based on 2019 tax bill information. Exact split will vary depending on the school district and any other special taxing districts on the bill
- Key Budget Dates

7. Closing Remarks

COUNCILMEMBER ROE said what he heard today was professional and easy to follow along on the City's website.

ADJOURNMENT: The Budget Workshop #1 was adjourned at approximately 5:53 p.m.

ATTEST: Dana R. DeHay Kevin Harthe  
City Clerk Mayor

Approval Date of Minutes: February 27, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session Meeting of the City Council of Chandler, Arizona, held on the 10th day of February, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of February, 2020.

Dana R. DeHay  
City Clerk







**CHANDLER CITY COUNCIL  
WORK SESSION MEETING MINUTES**

Thursday, February 13, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, February 13, 2020, in the Chandler City Council Chambers Conference Room, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:32 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Vice Mayor Lopez was absent and excused.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Joshua Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Ryan Peters, Governmental Relations and Policy Manager; Dawn Lang, Management Services Director; Matt Burdick, Communications and Public Affairs Director; Christina Pryor, Purchasing and Materials Manager; Matt Dunbar, Budget Manager; Cori Garcia, Mayor and Council Communications Manager; Gregg Capps, Water Resource Manager; John Knudson, Public Works and Utilities Director; Traci Conaway, Recycling Coordinator

1. Presentation and Discussion on the Recycling Market and the City of Chandler's Recycling Program

MARSHA REED, City Manager, introduced the discussion item and asked Gregg Capps, Water Resource Manager, to present.

GREGG CAPPS, Water Resource Manager, presented the following Power Point presentation.

- History of Recycling in Chandler
  - Drop- Off Sites

- Curbside Recycling since 1995
- Recycling Contracts
  - 1995 – 2018
    - Revenue paid to the City
  - 2018 – Now
    - Fees + Revenue Share
- Recycling Process
  - Collection trucks pick up contents of blue recycling cans.
  - Collection trucks deliver recycling loads to United Fibers
  - Recyclables are sorted into categories by equipment and workers.
  - Quarterly audits of recycling loads determine the percentage of each category.
  - Items not accepted for recycling are landfilled.
  - Recycling commodities are sold to make into new products.

COUNCILMEMBER ROE asked if there was a basic percentage on what is recycled and what is returned.

MR. CAPPS said they are projecting about 19%

COUNCILMEMBER STEWART asked if Waste Management picks this up for free.

MS. REED said it is part of the contract for them to pick it up.

MR. CAPPS continued the presentation.

- Education and Outreach
  - Curbside Inspections
    - 99,000 per year
  - Special Events, Presentations to Schools and Civic Groups
    - 25 presentations reaching 3,500 residents
  - Communication
    - Print
    - Video
    - Website
    - Social Media
    - Customer Service
    - Surveys

COUNCILMEMBER McClymonds said this was a big opportunity. He said many people do not know exactly what they can and cannot put in recycling. Councilmember McClymonds asked if there are cities at around 5%.

MR. CAPPS said it varies by each city. Each city also has different criteria as to what is recyclable. Some cities have less and some have more contamination. The projection is considering the new criteria they have.

COUNCILMEMBER HUANG asked if they could print or put information on the bin either on the lid or the side.

MR. CAPPS said it is something they can consider because it will be even more important that the contents are just recyclable.

COUNCILMEMBER ORLANDO said they have done it before and the more they educate the better.

MR. CAPPS continued the presentation.

- Survey Results – Recycling
  - Would you be willing to pay an additional \$1 - \$2 per month to keep curbside recycling in Chandler?
    - 81% Yes
    - 19% No
  - Other than weekly alley or curbside trash pick-up, which of these solid waste services or programs is most important to you?
    - 47% Recycling
    - 24% Bulk Trash
    - 9% RSWCC
    - 6% Household Hazardous Waste
    - 4% Same Day Collection
    - 4% Green Waste
    - 3% Other
    - 2% Not Interested
    - 1% Smaller Bins
  - 2,987 residents responded to these two questions.

COUNCILMEMBER HUANG inquired what RSWCC stands for.

MR. CAPPS said this was the Recycling Solid Waste Collection Center facility that is located on McQueen and Queen Creek Roads.

- Survey Results – Same Day Collection
  - Do you have a preference for recycling and trash collection days?
    - 56% No Preference
    - 25% Collect recycling and trash cans on separate days
    - 19% Collect recycling and trash cans on the same day
  - Would you be willing to pay extra to collect recycling and trash on the same day?
    - 87% No
    - 13% Yes
  - 3,048 residents responded to these two questions
- Survey Results – Bulk

- How satisfied are you with the options the City offers for the disposal of bulk waste?
  - 56% Very Satisfied
  - 26% Satisfied
  - 7% Neutral
  - 2% Dissatisfied
  - 1% Very Dissatisfied
  - 8% I do not use these services
- What enhancements to the City's bulk waste program most interests you?
  - Residents could choose more than one
  - 47% None, I like the program as is. Fee scheduled bulk every 6 weeks.
  - 7% Bulk collection during an assigned week for an additional fee.
  - 9% Allow residents to schedule more frequent bulk pickups.
  - 37% Allow residents to schedule bulk pickups online.
- 2,943 residents responded to these two questions

MS. REED asked for Mr. Capps to share what the Town of Gilbert has done.

MR. CAPPS said Gilbert had done bulk pickup every four weeks, but they have extended it to five weeks based on staffing and cost.

- Survey Results – HHW
  - Which of the options for Household Hazardous Waste (HHW) disposal do you prefer?
    - 64% Use the current HHW drop-off facility
    - 14% HHW collected in front of your home.
    - 22% No Preference
  - 2,926 residents responded to this question

COUNCILMEMBER ORLANDO asked if curbside or home pickup was expensive and if other cities provide it.

MR. CAPPS said they have been approached by Waste Management, but they are not currently doing that with any cities in Arizona right now. Chandler would be the first to offer it. The cost of doing it would be about \$235,000 per year to offer the service. This would be a cost per month per household to do that.

COUNCILMEMBER ORLANDO asked if that would be more cost effective than keeping the current recycling station open.

MR. CAPPS said they have looked at it and it is cheaper for the City to do it.

COUNCILMEMBER ROE asked to clarify if the \$235,000 was for one year.

MR. CAPPS said that was correct.

COUNCILMEMBER ORLANDO asked how many more people would recycle old paint or hazardous material since it might be more convenient. Councilmember Orlando said if they could eliminate those hazards, it might be beneficial.

MR. CAPPS said the environmental hazard and removing that material properly is a benefit. He said some of the other concerns are having the material sit outside the front of the house with pets and children. It is hard to gauge because it is not a service being offered.

COUNCILMEMBER ORLANDO asked if they picked up the materials if they bring it to the Chandler recycling center or if they do their own.

MR. CAPPS said they have not gotten that far in the discussion. One of the proposals was to bring the material to Chandler's facility to sort it and handle it from there.

COUNCILMEMBER ORLANDO asked if they would be paying to use the facility in that situation.

MR. CAPPS said it was a possibility, but they are just in preliminary discussions right now.

MS. REED said they have also talked, as part of the Neighborhood Program, to give those residents an opportunity of an option to bring out the hazardous waste and to collect it there.

COUNCILMEMBER ORLANDO said it is surprising to see how much stuff households have.

- State of Recycling
  - Domestic and International Markets
    - Requirement for cleaner material
  - Recycling Processing Contracts
    - Moving from revenue payments to invoices
  - Increased Contamination
    - 19% contamination rate
    - 26% diversion rate- amount of total solid waste diverted from the landfill

MAYOR HARTKE asked if there were other cities or countries that were interested in beefing up their recycling and if they are hearing anything else to replace China.

MR. CAPPS said he thought Malaysia and Taiwan were accepting material, but there is so much that they are not able to handle all of it.

TRACI CONAWAY, Recycling Coordinator, said part of it is they do not have the infrastructure to handle the quantity because it is coming from multiple countries. There is some talk of China of investing in other countries and mills, but it is happening slowly. Some countries do not have the



workforce or the space. Recently, they have been turning away materials at the ports because they do not have the capacity.

COUNCILMEMBER HUANG asked if they were going to work on this type of company or processing center.

MR. CAPPS said processing centers are very limited. One of them burned down in Maricopa and some cities were delivering to that center. Mr. Capps said the processing centers are limited and they have been looking for two years on options.

COUNCILMEMBER HUANG asked if the City would welcome that type of business.

MR. CAPPS said Chandler may not have the room, but there may be one in the east valley within the next few years although there are no commitments at this time. The equipment is very expensive to set up so there would be a very large capital investment.

COUNCILMEMBER HUANG asked if the market is big enough to implement a program. He said in other countries, there are multiple recycle bins to separate the recycling further and that was something the City may consider.

MR. CAPPS said it would be costly, but it would be nice to partner with other cities. Mr. Capps believed that is the way it worked awhile back. If there was sorting up front it would make Ms. Conaway's job easier because they would know exactly what bin. Another thing to consider would be the collection of the material.

COUNCILMEMBER HUANG said maybe they can try within a community and see how it worked.

COUNCILMEMBER ROE asked how they could figure out what 19 or 20 other big cities like Chandler are doing.

MR. CAPPS said Ms. Conaway is part of different associations and they have also been meeting regularly with other Valley cities so they are all on the same page and other improvement options. Unfortunately, everyone is so tied to contracts it is a hurdle to get over.

- Recycling Contract Revenue (Cost)

COUNCILMEMBER STEWART inquired why the contract would be coming to Council.

MS. REED said the contract expires at the end of the month. If there was not a contract then everything would go to the landfill.

COUNCILMEMBER McCLYMONDS asked if they have run numbers on the difference of 10% contamination compared to 19%, as far as savings.

MR. CAPPS said the rate is for 19,000 tons. Mr. Capps said they hope the contamination would not be that high and they would try to get it down as much as possible.

COUNCILMEMBER ORLANDO asked for more clarification on the cost.

MR. CAPPS said if the contamination rate was 19% then that would be taken out of the tonnage. He said it really depends on how much they are sending and the contamination.

MAYOR HARTKE said they really get hit twice if they send trash. They pay for it on the front and for them to take it away so it increases the tonnage.

COUNCILMEMBER STEWART asked if there was added cost for Waste Management to take it away.

MR. CAPPS said it is part of the contract.

COUNCILMEMBER STEWART asked about the pickup.

MS. CONAWAY said it is twice a week pickup, but does not specify recycling.

COUNCILMEMBER STEWART asked if they could do once a week.

MS. REED said Maricopa County Environmental Health requires a minimum of two pickups a week. Ms. Reed said they would not be saving on Waste Management.

COUNCILMEMBER STEWART asked if that was a changeable ordinance.

MS. REED said it is a health issue and it is the County's requirements.

COUNCILMEMBER STEWART asked if the City served at the leisure of the County or the State.

MS. REED said both.

COUNCILMEMBER HUANG asked about the relationship with schools. He thought they must also produce a lot of recyclables and if they sort the recycling before the City picks it up.

MR. CAPPS said they only pick up trash and recycling for residential. The schools contract with a company to pick it up for them.

COUNCILMEMBER HUANG asked where their garbage goes.

MR. CAPPS said Republic has a different landfill than Waste Management so they are just associated with a landfill.

COUNCILMEMBER McCLYMONDS clarified how they obtained their estimated numbers and said if they reduce the contamination there is opportunity of significant savings. Education would be beneficial to make a positive change.

MAYOR HARTKE said education is important and inquired if there are other best practices other cities are doing to decrease contamination.

MR. CAPPS said the technology is with the processing centers and they have upgraded the equipment. Many cities are challenged right now and it goes back to the contracts with the processor. One opportunity is to reduce the volume going to the facilities by reducing the type of recycling going to the facilities.

COUNCILMEMBER ORLANDO asked if the City has looked at doing a joint facility.

MR. CAPPS said yes, they have been meeting with the cities but there is nothing concrete at this time. They want to do as much partnering as they can, but they are in the beginning stages with the east valley cities. Mr. Capps said they have been looking for two years to work on the cost.

MS. REED said Republic Services is also talking about another facility as well. Staff has been trying to find a solution. She said staff would be proposing one more year and waiting to see if other options come available.

COUNCILMEMBER ROE said the hazmat was particularly important to him and that he valued a good hazmat program that is accessible to the residents.

- Recycling Revenue (Invoices)
- Evaluation of Options
  - What have we done to look for alternatives?
    - Counter offer sent to United Fibers
    - Spoke with Republic Services about recycling
    - Spoke with Waste Management about recycling and landfilling recycling if needed
  - What are other cities doing?
    - Changing city code to reduce contamination by removing cans of repeat offenders
    - Reducing items accepted in their recycling program
    - Removing recycling drop off sites
    - Evaluating contract renewal
    - Eliminating recycling program
- Evaluation of Options
  - What have we done to date?
    - Informed residents about recycling markets
    - Only allow Chandler solid waste rate payers to bring recyclables to the Recycling Solid Waste Collection Center

- Remove neighborhood recycling drop-off sites
- Options
  - Haul recycling material to landfill
    - Short term solution with existing collection contract
    - Would require renegotiating collection contract for long term solution
  - Renew recycling contract with United Fibers
    - Projected costs would be higher than disposal
    - No minimum or maximum tonnage requirements
    - Provide time to look for other costs saving measures
- Recommendations
  - Rebranding recycling program
    - Reduce items accepted for curbside recycling
    - Customer education about what's recyclable in Chandler
  - Continue to explore regional opportunities
    - Similar messaging and contract opportunities
  - Renew contract with United Fibers
    - Council Agenda – Feb. 27

COUNCILMEMBER HUANG said by reading the recommendations he would suggest putting the information on the bin so people know what items to put in when they are putting them in the bin.

MR. CAPPS said they would take a look at that. Mr. Capps said many people make decisions on what to recycle in their house.

MAYOR HARTKE suggested they could have complimentary refrigerator magnets to put in the house.

MR. CAPPS said they have tried many things over the year, but materials may be changing.

MAYOR HARTKE said Council would like more information regarding hazmat waste, possible solutions, and what other cities are doing.

COUNCILMEMBER ORLANDO asked how realistic it would be to get a regional recycling center. Councilmember Orlando said there are a lot of details, but asked if it was a serious discussion with the other cities.

MR. CAPPS said there is a good opportunity to make it happen. With the other cities the conversation has taken place among management staff, but Mr. Capps was not sure how much higher the conversation had gone. Mr. Capps said staff would keep working on it, but was not sure where the other cities were at in the process.

MAYOR HARTKE said it could be a conversation with the east valley city managers to see how much of a possibility it is. Mayor Hartke said it is worth pursuing for education and collaboration.

COUNCILMEMBER STEWART said there is a lot of information and there is information they do not have that they need. Councilmember Stewart said they just raised the rates 6% and asked if that went directly to Waste Management.

MS. REED said it goes into the Solid Waste Fund.

COUNCILMEMBER STEWART said from that fund they pay Waste Management and other solid waste items.

MS. REED said the increase was based on the recycling increases as well as the contract with Waste Management because the contract is expiring.

COUNCILMEMBER STEWART said he does not have enough of the numbers, but saw that it would take \$1.2 million of general fund money to pay it.

MS. REED said this was only for the Solid Waste Fund not General Fund. Ms. Reed said they have loaded in waste cost projected out as well as what they are seeing happening with Waste Management. Ms. Reed said when they met last year they anticipated increases, but they are not seeing a need beyond what they have projected. Ms. Reed said they also have a contingency in the Solid Waste Fund.

COUNCILMEMBER STEWART said then they would be asking people to continue to pay more down the road because of the recycling issue. Councilmember Stewart said they do not want to do that if they are not getting the return on investment they need. He said he would like more to be done on the education side as well as getting best practices from other cities and states. Councilmember Stewart said they do not have enough information to make a decision in two weeks.

MAYOR HARTKE said they have a contract that is expiring and to renew it would give staff time to explore options. Mayor Hartke said if they choose not to continue it is not going to save money because they would still be hauling all of that to the landfill.

COUNCILMEMBER STEWART said he is in support of recycling and asked if they could go month to month with the company.

MS. REED said the company would not be interested in that. Ms. Reed said they have to have some assurance because about every other week they receive a letter and they need to lock in a price. Ms. Reed said she would not recommend trying to go month to month.

COUNCILMEMBER ORLANDO said the tax payers have saved money because they have not raised the rate as fast as they should be. It is just the result of the market.

MAYOR HARTKE said it is a short-term solution to cease recycling because the landfills fill up quicker and new landfills would be a major increased cost.

COUNCILMEMBER STEWART said it is important to make it more affordable.

MAYOR HARTKE said some cities have made the decision that they do want to recycle. If everyone did that it would not be a long term solution. Mayor Hartke said he does not like the rate increases either, but it is still the responsible thing to do and the citizens are behind it based on the survey. Mayor Hartke thought perhaps there would be new innovations happen in the next year and they could see what changes could happen.

COUNCILMEMBER ORLANDO asked what they were thinking of eliminating.

MR. CAPPS said the plastic trays with food would be eliminated it would be like plastic bottles and jugs. Mr. Capps said they can also look at glass.

MAYOR HARTKE said no one is saying doing away with recycling, but it seems extending the contract for a year seems the best possibility.

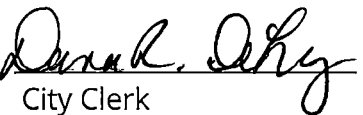
MS. REED said they could come back in six months and see what has happened and prepare before this contract expires.

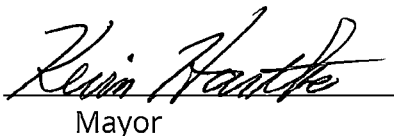
COUNCILMEMBER STEWART said there were stories of recycling agencies not recycling and did not want to tax the citizens to pay a premium just to send it to the landfill. Councilmember Stewart said they need more information and would like to review it in six months with more data.

MS. REED said they would come back for another discussion and an update on the market.

ADJOURNMENT: The Work Session was adjourned at approximately 5:33 p.m.

ATTEST:

  
City Clerk

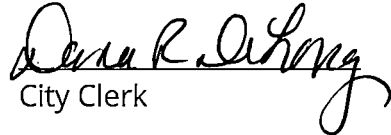
  
Mayor

Approval Date of Minutes: February 27, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session Meeting of the City Council of Chandler, Arizona, held on the 13th day of February, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of February, 2020.

  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, February 13, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, February 13, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Vice Mayor René Lopez was absent and excused.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Deacon Bruce Lundquist, Faith Church of the Valley.

PLEDGE OF ALLEGIANCE: Councilmember Huang led the Pledge of Allegiance.

### **CONSENT AGENDA – MOTION AND VOTE**

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE FEBRUARY 13, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER HUANG.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (6-0).

### **CONSENT AGENDA ITEMS**

1. MINUTES of the Chandler City Council Regular Meeting of January 23, 2020.



2. FINAL ADOPTION OF ORDINANCE NO. 4910, granting a no-cost irrigation easement to Roosevelt Water Conservation District (RWCD), within a portion of Lindsay Road north of Brooks Farm Road, to accommodate the development of the Berge 80 subdivision.

BACKGROUND FROM COUNCIL MEMO:

Maracay Homes is developing the Berge 80 residential subdivision at the northeast corner of Lindsay and Brooks Farm roads. In order to relocate an RWCD irrigation facility that lies within the project, Maracay Homes is requesting the City grant RWCD an irrigation easement within a portion of Lindsay Road so that RWCD can connect to its existing facilities in the area. The easement is to be granted at no cost to RWCD because the developer has paid the required development fees as part of the approval process. The easement will be approximately 14 feet wide by 55 feet in length.

Staff has reviewed and approved the easement and legal description for the requested easement.

This Ordinance was introduced and tentatively adopted on January 23, 2020.

3. RESOLUTION NO. 5341, authorizing the Transportation Master Plan 2019 Update.

BACKGROUND FROM COUNCIL MEMO:

The Transportation Master Plan was last updated in 2010. Over the past year, staff has been working with a consulting firm, Kimley Horn and Associates, to modernize the Transportation Master Plan to reflect the City's growth, changing transportation needs, and emerging transportation technologies. This update incorporated a combination of technical research and analysis and public involvement to develop a series of recommended transportation improvements through 2040.

This plan includes Roadway, Transit, and Bicycle and Pedestrian elements as well as a new section on Leveraging Technology in Transportation. This section analyzes existing and emerging transportation technologies and incorporates appropriate strategies into the Transportation Master Plan recommendations. Each of the three elements and the technology section include near-term (2020-2025), mid-term (2026-2030), and long-term (2031-2040) recommendations to improve transportation infrastructure and operations in Chandler.

Community Engagement:

An essential part of the project involved gathering input from residents and key stakeholders regarding their opinions, ideas, and priorities on Chandler's transportation system. Two rounds of public and stakeholder meetings were held. Feedback from the first round of meetings helped to inform the recommendations that were developed. Feedback from the second round of public meetings showed significant support for the various elements presented in the final draft Transportation Master Plan.

A public survey was also conducted to gain a broader understanding of our residents' current modes of transportation, their anticipated future modes of transportation, information on origins and destinations, and reasons for choosing various modes. 1,075 survey responses were received.

Additionally, staff presented the plan to Mayor and Council at a City Council Work Session on December 9, 2019.

A summary of community engagement efforts and feedback received can be found beginning on Page 209 of the attached Transportation Master Plan 2019 Update.

Financial Implications:

The Transportation Master Plan recommends capital and operating improvements to roadway, bicycle/ pedestrian, transit, and transportation technology. Cost estimates for these improvements are as follows:

Transportation Master Plan 2019 Update Recommendation Cost Estimates

Mode	Near-Term	Mid-Term	Long-Term	Total
Roadway	\$108,150,000	\$220,100,000	\$289,500,000	\$617,750,000
Transit	\$17,746,000	\$51,865,000	\$123,330,000	\$192,941,000
Bicycle and Pedestrian	\$11,290,000	\$46,840,000	\$125,360,000	\$183,490,000
Leveraging Technology	\$1,950,000	\$5,350,000	\$10,800,000	\$18,100,000
Total	\$139,136,000	\$324,155,000	\$548,990,000	\$1,012,281,000

It is important to note that not all recommended improvements have a funding source identified, and unfunded recommendations may not be implemented. However, including unfunded recommendations in this Master Plan Update allows the City to pursue federal grant and regional funding opportunities for a multitude of projects. As the region begins to update the Regional Transportation Plan in preparation for the extension of Proposition 400 (half-cent Countywide transportation sales tax), having these recommendations in place will best position the City as the distribution of funds from this sales tax extension is determined.

Otherwise, all future projects would be prioritized with other City projects through the Capital Improvement Program budget and must be approved separately through the budget process by the City Council.

Transportation Commission:

The Transportation Master Plan 2019 Update was reviewed at the November 6, 2019, meeting of the Transportation Commission and was recommended for approval by a vote of (6-0).

4. AREA PLANNED DEVELOPMENT, PLH19-0068, CARINO 8 ENCLAVE, for an Area Plan Amendment to Carino Estates Area Plan from existing ranchette single-family to low density single-family.  
REZONING, PLH19-0034, from Agricultural (AG-1) to Planned Area Development (PAD) for eight single-family homes.  
PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout and housing product design.  
PRELIMINARY PLAT, PLT-0054, for an eight-lot, single-family residential subdivision located south of Germann Road, approximately 740 feet east of the intersection of Germann and Alma School roads. (STAFF REQUESTS CONTINUANCE TO THE MARCH 26, 2020, CITY COUNCIL MEETING).

BACKGROUND FROM COUNCIL MEMO:

Planning and Zoning Commission and Planning staff recommend the City Council continue the request to March 26, 2020, City Council meeting. On January 15, 2020 the Planning and Zoning Commission continued the request to February 19, 2020, to allow additional time for the applicant to sufficiently prepare the pre-plat exhibits.

5. REZONING, PLH19-0052, 800 E. GERMANN, from Agricultural (AG-1) district to Planned Area Development (PAD) for Planned Industrial (I-1) uses with ancillary office and retail. PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture for an industrial building located west of the northwest corner of Germann and McQueen roads. (STAFF REQUESTS CONTINUANCE TO THE MARCH 26, 2020, CITY COUNCIL MEETING).

BACKGROUND FROM COUNCIL MEMO:

Planning and Zoning Commission and Planning staff recommend the City Council continue the request to the March 26, 2020, City Council meeting. On January 15, 2020, the Planning and Zoning Commission continued the request to February 19, 2020 to allow more time to address access to the site.

6. CLAIMS REPORT for Accounts Payable Payments for quarter ending December 31, 2019.

BACKGROUND FROM COUNCIL MEMO:

The claims report for the Accounts Payable payments for the quarter ending December 31, 2019, is on file in the City Clerk's office (or is attached here if viewing the agenda online) per Section 3-6 of the City Code: The City Manager/designee shall advise the City Council of all claims and demands paid, together with the name of the vendors or payees, dates paid and amounts.

7. AGREEMENT NO. MS6-990-3616, AMENDMENT NO. 4, with Brinks U.S. (formerly Dunbar Armored, Inc.) for armored cars services, for the period of January 1, 2020 through December 31, 2020, in an amount not to exceed \$58,291.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler uses armored car services for a number of locations throughout the City for picking up deposits to be dropped off at the City's main bank, JP Morgan Chase Bank, N.A., Central Vault in Phoenix. The 21 current pick-up locations are: City Hall Central Cashier; City Hall Utilities; Center for the Arts; Chandler Municipal Court; Police Administration; Police Impound Unit; Tumbleweed Recreation Center; Development Services; Arrowhead Pool; Folley Pool; Desert Oasis, Hamilton, Mesquite Groves and Nozomi Aquatic Centers; Basha, Hamilton, Sunset and Downtown Libraries; Community Center, Snedigar Sports Center, and Environmental Education Center.

Using armored car services minimizes the City's exposure to risk when transporting money to and from other City locations as well as to the bank. This service increases workplace safety and allows staff to continue servicing customers and maintaining operations without having to leave their facility to travel to City Hall or the bank to make deposits.

8. PROFESSIONAL SERVICES AGREEMENT NO. ST1701.451, with Consultant Engineering, Inc., for the McClintock Drive and Kyrene Road Bike Lanes Construction Management Services, in an amount not to exceed \$564,615.53.

BACKGROUND FROM COUNCIL MEMO:

Currently, bike lanes exist on Kyrene Road south of Chandler Boulevard and north of the City limit in Tempe. This project adds bike lanes on Kyrene Road from Chandler Boulevard north to the City's border with Tempe, and on McClintock Drive from the Loop 202 Santan Freeway north to the City's border with Tempe.

The project scope of work consists of construction management services, overseeing reconstruction of the center medians, relocation of street lighting, new bike lane signage and striping, and median landscape and irrigation work. The contract completion time is 330 calendar days following Notice to Proceed. This project is anticipated to begin construction March 2020.

A related Construction Contract with AJP Electric, Inc., and a Professional Services Agreement for post design services with Aztec Engineering, Inc., for the McClintock Drive and Kyrene Road Bike Lanes, are also scheduled for this City Council meeting.

9. PROFESSIONAL SERVICES AGREEMENT NO. ST2003.201, with Sunrise Engineering, Inc., for design of Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road), in an amount not to exceed \$270,853.

BACKGROUND FROM COUNCIL MEMO:

In 2015, the City completed construction of the Gilbert Road Improvements Phase 1, Project No. ST0809.402, providing three lanes in each direction between Ocotillo and Chandler Heights roads, except for the segment from just south of Ocotillo Road to Powell Place, which is currently two lanes in each direction.

The Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road) project, included in the current Capital Improvement Program 2020/21, provides for the addition of a third southbound lane on Gilbert Road, between Ocotillo Road and Powell Place, and a new traffic signal just south of Ocotillo Road to serve the Fry's and Sprouts shopping centers.

In July 2019, the Chandler Unified School District (CUSD) announced the purchase of 73.5 acres on the northeast corner of Gilbert and Brooks Farm roads for a new high school, scheduled to open in July 2021. CUSD is responsible for constructing the required Gilbert Road improvements along its frontage which include adding a third northbound lane on Gilbert Road from the north end the school property to approximately 250 feet south of the Brooks Farm Road intersection, as well as new traffic signals at the intersection of Brooks Farm and Gilbert Roads and at the new school's main entrance on Gilbert Road. The City will be responsible for the improvements to add the remaining segments of the third northbound lane.

The City is currently developing an Intergovernmental Agreement (IGA) with CUSD to ensure seamless integration of CUSD's new school project and the City's Gilbert Road Phase II project and specify each entity's financial responsibilities. When completed, the IGA will be brought forward

for City Council consideration, along with any necessary changes in scope to this professional services agreement for the design of Gilbert Road.

This design services agreement covers the southbound improvements on Gilbert Road as well as the portion of northbound improvements outside of CUSD's obligation. The project scope of work for design services includes project management, survey, base mapping, design concept report, utility coordination, design and plans for roadway and signals, specifications, estimates, and provisions for potholing, legal descriptions, public outreach, and environmental site assessments. The contract completion time is 240 calendar days following Notice to Proceed. Construction is anticipated to begin late summer of 2020 and be completed by July 2021. Construction will be delivered via the Construction Manager at Risk (CMAR) procurement method, and the CMAR contract will be brought forward for City Council consideration at a later date.

10. PROFESSIONAL SERVICES CONTRACT NO. ST1701.452, with Aztec Engineering Inc., for the McClintock Drive and Kyrene Road Bike Lanes Post-Design Services, in an amount not to exceed \$39,500.

BACKGROUND FROM COUNCIL MEMO:

Currently, bike lanes exist on Kyrene Road south of Chandler Boulevard and north of the City limit in Tempe. This project adds bike lanes on Kyrene Road from Chandler Boulevard north to the City's border with Tempe, and on McClintock Drive from the Loop 202 Santan Freeway north to the City's border with Tempe.

The project scope of work consists of pre-construction assistance, post-design services, project close-out, and record drawings for the reconstruction of the center medians, relocation of street lighting, new bike lane signage and striping, and median landscape and irrigation work. The contract completion time is 360 calendar days following Notice to Proceed. The project is anticipated to begin construction in March 2020.

A related Construction Contract with AJP Electric, Inc., and a Professional Services Agreement for construction management services with Consultant Engineering, Inc., for the McClintock Drive and Kyrene Road Bike Lanes, are also scheduled for this City Council meeting.

11. CONSTRUCTION CONTRACT NO. ST1701.401, to AJP Electric, Inc., for the McClintock Drive and Kyrene Road Bike Lanes, in an amount not to exceed \$4,736,900.12.

BACKGROUND FROM COUNCIL MEMO:

Currently, bike lanes exist on Kyrene Road south of Chandler Boulevard and north of the City limit in Tempe. This project adds bike lanes on Kyrene Road from Chandler Boulevard north to the City's border with Tempe, and on McClintock Drive from the Loop 202 Santan Freeway north to the City's border with Tempe.

The project scope of work consists of reconstruction of the center medians, relocation of street lighting, new bike lane signage and striping, and median landscape and irrigation work. The construction contract time is 240 calendar days for substantial completion and 270 calendar days for final completion. This project is anticipated to begin construction March 2020.

A related Professional Services Agreement for construction management services with Consultant Engineering, Inc., and a Professional Services Agreement for post design services with Aztec Engineering, Inc., for the McClintock Drive and Kyrene Road Bike Lanes, are also scheduled for this City Council meeting.

12. PURCHASE of playground products and services, utilizing 1 Government Procurement Alliance (1GPA) with Exerplay, Inc. Contract 189-04P-03, FlexGround, LLC Contract 18-04P04, Miracle Playground Sales Contract 18-04P-06, and Shade N' Net of Arizona, Inc. Contract 18-04P-09, in a combined amount not to exceed \$450,000.

BACKGROUND FROM COUNCIL MEMO:

The City frequently uses outside vendors for repairs and maintenance of playgrounds and park amenities. These contracts will provide the City with four (4) contractors for repairs and replacement of park amenities, shade structures, playground surfacing, and playgrounds within Chandler's parks. Pecos Ranch Park, Shawnee Park, Espee Park, and Hoopes Park have all been identified for renovation or replacement of playground equipment and/or amenities for Fiscal Year 2019-20.

13. PURCHASE of maintenance, repair, and operational (MRO) supplies utilizing Omnia Partners (formerly National IPA) with Grainger, Inc., for the term of January 1, 2020 through December 31, 2020, in an amount not to exceed \$300,000.

BACKGROUND FROM COUNCIL MEMO:

On March 9, 2019, the City of Tucson, partnering with Omnia Partners, served as the lead agency to competitively solicit and award a contract for MRO supplies that would be available for national cooperative use. The contract term is January 1, 2020, through December 31, 2022, with two (2) additional one-year extension options. The contract with Grainger, Inc. includes all items available in their catalog, including tools, shelving, safety supplies, lighting, fire extinguishers, medical supplies, and material handling supplies. This contract is used primarily by Buildings and Facilities, Central Supply, Police, Fire, Wastewater Collection, and Water Distribution. The City of Chandler has the ability to use this contract cooperatively through an approved Intergovernmental Agreement with National IPA. The requested \$300,000 amount reflects anticipated purchases based upon previous usage and includes a contingency for unanticipated needs.

14. USE PERMIT, PLH19-0055, SILVERLEAF COACH, for a motorhome repair facility on property zoned Planned Industrial District (I-1), within Stellar Airpark, south of Chandler Boulevard and west of McClintock Drive, located at 4145 W. Mercury Way.

BACKGROUND FROM COUNCIL MEMO:

Site is approximately 1.8 acres, Zoned Planned Industrial District (I-1); allows storage, wholesale, warehousing, manufacturing, assembly type uses, and accessory/incidental office and retail sales. Zoning Code requires Use Permit approval for vehicle repair facilities in industrial zoning districts

Surrounding Land Use Data

North	Light Industrial (Rotorway International)	South	Airport Taxiway and Light Industrial (Stellar Airpark)
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East	Light Industrial (Cox Communications )	West	Airport Runway (Stellar Airpark)
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#### Proposed Business Operations

Building	4,000 sq. ft. office (use of first floor only), 10,000 sq. ft. shop (former hangar)
# of employees	9 full time, may increase to 10
Hours of Operation	6 a.m. – 2 p.m. and until 5 p.m. as needed, Monday through Friday
# of motorhomes	Up to 20 Class A recreational vehicles (coaches)
# of parking spaces	23 total spaces: 8 spaces in front, 15 spaces behind gate

#### Review and Recommendation

Planning staff reviewed the request and finds consistency with the General Plan and the Planned Industrial District (I-I) zoning with approval of a Use Permit. A vehicle repair facility is a compatible use within the industrial park development. Use Permits have been approved in the same industrial park for automotive sales, vehicle repair, and customization businesses.

The business has limited hours and days of operation with no weekend hours. The first floor of the existing building will be used as office and related uses. The second floor will remain unoccupied until the space is leased or the business expands. Customer parking is available in the front parking lot. Employee parking is available both within the rear yard and front parking lot.

Motorhomes will be stored within the shop (former hangar) and behind the gate and east lot when needed. All repair work will occur indoors. On occasion, owners may stay overnight in their self-contained motorhome during their scheduled service. The Stellar Airpark Board and applicant discussed the business's proposal to ensure no conflicts of the business's operation and airplane traffic will occur.

Planning staff recommends a one-year time condition to evaluate the compatibility of the use with the surrounding businesses and the Stellar Airpark operations.

#### Public / Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on January 6, 2020. No one other than the applicant and his staff attended. Planning staff received two phone calls from property owners to state their support of the proposal. Staff is unaware of opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of January 15, 2020.

Motion to Approve.

In Favor: 5    Opposed: 0    Absent: 2 (Heumann, Eberle)

One property owner, who is on the Stellar Airpark Board, commented on the safety of customers as the runway and taxiways are active with planes. Commissioners stated concerns about the

number of nights customers could stay in their motorhomes and how many days motorhomes would be stored on site.

To address these concerns, Commissioners recommended the following new conditions:

- No motorhome shall be kept on site for more than 60 days. (stipulation #11)
- The maximum overnight stay of customers is limited to two nights. (stipulation #12)

#### Recommended Action

Planning staff find the request is in compliance with the General Plan and the Planned Industrial District (I-I) zoning. Planning and Zoning Commission recommends City Council approve the Use Permit, subject to the following conditions:

1. Substantial expansion or modification beyond the approved attachments (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit application and approval.
  2. The Use Permit is non-transferable to any other location.
  3. The site shall be maintained in a clean and orderly manner.
  4. All motorhome repairs, servicing, and upgrades shall occur only within the building.
  5. Overnight storage of motorhomes waiting for servicing shall occur only in the gated rear yard service area, within the building, or within the east parking lot.
  6. All employees and customers shall park on-site.
  7. No motorhome shall park and/or be stored on the street or taxiway.
  8. When the second floor office space is either leased or becomes occupied by the current business, required on-site parking shall be provided.
  9. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
  10. The Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
  11. No motorhome shall be kept on site for more than 60 days.
  12. The maximum overnight stay of customers is limited to two nights.
15. SPECIAL EVENT LIQUOR LICENSE, for Chandler Chamber of Commerce, Chandler Chamber Ostrich Festival on Friday, March 13, 2020, from 11:00 a.m. until Midnight, Saturday, March 14, 2020, from 10:00 a.m. until Midnight, and Sunday, March 15, 2020, from 10:00 a.m. until 11:00 p.m., located at Tumbleweed Park, 745 E. Germann Road.

#### BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Chandler Chamber of Commerce for the Chandler Chamber Ostrich Festival on Thursday, March 12, 2020, from 5:00 p.m. until 11:00 p.m., Friday, March 13, 2020, from 11:00 a.m. until Midnight, Saturday, March 14, 2020, from 10:00 a.m. until Midnight, and Sunday, March 15, 2020, from 10:00 a.m. until 11:00 p.m., located at Tumbleweed Park, 745 E. Germann Road.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.



The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

16. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Michael Jackson Gohn, Agent, Family Dollar Inc., dba Family Dollar Store #25024, located at 1027 N. Arizona Avenue.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on February 13, 2020:

New License, Series 10, Beer and Wine Store Liquor License, for Michael Jackson Gohn, Agent, Family Dollar Inc., dba Family Dollar Store #25024, located at 1027 N. Arizona Avenue.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

17. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Dean Michael LaPlant, Agent, Milwaukee Inn LLC, dba Downtown Chandler Steakhouse, located at 180 S. Arizona Avenue, Suite 106.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on February 13, 2020:

New License, Series 12, Restaurant Liquor License, for Dean Michael LaPlant, Agent, Milwaukee Inn LLC, dba Downtown Chandler Steakhouse, located at 180 S. Arizona Avenue, Suite 106.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

18. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Lauren Kay Merrett, Agent, La Ristra II LLC, dba La Ristra, located at 140 N. Arizona Avenue, Suite 110.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on February 13, 2020:

New License, Series 12, Restaurant Liquor License, for Lauren Kay Merrett, Agent, La Ristra II LLC, dba La Ristra, located at 140 N. Arizona Avenue, Suite 110.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

19. TEMPORARY EXTENSION OF PREMISES, Series 7, for Sleepy Whale LLC, dba Sleepy Whale, for 1st Annual Field Day on Saturday, March 21, 2020, from 9:00 a.m. until Midnight, and Sunday, March 22, 2020 from Midnight until 2:00 a.m., located at 290 S. Arizona Avenue, Suite A.

BACKGROUND FROM COUNCIL MEMO:

Sleepy Whale LLC, dba Sleepy Whale, located at 290 S. Arizona Ave, has requested a temporary extension of the alcohol serving area for a 1st Annual Field Day. The period of the extension is Saturday, March 21, 2020, from 9:00 a.m. until 2:00 a.m..

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

20. TEMPORARY EXTENSION OF PREMISES, Series 6, for TW Steves LLC, dba Fibber Magee's, for Fibber Magee's Annual Saint Patrick's Day Festival on Tuesday, March 17, 2020, from 11:00 a.m. until 10:59 p.m., located at 1989 W. Elliot Road, Suite 19.

BACKGROUND FROM COUNCIL MEMO:

TW Steves LLC, dba Fibber Magee's, located at 1989 W. Elliot Road, has requested a temporary extension of the alcohol serving area for Fibber Magee's Annual Saint Patrick's Day Festival. The period of the extension is Tuesday, March 17, 2020, from 11:00 a.m. until 10:59 p.m.

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

21. TEMPORARY EXTENSION OF PREMISES, Series 7, for Vinum 55 Chandler LLC, dba Vinum 55 Chandler, for Wine Event on Saturday, February 29, 2020, from 3:00 p.m. until 9:00 p.m., located at 2577 W. Queen Creek Road, Suite 112.

BACKGROUND FROM COUNCIL MEMO:

Vinum 55 Chandler LLC, dba Vinum 55 Chandler, located at 2577 W. Queen Creek Road, has requested a temporary extension of the alcohol serving area for a Wine Event. The period of the extension is Saturday, February 29, 2020, from 3:00 p.m. until 9:00 p.m.

The Police Department has no objections to this extension, and the applicant understands that a Temporary Sales and Promotional Event Permit through Neighborhood Resources, is not required, because this is an invitation only event.

22. FINAL PLAT, PLT19-0033, COMMUNITY OF CHRIST CHURCH, for an existing and new church, north of the northwest corner of Alma School Road and Galveston Street, located at 730 N. Alma School Road.

BACKGROUND FROM COUNCIL MEMO:

Zoned Single-family residential (SF-8.5) which allows the church per a Use Permit. Original Use Permit approved in 1993 and subsequent Use Permit approved on November 8, 2018, to allow for a new church building on same property

Purpose

This final plat will dedicate 18-feet of right-of-way and an 8-foot public utility easement along Alma School Road. This dedication will complete the full half-street right-of-way dedication along that portion of Alma School Road.

Recommended Action

Upon finding consistency with the General Plan and the approved Use Permit, Planning staff recommends the City Council approve the Final Plat.

23. FINAL PLAT, PLT19-0035, ASHER POINTE PHASE 1, for Phase 1 of a 92.5 acre singlefamily residential subdivision located on the northeast corner of Riggs Road and Arizona Avenue.  
FINAL PLAT, PLT19-0048, ASHER POINTE PHASE 2, for Phase 2 of a 92.5 acre singlefamily residential subdivision located on the northeast corner of Riggs Road and Arizona Avenue.

BACKGROUND FROM COUNCIL MEMO:

Site was rezoned to Planned Area Development (PAD) with Preliminary Development Plan (PDP) approval for commercial land uses at the southwest corner of the property and 310 single-family homes on February 8, 2018, via DVR17-0007. A PDP for the housing product was later approved on October 10, 2019.

Purpose

The final plats will legally subdivide the subject site to match the approved subdivision layout in the aforementioned PDP and dedicate necessary right-of-way and easements to allow the development of the Asher Pointe single family residential subdivision. The Phase 1 plat shows the boundaries of the 92.5-net-acre area of the total residential site. Plat details such as lots, streets, and open spaces are only shown for the southern half of the residential site. The remaining northern half represents Phase 2 and is identified as "Tract C." The Phase 1 Plat does not establish the corner commercial parcel. A separate plat will be submitted in the future for City Council approval for the corner site prior to its development. The Phase 2 plat is a replat of the northern 46.491-acre area identified as "Tract C" on the Phase 1 plat.

Recommended Action

Upon finding consistency with the General Plan, the approved rezoning and PDPs and applicable City Codes, Planning staff recommends the City Council approve the Final Plats.

24. PURCHASE of Cisco Smartnet, from Dimension Data North America, Inc., utilizing the 1GPA Contract No. 16-11PV-05, in the amount of \$64,010.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler has heavily invested in Cisco technologies for its network foundation. This purchase will extend the maintenance and support for this critical infrastructure for one year, ensuring the ability to keep the equipment up to date and replace failed components as needed. This equipment is covered under the Fund 403 Technology Replacement Program.

25. PURCHASE of Information Technology temporary contract staffing services, from Computer Aid, Inc., utilizing the Sourcewell Contract No. 020817-CAI, in the amount of \$241,770.

BACKGROUND FROM COUNCIL MEMO:

Information Technology has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology staff and work on a temporary basis for a specific assignment. We have a vacancy and have been unsuccessful, after several attempts, in filling this position. The request for \$180,000 is to bring in a contractor to temporarily fill this vacancy. The hourly rate for someone with the skills needed is \$100 per hour.

The request for \$61,770 is to provide back fill support for our document management system in order to prepare for the Microsoft 0365 implementation. The hourly rates for this skill set is \$85 per hour. The estimated duration of both assignments will range from 6 to 12 months.

26. AGREEMENT NO. PD9-200-4038, AMENDMENT NO. 1, with Skaggs Companies Inc., for police uniforms, increasing the existing spending limit by \$305,000, for a revised amount not to exceed \$455,000.

BACKGROUND FROM COUNCIL MEMO:

The current agreement was approved by Council at their June 27, 2019 meeting for \$150,000 for the current fiscal year. The contract provides for the Police Department's annual needs for uniforms for all officers (including reserves), park rangers, cadets, motorist assist volunteers, detention officers, civilians, as well as some uniform related accessories and services.

In addition to annual uniform needs, the Police Department needs to replace 305 ballistic vests that will reach the end of their warranty. To support this replacement, Mayor and Council approved a decision package in June, 2019, as part of the FY 2019-20 budget process. The department currently purchases ballistic vests from Skaggs. This amendment and Council request will increase the spending limit by \$305,000 (to a total of \$455,000), allowing the Police Department to continue to use this vendor to purchase the 305 ballistic vests.

PUBLIC HEARING:

- PH1. ANNEXATION OF APPROXIMATELY 4.62 ACRES LOCATED SOUTH OF THE SOUTHEAST CORNER OF MCQUEEN AND VIA DE PALMAS ROADS.

1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing and called for a staff presentation.

2. Staff Presentation

LAUREN SCHUMANN, Senior City Planner, said the public hearing is being held to begin the process for an annexation. The property is located south of the southeast corner of McQueen and Via De Palmas Roads. The subject site is approximately 4.62 acres large totaling 1 parcel. The property is currently zoned RU-43 within Maricopa County. Some adjacent properties are still part of Maricopa County and have not been annexed into the City. To the north is a County island, currently residential lots. To the south is a

County island that has an existing church. To the east are single-family homes in the City of Chandler and to the west are single-family homes. The General Plan designates the property as residential and the Southeast Area Plan designates it as traditional rural agrarian. Utilities are located within McQueen Road. The request was circulated to City staff and there were no comments or concerns. Posting of the property has been posted on site and in the newspaper and any surrounding neighbors have not contacted staff. After this step, there would be a request for annexation for initial City zoning for AG-1 along with a request for rezoning and preliminary development plan for a single-family subdivision.

### 3. Council Discussion

COUNCILMEMBER ORLANDO asked what date the next phase would be brought to Council.

MS. SCHUMANN said it has not been determined, but it would be anticipated to be brought to Council in the next couple of months.

COUNCILMEMBER STEWART asked if this annexation came from a previous summit or if this was in the works for a while.

MS. SCHUMANN said generally, when a property wants to be developed in Chandler and if they have the ability to annex it into the City boundaries they move forward. Because a majority of the property is adjacent to City boundaries at McQueen Road, they were able to request that it be annexed before developing because they would require City services.

COUNCILMEMBER STEWART asked how long the process takes.

MS. SCHUMANN said it typically takes about three months to go through the annexation process. Developers like to take the annexation with rezoning and PDP afterwards so they generally go together.

### 4. Discussion from the Audience

MAYOR HARTKE called for comments from the audience, there were none.

### 5. Close Public Hearing

MAYOR HARTKE closed the Public Hearing.

#### BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile south of the southeast corner of McQueen and Chandler Heights roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 4.62 acres. Upon annexation, initial City zoning will be Agricultural (AG-1) district. A Rezoning and Preliminary Development Plan are in review for a single-family subdivision and will be forthcoming to City Council

#### Surrounding Land Use Data

North	Single-family residential (unincorporated Maricopa County)	South	Church (unincorporated Maricopa County)
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East	Single-family residential	West	McQueen Road, then single-family residential
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General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in McQueen Road.

Staff Comments

Staff circulated this request among City departments and received no negative comments relative to the property's annexation.

INFORMATIONAL:

1. Minutes of the January 15, 2020, Planning and Zoning Commission meeting.

UNSCHEDULED PUBLIC APPEARANCES

None.

CURRENT EVENTS

A. Mayor's Announcements

MAYOR HARTKE said ballots for the Special Election were mailed out this week. The Special Election would be held on March 10 and will consider a City charter amendment to change the dates of our City elections in order to confirm with state law. Mayor Hartke said the State has changed the dates to move the Primary Election and this brings the City Charter into compliance. Mayor Hartke said to check your mailboxes this week.

MAYOR HARTKE announced the Phoenix Fan Fest would be held at Chandler High School on February 15, sponsored by Waymo. Joining them will be Arizona football legend Larry Fitzgerald to celebrate the place they both call home. There will be opportunity to enjoy local food and music, sports-themed activities, and a chance to say hello to Larry. Mayor Hartke said Waymo sponsored this event. Mayor Hartke said it is free, family-friendly, and first-come, first-served.

MAYOR HARTKE wished everyone a Happy President's Day. Mayor Hartke said City offices would be closed. Mayor Hartke wished everyone a safe and fun holiday weekend with family and friends.

MAYOR HARTKE said on Thursday, February 20, Council would host the 2020 Chandler State of the City. Mayor Hartke said they would be talking about what happened in 2019 as well as looking forward to 2020 and beyond. The theme this year is Made in Chandler. Mayor Hartke encouraged everyone to attend and

learn a little more about what makes our community so unique, while taking a look at where we are headed in 2020. There would be food and several industries in Chandler.

#### B. Councilmember's Announcements

COUNCILMEMBER STEWART said this past Tuesday began the Phoenix East Innovates' Entrepreneur Week where there were about 50 business owners collaborating and 6 other East Valley cities. Councilmember Stewart thanked the Economic Development Team for putting on the event.

COUNCILMEMBER STEWART said next week would be Phoenix Startup Week. Councilmember Stewart said he was selected to speak at the event on a panel regarding entrepreneurship. Councilmember Stewart said this event would be on Thursday, February 20 at 10:00 a.m. at the Better Business Bureau in Phoenix.

COUNCILMEMBER McCLYMONDS said the City would be undergoing an update to the Parks Master Plan and conducting a feasibility study for a Multi-Generational Facility. Councilmember McClymonds encouraged the community to participate in this process by sharing feedback at various public meetings that would be held this year. The first opportunity to provide feedback and input would be March 3, at the Parks and Recreation Board Meeting. Councilmember McClymonds said the input would help shape the future of our parks and recreational facilities and amenities.

COUNCILMEMBER McCLYMONDS said Chandler City Council would host The Future's in Sight: a Live Budget Discussion with Mayor, Council and City Staff on Thursday, February 27. The event would be held via Facebook Live on the City of Chandler's Facebook page following the Council meeting. Councilmember McClymonds said he submitted an article for the San Tan Sun News to highlight his enthusiasm for the budget process. This is an opportunity for Chandler residents and businesses to ask questions, share concerns and give feedback on the City's annual budget. Councilmember McClymonds said comments can be submitted online prior to the event.

COUNCILMEMBER HUANG said the City of Chandler is partnering with the Vietnamese community to host the Children's Vietnamese New Year Festival. The festival would be held at the Community Center this Sunday, February 16 at 5:00 p.m. Councilmember Huang said activities include Lion Dance, Kung-Fu, cultural performances, outfit contests and more.

COUNCILMEMBER HUANG said the first public open house for the Airport Master Plan would be held on Wednesday, February 26, from 5:30 to 7:30 p.m. at the Quantum Helicopter facility located at the Chandler Airport. The open house will provide the community with the opportunity to provide feedback on the initial results of the inventory phase in the airport master planning process. Councilmember Huang said guests are welcome to attend in an open house style, with displays and City staff present to answer questions. This is the first of three public open house events for the Airport Master Plan Update. The remaining open houses will be scheduled in the summer and fall of this year.

COUNCILMEMBER ROE said the Chandler Center for the Arts is organizing its Ninth Annual Eat Your Art Out Chandler community event. Last year, this event raised more than \$12,000. On Tuesday, February 25, 2020, Chandler restaurants, arts patrons and corporations will show their support for the arts in Chandler. For the entire day, 10 local restaurants donate a percentage of their proceeds to support the

programs at Chandler Center for the Arts that make them accessible to everyone. Councilmember Roe said participating restaurants include Floridinos, Chop, The Living Room, Nando's, Rock Lobster, SanTan Brewing, Serranos, Ginger Monkey Tavern, West Alley BBQ and more.

C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 6:18 p.m.

ATTEST: *Dana R. DeHay* *Kevin Hartke*  
City Clerk Mayor

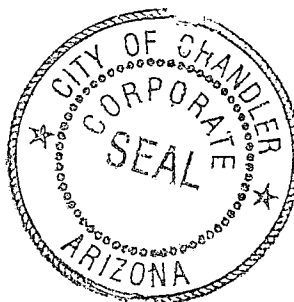
Approval Date of Minutes: February 27, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 13<sup>th</sup> day of February 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of February, 2020.

*Dana R. DeHay*  
City Clerk









## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, February 27, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, February 27, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Executive Pastor Jeff Caupp, Tri-City Baptist Church.

PLEDGE OF ALLEGIANCE: Councilmember Stewart led the Pledge of Allegiance.

### **CONSENT AGENDA – MOTION AND VOTE**

COUNCILMEMBER ROE MOVED TO APPROVE THE CONSENT AGENDA OF THE FEBRUARY 27, 2020, CITY COUNCIL MEETING WITH AN AMENDMENT TO ITEM NO. 6 THAT IN THE EVENT INSIGHT WERE TO LEAVE THE PROPOSED LOCATION INSIGHT WAY WOULD REVERT BACK TO RYAN ROAD WITH THE PROPER NOTIFICATION PROCESS; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION TO APPROVE THE CONSENT AGENDA WITH THE AMENDMENT TO ITEM NO. 6 CARRIED UNANIMOUSLY (7-0).

## CONSENT AGENDA ITEMS

- 1a. MINUTES of the Chandler City Council Budget Workshop #1 of February 10, 2020.
- 1b. MINUTES of the Chandler City Council Study Session Meeting of February 10, 2020.
- 1c. MINUTES of the Chandler City Council Work Session Meeting of February 13, 2020.
- 1d. MINUTES of the Chandler City Council Regular Meeting of February 13, 2020.
2. NO ITEM.
3. RESOLUTION NO. 5342, authorizing the execution of a license to use Salt River Project property, located at the Consolidated Canal between Germann Road and Chandler Boulevard, to conduct the annual City of Chandler Family Bike Ride Event.

## BACKGROUND FROM COUNCIL MEMO:

The annual City of Chandler Family Bike Ride along the Paseo Trail began in 2009 and now includes approximately 200 participants. The event, which is now in its 12th year, provides families a great opportunity to exercise and celebrate bicycling for recreation and as a way to replace automobile trips to work, school and other locations.

This year's event is scheduled for 8:30 a.m. on Saturday, April 4, 2020, along the City's scenic Paseo Trail, which runs along the access road for the Salt River Project (SRP) Consolidated Canal. To facilitate the event, SRP requires the City to enter into a license for use of the canal property. The 7.8-mile ride will start at the City's Park and Ride facility at 2100 S. Hamilton Street (adjacent to Tumbleweed Park), travel north to Tibshraeny Family Park at 270 N. Cottonwood Street (near Chandler Boulevard and Cooper Road), and then return to the Park and Ride facility. The Chandler Fire and Police departments, as well as many volunteers, will participate to ensure the event is fun and safe.

4. RESOLUTION NO. 5346, authorizing the submission of projects for consideration under the 2021 Governor's Office of Highway Safety Grant Program, for the Child Safety Seat Clinic program, and authorizing the City Manager or designee, to negotiate and submit documents on behalf of the City of Chandler.

## BACKGROUND FROM COUNCIL MEMO:

The Chandler Fire Department (CFD) will apply for a Governor's Office of Highway Safety Grant in the amount of \$47,105 to continue its Child Safety Seat Clinics for the period of October 1, 2020 to September 30, 2021. The program will be held primarily in the downtown Chandler Police Department parking lot, and will offer 42 child safety seat (CSS) inspection clinics and distribute up to 170 booster and infant seats to families in need.

All of CFD's child passenger safety technicians (CPST) are certified (at CFD's expense) and will participate in regional and community events sponsored by SafeKids, the Governor's Office of Highway Safety, and other partners. CPSTs will also provide public education to parents and caregivers on passenger safety, CSS installation, and child safety around vehicles via hands-on instruction and printed materials.

FINANCIAL IMPLICATIONS:

This reimbursable grant does not require matching funds.

5. RESOLUTION NO. 5348, authorizing the issuance of Industrial Development Revenue Bonds (Intel Corporation Project) of the Industrial Development Authority (IDA) of the City of Chandler, in an aggregate principal amount not to exceed \$600,000,000.

BACKGROUND FROM COUNCIL MEMO:

The Chandler Industrial Development Authority (the "CIDA") received an application from Intel Corporation, a Delaware corporation, in 2018, requesting CIDA issue tax-exempt bonds in an amount not exceeding \$500,000,000. This request was approved by CIDA and then went to Council on February 14, 2019, for approval. Those bonds were issued by Intel Corporation in 2019 for acquisition, construction, and equipping of industrial sewage and wastewater treatment facilities and solid waste disposal or recycling facilities as part of Intel Corporation's semiconductor manufacturing plant.

CIDA has again received a request from Intel Corporation to issue additional tax-exempt Industrial Development Revenue Bonds. On February 11, 2020, the CIDA board held a public hearing and adopted CIDA Resolution No. 2020-01, approving Intel Corporation, to issue tax-exempt Industrial Development Revenue Bonds in one or more series, in an aggregate principal amount not to exceed \$600,000,000. The CIDA's actions are conditioned upon the granting of approval to the issuance of the Bonds by City Council pursuant to Section 35-721.B of the Industrial Development Financing Act.

Intel Corporation will use the proceeds towards capital expenditures for certain environmental facilities which will be used in connection with portions of semiconductor manufacturing plants. This project supports Intel's \$7 billion manufacturing expansion for its Chandler facilities which is expected to create 3,000 new Intel jobs and more than 10,000 total long-term jobs in Arizona.

FINANCIAL IMPLICATIONS:

The CIDA's main goal is to promote Economic Development in the City of Chandler, allowing eligible companies to receive tax-exempt financing through the issuance of industrial revenue bonds. The City and the CIDA are a conduit for the issuance of the bonds and have no responsibility or liability with regards to the repayment. The transaction and agreement are between Intel and the bond trustee, and will not constitute a debt or pledge of the faith and credit of the CIDA, the City of Chandler, or State of Arizona.

6. RESOLUTION NO. 5349, renaming a segment of Ryan Road between Gilbert Road and Emmett Drive to Insight Way.

BACKGROUND FROM COUNCIL MEMO:

A segment of Ryan Road, west of Gilbert Road, ends at Emmett Drive just east of the Chandler Municipal Airport. 2701 East Ryan Road is the only property that is currently addressed off of the subject segment of Ryan Road. Insight Enterprises, Inc., the owner of the property located at 2701 East Ryan Road, has petitioned the City and requested a street name change for the subject segment of Ryan Road. Insight Enterprises, Inc., has sent letters to six adjacent property owners

notifying them of its petition for name change. City did not receive any responses from these landowners, except from the owner of the adjacent parcel (APN 303-31-005P) located at the southwest corner of Ryan Road and Gilbert Road, indicating their agreement for the name change. The renaming of the street will not impact emergency response. The petition from Insight Enterprises, Inc., adheres to the amendment procedures outlined in the City's adopted Street Naming and Addressing Procedures.

#### Recommended Action

Staff recommends the segment of Ryan Road between Gilbert Road and Emmett Drive shown in the map attached as Exhibit "A" and referenced in the plats shown in Exhibits "B" through "H" be changed from "Ryan Road" to "Insight Way."

7. AGREEMENT NO. MS8-920-3969, AMENDMENT NO. 2, with Parsus Solutions, LLC, for the business registration and specialty license web portal, increasing the existing spending limit by \$100,000, for a revised amount not to exceed \$332,390.62.

#### BACKGROUND FROM COUNCIL MEMO:

The Management Services Department, Tax and Licensing Division administers the Business Registration for Chandler businesses, as well as various regulatory specialty licenses which include Liquor, Transient Merchant, Sexually Oriented Businesses, Massage Establishments, Off-Track Wagering and Second Hand Dealers. The City's existing internally developed software system is managing the registration/licensing data and functionality for our businesses, as well as the data from the Arizona Department of Revenue regarding Chandler Transaction Privilege Tax (TPT) licensing. Through our partnership with Invoice Cloud, the City's third party payment processor, we are now offering an interim online payment feature for Business Registrations and Specialty License renewals. This is the second step to transition the registration and licensing process online.

As we look to the future of online, self-service functionality, we have engaged with Parsus Solutions, LLC, to assist us in creating a custom online web portal that will continue to offer the online payment functionality, but greatly enhance what the business community can do online. In 2020, we anticipate offering businesses the ability to update their business information, apply for new registrations, licenses, or locations, pay any outstanding or new renewal, registration or licensing fees, manage contacts and contact information, print their registration or license, and more; all online through a user friendly portal which contributes to Council's goal of being the most connected City.

The City and the Contractor have worked diligently to complete the project; however, development complexities and changes in resources, have led to the need to increase the duration of the project and allocation of development between the City and the Contractor, resulting in additional costs.

8. AGREEMENT NO. PW8-926-3939, AMENDMENT NO. 1, with United Fibers, LLC, for the processing and marketing of recyclable materials, for a one-year term, March 1, 2020, through February 28, 2021, in an amount not to exceed \$1,200,000.

BACKGROUND FROM COUNCIL MEMO:

In October 2010, the City entered into an agreement with United Fibers, LLC, to process collected recyclable material. The terms for this agreement specified the City would receive \$25.50 per ton for recycling materials delivered and an education fee of \$2.35 per ton. More than 19,970 tons of recycled material was collected from Chandler residents in 2019.

In fall 2017, United Fibers, LLC, requested an amendment to the agreement as a result of China's new restrictions on the types and quality of material accepted for recycling. Previous to this decision, a majority of recyclables processed in the United States were sold to China, resulting in a partial financial offset to cities like Chandler against the cost of processing garbage. Recycling processors transitioned from paying a flat rate per ton for recycling material to charging a processing fee and paying a revenue share for marketable recyclables.

In March 2018, City Council approved an amendment to the agreement with United Fibers, LLC, that required the City to pay a processing fee of \$61.00 per ton and receive a 65% revenue share based on the weighted average of the actual sales of marketable material per ton and an education fee of \$2.35 per ton. The final extension term of the 2010 agreement expired on February 28, 2019.

In June 2018, the City issued a Request for Proposal for the processing and marketing of recyclable materials to replace the 2010 agreement. The proposal from United Fibers, LLC, was determined to be the most viable option. The terms of the current agreement include a processing fee of \$67.00 per ton, with the City receiving a 55% revenue share based on the weighted average of the actual sales of marketable recyclables per ton, and a \$2.00 per ton education fee paid to the City. The term of this agreement is March 1, 2019, through February 28, 2020, with the option of up to four one-year extensions.

For the extension term, United Fibers, LLC, has requested to increase the processing fee to \$80.00 per ton, implement a new waste disposal fee in the amount of \$40.00 per ton for the disposal of contamination, residue, and trash, and eliminate the education fee. These terms are consistent with what the vendor has agreed to with its other municipal customers. Staff will continue to explore all options to reduce the cost required to process recycling materials generated within the City.

9. AGREEMENT NO. ST6-745-3633, AMENDMENT NO.4, with Vulcan Materials Company, for hot mix asphalt materials, for a one-year term, February 1, 2020, through January 31, 2021, in an amount not to exceed \$150,000.

BACKGROUND FROM COUNCIL MEMO:

The Streets Division is responsible for maintenance of the City's street and alley infrastructure. Current maintenance programs include milling and patching of asphalt, repair and replacement of curb and gutter, sidewalk repair, and alley grading. Hot mix asphalt material is used in the repair and maintenance of City streets and is an essential material to have readily available. The Streets Division maintains an annual agreement for hot mix asphalt material to repair street defects and condition deficiencies.

10. PROFESSIONAL SERVICES AGREEMENT NO. ST2002.101, with Aztec Engineering Group, Inc., for the concept development and traffic study of the Kyrene Road Improvements (Chandler Boulevard to Loop 202 Santan Freeway), in an amount not to exceed \$207,456.

BACKGROUND FROM COUNCIL MEMO:

Kyrene Road is currently a four-lane arterial roadway that provides two lanes in each direction, separated by a raised median with protected left turn pockets. Kyrene Road supports commuting traffic to and from the Loop 202 Santan Freeway as well as local traffic associated with homes and businesses between the Loop 202 Santan Freeway and Chandler Boulevard. Due to access restrictions on the existing freeway network, Kyrene Road is the only Loop 202 Santan Freeway westbound exit ramp between the Loop 101 interchange and the I-10 Interchange. Motorists using the westbound Kyrene Road exit experience high levels of congestion during the weekday peak hours of travel.

The project scope of work consists of performing concept development and traffic study and providing the City with a project assessment and traffic report which will document existing conditions, future traffic projections, improvement alternatives, and an intersection capacity analysis of the four surrounding intersections. The contract completion time is 180 calendar days following Notice to Proceed.

11. PROFESSIONAL SERVICES AGREEMENT NO. WW2006.201, with Wilson Engineers, LLC, for the Reclaimed Water Turnout Structure and Pipeline Modifications Design Services, in an amount not to exceed \$209,480.

BACKGROUND FROM COUNCIL MEMO:

The City operates two water reclamation facilities that treat wastewater to produce A+ quality effluent for delivery to the City's reclaimed water system. Reclaimed water is delivered to residential and industrial customers as well as the Gila River Indian Community (GRIC). The City delivers a portion of our reclaimed water supply to GRIC in exchange for Colorado River water per the City's two exchange agreements. In an effort to provide more capacity and redundancy to support these reclaimed water deliveries, the City plans to construct a turnout structure that will connect an existing pipeline allowing for additional delivery to GRIC to meet future obligations.

This project will design a new 10 million gallon per day reclaimed water turnout to convey additional reclaimed water to GRIC. The turnout will repurpose an existing 20-inch pipeline and extend to the existing 36-inch pipeline conveying water from the Ocotillo Water Reclamation Facility reclaimed water pump station to GRIC. The 20-inch pipeline will be modified to connect to an existing 24-inch reclaimed water pipeline and used as the reclaimed water supply to meet system demands.

The project scope of work consists of topographic survey, utility investigation and coordination, legal descriptions, pipeline design, pressure reducing turn-out structure design, and evaluation of the existing pipeline. The contract completion time is 120 calendar days following Notice to Proceed.

12. PROJECT AGREEMENT NO. WA2007.401, with WaCo Contracting, pursuant to Job Order Contract No. JOC1702.401, for the Alma School Well Site Improvements, in an amount not to exceed \$181,883.

BACKGROUND FROM COUNCIL MEMO:

The North Alma School Water Production Facility is located at 3202 N. Alma School Road. This facility was taken out of service in 2005 due to structural issues with the small onsite reservoir. On October 5, 2017, City Council approved an agreement with Salt River Project (SRP) to drill a new well on this site that will be shared with SRP under the existing Water Delivery Use Agreement. As part of the agreement with SRP, the City will install a one-inch potable water service with meter and backflow preventer, as well as replace the old pipe that connects the well site to the water distribution system. Traffic control will be necessary on Alma School Road in the area of the work.

The project scope of work consists of installing a one-inch potable water service with meter and backflow preventer, as well as replacing the old pipe at the North Alma School well site. The contract completion time is 30 calendar days following Notice to Proceed.

13. CONSTRUCTION CONTRACT NO. PR1904.401, to ABC Asphalt, LLC, for Chuparosa Park Parking Lot Expansion, in an amount not to exceed \$264,374.05.

BACKGROUND FROM COUNCIL MEMO:

Chuparosa Park is a 28-acre community park located at 2400 South Dobson Road, one-half mile north of Queen Creek Road. The park was constructed in 2002 and includes the following amenities: 2 lighted multi-use fields, 2 basketball courts, 2 sand volleyball courts, playground, splash pad, walking paths, ramadas and open turf space. In 2019, lighting was added to the two multi-use fields, which has increased their usage. Also on this City Council agenda is a construction contract to add two new volleyball courts and upgrade the park's existing two volleyball courts. The 151 existing parking spaces are no longer sufficient for the increased use of the park's many popular amenities. This project will construct an additional 41 parking spaces on the west side of the park.

The scope of work consists of clearing, subgrade preparation, grading, and asphalt paving. The project also includes the installation of concrete curbs, gutters, and sidewalk along with lighting, landscaping and irrigation.

The contract completion time is 120 calendar days following Notice to Proceed.

14. CONSTRUCTION CONTRACT NO. PR1909.401, to ELS Construction, Inc., for Chuparosa Park Volleyball Courts Improvements, in an amount not to exceed \$209,919.

BACKGROUND FROM COUNCIL MEMO:

Chuparosa Park is a 28-acre community park located at 2400 South Dobson Road, one-half mile north of Queen Creek Road. The park was constructed in 2002 and includes the following amenities: 2 lighted multi-use fields, 2 lighted basketball courts, 2 lighted sand volleyball courts, playground, parking, splash pad, walking paths, ramadas, and open turf space.



Responding to recent requests for additional sand volleyball courts, an amendment to the fiscal year 2019-2020 budget was approved in the amount of \$70,000 for the construction of 2 additional sand volleyball courts at Chuparosa Park. In addition to the 2 new courts, upgrades will be made to the 2 existing courts. Upgrades will include new sand, nets, posts, and boundary markers.

The contract completion time is 90 calendar days following Notice to Proceed. To accommodate the increased demand for Chuparosa Park's amenities, including the additional and upgraded volleyball courts, a construction contract to expand the parking lot by 41 spaces also appears on this City Council agenda.

15. PURCHASE of a crisis negotiation vehicle, from JAR Capital Group, Inc. dba Quality Vans and Specialty Vehicles, utilizing the State of Arizona Contract No. ADSPO16-102779, in the amount of \$192,800.33.

BACKGROUND FROM COUNCIL MEMO:

On September 9, 2019, the City Council passed Resolution No. 5307 authorizing the submittal of a \$194,260 pass-through of a Gila River Indian Community Indian Gaming Grant for a Chandler Police Department Mobile Crisis Negotiations Center. This grant was requested as a result of the current Mobile Crisis Negotiations Center becoming inoperable.

16. PURCHASE of DDoS attack protection service, from Level 3, utilizing the State of Arizona Contract No. ADSPO15-096675, in the amount of \$60,000.

BACKGROUND FROM COUNCIL MEMO:

DDoS attacks are computer-based hacking attacks over the Internet that flood Internet connections with traffic and cause service availability outages to external facing web services and systems. The City of Chandler was previously subjected to one of these attacks and the frequency and intensity of these types of attacks is increasing.

These DDoS protection services capture and scrub away the malicious type of cyber-traffic and allows only acceptable internet traffic.

This need was identified in the FY16-17 budget. Subsequently, a decision package was submitted, approved, and adopted utilizing ongoing funding in the Insured Liability Self Insurance Fund.

This solution has been in place since February 2017. The City currently utilizes Level 3 for Internet connectivity. This request is to continue use of these services with Level 3. This service is renewable annually.

17. PURCHASE of electric motors, repairs, and rewinds, from Foster Electric Motor Service, Inc., dba Arizona Pump and Equipment Co.; Dykman Electrical, Inc.; Keller Electrical Industries, Inc.; and Precision Electric Company, utilizing the City of Mesa Contract No. 2017236, in an amount not to exceed \$525,000.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department currently maintains over 500 electrical motors located at the Airport Water Reclamation Facility, Pecos Surface Water Treatment Plant, Lone Butte Wastewater Treatment Plant, Ocotillo Water Reclamation Facility, Ocotillo Brine Reduction Facility, and booster and well sites. Currently as motors fail, the City has one vendor under contract for electrical motor repairs and replacements. By utilizing the City of Mesa contract, the City is allowed more flexibility on choosing a vendor for repairs and replacements to have the equipment operational in an expeditious fashion. Any electrical motor repairs and replacements for the Ocotillo Brine Reduction Facility will be reimbursed by Intel.

18. SOLE SOURCE PURCHASE of Wonderware Historian software, network equipment and professional services, from Wonderware West, in an amount not to exceed \$216,948.74.

BACKGROUND FROM COUNCIL MEMO:

The City provides water and wastewater services to over 260,000 residents. In order to protect the health and safety of the customers, staff relies heavily on automation to reliably communicate with water and wastewater facilities. This automation is primarily accomplished through a Supervisory Control and Data Acquisition (SCADA) system to gather and analyze real-time data used to monitor and control water and wastewater treatment plants and equipment. The SCADA system utilizes Wonderware software to control and monitor plant processes, trends, alarms, and event data.

This sole source procurement is for the purchase of Wonderware Historian software and network equipment, which will allow the City to collect and store large volumes of data from the SCADA system. The Wonderware Historian high-speed data acquisition and storage system will provide a secure, high-performance database to manage and utilize SCADA system data collected from the Airport Water Reclamation Facility, Pecos Surface Water Treatment Plant, Ocotillo Water Reclamation Facility, Ocotillo Brine Reduction Facility, and over 100 remote facilities including water production sites, water quality monitoring stations, wastewater lift stations, and reclaimed water facilities. Costs associated with this purchase for the Ocotillo Brine Reduction Facility will be reimbursed by Intel.

19. SOLE SOURCE PURCHASE of maintenance and repair services for the Ocotillo Brine Reduction Facility, from Sundt Construction Inc., for a one-year term, March 1, 2020 through February 28, 2021, in an amount not to exceed \$1,000,000.

BACKGROUND FROM COUNCIL MEMO:

In 2013, Sundt Construction, Inc., under contract with Intel, constructed the most recent expansion of the Ocotillo Brine Reduction Facility (OBRF). Sundt Construction, Inc., coordinated the installation of specialized processes and equipment during this expansion project. To maintain warranty compliance on this equipment, Sundt Construction, Inc., will be contracted to continue the maintenance and repair of this specialized equipment at the facility.

The scope of work includes maintenance and repair of specialized process equipment such as the brine concentrator, boiler, pumps, and other facilities as needed. Costs associated with this purchase will be reimbursed by Intel.

20. ENTERTAINMENT USE PERMIT, PLH19-0037, SICILIAN BUTCHER & MARKET, for live entertainment indoors and within an outdoor patio with external speakers, located at the southeast corner of Frye Road and Galleria Way, at 3151 W. Frye Road.

BACKGROUND FROM COUNCIL MEMO:

Zoned Planned Area Development (PAD) for Commercial uses under Chandler Fashion Center's master zoning case; 2000. Zoning amended for mixed use of commercial retail, office, hotel, and multi-family known as Chandler Viridian; 2014. Zoning Code requires Entertainment Use Permit approval for outdoor live entertainment activity within 1,320 feet of residential and outdoor seating with external speakers within 600 feet of residential

Surrounding Land Use Data

North	Frye Road, then Chandler Fashion Center	South	Office
East	Commercial Retail	West	Hotel

Proposed Business Operations

Restaurant Indoor Area	4,563 square feet; occupies entire building
Outdoor Patio Area	3,427 square feet, adjacent to west and south
Hours of Operation	11:00 a.m. – 10:30 p.m., 7 days a week
Hours of Entertainment	Friday and Saturday either indoors or outdoors; 6 p.m. – 9 p.m.
# of Seats	163 indoor; 196 outdoor
# of Speakers within Patio	2 speakers

Review and Recommendation

Planning staff has reviewed the request and finds consistency with the General Plan and the zoning. Live entertainment outdoors is a compatible land use with the surrounding regional commercial uses and the Chandler Fashion Center. Residential apartments are located within 515 feet of the outdoor patio to the south and these are the only residential within a 1,320-foot radius. A six-story office building and parking garage separates the restaurant from the multi-family residential.

The Sicilian Butcher & Market will offer live entertainment in the form of a disc jockey generally two nights a week either indoors or within the outdoor patio, weather permitting. The patio will also have two speakers playing recorded music controlled by a manager.

Staff is recommending no time stipulation since the subject site abuts Chandler Fashion Center and is within a regional commercial center. Furthermore, the only residential within the area is one multi-family development that is buffered from the subject site by a six-story office building. Planning staff finds the request to be consistent with the surrounding area thus recommending Planning and Zoning Commission recommend approval.

Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was mailed in lieu of a neighborhood meeting due to the location being predominantly within a commercial area and lack of residential property owners. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting February 19, 2020.

Motion to Approve.

In Favor: 5    Opposed: 0    Absent: 2 (Klob, Pekau)

Recommended Action

Planning staff find the request is in compliance with the General Plan and the approved zoning. Planning and Zoning Commission recommends City Council approve the Entertainment Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
  2. The Entertainment Use Permit is non-transferable to any other location.
  3. The site shall be maintained in a clean and orderly manner.
  4. No noise shall be emitted from the external speakers or live entertainment in such a manner that exceeds ambient conditions so as to disturb adjacent businesses and residential areas.
  5. The establishment shall provide a contact phone number of a responsible person (i.e., bar owner and/or manager) to interested neighbors and property owners to resolve noise complaints quickly and directly.
21. SPECIAL EVENT LIQUOR LICENSE, for Downtown Chandler Community Partnership (DCCP), Chandler Jazz Festival on Friday, April 3, 2020, from 5:00 p.m. until 10:30 p.m. and Saturday, April 4, 2020, from 5:00 p.m. until 10:30 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Downtown Chandler Community Partnership for the Jazz Festival on Friday, April 3, 2020, from 5:00 p.m. until 10:30 p.m. and Saturday, April 4, 2020, from 5:00 p.m. until 10:30 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

22. SPECIAL EVENT LIQUOR LICENSE, for The LovePup Foundation, Arizona Craft Spirits & Cocktail Festival on Saturday, April 25, 2020, from 3:00 p.m. until 10:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by The LovePup Foundation for the Arizona Craft Spirits & Cocktail Festival on Saturday, April 25, 2020, from 3:00 p.m. until 10:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Ave.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

23. LIQUOR LICENSE, Series 6, Bar Liquor License, for Amy S. Nations, Agent, Bourbon Jacks LLC, dba Bourbon Jacks Grill, located at 11 W. Boston Street, Suite 1.

BACKGROUND FROM COUNCIL MEMO:

This application reflects a change in ownership. This will be a continuation of the location's previous use as Howdy Partners LLC, dba Bourbon Jacks Grill.

The following application for the transfer of a liquor license was posted for hearing on February 27, 2020: Series 6, Bar Liquor License, for Amy S. Nations, Agent, Bourbon Jacks LLC, dba Bourbon Jacks Grill, located at 11 W. Boston Street, Suite 1.

Consideration may be given only to the applicant's personal qualifications and not to the location.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

24. NEW LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Andrea Dahlman Lewkowitz, Agent, Drury Partnership 2016 LLLP, dba Drury Inn & Suites, located at 1205 S. Price Road.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on February 27, 2020: New License, Series 10, Beer and Wine Store Liquor License, for Andrea Dahlman Lewkowitz, Agent, Drury Partnership 2016 LLLP, dba Drury Inn & Suites, located at 1205 S. Price Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

25. TEMPORARY EXTENSION OF PREMISE, Series 7, for Vinum 55 Chandler LLC, dba Vinum 55 Chandler, for Wine Event on Friday, March 13, 2020, from 3:00 p.m. until 8:00 p.m., located at 2577 W. Queen Creek Road, Suite 112.

BACKGROUND FROM COUNCIL MEMO:

Vinum 55 Chandler LLC, dba Vinum 55 Chandler, located at 2577 W. Queen Creek Road, has requested a temporary extension of the alcohol serving area for a Wine Event. The period of the extension is Friday, March 13, 2020, from 3:00 p.m. until 8:00 p.m.

The Police Department has no objections to this extension, and the applicant understands that a Temporary Sales and Promotional Event Permit through Neighborhood Resources, is not required, because this is an invitation only event.

26. TEMPORARY EXTENSION OF PREMISE, Series 7, for Vinum 55 Chandler LLC, dba Vinum 55 Chandler, for Wine Event on Friday, March 27, 2020, from 3:00 p.m. until 8:00 p.m., located at 2577 W. Queen Creek Road, Suite 112.

BACKGROUND FROM COUNCIL MEMO:

Vinum 55 Chandler LLC, dba Vinum 55 Chandler, located at 2577 W. Queen Creek Road, has requested a temporary extension of the alcohol serving area for a Wine Event. The period of the extension is Friday, March 27, 2020, from 3:00 p.m. until 8:00 p.m.

The Police Department has no objections to this extension, and the applicant understands that a Temporary Sales and Promotional Event Permit through Neighborhood Resources, is not required, because this is an invitation only event.

27. TEMPORARY EXTENSION OF PREMISE, Series 7, for Vinum 55 Chandler LLC, dba Vinum 55 Chandler, for Wine Event on Friday, April 17, 2020, from 3:00 p.m. until 8:00 p.m., located at 2577 W. Queen Creek Road, Suite 112.

BACKGROUND FROM COUNCIL MEMO:

Vinum 55 Chandler LLC, dba Vinum 55 Chandler, located at 2577 W. Queen Creek Road, has requested a temporary extension of the alcohol serving area for a Wine Event. The period of the extension is Friday, April 17, 2020, from 3:00 p.m. until 8:00 p.m.

The Police Department has no objections to this extension, and the applicant understands that a Temporary Sales and Promotional Event Permit through Neighborhood Resources, is not required, because this is an invitation only event.

28. TEMPORARY EXTENSION OF PREMISE, Series 7, for Vinum 55 Chandler LLC, dba Vinum 55 Chandler, for Wine Event on Friday, May 15, 2020, from 3:00 p.m. until 8:00 p.m., located at 2577 W. Queen Creek Road, Suite 112.

BACKGROUND FROM COUNCIL MEMO:

Vinum 55 Chandler LLC, dba Vinum 55 Chandler, located at 2577 W. Queen Creek Road, has requested a temporary extension of the alcohol serving area for a Wine Event. The period of the extension is Friday, May 15, 2020, from 3:00 p.m. until 8:00 p.m.

The Police Department has no objections to this extension, and the applicant understands that a Temporary Sales and Promotional Event Permit through Neighborhood Resources, is not required, because this is an invitation only event.

29. PRELIMINARY PLAT, PLT19-0017, WATCH TOWER CARWASH AND OFFICES, for commercial development on approximately 4.5 acres, located east of the southeast corner of Chandler Boulevard and McQueen Road.

BACKGROUND FROM COUNCIL MEMO:

Approximately 4.5 net acres. Zoned Planned Area Development (PAD) for Community Commercial (C-2) uses; approved 2005. Preliminary Development Plan (PDP) for a carwash and six offices within two phases; approved 2019

Purpose

The plat establishes property lines, creates lots and tracts for a new commercial development. The preliminary plat also creates and shows the necessary easements for access, water lines, drainage and utilities.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting February 19, 2020.

Motion to Approve.

In Favor: 5    Opposed: 0    Absent: 2 (Klob, Pekau)

Recommended Action

Planning staff find the request is in compliance with the General Plan and the approved zoning. Planning and Zoning Commission recommends City Council approve the Preliminary Plat subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

30. NO ITEM.

31. INTRODUCTION OF ORDINANCE NO. 4911, amending the Code of the City of Chandler, Chapter 2, Section 2-2, relating to the compensation of Mayor, Vice Mayor and Councilmembers.

BACKGROUND FROM COUNCIL MEMO:

On January 17, 2008 the Mayor and City Council approved a City Code amendment which provided salary increases for the positions of Mayor, Vice Mayor and Councilmembers. The approved ordinance included a provision in which the salary for the Mayor, Vice-Mayor and each member of the City Council is adjusted each year by the same percentage as provided for non-represented

employee groups for that fiscal year. Additional raises for the positions of Mayor, Vice-Mayor and Councilmembers were voted on in January 2014 and January 2016.

This draft ordinance is proposing to remove from the City Code, Subsection 2-2.3, which states, "Effective July 1, 2009, and each year thereafter, the salary for Mayor, Vice-Mayor and each member of the City Council shall be adjusted, using the total compensation methodology, by the same percentage as provided for non-represented employee groups for that fiscal year."

Upon approval of this ordinance, the positions of Mayor, Vice-Mayor and Councilmembers will no longer receive an annual cost of living adjustment. Any change in pay will need to be voted on as a separate item in a council agenda.

#### FINANCIAL IMPLICATIONS:

There will be no financial implications with the approval of this ordinance.

#### UNSCHEDULED PUBLIC APPEARANCES

MARIA TRASK, 575 W. Pecos Road, Chandler, AZ 85225, said Chandler Girls Softball has been in existence since 1977. They are the premier fast pitch softball league and have two seasons of 1,000 girls playing from ages 4 to 18. About 12 years ago, Chandler voters overwhelmingly approved by 85% vote a resolution that included a fourplex youth softball complex at Tumbleweed. The downturn happened and they were told that they would have to wait and funds were set aside. In the last three years, those funds, about \$11 million, have moved to the nine lighted soccer fields or multipurpose fields at multiple parks. Softball is not played on these types of fields. Ms. Trask said this \$11 million taken needs to be corrected. Ms. Trask asked for a proper and safe location for fourplex fields this budget year for Tumbleweed Park.

JILL AND ABBY ROTH, 3044 E. Capricorn Way, Chandler, AZ 85249, said the fields are unsafe and it seems to be unfair when looking at the fields the boys have and the girls do not.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE said last Thursday was the 2020 State of the City Address. Mayor Hartke thanked all of the residents, businesses and volunteers that were featured in the videos and participated in the Made in Chandler Expo. It was a great opportunity to showcase some of the unique people, places and products that are made in Chandler. Mayor Hartke thanked staff for putting on the event. Mayor Hartke said he heard many great comments from people about living and working in Chandler. Mayor Hartke said he looks forward to continuing to work with Council as they plan into the future.

MAYOR HARTKE said Election Day for the Chandler Special Election is March 10 and ballots have been mailed out. The proposed amendment would change the Charter to reflect the dates that City of Chandler elections would be held to conform with state statute and election consolidation dates. City Hall is a Replacement Ballot Center, equipped with a Ballot on Demand printer, SiteBooks, a ballot drop box, and friendly workers to help you through the process. Mayor Hartke said the Center at City Hall would be open March 2 through March 10.



MAYOR HARTKE said immediately after this session Council and Staff are hosting Budget Live. Mayor Hartke said they would be going live on the City's Facebook and taking questions from residents about the budget. Mayor Hartke encouraged everyone to tune in and provide feedback.

B. Councilmember's Announcements

COUNCILMEMBER STEWART said the Census is currently recruiting people for the 2020 count. The pay rates per hour vary between \$15.50-\$19.50 an hour. Councilmember Stewart said applicants must be 18 or older and those who are bilingual are highly encouraged to apply. The last day to apply is Saturday February 29.

COUNCILMEMBER STEWART said there are a lot of exciting things happening in Chandler. The Casteel Girls Soccer Team won the 5A Girls Winter Soccer Championship and the Skyline Gila River High School Girls Basketball Team took home the Division 2 2020 Girls Basketball State Championship. Councilmember Stewart said Victor Hardy was named 2020 Coy Payne Man of the Year at the 8th Annual Chandler Men of Action banquet. Councilmember Stewart said the Chandler High Varsity Basketball Team is playing in the final four for the State title tonight.

COUNCILMEMBER STEWART thanked the panelists that joined him at #YESPHX last week, which was a huge opportunity for entrepreneurs and investors to collide. Councilmember Stewart thanked Diana White, CEO of Chandler Innovations, and Pankaj Likhmania, Founder and CEO of Interbiz Consulting, for being part of the panel and sharing the great things about Chandler.

COUNCILMEMBER McCLYMONDS talked about the census and said \$675 billion is allocated with \$20 billion to Arizona, so every person matters to ensure they get the right amount of funding.

COUNCILMEMBER McCLYMONDS talked about Disabilities Awareness Month at the 13th Annual Chandler Fun Run at Tumbleweed Park on March 4th. Councilmember McClymonds said the one-mile walk/run boasts a fun, carnival-like atmosphere complete with live music, face painters, balloon artists, photo booth and lunch. The free event is open to individuals ages 5 to 21 and to pre-register on the City of Chandler website.

VICE MAYOR LOPEZ said the City of Chandler would be holding four public meetings to obtain feedback on issues affecting people with disabilities in the public right-of-way, parks and other facilities as part of an updated ADA Transition Plan. People with disabilities, or people interested in disability issues, are invited to attend and share their perspective on these matters. Vice Mayor Lopez said meetings would be held on Wednesday, March 4 and Thursday March 5.

VICE MAYOR LOPEZ said they are updating the Airport Master Plan and last night they held the first public meeting. Vice Mayor Lopez said it was very informative and it would be the first of many. Each meeting would have more information and the next meeting is scheduled for June.

COUNCILMEMBER HUANG said the Arizona Railway Museum is located at the southwest corner of Tumbleweed Park. Councilmember Huang said Arizona Railway Day is this Saturday. This is a free event and Councilmember Huang encouraged everyone to attend with their families.

COUNCILMEMBER ROE said families are often looking for something to do together and encouraged citizens to attend these free events. Councilmember Roe said the 2020 Chandler Public Safety Fair would be hosted Saturday, March 7, at the Police Department's Main Station. The Police Department would offer tours of the station, and a variety of fire apparatus and police vehicles would be on display.

The Chandler Fire Department would demonstrate a fiery collision scene, vehicle extraction techniques, and Hands-Only CPR/TC classes. The Police would also demonstrate the K-9 Unit, SWAT and Tactical Robot Unit. Councilmember Roe said there would be community vendors, food trucks and the Downtown Chandler Car Show.

COUNCILMEMBER ORLANDO said the Chandler's Volunteer Income Tax Assistance Program is ready to help residents file their taxes for free. The Chandler's Earned Income Tax Credit campaign helps working families who earned less than \$56,000 in 2019 with free tax preparation and filing services. There are nine tax preparation sites located in and near Chandler that are open through Tuesday, April 14. Councilmember Orlando said Chandler residents making less than \$66,000 a year could use Myfreetaxes.com, a self-paced, step-by-step guidance to file tax returns online for free.

C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 6:19 p.m.

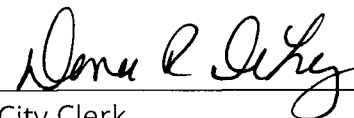
ATTEST:    
City Clerk Mayor

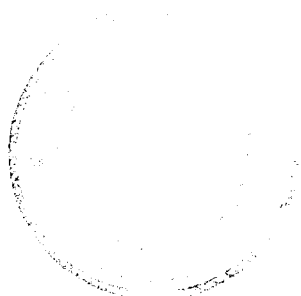
Approval Date of Minutes: March 23, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 27<sup>th</sup> day of February 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 23 day of March, 2020.

  
City Clerk





**CHANDLER CITY COUNCIL  
SPECIAL MEETING MINUTES – BUDGET LIVE**

Thursday, February 27, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, February 27, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:30 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

I. Mayor's Welcome and Introduction

MAYOR HARTKE welcomed everyone to the meeting and stated this was an exciting opportunity to address comments from the community. Mayor Hartke provided an overview of how the meeting would run. He introduced the Councilmembers and noted that hundreds of citizens provided input on the City budget survey.

II. Discussion of 2020 Citizen Budget Survey, Operating Budget and Capital Improvement Plan Overview Presentation to prepare for Fiscal Year (FY) 2020-21 (Throughout the meeting questions from the public regarding the Citizen Budget Survey and the FY2020-21 Operations Budget/Capital Improvement Plan may be submitted, and addressed at the meeting by the Council and City staff.)

MAYOR HARTKE asked for a staff presentation.

MATT DUNBAR, Budget Manager, said staff always looks for ways to engage citizens in the budget process and this is a great way to do that. Mr. Dunbar said they did conduct a budget survey October 1 through November 17, 2019. This was a great way to get information from the citizens and to find out if the City was providing amenities that meet their needs. Mr. Dunbar

said staff recently did a program inventory in the City and they currently have 352 current programs. Of those about 248 are citizen facing programs and 104 are governance programs to provide service to other departments in the City. He mentioned some of the programs the City offers. Through the survey there were three main questions and the first was about how citizens feel about quality of life in Chandler. He said 99% of the respondents replied very good, good, or neutral. Mr. Dunbar said the next question was if they feel they are getting a return on their tax dollars, 95% strongly agreed, agreed, or neutral. Mr. Dunbar said for overall City services, 95% were very satisfied, satisfied, or neutral. Mr. Dunbar said in the survey there were 448 written comments as well and much more information. Mr. Dunbar said Chandler is a great place to live, work, and play.

MR. DUNBAR said in the 1980's Chandler was much different and there was a different budget process. Today the population is 263,000 with very diverse citizens and industries. The leadership in Chandler has always had a vision for the community and strong fiscal policies have kept the City fiscally sound. This has led to the City being AAA bond rated with all rating agencies. Mr. Dunbar said they have a lot of options, but they must take a hard look at what is going to be prioritized and funded each year. As a municipality, they must maintain balance throughout the year. Mr. Dunbar said the City has a variety of revenue streams. Each year Tempe does a cost service study to estimate the cost of service for each municipality across the Valley per household. The average is \$2,038 per household in taxes and fees and Chandler comes in at \$1,664 on average. This shows Chandler is efficient in meeting the needs of citizens.

MR. DUNBAR mentioned some of the projects that are ongoing into the next fiscal year. The budget is about meeting the community needs within the confines of anticipated revenues and planning where and when improvements are needed. Tonight is an opportunity for citizens to provide feedback, March 23 there would be another budget workshop, and April 24 would be an all-day budget briefing.

MAYOR HARTKE said there was a lot of discussion of athletic fields and parks and recreation services and invited Andy Bass, Community Services Director, to present.

ANDY BASS said they have started the Parks Master Plan which is the first master plan updated for many years. Next week there would be the first meeting with all of the athletic organizations that use Chandler parks for practice and games. This would be an opportunity to meet with the consultants, discuss their needs, any issues they are facing, and forecast out what their organization or sport would look like in the next five to ten years. This would allow the consultants to put together a comprehensive report as to what fields and amenities are needed and a priority listing including locations and construction proposals.

MR. BASS said they are also looking at a multi-generational feasibility study that was approved by Council. This came from a senior needs assessment and they recommended looking into building another recreational facility. The study would look at that and make a recommendation if they do need a new facility and if so what would be the location, type of amenities and

programs, and the impact on other facilities. Mr. Bass said there are public meetings held for residents to participate for both the multi-generational and parks master plan studies.

MAYOR HARTKE asked how staff would be getting the word out to the community to give them an opportunity to provide input.

MR. BASS said for the sports groups they have contact information for each of the groups so they have been contacted. Mr. Bass said they are confident all of the groups would be represented.

MAYOR HARTKE verified that girls' softball groups have been invited and they would be represented to share their experience.

MR. BASS said yes, and they are working with girls' softball groups to ensure they have a successful and safe season.

VICE MAYOR LOPEZ said there are questions regarding developments as they approach buildout. He said there were questions regarding transportation and water needs of the growing City and asked John Knudson, Public Works and Utilities Director, to present.

JOHN KNUDSON said it has been the goal of the Public Works and Utilities Department to stay ahead of that growth. Mr. Knudson said they have begun the last design of the arterial roadways to build out to their final width. In a few years, we would see a completion of Cooper, Ocotillo, Chandler Heights, Gilbert, and Lindsey Roads. In addition, they finished the last major expansion in the utilities area with the expansion of the Ocotillo Water Reclamation Facility. Utility facilities are in a buildout state and the roads are close as well. The bigger issue would be maintenance of those facilities. Staff has been dedicated and are constantly assessing the assets for their condition and are looking for better ways to maintain them as we move forward. The City made a water purchase that not only completed the 100 year assured supply, but they bought extra as well for future opportunities that may come.

MAYOR HARTKE asked a question that had come in:

*Why do we operate an airport and what is the purpose of the airport master plan?*

JOSH WRIGHT, Assistant City Manager, said many people do not realize that the Chandler Municipal Airport has been around since 1948. The airport does contribute quite a bit to the local economy. A recent economic impact study showed it is a key part of the community and significant to employment corridors. Mr. Wright said they are conducting an Airport Master Plan and last night was the first of three open houses. Mr. Wright said they encourage the community to come out and share their views and questions about the airport as they look to the future. The Master Plan is really about what happens inside the airport, such as facilities and layout, and drive what the airport will look like in the short term and long term. The airport also has a regional impact and is a significant reliever to Sky Harbor. Mr. Wright said the last Master plan was in 2010 so it is time to update it and staff really encourages everyone to provide input.

COUNCILMEMBER STEWART said 80% of the business owners in Chandler are small business owners and asked Derek Horn, Development Services Director, to share a few ways to make it easier for people to get permits.

DEREK HORN said development processes might seem daunting for first time or one-time users. Chandler has options available to help small business partners navigate the process. Mr. Horn said they understand most firms are digitally oriented so they have aligned their processes to accommodate them. The City has electronic plan submission so no office visit is required which speeds up the process and many of their plans are now received this way. Mr. Horn said they recently instituted a texting option for scheduling and results. No login or phone call is necessary to schedule an inspection or schedule a result and this is growing very quickly.

MR. HORN said they have a variety of personal contact processes to help large and small businesses. Mr. Horn said they have a business location team that is coordinated by Economic Development to meet onsite with business owners and determine issues that need to be addressed for permitting and create strategies for addressing those. Mr. Horn said they have a process called preliminary technical review which is a free service and with very basic project information technical staff can provide many comments before submission, which helps the designers and small business get going.

MR. HORN said they recently established a customer service unit that develops customized process and monitors project process and assists with completion and close out. The public counter is staffed every workday during business hours and staff that is assigned to provide assistance to walk in customers as well. Mr. Horn said they are constantly striving to be accessible and helpful to their small business partners. Mr. Horn said he appreciates their contribution to the City of Chandler.

MAYOR HARTKE said in the State of the City address he announced the rebrand of the efforts in west Chandler to build on the energy in this area and invited staff to present.

EDYIE McCALL, Economic Development Manager, said the area they are designating as west Chandler is a key employment corridor and is home to nearly 28,000 jobs and over 600 businesses. This initiative would provide the area with a brand identity that supports efforts to promote it for further business attraction and real estate investment. Ms. McCall said they believe the timing is right for a rebrand especially with the opening of Loop 202 South Mountain Freeway. Enhanced access to workers living in the West Valley makes West Chandler even more attractive to employers looking for larger labor pools. Ms. McCall said they would be reaching out to area stakeholders in the coming months to get their feedback on the area, opportunities within it, and request their assistance in launching the new brand. Ms. McCall said they anticipate a brand launch in January 2021 and funding would support brand implementation in year one.

COUNCILMEMBER McCLYMONDS said they received comments regarding maintaining quality services and a balanced budget. Councilmember McClymonds asked Dawn Lang, Management Services Director, to discuss the City's policies.

DAWN LANG said Chandler has a long history of being financially sustainable. To be financially sustainable over time the City adheres to financial policies that were established many years ago, but are updated periodically. These policies set high standards for stewardship over Chandler's financial resources and provide a guide for sound financial planning, budgeting, accounting, and reporting. The City is required to put forth a balanced budget, but they strive for a structured balanced budget. Ms. Lang said this means they use ongoing revenue for ongoing expenses and onetime revenues for onetime expenses. Showing consistent application of our financial policies annually and maintaining strong reserves has resulted in the City receiving AAA bond rating, which means they have excellent credit. This allows the City to sell bonds to pay for City infrastructure and pay a very low interest rate, which keeps Chandler's tax rate one of the lowest in the Valley.

MS. LANG said Chandler provides services for citizens through a variety of revenues such as sales tax, property tax, and fees for services. As the City grows, they have planned additional infrastructure such as streets, water and wastewater facilities, and parks. Ms. Lang said Chandler is careful in managing its operating expenses to ensure they enhancements do not increase expenses faster than the growth. Chandler's past and current leaders have provided a vision for the community that has made Chandler into the quality financially sustainable community it is today.

MAYOR HARTKE asked a question that had come in regarding safety at Folley Park and how Police are monitoring the area.

BRYAN COX, Assistant Police Chief, said Police are aware of the issue that had been presented at a prior Council meeting and they have dedicated resources to address it. Chief Cox said they have dedicated the crime prevention, bike teams, and repeated patrol in offering those in need services and have partnered with Neighborhood Resources in that matter.

MAYOR HARTKE said they have increased resources to address the homeless population that have been congregating there more, and help them with their needs along with increased patrol.

CHIEF COX said that was correct.

COUNCILMEMBER ORLANDO said the Police force has given their cell phones so they could be contacted directly and the park rangers have been there more. Councilmember Orlando said he appreciates their work.

COUNCILMEMBER HUANG said they received compliments in the survey regarding the Police and Fire Departments and thanked them for their work in keeping the community safe. Councilmember Huang said Chandler has become much more urban as the population grows

and asked staff to talk about the training center and how they work with the community to keep the City safe.

KEITH HARGIS, Assistant Fire Chief, said the commitment to public safety is executed through many facets of the organization including staffing, strategic deployment of resources, and deployment. A critical part is facilitating training to public safety officers to help refine and enhance their skills to meet the needs of the community. The Public Safety Training Center is a clear demonstration of the Council and City Manager's commitment. Phase II of the Training Center just opened this month and it has been a fantastic project and enhanced both organization and their ability to train in new and exciting innovative way. They are now able to train from other perspectives and in a climate controlled environment year round.

CHIEF HARGIS said they are in a better position to host regional academies and explore new ways to train. He said the Police Department has a state of the art shooting range, shared classroom space, and a large auditorium. Chief Hargis said this has been a fantastic opportunity to grow and for both departments to work together and collaborate. He said this allows for new ideas to integrate resources and provide community safety.

CHIEF COX said they have a world-class training facility to provide world-class training. This morning the FBI Leadership Executive Development Seminar was being conducted with police leaders from all over the State that are attending the training to utilize out on the road. He said community outreach is imperative with a population of 260,000 people. Chief Cox said they rely on the trust and commitment of the community to allow them to police and allow them to do it effectively. An example is the Folley Park issue, they work with the community to work on a solution together. Chief Cox said they have outreach programs where Police and Fire work together such as Mayor on the Move, Downtown Chandler Community Partnership, Chandler Unified School District, and other outreach events for the community to engage. He said community engagement allows them to do their jobs better.

COUNCILMEMBER ROE said they received comments in the survey regarding art, culture, and downtown and asked Kim Moyers, Cultural Affairs Director, to present.

KIM MOYERS said they have been able to incorporate several art projects in the community this year. The banner surrounding the City Hall complex depicts a day in the life of a Chandler resident. The partnership with InFlux allows the City to interchange art yearly so there is always a different experience coming to downtown. Ms. Moyers said they were able to incorporate art into the Oregon Street Parking Garage by adding benches, canopies, and LED lighting creating a beautiful to a normally sterile parking garage.

MS. MOYERS said they have opportunity to partner with private businesses to bring meaningful mural projects to the community such as the new mural behind Serrano's. The utility box project brought creative and colorful art into Uptown, highlighting their eclectic and authentic branding. In the latest mural in the downtown breezeway celebrated the 100-year anniversary of the incorporation of Chandler by creating a pictorial timeline of Chandler's growth while connecting



the historic downtown square with the new square development. They would continue to bring new projects to fruition in 2020, such as a new mural along the Commonwealth Canal and a new shade structure at the Public Safety Training Center.

MS. MOYERS said the downtown has seen two large projects come to completion this year. Overstreet is a mixed-use development that is 100% leased with a theater and several restaurants. New Square is a mixed-use project that opens up this March although the first tenant, Great Western Bank has opened this week. In addition, seven new restaurants have opened this fiscal year in the downtown area with more to come.

COUNCILMEMBER STEWART said he has noticed a lot more live music.

MS. MOYERS said there is a lot of live music though the Downtown Community Partnership there is Friday Night Live. This spring, they also brought Live at Lunch every Wednesday where local musicians play.

VICE MAYOR LOPEZ said there was also a comment regarding communication initiatives to inform residents about what is happening in the community. Vice Mayor Lopez asked Matt Burdick, Communication and Public Affairs Director, to present.

MATT BURDICK said there are a lot of methods they use to connect. Chandler has multiple community newspapers and leverage the relationships and publication opportunities to work with media outlets. They have done a lot from the website and social media such as a new blog to help share stories with the community. In addition to the traditional means, they have used online surveys to get community input in a convenient way. Mr. Burdick said live streaming events is another way to get community input. There are a lot of events that they live stream to bring events to the community through multiple digital platforms. The City continues to use cable television, YouTube, and other video platforms to get information into the hands of residents. They have worked with Development Services to have different ways to serve people and make it easier. Mr. Burdick said something they launched last year was using Nextdoor to notify residents of proposed developments and public meetings that they may be having.

MR. BURDICK said there are a number of things the Mayor and Council have done to help get the word out on social media including different video series to bring information to the community. Staff continues to create City Scope in both a printed edition as well as a digital edition so paperless billing customers can interact with the content. Mr. Burdick said they are also working on an update to the City's mobile app to connect people. Mr. Burdick said the majority of the website traffic is on mobile devices so they do have a lot of connect that is geared towards that.

VICE MAYOR LOPEZ said they have done a great job keeping up with the new platforms.

COUNCILMEMBER ORLANDO said in the survey they received a lot of questions regarding the quality of neighborhoods and read one of the questions:

*Can you share an update on our neighborhood program and your efforts to work with residents as neighborhoods age?*

LEAH POWELL, Neighborhood Resources Director, said one of the things they have done to address neighborhood decline and keeping neighborhoods in great shape is Code Enforcement. Ms. Powell said they try to be at least 50% proactive instead of just waiting for complaints. If they do get complaints they do take priority and they try to get out to those complaints within two working days. Ms. Powell said they have been able to bring down the number of days a case is open to 16 days. By having a proactive nature they are able to work with other departments and because they are out in the field so frequently. One of the ways they are able to help neighborhoods is by keeping them engaged. Ms. Powell said they are excited to be launching a pilot program that will take a new focus on how to engage neighborhoods.

MS. POWELL said they also offer grants, which is an opportunity for neighborhoods to help themselves. There are grants in a variety of monetary sizes to do neighborhood improvements. Some of those are used for small projects, large cleanup, or even some infrastructure type projects in a common area. All of the staff is trained on how to connect people to resources. For example, the code inspector is out there and they see someone with deteriorated landscaping they have a lot of conversations with residents to understand the cause of the violation. They do not just leave a sign on the door; instead they look at the bigger picture. If they come across a resident that is elderly or disabled that does not have the means to keep up with the landscaping, they have resources to connect them to of volunteers who would come and help that person. Ms. Powell said they do not always rely on City resources and they have many partners in the business, faith, and non-profit communities. Ms. Powell said they work with most of the non-profits through dollars that are provided by the City to help connect residents in need. It is not necessarily doing the work, but ensuring the connections are made to help stretch those resources further. Ms. Powell said all of that combined helps with neighborhood pride, engagement and prevents decline.

COUNCILMEMBER ORLANDO asked if she could talk about the homeless program.

MS. POWELL said they have a homeless navigation program. The navigators go out and find people where they are on the street and try to work on the barrier that is preventing them from getting out of homelessness. Ms. Powell said housing is a barrier and across the country there is an increase in homelessness and a lack of affordable housing. Ms. Powell said a lot of things we may take for granted that are not necessarily easy for someone who is experiencing homelessness. The navigator can find out what the barrier is and connect them to resources that will help. The program has been successful and they hope to get people into housing but sometimes it may be something we consider a minor barrier that ends up being a major barrier to someone who has been on the street awhile.

### III. Closing Remarks

MAYOR HARTKE said it has been a great discussion and looks forward to the upcoming budget workshops. Mayor Hartke thanked everyone for participating.

COUNCILMEMBER ORLANDO said there are a lot of strategy plans in place and visions for the community. There are a lot of master plans being updated and even within departments they are putting together plans for the next few years. It is important to see where we are going, but it also helps with resource allocation. Councilmember Orlando said he appreciates all of the input the citizens have given.

COUNCILMEMBER ROE thanked all of the directors for working hard and sharing resources to give where they can to ensure Council can vote on a budget that is responsible for Chandler.

COUNCILMEMBER HUANG said they have experienced the slowest and longest economic recovery and in those years Chandler has achieved a lot. There is a lot of development going on, the population is growing, and the crime rate has hit a record low. Councilmember Huang thanked the Public Safety Staff. Councilmember Huang said they recently finished the last park in the general plan and staff has been working very hard.

VICE MAYOR LOPEZ thanked the staff and said they do a lot with the limited resources they have. Vice Mayor Lopez thanked the citizens for their input. Council believes they are doing the right things and they want to hear what is going well and what areas may need more resources. The volunteers including the individuals and companies are a force multiplier. With the contributions of all of that combined it allows the City to spend resources in other areas.

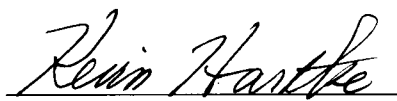
COUNCILMEMBER McCLYMONDS thanked everyone for their input and said he really enjoys the budget process. It is always important to note that they have a finite amount of money to spend so they have to maximize what they can do with it. There is a culture of fiscal discipline and they are excited to deliver the most fiscally responsible budget.

COUNCILMEMBER STEWART said the municipal government manages money to provide service projects to ensure citizens have a great quality of life. They are here to create the best City to live in and they do that by fiscal responsibility. Councilmember Stewart said the input of the citizens is important and the Council has a responsibility to the community to be fiscally responsible.

MARSHA REED, City Manager, thanked Council and the citizens for all of their input into the budget process. Staff is working hard on the budget process and she looks forward to the future budget meetings.

ADJOURNMENT: The Budget Live session was adjourned at approximately 7:25 p.m.

ATTEST:   
City Clerk

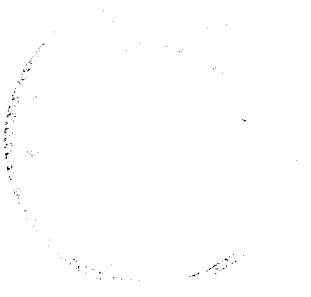
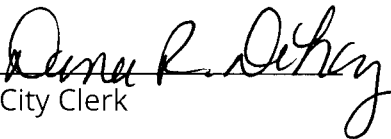
  
Mayor

Approval Date of Minutes: March 23, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Budget Live Meeting of the City Council of Chandler, Arizona, held on the 27th day of February, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 23 day of March, 2020.

  
  
City Clerk



## CHANDLER CITY COUNCIL

### SPECIAL MEETING – WORK SESSION MINUTES

Wednesday, April 8, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Wednesday, April 8, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 5:01 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
*Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Stewart and Councilmember McClymonds attended telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Matt Burdick, Communications and Public Affairs Director; Kim Moyers, Cultural Development Director

#### 1. Discussion regarding Chandler's plans and preparations relating to COVID-19.

MAYOR HARTKE thanked everyone for watching the meeting and understanding the desire for social distancing and keeping everyone safe. He said everyone who has been affected by the virus is in their thoughts as well as those impacted economically. These are daunting times, but Mayor Hartke is encouraged by the community support as they navigate the situation. Information is changing rapidly and the City would continue to provide updates as they are received.

MAYOR HARTKE said Chandler has closed a number of facilities including the Center for the Arts, Chandler Museum, Vison Gallery, Libraries, Recreational Centers, Aquatic Centers, Senior Center, and park amenities. The park open spaces would remain open, but Mayor Hartke encouraged residents to practice social distancing. Mayor Hartke said the first responders have reported a

30% reduction in call volume since the stay at home orders were allocated which has allowed them to allocate resources where they are needed most during the pandemic.

MAYOR HARTKE said Chandler is still open for business and staff is working with local partners to mitigate the economic hit. He said the Shop Chandler platform is on the City's website to help promote businesses that are open and job postings. Staff is working to provide flexibility in some of the codes to help businesses advertise, such as temporary signs. The Council and staff are continuing to work on the next budget and the City's fiscal responsibility has allowed them to have resources necessary to fight the virus now and in the future. Mayor Hartke said they are here to get through this together.

MAYOR HARTKE said staff needs direction around four topics. The first is the communication plan and called for a staff presentation.

MATT BURDICK, Communications and Public Affairs Director, said they have continued to focus on being a conduit of information and have reinforced the information coming from the Center for Disease Control, Arizona Department of Health Services, and Maricopa County Department of Public Health. Staff has also been sharing the news of the Governor's Office and the executive orders. Staff has been monitoring the calls and inquires coming into the City as well as the social media platforms to provide clarification and correct misinformation.

MR. BURDICK said staff has implemented a phone bank where staff is responding to calls and provide citizens with answers or connect them to resources. Mr. Burdick said they would continue to communicate what the City is doing in relation to the response to COVID-19 as well as preparing for the recovery phase. In the next week, there would be several video segments released discussing the ways the City is working to mitigate impacts to residents, businesses, and employees. They are also sharing stories of how people are responding to support the community. Mr. Burdick said they are promoting online services and virtual experiences that residents can enjoy. Staff has also been working to promote Census Day and remind citizens to participate.

COUNCILMEMBER ORLANDO asked what the information was for the phone bank.

MR. BURDICK said residents can go to [chandleraz.gov/Covid-19](http://chandleraz.gov/Covid-19) and the phone number is 480-782-2999. The phone number is staffed Monday through Friday from 8-5.

COUNCILMEMBER ORLANDO asked if there are other cities doing this as well.

MR. BURDICK said he is not aware of other cities that have a phone bank. When a resident calls, they are provided with information for businesses and residents regarding resources and clarification.

COUNCILMEMBER ORLANDO said there is a lot of trust in the community and this is an example of that trust. It is important that there is trust in the local government to deliver these services and provide information necessary to keep residents safe.

MR. BURDICK said there has been a tremendous response from the community to look for ways they can help.

MAYOR HARTKE said the next topic is regarding the Council meetings for May. They are approaching the budget session and staff is looking for clarification. Mayor Hartke said he recommends they have two sessions in May.

VICE MAYOR LOPEZ said in order to accommodate the business community and budget he agreed with two sessions.

COUNCILMEMBER ROE said he agreed.

COUNCILMEMBER ORLANDO asked if more Councilmembers are able to call in to meetings.

MARSHA REED, City Manager, said in this room only two lines are available for call in.

MAYOR HARTKE asked if there is ability in other rooms to also do a broadcast.

MR. BURDICK said in terms of broadcasting the meeting must be broadcasted to multiple communication platforms. The Council Chamber is the only room that can be broadcasted to the cable channel and YouTube simultaneously. The IT Department is looking at using a WebEx style conferencing that is not yet in place, but it would be a few weeks out. If they were to move forward with that they may or may not be ready for the first May meetings. Staff would be able to look into it further. There would be an integration between WebEx and YouTube.

COUNCILMEMBER ORLANDO said he wanted to ensure they are prepared in the event someone is not able to come in person.

COUNCILMEMBER HUANG said he agreed with the recommendation and asked for the executive sessions to be on Thursdays.

MAYOR HARTKE said he agreed with that.

COUNCILMEMBER McClymonds was in agreement with the May meetings.

COUNCILMEMBER STEWART asked if the executive sessions could be public meetings in the future since some COVID-19 information restrictions have been relaxed.

MAYOR HARTKE said they would need to decide on how the information is released. If the information is open then they may not need the same meeting protocol. This would be determined weekly as the situation changes.

MAYOR HARTKE said the next discussion item is regarding special events and called for a staff presentation.

KIM MOYERS, Cultural Development Director, said on March 13, 2020 all events held on City property were cancelled or postponed until April 30, 2020 due to COVID-19. In the month of May, there are currently 14 dates on the calendar with events. Of the events, there are four that were originally postponed and two events have been cancelled on their own. The City of Chandler is hosting one of their signature events, CinePark, a family movie night on three consecutive Fridays beginning on May 1<sup>st</sup>. Ms. Moyers said they are able to cancel and receive refunds up until April 17. The Fourth of July Spectacular requires a 50% deposit by May 15 with smaller deposits needing to be made in mid-April. Timing is important for other events to either promote or cancel as well as ancillary costs for those events. Ms. Moyers said they are looking for direction on whether or not to move forward with May events or cancel them.

MAYOR HARTKE said the State has a social distancing order that they would not want to host these events, but after April, there is ambiguity.

VICE MAYOR LOPEZ asked if CinePark could be converted into a drive-in event and if it has been considered.

MS. MOYERS said they have looked into it and there would be some additional costs, and it does limit how many people could come. It is something staff could look into further.

VICE MAYOR LOPEZ said it might be good to have least one event to bring to the community. Vice Mayor Lopez said some of the events say there is potential for a virtual event and asked for more information.

MS. MOYERS said they have been looking at ways to make events virtual if they are unable to bring exhibits to Arizona perhaps, they could be videotaped. The speaker that they were going to have could also be recorded and shown at a different time.

COUNCILMEMBER HUANG said the drive-in movie idea sounds exciting and was in support.

MAYOR HARTKE said in May there are farmers markets that are scheduled, but he would not be comfortable having those if there is an executive order that says to keep them closed, or if there is a State order that supersedes the City's decision.

COUNCILMEMBER ORLANDO said the cycle being reported is about 10 to 11 weeks, which would put them at the end of May. Schools are also closed this year through May and would be more



comfortable if May was shut down to see how things progress. This would be in line with the school closure decision.

COUNCILMEMBER ROE agreed that May should be shut down unless it is a virtual event. It would be great to pivot and do some interesting things such virtual or drive-in events with professional guidance to limit exposure.

COUNCILMEMBER HUANG said if they do not have the resources maybe they could do at least one night of the drive-in. This would be very exciting for the community.

COUNCILMEMBER ORLANDO said depending on how many people are there they may need to open the restrooms. They must be careful of the logistics to ensure the event can be supported and still maintain all of the health guidelines. Perhaps the attendance is limited to ensure these guidelines are maintained. Councilmember Orlando said he would rather be on the side of caution.

COUNCILMEMBER STEWART said he does not want to draw a line in the sand of what they are going to do and should ensure they are using data and direction from the health departments. Councilmember Stewart said they should be using the best data that they can and follow the executive orders to keep the community safe. There are some serious things to be mindful of over the next few weeks, but they cannot make decisions on 45 days from the data they currently have.

MAYOR HARTKE asked if any of these events are more nimble than others and the window of time needed to make an event successful.

MS. MOYERS said several of the events are time sensitive. Any of the events that have alcohol involved must come before Council. There are restrooms and fencing at events where there may be 1,500 people. There are a few that are a little less intensive such as the farmers market, but it would still be about 500 people on a given Saturday.

MAYOR HARTKE asked if the farmer's market pivot on a two week notice as opposed to the other events that involve alcohol.

MS. MOYERS said the farmers market could with a two or three week window. There is more flexibility with the event. The CinePark and Friday Night Live are more intensive and any of the producer events.

MAYOR HARTKE said if anyone is requiring a liquor permit, they need to make a decision now and at this point Council cannot say yes because they do not know what is going to happen with the spread of COVID-19.

VICE MAYOR LOPEZ said they should talk with the DCCP about postponing the farmers markets further. It is possible that everything may not be open and with the nature of the market people

are in close contact. Vice Mayor Lopez said for any of the producer events, if they choose to move forward on those that would be at their discretion knowing that they may be cancelled if closures are still ordered.

MS. MOYERS said if the City were to allow the permit and the liquor license and the events were cancelled, those businesses would have to pay for the permit again. Ms. Moyers said for most of the producers they want to know if they should move forward or not. It is possible some of these events could be cancelled on their own.

VICE MAYOR LOPEZ said the nature of these events were crowded and it would be an extreme risk for them to take, and said Council should not recommend they move forward.

MS. MOYERS said they have had conversations with the DCCP regarding the farmers markets because they are certified as a market, which is the same as a small grocery store. The market also accepts WIC coupons so farmers markets that have continued around the State have ensured they have practices in place to follow CDC guidelines. The DCCP has opted to not do that at this time and if they chose to open towards the end of May, they would be able to put in those practices.

COUCNILMEMBER ROE said they would have the ability to change things as they go, but there probably is not going to be much in May.

MAYOR HARTKE said there have been times where exceptions have been made for special Council meetings to allow them to be more agile in accommodating liquor licenses. If they are seeing dramatic motion through statewide executive orders regarding gatherings are released or altered he would be willing to do that to try to move back to normal quickly.

COUNCILMEMBER ORLANDO said he was in agreement to be flexible. Some of the events that were canceled in March and April have not been reimbursed and the sponsors have not all given the money back to the participants. Councilmember Orlando said he is reluctant to say yes if they end up being shut down. Councilmember Orlando said he believed they need to shut down until the end of May. Councilmember Orlando empathized with event operators, but they need to stay shut down.

MAYOR HARTKE said he understood where Councilmember Orlando was coming from and does not have a problem closing things down through May. If the State changes their standards rapidly and they can open back up in May then he wants to ensure they are flexible in doing that.

COUNCILMEMBER ORLANDO said he understood.

COUNCILMEMBER McCLYMONDS said he feels for the community and everyone wants to get back to normal as soon as possible, but the data is going to be very telling in the next few weeks. From a probability standpoint May is not looking good. If in a few weeks May looks great then he would be in agreement in expediting events.

COUNCILMEMBER STEWART said it would be a better decision to let them know now to cancel, but if something changes he would want to have the ability to move quickly.

MAYOR HARTKE said that at this point the City would not be opening for any May events. If things were to change because of data or Governor's orders then they are open to revisit the events depending on what crowd controls are needed.

MAYOR HARTKE said the next discussion topic would be regarding facilities and asked for a staff presentation.

MS. REED said employee morale is doing well and everyone does realize they are moving into the two toughest weeks and what that is going to look like. Many facilities are closed and there are some facilities on a normal basis where they do not get many people from the public. The Parks Maintenance and Facilities facility still has their doors open. Ms. Reed said she anticipates there would be more questions from employees about locking the doors and wanted guidance from Council. Another facility is the yard, which includes Municipal Utilities, Street and Traffic Maintenance, Fleet, and Central Supply. These are typically City employees and if there is anything involving the public, it is by online communication. Ms. Reed asked if Council would be okay with locking those doors until the end of April. Ms. Reed said the IT building and Development Services building occasionally have people in or by appointment.

COUNCILMEMBER ROE said he does not seem a problem closing the facilities and having Development Services by appointment.

MS. REED said they have already started appointments and they only have two to three walk-ins per week in the last three weeks. They do have online and text services available.

VICE MAYOR LOPEZ asked if this was closing them down to just the public or also for employees.

MS. REED said just to the public.

VICE MAYOR LOPEZ said he was in agreement.

COUNCILMEMBER HUANG recommended one day would be open for Development Services and the rest of the week would be appointment only.

MAYOR HARTKE asked if it was being served by appointment now.

MS. REED said a lot of citizens are making appointments now but there are some walk-ins, but they would like those citizens to make appointments also.

COUNCILMEMBER HUANG said people may mistakenly think they are not open if they do not have a walk-in day.

MS. REED said they have pulled all the permits and reviewed January, February, and March and the majority of them have been done online.

MAYOR HARKTE said it would not be an inconvenience and if there is good notification to make appointments it would not be a hardship.

MS. REED said that was correct.

VICE MAYOR LOPEZ asked if someone makes an appointment, they are also notified they can do everything online.

MS. REED said yes.

VICE MAYOR LOPEZ agreed to closing it down.

MAYOR HARTKE asked if this was only until the end of April.

MS. REED said for now until the end of April as they have with other facilities until they know more in the next few weeks.

MAYOR HARTKE said he agreed with Vice Mayor Lopez.

MS. REED thanked Council for all of their support.

VICE MAYOR LOPEZ thanked all of the staff for everything that they do and their response to the situation.

MAYOR HARTKE asked Ms. Moyers to relay to the event producers that the City is committed to them holding events when this is over and safe to do so.

ADJOURNMENT: The Work Session was adjourned at approximately 5:54 p.m.

ATTEST:   
City Clerk

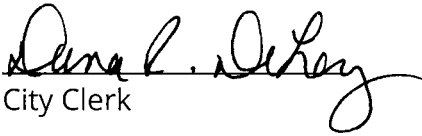
  
Mayor

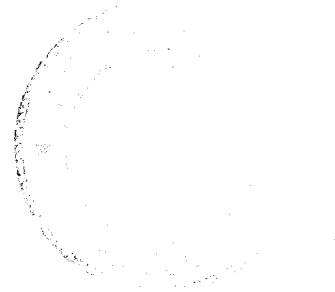
Approval Date of Minutes: April 20, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special - Work Session Meeting of the City Council of Chandler, Arizona, held on the 8th day of April, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April, 2020.

  
City Clerk





**CHANDLER CITY COUNCIL  
WORK SESSION MINUTES**

Tuesday, March 17, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Tuesday, March 17, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 2:30 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Councilmember McClymonds was absent and excused.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Joshua Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Matt Burdick, Communications and Public Affairs Director; Cori Garcia, Mayor and Council Communications Manager; Andy Bass, Community Services Director; Tom Dwiggin, Fire Chief; Keith Hargis, Assistant Fire Chief.

1. Discussion regarding Chandler's plans and preparations relating to COVID-19.

MAYOR HARTKE talked about how they would hold Council meetings in the next month. He said that the meetings may move to a condensed schedule, but there may be additional meetings relating to the budget. Mayor Hartke said other meetings such as Council Subcommittee meetings and Planning and Zoning meetings may have changes in their normal schedule. He said there would be changes to events and use of facilities such as parks and recreation and the library.

MARSHA REED, City Manager, said they have been looking at cases coming forward in April for Planning and Zoning and it is light. At this time Planning and Zoning has canceled one meeting. Ms. Reed said it would be possible for Council to have two meetings in one week, but staff would need direction in order to bring a resolution to make that change.

MAYOR HARTKE asked for Council's input on the condensed meetings.

VICE MAYOR LOPEZ said that is an easy change and it would be a good idea.

COUNCILMEMBER ORLANDO asked if the meetings were being canceled to reduce the number of public in attendance, or if they should move to an online format similar to other cities. Councilmember Orlando said any items could be pulled to action and have more citizen involvement. He said he wanted to still allow for unscheduled public appearances because citizens have a right to have a say about what is happening during this time. If there is an action item perhaps that gets postponed to a later time. Councilmember Orlando said he does not want to stop work from happening and they do not want to create a panic.

VICE MAYOR LOPEZ asked what Councilmember Orlando's opinion was.

COUNCILMEMBER ORLANDO said he does not want to have a huge crowd and would like to avoid all of the awards and recognitions, and have them recognized at a later time. If a resident is coming to speak they should be allowed to. Councilmember Orlando recommended everyone sit with proper spacing in the audience as much as possible.

MAYOR HARTKE said he has had conversations with the City Manager about putting off the recognitions. Mayor Hartke said it is important that Council is accessible and it is important to still have scheduled and unscheduled public appearances.

COUNCILMEMBER STEWART said anything they can do to push off non-essential items to a later date is what they should do. If there is an action item, the item can be delayed when the public can have comment. If there is an item on the consent agenda that needs to be continued they can do that as well until they can properly meet with the public after they get the clear from the CDC and the Governor.

COUNCIL was in agreement on having a condensed meeting schedule for April as well as continuing items that may have a lot of public input and reducing awards presented.

VICE MAYOR LOPEZ said it is important to keep the meeting open to the public.

MS. REED said they would push off awards, unscheduled public appearances will still be on the agenda if anyone shows up. Ms. Reed asked if there was a consent item on the agenda that a member of the public wants to speak on, they could pull it to action and asked if Council will still hear them.

MAYOR HARTKE said yes.

COUNCILMEMBER ORLANDO said if there is a neighborhood issue then they want to postpone the item.

MS. REED said she understood and staff will monitor the items the best they can.

MAYOR HARTKE said there were Council Subcommittee meetings that could be pushed out further.

MS. REED said yes, staff needs to know if Council would like those to continue.

COUNCILMEMBER STEWART said he would like to still move forward with business, but would like to do it in an innovative way using video conferencing.

MS. REED said they do have that capability and it comes down to what the Council wants.

MAYOR HARTKE said they have allowed Council to call into meetings as well. Mayor Hartke asked if they should continue these meetings.

COUNCILMEMBER STEWART said perhaps they postpone the Council Subcommittee meetings for the next two weeks as there are more pressing issues to talk about.

COUNCILMEMBER HUANG said he is ok with the video conferencing, but right now he would like everything to be as normal as possible. Councilmember Huang suggested for every meeting that they take precautions with hand sanitizer or other things.

COUNCILMEMBER ORLANDO said he would like to keep the meetings, but have a large enough venue for distancing.

MS. REED said the Council Subcommittee meetings are public meetings so there must be a way for the public to watch or participate. Some of these meetings are not so pressing and they could be delayed.

MAYOR HARTKE asked for Council's preference.

COUNCILMEMBER ROE said he agreed with Councilmember Stewart and they should be taking advantage of video conferencing technology.

VICE MAYOR LOPEZ said he is fine with continuing the Council Subcommittee meetings as long as there are the necessary precautions taken.

MAYOR HARTKE said the Council Subcommittees would continue as usual.

MAYOR HARTKE said Planning and Zoning Commission has a small agenda currently, but if they can push items then do so.

VICE MAYOR LOPEZ suggested they leave it to the Planning and Zoning Commission to determine, but he would like to see the meetings continue with their discretion.



COUNCILMEMBER STEWART said they should allow those groups to self-govern.

COUNCILMEMBER HUANG said the Council is the final step and if they do not meet then Council will not be able to vote.

MAYOR HARTKE said they would still render an option, but it may not be right away and Council would just vote after they meet.

COUNCILMEMBER HUANG said these projects would be delayed and the developers would be delayed, which is not supportive of the businesses.

MS. REED said there are other legal requirements for these meetings such as posting them in the newspaper and other places that show the dates of these meetings. Ms. Reed said if changes are made there are things that must be done to change those posting dates.

MAYOR HARTKE said it sounds like Council is saying to continue business as usual.

COUNCILMEMBER ORLANDO said they might have a large group of people in their audience on certain topics and perhaps those could be postponed as well. If there are no controversial items then they could continue as usual.

COUNCILMEMBER ROE said anyone serving on the Boards could opt out of the meeting or opt to call in. Councilmember Roe said there is technology so they can see what is going on in real time and communicate.

VICE MAYOR LOPEZ asked if Planning and Zoning also gets televised like the Council meetings.

MS. REED said yes.

VICE MAYOR LOPEZ said that is what he has done in the past, but there is a bit of delay.

KELLY SCHWAB, City Attorney, said there are rules on how many Council or Board and Commission members could call in to a meeting. Ms. Schwab said Council could vote to suspend those rules during this time.

COUNCILMEMBER HUANG asked how many people could currently call in.

MS. SCHWAB said no more than three Councilmembers could call in to a meeting and with Boards and Commissions it is only two.

MAYOR HARTKE suggested they suspend the rule until the end of May.

COUNCIL was in agreement.

MAYOR HARTKE said there were comments from citizens regarding City facilities and asked what Council would like to do.

MS. REED asked the Community Services Director to present regarding City facilities.

ANDY BASS, Community Services Director, said this is difficult time for Community Services because their goal is typically to bring people together so the situation has posed some challenges. Mr. Bass said all of the park restrooms are closed. They have not stopped reserving parks or pavilions. Youth athletic groups have suspended the start of their season. The majority except for three have done that so that is helping with usage and reducing groups meeting in the parks. The Senior Center has been closed except for the lunch program which is from 10:00 a.m. to 1:00 p.m. during the week. Mr. Bass said they have proceeded to cancel all library and recreation programs except for spring break camp because those are typically families where one or both parents are working and the children are needed to be there for specific reasons.

MR. BASS said the Community Center, which is located downtown next to the Senior Center, had 29 people attend the facility which is down from the average 250 people. The Senior Center only had the meal program open and had 32 seniors attend, and today they had 25. Typically, 75 seniors attend the meal program and generally, 150 to 200 seniors attend each day. Mr. Bass said at Tumbleweed on the fitness floor there were about 15 people exercising at a time to average about 250 people each day. A normal day is about 1,200 people using the facility. Mr. Bass said people have been following the advice to stay away from large groups. Mr. Bass said they have four spring break camps at four locations. At Tumbleweed, there are 58 people enrolled in the program and yesterday 30 people attended, today 29 people attended. They also have a teenage camp, which has 12 people enrolled, yesterday 9 teens attended, and today 4. Mr. Bass said there are 24 people enrolled at the Environmental Education Center, yesterday 15 people attended, today 14 people attended. At Snedigar Recreation Center, there are 21 people signed up, yesterday 10 people attended, and today 4.

MR. BASS said the Library attendance is down, but not nearly as much as recreation. Mr. Bass said there were about 1,000 people who attended the Downtown Library, and normally there are about 1,300 people. The Hamilton Library had 314 people attend and typically it is about 800 people, but it is spring break so it is hard to quantify. The Sunset Library had 644 people and typically, it is 1,100. The Basha Library had 264 people and a typical day is 600 people, but again it is spring break. Mr. Bass said they have not seen the same drop-off, but they have seen an increased usage from people from outside of the community because the surrounding libraries have closed. There is an influx of people from outside the area to use the resources, which is great for the library card program, but they are seeing those effects from the surrounding communities.

MR. BASS said they have two pools open. There were 75 people who attended Mesquite Groves and 50 people who attended Hamilton. Typically during spring break, Mesquite Groves would have 1,000 people attend and Hamilton about 500. Mr. Bass said this is dramatically down, but people are still using the services.

MAYOR HARTKE asked for Council comment.

COUNCILMEMBER ROE said he would like to defer to the City Manager on this topic. Councilmember Roe asked what employees are doing during the reduced hours or services.

MR. BASS said they expect all employees to report to work. They have not reduced hours. If they were to reduce hours or close a facility, it is still the expectation to have staff come in. They are always a season ahead of where they are at so they are planning fall and summer programs and those things still have to get done. For the temporary employees they want to ensure they are getting work hours because they do not want to lose them to another job. There are plenty of projects for them to do. The Senior Center staff are still working.

COUNCILMEMBER ORLANDO said he could see the Library situation happening as the other cities close down. Since school is out, people could be looking for ways to occupy the kids. Councilmember Orlando asked if citizens could access it electronically.

MR. BASS said yes, there are many online resources that residents get with their library card such as ebooks, movies, and music.

COUNCILMEMBER ORLANDO said many residents use the libraries to access the internet and asked how that may impact the Census. Councilmember Orlando asked if there are ways to limit the library times or access to certain areas. He asked how long the virus could live on a book and if it could survive, they need to consider how they do returns or additional cleaning processes.

MR. BASS said staff would be doing these things if the facility hours changed, such as cleaning books.

COUNCILMEMBER ORLANDO thought if they start to limit hours said there might be a mass in those hours instead of spread out over the day. Councilmember Orlando asked if Mondays are slower days. He said they want to keep business as usual, but maybe they limit some services.

MR. BASS said they would follow Council's direction. The computers are always in the middle of the library so it would be hard to limit the area. Mr. Bass said a large usage of the internet is for games or surfing the internet.

COUNCILMEMBER STEWART asked if he could get a report every few days about the numbers and see if people are mitigating exposure. Councilmember Stewart said he would like to see a break in operational hours for cleaning, especially at the libraries. He said he would like to see if it is possible for people to check out books online and then have those books bagged for pickup outside so they do not have to enter the building. Councilmember Stewart said he would like to see some budget to put some signage so that people understand what social distancing is in all public spaces.

MS. REED said the signage is underway.

MR. BASS said the computers are close quarters so they have closed every other computer to try to maintain some distance.

MAYOR HARTKE said Councilmember Stewart said some of those are difficult asks because some people like to browse for books.

COUNCILMEMBER STEWART asked if people could look at books online.

MR. BASS said yes.

COUNCILMEMBER STEWART said it might be an option.

MAYOR HARTKE said many people go to browse and it is a big ask for staff in terms of time and energy.

VICE MAYOR LOPEZ said the libraries seem like a resource citizens are still using, and said it is a case-by-case exception. He thought the pools should be closed even though the numbers are down. In the recreation centers, they want to provide the services but it is the risk and the overhead when those staff could be redirected to special projects. Vice Mayor Lopez said he would like to defer to the Mayor and City Manager to determine at what threshold they keep the buildings open. Vice Mayor Lopez said it may not be worth it to keep using up cleaning supplies and staff time to keep a building open and clean for five people.

COUNCILMEMBER HUANG said the keyboards are the most likely place for people to contract the virus because they are dirty and we use our hands for many things. Councilmember Huang asked if the Library has a plan to have extra hand sanitizer in the area.

MR. BASS said they are cleaning them more regularly than in the past, but it is not possible to clean between each user. There are too many users for that and potentially not enough supplies.

COUNCILMEMBER HUANG asked if they could have the users do it themselves.

MR. BASS said they would have to think about that to see how they could facilitate that.

COUNCILMEMBER ORLANDO asked if the pools are just open for spring break and they would be closed down again anyway.

MR. BASS said they do have hours because of spring break, but they do start to increase from here into the season so some hours would continue.

COUNCILMEMBER ORLANDO said the weather is cooler and asked if the school is using it for their swim meets.

MR. BASS said the high school season is done, but they do have club teams and youth swim teams that use the pools. They have suspended for a couple of weeks, but they are looking to resume soon.

COUNCILMEMBER ORLANDO said they could cut it off for a few more weeks, it would make sense to close since attendance is low. He asked if for the Senior Center they would want to use a third party vendor to deliver meals and not have people come into the center. Councilmember Orlando asked if the community centers were down because the programs shut down.

MR. BASS said that certainly it decreased the numbers at all of the facilities. Some instructors were not willing to teach or participants were not interested in taking the program so they were cancelled.

COUNCILMEMBER ORLANDO said if those were shut down for the next few weeks and then reevaluated based on the CDC recommendations; he did not see a problem with that. Councilmember Orlando said he was torn regarding the libraries because people from other cities were coming to use them and residents were still using them. He asked if limiting hours would help if they spend more time sanitizing.

MR. BASS said it could just condense the people coming. At the Downtown Library in the first hour they opened they had 118 people and stayed well above 100 people in the building until 4:00 p.m. There are quite a few people in the library for the majority of the day.

COUNCILMEMBER ORLANDO asked if it made sense to close it for a few weeks period because other cities are shut down. He thought it made sense to shut it down for a couple of weeks especially as people touch books the virus may spread. Councilmember Orlando said the recreation center is probably the cleanest because everyone is constantly using wipes and hand sanitizer. If they reduce the hours they may just be concentrating everyone who comes in.

MAYOR HARTKE said many other fitness centers have shut down because they do not believe that many people are wiping down the machines after they use them. Mayor Hartke said that might be an easier one to shut down.

MR. BASS said one of the biggest challenges there is that many surfaces are porous so it could seep into the flooring and weight equipment.

COUNCILMEMBER ROE said they have staff that are working every day and they should defer the decision to the City Manager. They want to protect the public and employees.

COUNCILMEMBER ORLANDO said he believes it is a policy decision because citizens would come to Council and ask why they shut it down. Councilmember Orlando said he could say that Council had great dialogue and as a policy decision, they decided to shut these things down.

MAYOR HARTKE said the City Manager is looking for direction and Council would continue to respond. Mayor Hartke asked if there were a few more days of an aquatics program.

MS. REED said no, she was referring to the kids camps that Mr. Bass mentioned and there are three days left. With aquatics there were routine things that happen each week and asked what Council would like to do.

VICE MAYOR LOPEZ said to close the aquatic centers, as it is a high-risk area in general and aquatics is low.

COUNCILMEMBER STEWART said Council would need more information about COVID-19 like how chlorine kills the virus, and more information like what is the time frame for the virus to live if someone touches a book. Councilmember Stewart asked what the best distance to keep is to ensure the employees are not in jeopardy. He said they do not have enough information to make educated policy decisions and said he would not like to weigh in.

MAYOR HARTKE wanted to clarify that Councilmember Stewart does not think decisions should be made on any of these until there is more information.

COUNCILMEMBER STEWART said each of these have separate challenges. Someone in the pools may not be exposed, but there are other avenues of exposure. Councilmember Stewart said it is difficult to hash out the details of each situation in this format.

COUNCILMEMBER ORLANDO said after this week the pools would be closed anyway.

MS. REED said no, they are still open for the lap swim that continues.

COUNCILMEMBER ORLANDO said they keep talking about business as usual as best they can, for residents to keep their distance and not socialize, but they need outlets from just staying home. Councilmember Orlando thought that they need to be flexible to allow residents, whether limited hours or extra cleaning, to have a place to go. Councilmember Orlando said he is comfortable looking at limited hours and ensuring there is enough time in between to do the proper cleaning. He said residents are smart enough to know what to do or not do and it should be factored into the model. Councilmember Orlando said they have been operating with these amenities but there has not been a major disruption yet.

MS. REED said she recommended continuing operations except the senior center. As they continue to watch and numbers change as tests begin to come in, she could call Council to make decisions as the situation changes. They want to anticipate community changes before it is an issue and there could be staffing challenges; she would like to call them on ideas around closures, as the next week would be more revealing as to the direction they should take.

COUNCILMEMBER ORLANDO said that is what the City Clerk did regarding Passport Applications to get feedback and then made a decision. Councilmember Orlando said he was ok with that.

MAYOR HARTKE said they do not have any cases and if they should enhance cleaning and to continue as usual for now. Mayor Hartke said if staff stops because they are not available then that is something they would address at that time. Mayor Hartke said the City Manager could discuss with staff as situations change.

COUNCILMEMBER HUANG asked if they would be closing the pools.

MAYOR HARTKE said they would keep them open until something changes.

MAYOR HARTKE said the Senior Center has been closed except for the lunch, but was not sure if there are third parties that have enough capacity to take on more right now.

MS. REED said in Gilbert they are doing meals, but as a drive thru or carry out for seniors to come pick them up. Ms. Reed said that might be as a possibility as AZCEND is doing that with Gilbert now.

COUNCILMEMBER ORLANDO asked if seniors were going to the center to eat and then leave.

MR. BASS said yes.

COUNCILMEMBER ORLANDO asked if they wanted to do a pick up or shut it down.

MS. REED said they should offer something because for some of the seniors that is the only meal they get.

COUNCILMEMBER ROE said the carry out is a great solution and it is important. Some seniors do not eat at all because they do not prepare their own food so it is important they have something.

MAYOR HARTKE said if they would shut down with the exception of meals and asked for a timeframe.

VICE MAYOR LOPEZ said they need to protect everyone, but is torn because they may be going in for the meal and it may be their only time to interact with other people. It is hard to take this benefit away but it is needed to protect them from the virus.

MAYOR HARTKE asked how long they would like to keep it closed.

COUNCIL said the end of March they would revisit the issue.

MS. REED said it might take them a day to get it organized to do the carry out or drive thru.

VICE MAYOR LOPEZ asked if they should continue as usual for a week and then start next week.

MS. REED said she would talk to staff and would reach out to Council with more information on when they could start.

MAYOR HARTKE asked about large events in the parks.

MS. REED said most events have self-cancelled in the parks, but asked for direction regarding the Beer and BBQ festival. They may have performers cancel so it may work itself out, but with the President and CDC's recommendation of no more than 10 people, it changes the avenue for the event. Ms. Reed asked for Council's direction. Last year, there were about 30,000 people there.

COUNCILMEMBER HUANG asked how far away the event was.

MS. REED said it was a week from this weekend.

COUNCILMEMBER ORLANDO asked how the public safety is supporting the event.

MS. REED said they were 100% the support for the event.

COUNCILMEMBER ORLANDO said they just heard about limited resources and ensuring everyone stays well. Councilmember Orlando asked if they are supporting these events are they unnecessarily exposing them to these events.

MS. REED said everytime they run a call they are at risk.

COUNCILMEMBER ORLANDO said that that is their job but this situation is different. An event organizer is paying them and they may be putting them into an unnecessary situation. The supplies would be expended for an unnecessary reason. This is not part of their day-to-day job so Councilmember Orlando is against it.

MS. REED said when they were talking about the Ostrich Festival this was before the CDC recommendations had been out. All of that has changed over the last week. In order for the event to comply with CDC recommendations, it would be incredibly difficult so they can reach back out to the organizer. Ms. Reed said it is important they take care of their people. Ms. Reed said she could reach back out to them individually unless Council would like to have another meeting about it.

COUNCILMEMBER HUANG said it seems clear to cancel the event because of how many people attend the event. The event should be postponed.

VICE MAYOR LOPEZ said he believes the situation would self-correct as performers drop out and the event cannot happen. It would not make a difference in the hardship if they tell him to cancel or not.



MAYOR HARTKE said he would like to encourage them to comply with the CDC guidelines which would be very difficult to do.

COUNCILMEMBER ROE said he agreed with Councilmember Huang and this decision was easy to be made. Councilmember Roe said this would be a poor thing for the City to do with everything going on.

MS. REED said she just heard that he has cancelled.

MS. REED said as things arise she would be calling Council individually to discuss. If there were items that are more policy driven, she would be contacting the Mayor first. Ms. Reed said there might be more meetings as necessary.

MAYOR HARTKE said they would like to weigh in on the decision, but if it could be done with one-on-one communication, they can do that.

COUNCILMEMBER ORLANDO said he agreed. Councilmember Orlando said he suggested external communication should come from the Mayor and Council.

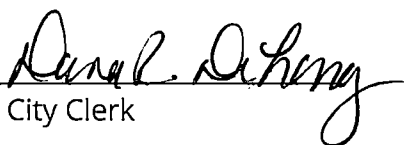
MS. REED said that was a great point. Now there is policy direction that is the way the message would be delivered.

COUNCILMEMBER STEWART commended staff on the communication to Council and that it had been outstanding. Councilmember Stewart said he appreciated all of the work staff has done to work on this issue and keep people informed.

MS. REED said it's been a team effort.

ADJOURNMENT: The Work Session was adjourned at approximately 3:43 p.m.

ATTEST:

  
City Clerk

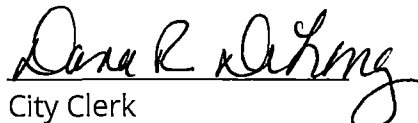
  
Mayor

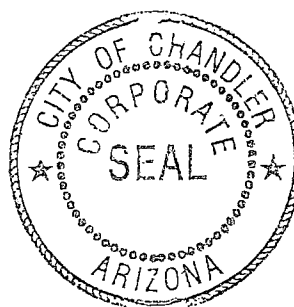
Approval Date of Minutes: April 23, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session Meeting of the City Council of Chandler, Arizona, held on the 17th day of March, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April, 2020.

  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Monday, March 23, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, March 23, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:02 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember McClymonds attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Mayor Hartke.

PLEDGE OF ALLEGIANCE: Vice Mayor Lopez led the Pledge of Allegiance.

#### **CONSENT AGENDA – MOTION AND VOTE**

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE MARCH 23, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER STEWART.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### **CONSENT AGENDA ITEMS**

- 1a. MINUTES of the Chandler City Council Study Session of February 24, 2020.
- 1b. MINUTES of the Chandler City Council Regular Meeting of February 27, 2020.
- 1c. MINUTES of the Chandler City Council Budget Live of February 27, 2020.

2. FINAL ADOPTION OF ORDINANCE NO. 4911, amending the Code of the City of Chandler Chapter 2, Section 2-2, relating to the compensation of Mayor, Vice Mayor and Councilmembers.

BACKGROUND FROM COUNCIL MEMO:

On January 17, 2008 the Mayor and City Council approved a City Code amendment which provided salary increases for the positions of Mayor, Vice Mayor and Councilmembers. The approved ordinance included a provision in which the salary for the Mayor, Vice-Mayor and each member of the City Council is adjusted each year by the same percentage as provided for non-represented employee groups for that fiscal year. Additional raises for the positions of Mayor, Vice-Mayor and Councilmembers were voted on in January 2014 and January 2016.

This draft ordinance is proposing to remove from the City Code, Subsection 2-2.3, which states, "Effective July 1, 2009, and each year thereafter, the salary for Mayor, Vice-Mayor and each member of the City Council shall be adjusted, using the total compensation methodology, by the same percentage as provided for non-represented employee groups for that fiscal year."

Upon approval of this ordinance, the positions of Mayor, Vice-Mayor and Councilmembers will no longer receive an annual cost of living adjustment. Any change in pay will need to be voted on as a separate item in a council agenda.

FINANCIAL IMPLICATIONS:

There will be no financial implications with the approval of this ordinance.

The first reading of Ordinance #4911 was approved by the City Council at their meeting held on February 27, 2020.

3. OFFICIAL CANVASS of the City of Chandler Special Election of March 10, 2020.

BACKGROUND FROM COUNCIL MEMO:

The City held a Special Election on March 10, 2020, for the submission of an amendment to the City Charter regarding the timing of City of Chandler Elections – Proposition 426. The election was conducted as a ballot-by-mail election. Arizona Revised Statute §16-642 requires the governing body canvass the returns of the election no later than twenty days following the election.

The attached canvass shows the final official summary report, and the final official statement of vote. Voter turnout is 23.77% with 37,324 voters casting ballots out of a total voter population of 157,048.

Proposition 426 was approved overwhelmingly by a vote of 34,431 yes votes to 2,858 no votes.

4. AGREEMENT NO. DS0-918-4151, with PLAN\*et COMMUNITIES, for the Airpark Area Plan Update, in an amount not to exceed \$164,975.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler has begun the process to update the Chandler Airpark Area Plan. The current plan, adopted in November 1998, has guided land use development within the nine-square-mile

airpark area for more than 20 years. As the City approaches build-out, and in conjunction with the Airport Master Plan update currently underway, it is appropriate to update the Airpark Area Plan to ensure proper land use compatibility as well as maximization of remaining vacant land.

The project scope of work includes a series of public engagement opportunities involving numerous community engagement and focus group meetings, augmented by an interactive webpage hosting all plan documents, meeting information and minutes, as well as survey opportunities. Technical tasks include historical growth analysis, traffic and economic development data analysis, draft Airpark Area Plan recommendation and development options delivered in a series of electronic formats including a story map version, and executive summary. The project is anticipated to be completed by the end of calendar year 2020.

INFORMATIONAL:

1. Minutes of the Planning and Zoning Commission Study Session meeting of February 19, 2020.
2. Minutes of the Planning and Zoning Commission Regular meeting of February 19, 2020.

ADJOURNMENT: The meeting was adjourned at 6:06 p.m.

ATTEST: *Dana R. DeKey* *Kevin Hanthe*  
City Clerk Mayor

Approval Date of Minutes: March 26, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 23<sup>th</sup> day of March 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 26 day of March, 2020.

*Dana R. DeKey*  
City Clerk





**CHANDLER CITY COUNCIL**  
**BUDGET WORKSHOP #2**  
Monday, March 23, 2020

MINUTES OF THE BUDGET WORKSHOP #2 MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, March 23, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 3:01 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember McClymonds attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Joshua Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Dawn Lang, Management Services Director; Matt Dunbar, Budget Manager

1. Opening Remarks

MAYOR HARTKE thanked everyone for watching the meeting and thanked Council for attending.

MARSHA REED, City Manager, thanked everyone for attending the meeting and said they would be seeking feedback from Council regarding the budget for the next fiscal year. Chandler has always been fiscally conservative and was the only City during the great recession that did not lay off employees, and is still operating with less positions than before the recession.

Ms. Reed said they need to create a plan for the next budget, as there is still uncertainty over what will happen in the current economic situation. Economic Development staff has put together a packet in anticipation of the COVID - 19 impact. Ms. Reed said they have proposed a reduction in property tax, keeping expenses at or below the current fiscal year, and would use one-time dollars to free up ongoing dollars using that money as capital projects are funded. Ms.

Reed said they are one of two cities that have planned for a forecasted recession. Ms. Reed said they would like to talk about the 10-year Capital Projects Plan. Ms. Reed said all open positions are currently being held, no travel for City employees, and all purchases are being reevaluated. Ms. Reed stated they have reduced the forecasted budget by \$16 million.

## 2. Public Safety Personnel Retirement System (PSPRS) Discussion

DAWN LANG, Management Services Director, presented the following Power Point presentation.

- The Future's In Sight 2020 Vision
  - 01 Public Safety Personnel Retirement System (PSPRS) Discussion
  - 02 Assessed Valuations Property Taxes
  - 03 FY 2020-21 General Fund Operating Budget
  - 04 One-time 5 year General Fund Balance Forecast
  - 05 Proposed 10-Year Capital Improvement Plan
- Pension Funding Discussion
- PSPRS: A Historical Perspective
  - Aggregate Funded Status
  - \$9.3B underfunded as of 2019
- PSPRS – How Did We Get Here?
  - Unsustainable Plan Design
    - Permanent Benefit Increases, even in negative earning years and DROP
  - Unsustainable investment Practices
    - Weak policy and practices (global losses and PBI's guaranteed from gains)
  - Actuarial Errors
    - Outdated life expectancy tables, inflated assumed return (8.5% to 7.3%), and inflated payroll growth (5.5% to 3.5%)
  - Plan changes that affect existing members or retirees are limited since AZ Constitution states that benefits cannot be diminished or impaired, therefore majority of changes impact new hires
  - 2011 1<sup>st</sup> Pension reform SB 1609 – failed and lawsuits resulted
  - 2014 League Taskforce – yardstick and employer recommendations
  - 2016 2<sup>nd</sup> Pension reform SB 1428 – created tier 3
  - 2016 Prop 124 – voter approved to replace PBI with COLA and cap at 2%/year
  - 2017 SB 1063 created risk pool for employers with 250 or fewer employees
  - 2017 SB 2485 option for 20 or 30 year amortization
  - 2018 HB 2097 create pension funding policy and updated annually
- PSPRS Employee/Employer Rates Comparison – Fire
- PSPRS Employee/Employer Rates Comparison – Police

COUNCILMEMBER ORLANDO asked if the \$19 million was the minimum and did not include the extra payments.

MS. LANG said that was correct.

COUNCILMEMBER ORLANDO said anything above this would be a positive contribution.

MS. LANG said yes.

VICE MAYOR LOPEZ asked if the new tiers were making a larger contribution.

MS. LANG said Tier 3 has a higher contribution rate that is made of a normal and unfunded portion. The employer is expected to pay for a Tier 3.

VICE MAYOR LOPEZ said the chart looks flat for the last three years.

MS. LANG said the chart is showing Tier 1 and Tier 2 because there are not that many employees in Tier 3.

MS. LANG continued the presentation.

- PSPRS Net Unfunded Liability Balances
- Council Corrective Actions
  - Council Corrective Actions
  - Implemented PSPRS Taskforce recommendations (prepay employer contribution and eliminated spiking)
  - Paid Field's case in one year rather than three
  - Retained 20 year amortization vs. 30 for unfunded liability
  - Implemented 11 year pay-down plan (\$38.2M to date)
  - Implemented Pension Funding policy 7/1/19
- Funding status is starting to increase
  - Additional payments began in FY 2016-17 Budget
  - Pension reform and actuarial changes continue
- FY 2019-20 Pay-down Plan
  - Chandler's Unfunded Liability Pay-Down Projection

VICE MAYOR LOPEZ asked if they made last year's payment and this year's payment.

MS. LANG said the \$39 million represents the overpayment of \$25.7 million, employer contribution funded with one-time dollars plus interest they would earn because of what they prepaid. This would not reflect until next year's report.

COUNCILMEMBER STEWART asked if staff believed they would be making progress and if the money is invested, or if it is just sitting as cash.

MS. LANG said PSPRS has an investment manager that invests out up to 20 years and invests in a well-diversified portfolio. There is a lot of scrutiny on the investments compared to previously. They want to maximize the earnings and do not keep them liquid.



MS. LANG continued the presentation.

- PSPRS Actuarial Reports 6/30/2019
  - Unfunded Liability Increased \$8M
  - Employer Contribution Increased \$1.2M
  - Normal portion of contribution 33%
  - Unfunded portion of contribution 67%
  - Reasons
    - Reduced assumed rate of return (7.4% to 7.3%)
    - Actual earnings: 5.4% for Tiers 1 and 2 (smoothed 6.7%)
    - Actual earnings 9% for Tier 3 (smoothed 7.3%)
    - Mortality tables updated to Public Safety specific
    - Greater than expected retirements and terminations, partially offset by lower salary increases
    - Payroll growth assumption 3.5% not met
      - 0.05% for Police and 1.33% for Fire
- More Changes Anticipated
  - PSPRS Board has new actuary
  - Prior actuarial methodologies are being questioned
  - PSPRS provided modeler to quantify changes
  - May reduce salary growth assumptions (charged to Actual growth)
  - May further decrease assumed rate of return (changed 7.3% to 7.2%)
  - May change how gains or losses are amortized closed (current), open or layered (changed to layered)
  - Results are Slow but Needed
    - Pay-down plan formulated 2015
    - Overpayments began FY 2016-17 with \$12.5M reflected through 6/30/2019 actuarial report
    - \$25.7M overpayment reflected in next report
    - Implementing best practices and correcting actuarial flaws is vital
    - Unfunded liability and rates will be reduced with additional payments
    - Our unfunded levels have increased
    - Options for early pay-down at different percentages were evaluated

COUNCILMEMBER ORLANDO asked if there were ways to change the modeling to show different interest rates of return.

MS. LANG said there is, they can change the assumed interest rate and actual interest rate.

COUNCILMEMBER ORLANDO asked what the actual interest rate was.

MS. LANG said the Tier 1 and 2 actual earnings were 5.4%.

COUNCILMEMBER ORLANDO asked what they are using this year.

MS. LANG said the assumed and projected interest rate is locked in at 7.3%.

COUNCILMEMBER ORLANDO said that seems to be a large variable and asked what the confidence level was for that rate.

MS. LANG said that is a huge debate at the PSPRS Board right now. Some feel it should always be attainable to reach that number and some want to take the rate lower. There is a lot of debate and each Tier is a little bit different.

COUNCILMEMBER ORLANDO said it seems like each year they are missing it with the exception of a few. Councilmember Orlando asked if there was a way to model at a number the City felt was reasonable to try and get a better projection.

MS. LANG said they do have the modeler so they could run different scenarios. They can estimate based on the investments. Ms. Lang said when they put a 1/10 percent lower than the projected rate it had a \$4 million impact. The Board is trying to take a careful approach and take it down slowly. Each City is different and they have to be careful about how these things are done.

COUNCILMEMBER STEWART asked if the Police and Fire increase was based on merit and salary increases or actual personnel increases.

MS. LANG said it is based more on people being added to the plan as the organization grows.

- PSPRS Pension Funding Policy Options
  - Current – Plan to achieve goal of 100% funded by June 30, 2027. 9 years ahead of the Actuarial 17 year date of June 30, 2036 – No longer available.
  - Option 1 – Plan to achieve goal of 50% funded by June 20, 2027, and achieve remaining 50% in last 9 years of the Actuarial 17 year date of June 30, 2036
    - Commits 75.7M in one-time over next 5 years vs \$67.6M previously planned – Recommended
  - Option 2 – Plan to achieve goal of 70% funded by June 30, 2027 and achieve remaining in last 9 years of the Actuarial 17 year date of June 30, 2036
    - Would require an increased \$38.5M in 1<sup>st</sup> 5 years to achieve, or the \$75.7M one-time already proposed
- PSPRS One-Time Funding Recommendation
  - Commits \$8M more over next 5 years with more shifted to 1<sup>st</sup> 2 years
  - Includes \$67.7M in additional payments
- FY 2020-21 Pay-down Plan Benefits
  - Making additional payments up front
    - The annual Employer Contributions are reduced \$113.4M over 17 years
    - Unfunded Liability is \$20M less by year 17
  - Total Savings \$133.4M for an investment of \$67.7M

- Recommend committing to plan, but delaying FY2020-21 prepayment until after assessing impacts of COVID-19

COUNCILMEMBER ORLANDO asked what the assumption was for additional payments.

MS. LANG said \$15 million would go towards unfunded.

COUNCILMEMBER ORLANDO said they make a payment of \$15 million to save \$3 million in the next year.

MS. LANG said they only have additional payments happening until 2026. From that point forward, they are achieving savings because money was paid up front.

COUNCILMEMBER ORLANDO asked if there was a better use of the money, for example Capital Improvements and focusing on job creation. Councilmember Orlando asked if this is the best investment for the money because it is important to balance.

MS. LANG said it is a balance and showing what the overpayment does to save the City money.

COUNCILMEMBER ORLANDO asked how much additional would be put in 2023.

MS. LANG said it would be about \$14 million.

COUNCILMEMBER ORLANDO said they would pay \$30 million dollars to save \$8 million and asked what the cost was to do something else with the money. Councilmember Orlando asked if the model included the overpayments they had done previously.

MS. LANG said yes, they were included.

MAYOR HARTKE said if they do not use the money here it could be used for economic development, but it may not be an apples to apples decision.

COUNCILMEMBER ORLANDO asked how much was in the CIP for the next five years.

MAYOR HARTKE said the CIP is not necessarily economic development. Those are things Council would like to see done such as parks or roads.

COUNCILMEMBER ORLANDO said they are creating jobs by building out infrastructure and getting sales tax from construction dollars.

MAYOR HARTKE said those would create one-time dollars.

COUNCILMEMBER ORLANDO said he wants to make sure this is the best use of the money, or what they could also do with the money to enhance the community.

COUNCILMEMBER ROE said it is painful to review and go over and thought they have been fortunate for so long. If they make the investment it is because they can make it. There may be a time in a few years where it may not be possible.

COUNCILMEMBER ORLANDO said he is an advocate for putting additional dollars, but there are needs in the community and asked if there was a better balance to leverage the dollars. Councilmember Orlando asked if there were other projects they could get immediate return on as things are starting to change.

MS. REED said if the Council would like to provide more examples of projects, staff would be able to run those scenarios. It is important to note that the projects may also have ongoing costs once they are complete.

VICE MAYOR LOPEZ asked if they have to make a decision by June 30.

MS. LANG said the only requirement is that through the biweekly payrolls they pay the contribution. The overpayment is up to Mayor and Council to make the payment or delay. It just delays when the money is invested into PSPRS. Ms. Lang said they do not want to spend it and then find out that the COVID-19 impact goes beyond the first quarter. As the impacts continue they want to be able to adjust accordingly and this is one of the areas.

VICE MAYOR LOPEZ clarified they can make an overpayment anytime throughout the year.

MS. LANG said it would get added to the investments at that time.

MS. LANG continued the presentation.

- PSPRS – Chandler's Approach
  - Understand the success in creating a sustainable Public Safety Pension plan is combined responsibly
    - State Legislature, PSPRS, local legislative bodies and boards
  - Read and understand the actuarial reports including our own demographics
  - Communicate annually
  - Update plan to pay down unfunded liability annually to reflect impact of actuarial corrections
  - Update Fact Sheet for consistent communication
  - Stay involved, informed and flexible
  - Goal is to secure our employees' retirements

COUNCILMEMBER McCLYMONDS said he agreed with the plan to continue to make payments. Councilmember McClymonds agrees with what staff has proposed.

### 3. Assessed Valuations Property Taxes

MATT DUNBAR, Budget Manager, continued the presentation.

- Assessed Valuation and Property Taxes Update
- Assessed Valuation Planning Assumptions Primary Levy
  - Lowered the Primary Rate from .2581 to .2501 to remain below the Truth in Taxation threshold \$259,475 reduction in ongoing levy
  - + 3.2% Appreciation
  - + 4.5% New Property
- Impact of Increase to Median Value Homeowner
  - \$0.01 increase to Property Tax Rate brings \$324k additional levy to the City of Chandler
- Property Valuation and Tax Rate History
  - Tax rate increased during declining values and decreased during periods of increasing values

COUNCILMEMBER ORLANDO said assessed values increasing are good and the City has put a cap of 5%. He said they are potentially adding four police department positions and asked if the additional funds would cover that.

MR. DUNBAR said it would not cover the majority of the positions, but would cover a percentage. The reduction is brought down to the Truth in Taxation level.

MS. REED said the one position for the commander that had already started was being paid out of reserves would take almost the \$259,000 to cover that including benefits.

COUNCILMEMBER ORLANDO said then instead of using reserves they could cover the position with a tax source.

MR. DUNBAR said it would not be designated specifically, but it would be part of the general fund.

COUNCILMEMBER ORLANDO asked what the constitutional process was.

MR. DUNBAR said they must take several steps including posting additional information to the public. Staff must post two publications in the newspapers and then have a Truth in Taxation hearing where the community could have an opportunity to comment.

COUNCILMEMBER ORLANDO asked if this would be in addition to the normal budget process.

MR. DUNBAR said yes, this would be a specific notice and very specific requirements.

COUNCILMEMBER ORLANDO clarified the difference to the taxpayer would be \$0.90 cents per month.

MS. LANG said yes.

COUNCILMEMBER STEWART asked if they would not be able to hire the police commander if they provide the tax break.

MR. DUNBAR said no, that was not the case.

#### 4. FY 2020-21 General Fund Operating Budget

MR. DUNBAR continued the presentation.

- FY2020-21 General Fund Operating Budget
- Sound Budgeting Practices Support Financially Sustainable Goal
  - Maintains AAA Bond Ratings from Moodys, Fitch, and S&P rating agencies
  - Continue adherence to all fiscal policies
  - Structurally balanced
    - Ongoing Revenues support Ongoing Expenditures
    - One-Time Revenues support One-Time Expenditures
  - Maintain strong reserves
    - 15% General Fund contingency reserve
    - Budget Stabilization Reserve at a minimum of \$10M
  - Manage expenditure growth
    - Maintain existing services
- FY2020-21 Ongoing Decision Package Recommendations
  - New positions will be held and contract/operating adds will be reviewed on an individual basis prior to authorizing appropriation spending, to ensure COVID-19 impacts are taken into account
  - \$4,230,720 in requests, a slight reduction from 2019-20
  - \$949,918 of the new ongoing is covered with budget reallocations or revenue offsets
  - 8 FTE additions (incl. 4 in Police\*)
  - \*Includes \$241k from Police position funded with one-time in prior years

MS. LANG said almost \$1 million is budget revenue allocations or revenue offsets. About \$780,000 was budget reallocation. One of the police positions is an SRO, which is covered by a grant and is also included in the numbers.

MAYOR HARTKE asked if the grant covers the whole position.

MS. LANG said this position is 100% funded by the grant.

MAYOR HARTKE said this is a recommended budget and they could make changes and have hiring freezes throughout the year depending on the impacts of COVID-19.

MS. REED said that was correct. Currently new positions would be held and contract positions would continue to be scrutinized.

MR. DUNBAR continued the presentation.

- FY 2020-21 One-time Decision package Requests
  - New contract/operating adds will be reviewed on an individual basis prior to authorizing appropriation spending, to ensure COVID-19 impacts are taken into account
  - \$8,523,634 in requests, a slight reduction from 2019-20
  - \$1,103,352 is covered with revenue offsets
  - Includes \$775k for Fire Academy and Paramedic Training
- COVID-19 Impacts included in General Fund Forecasts
  - Incorporated one-time reduction of revenues in FY2019-20 of \$6M and FY 2020-21 by \$10M
  - Monitoring revenues and expenditures weekly and reporting out in monthly revenue/expenditure report
  - Implementing spending reduction measures to minimize impact of revenue reductions
  - Should impacts continue, the forecast already includes a downturn beginning FY 2022-23; measured reductions would need to be implemented

COUNCILMEMBER STEWART asked what the normal intake of tax revenues were.

MR. DUNBAR said it is just over \$120 million in tax revenue, which does not include any from the State.

COUNCILMEMBER STEWART said an 8% decrease in revenues is expected coupled with the impact of property tax, and asked if that was a fair estimate.

MR. DUNBAR said from the information they have now it is reasonable, but they are getting information each day as things change and the numbers could change again. As of now, this was a reasonable estimate.

COUNCILMEMBER STEWART said it is going to be a challenge to get the data as they move through this process. Councilmember Stewart said he would like to see a more conservative estimate of what the decrease is going to be based on what they have been hearing from businesses in the community. The ripple effect may be significant and would like to see a model with a 12-15% reduction.

MS. LANG said Staff is anticipating spending reductions and to find ways to generate more one-time dollars to help minimize the impacts.

COUNCILMEMBER ORLANDO asked if they still have the \$10 million reserve.

MR. DUNBAR said yes.

5. One-time General Fund Balance Forecast

MS. LANG continued the presentation.

- Proposed 5-Year One-time general Fund Balance Forecast
- 5-Year One-time general Fund Balance Forecast with COVID-19 Impacts: Page 1

COUNCILMEMBER ORLANDO clarified they are not reducing it, but rather showing it is already obligated.

MS. LANG said the projection does assume they would spend the money, but it has been a few years since they have spent those funds. If they are not spent, they are put back into the budget the following year.

MS. LANG continued the presentation.

- 5-Year One-time general Fund Balance Forecast with COVID-19 Impacts: Page 2
- 5-Year One-time general Fund Balance Forecast with COVID-19 Impacts: Page 3
- General Fund Balance Reserves/Contingencies
  - \$37,657,900
    - 15% General Fund Contingency and Council Contingency
    - Unassigned
  - \$68,268,038
    - Budget Stabilization Reserve (\$10M)
    - Capital and ED Reserves
    - Public Safety Reserves
    - Fuel/Utility Reserves
    - Domestic Violence/Photo Red Light
    - Assigned
    - Minimum Reserve Target Represents 4 months of budgeted operating revenues \$82,962,000
  - \$1,634,561 CEF
    - Restricted

COUNCILMEMBER ORLANDO asked what they started the year with.

MS. LANG said they are estimating \$172 million at the ending of Fiscal Year 2019-20.

COUNCILMEMBER ORLANDO said the current budget is \$108 million and \$65 million is allocated.

MS. LANG said yes, if every dollar were spent, they would have \$108 million remaining.

MAYOR HARTKE said every year they plan, but not all the money is spend so they end up with a boost.



MS. LANG said yes, if they do not spend it all it carries forward.

MS. LANG continued the presentation.

- Proposed 5-Year One-time General Fund Balance Forecast with COVID-19 Impacts
  - General Fund Balances by Fiscal Year End

COUNCILMEMBER ORLANDO asked if the Intel project was driving that.

MS. LANG said they have allocated items to the budget to draw down if every dollar is spend on all of the economic development commitments, general funded CIP, and one-time operating.

COUNCILMEMBER ORLANDO said based on the graph there are revenue streams that are not coming in or activities coming out.

MS. LANG said because the downturn is built in to the model the amount is decreasing. The commitment to PSPRS is built in as well.

VICE MAYOR LOPEZ said it seems there is more in the current years because they are not spending it all. There tends to be an uptick every year and that is seen closer to the end of each year.

MS. LANG said yes each year it is common there would be funds to roll over into the next budget.

#### 6. Proposed 10-Year Capital Improvement Program

MS. LANG continued the presentation.

- Proposed 10-Year Capital Improvement Program (CIP)
  - Building and Facilities
  - Information Technology
  - Community Services
  - Cultural Development
  - Fire
  - Police
  - Public Works Streets & Transportation
  - Policy
  - Economic Development
  - Airport
  - Public Works Solid Waste
  - Public Works Water
  - Public Works Wastewater
- Proposed Capital Improvement Program
  - Maintain existing infrastructure
  - Finish planned construction of streets and parks

- Limit new projects that add ongoing operations and maintenance
  - Address public needs
  - CIP guidelines support financially sustainable goal
- Things to Know About the Proposed 10-Year CIP
  - The Proposed CIP for all funds is just under \$1.2B (\$227M more than current 10-year CIP)
  - The Proposed CIP for only FY 2020-21 is \$148.3M (\$37.7M more than FY 2019-20 Adopted)
  - \$42M General Obligation bonds and \$57M in ETRO Sales are planned for FY 2021-22
  - Accelerated/added projects to 1<sup>st</sup> 5 years by using General Fund balance and Impact Fee loan repayments instead of increasing tax rate to fund Debt Service
  - Used additional capacity from increased Assessed Value while lowering primary tax rate
  - CIP guidelines support financially sustainable goal
- Proposed 10-Year CIP Debt Service Year-End Fund Balance Projection
  - Assumes \$0.87 Secondary Tax Rate throughout
- General Voter Bond Authorization
  - Reflecting Nov. 2019 Issuance
    - Bonds paid by Secondary Property Taxes
    - Last Bond Election was 2007 which projected projects with no property tax increase (pre-recession)
    - Minimal bond authorization remains for Public Safety and none for Water/Wastewater
    - Citizen Committee to be formed to vet community project needs and make recommendation for potential 2021 bond election

MAYOR HARTKE asked why there are no dates on some of these areas.

MS. LANG said they do not have additional projects in those categories. They are doing some research with their Bond Counsel to see if there is a way to shift authorization to another category, but there are strict rules. If not, then the authorization would sit and would not expire.

COUNCILMEMBER ORLANDO asked if there is a list of projects that they have bonds for and what they do not.

MS. LANG said the detail of what the bonds are used for is located in the updated CIP plan. Anything after 2027, they are completely out of authorization.

COUNCILMEMBER ORLANDO asked how they know which projects need more funding.

MS. LANG said these are all general obligation bonds. When looking at the list anything that is GO bonds those are the line items drawing down the remaining bond authorization. Past 2027, they would need more authorization to continue.

COUNCILMEMBER ORLANDO asked if they had more bond authorization would they be able to pull more projects in.

MS. LANG went over the handout given at the dais detailing the CIP projects.

COUNCILMEMBER STEWART said there are bonds, general fund dollars, and asked why they have not used more bonding authority instead of general fund dollars.

MS. LANG said it is a balancing act in regards to the tax rate and assessed value. If they sell more bonds then the tax rate would need to increase. Right now they have not changed the tax rate so whatever is available in the levy is what they have to pay the debt service.

MS. LANG continued the presentation.

- Proposed 5-Year Enterprise Fund Balance Projections
  - Adequate fund balances in Water and Wastewater due to changes in transitioning from building new to increased maintenance of aging infrastructure
  - Future rate increases contingent on cost of service study
  - Water FY20-21 +0% then +2% FY 21-22 & 2.5% 23-24
    - 20% Operating Reserve
    - Intel estimate incorporated
    - Additional maintenance and rehabilitation
    - Large filter replacements
  - Wastewater FY20-21 +0% then +8% 21-22 & 23-24
    - 20% Operating Reserve
    - Intel estimate incorporated
    - Significant facility maintenance incorporated
  - Reclaimed FY20-21 +0% then +8% FY 21-22 & +7% 23-24
    - 20% Operating Reserve
    - Operating costs only
    - Implementing conservation messaging to users
    - Advanced treatments in later years
  - Solid Waste 20-21 +0% then +6% FY 21-22 & 5% 23-24
    - Propose 10% to 15% Operating Reserve
    - Hauling contract increased
    - Nationwide recycling issues
    - Recycling Solid Waste Collection Center (RSWCC) cost of service

COUNCILMEMBER ROE asked how these compare to other communities.

MS. LANG said they do have information regarding the most recent years available online. All of the cities are working on their rate plans right now, so they did not know what is going to happen yet. As cities share what they are doing staff would present the information they have by the Budget Briefing meeting.

MAYOR HARTKE said they also show the comparison after July 1<sup>st</sup>.

MS. LANG said yes.

MS. REED said they are projecting 0% increases so they would look more favorable compared to other cities unless someone chooses to reduce.

MS. LANG continued the presentation.

- Summary of Proposed Key Capital Projects in the 1<sup>st</sup> 5 Years
  - Community/Regional Park Improvements
    - Regional Park Development
    - Winn Park site
    - Veteran's Memorial Park Phase II
    - Snedigar Sportsplex
    - Lantana Ranch Park Site
  - Technology
    - Microsoft Office 365 Platform
    - Mobility Pilot
    - Offsite Disaster Recovery Colocation
    - Citywide Technology Expanded Bandwidth
    - Police Virtual Private Network
    - Wi-Fi Access Points
  - Remaining Arterial Street Projects
    - Ocotillo Rd (Cooper Rd to 148<sup>th</sup> St)
    - Lindsay Rd (Ocotillo Rd to Hunt Hwy)
    - Chandler Heights Rd (McQueen Rd to Val Vista Dr)
  - Other Street Projects
    - Boston St
    - Washington St
    - Alma School Rd
    - Gilbert Rd
    - LED Upgrade Streetlight Conversion
    - Frye Road Protected Bike Lanes
  - Airport
    - Santan Apron Reconstruction
    - Runway 4R/22L Extension
    - Airfield Lighting Improvements
  - A bond election will be needed to support future public safety projects
- Refer to Proposed 10-Year Capital Improvement Program List

MS. LANG presented the Proposed 10-Year Capital Improvement Program List.

MAYOR HARTKE asked if there is a time limit of when they need to use impact fees.

MS. LANG said generally, there is a 10-year timeframe from when the fees are collected to when they need to be spent. Staff monitors the fees to ensure they are in compliance.

COUNCILMEMBER ORLANDO asked if the \$2.2 million was for the entire project at Veteran's Memorial Park.

MS. REED said Phase I has been completed and it was originally planned for three phases. Staff was able to move it into two phases and this should complete what was planned for that Park.

COUNCILMEMBER ORLANDO asked what the impact would be if they moved it into this fiscal year.

MS. REED said staff would need to know which project they would like to push out or it would be an additional general fund draw down.

COUNCILMEMBER ORLANDO said he would like to look at adding that for this year. Councilmember Orlando said they owe it to the veteran's to get the project completed and the community wants to be a part of it and some organizations have offered to help with the maintenance.

MS. REED clarified that they would like to move the project up providing they can get some information with the community partners and bring back and recommendation at the Budget Briefing.

VICE MAYOR LOPEZ agreed with Councilmember Orlando to bring the project timeline up. Vice Mayor Lopez said there are some projects that do not look as urgent, but would need more information on what to push back a year.

COUNCILMEMBER ROE said the impacts of COVID-19 may take a year to correct themselves. Councilmember Roe said the Veteran's Memorial Park is important and he would like to have it done.

COUNCILMEMBER STEWART asked since it is a park if it could be bonded.

MS. LANG said yes, but it would impact the tax rate.

VICE MAYOR LOPEZ said unless it was a bond already allotted.

MAYOR HARTKE said they would still have to sell the bonds.

VICE MAYOR LOPEZ said the Lantana Ranch Park Site is a bond out further, but what if that was transferred to Veteran's Oasis.

MS. LANG said the first year is impact fees. Ms. Lang said when looking at the bond funded projects there are a portion of regional parks bonded and some neighborhood parks improvements.

MAYOR HARTKE said they have made a recommendation and staff would review it to see what it would look like.

COUNCILMEMBER ORLANDO said if they need to use some one-time dollars, he would be in support of that because they need to send a message of support to the veterans.

COUNCILMEMBER HUANG said he agreed with Councilmember Orlando and would like to see if it is possible.

MAYOR HARTKE said it is important to keep the budget structurally balanced.

COUNCILMEMBER STEWART asked for more information on downtown redevelopment.

MS. LANG said the dollars are used to provide maintenance in the downtown. As the downtown has expanded there is more to maintain.

COUNCILMEMBER STEWART said he wanted to be clear of the continuing general fund investment into the downtown area.

MS. REED said this is for lighting upgrades, maintenance, and additional cleanings and if the downtown area is going to put together another proposal then these dollars are set aside to use those. If the funds were not used then they would reduce the amount requested in the following year.

COUCILMEMBER ORLANDO said there is no bond authorization remaining and asked if they have a successful bond election would these items be on the election instead of general obligation or general fund.

MS. LANG said all of the bonds on the projects would be reviewed by a citizen committee and prioritized. Many of these would have the ability to shift to bond funded, but they would need to weigh the tax rate and assessed values.

COUNCILMEMBER ORLANDO clarified they could potentially have \$30 million in bonds.

MS. LANG said potentially yes. In this Capital Plan, they are anticipating use of bond proceeds. There are some needs that were pushed out in anticipation of having bonds at that time.

MAYOR HARTKE said they may have authorization, but they would need to determine when they spend that based on the tax rate.

MS. LANG said that was correct. They are constantly trying to balance to minimize an increase in taxes so in balancing that depending on the will of Council they could increase the tax rate. They have always been careful to maintain taxes.

MS. REED said they are working regionally on the Prop 400 extension of dollars. If that were to pass this would look different in terms of project funding sources.

COUNCILMEMBER ORLANDO said it is important they maintain the streets. Councilmember Orlando mentioned the Alma School and Germann projects. Germann was set for this year and the potentially finishing the project in 24-25 and asked what the time frame was for that. Councilmember Orlando asked if they were working on grants or matching dollars to move the project up.

MS. REED said they have received some grant dollars for Alma School. Some of those were moved into a project they had already had a contract on, but there may be options to move it up if they get through Prop 400.

COUNCILMEMBER STEWART said he would like to get more information on Gilbert Road Phase II and how fast the project is expected to be completed. This project was paid for by bonds and grants and asked if the School District is helping with that project.

MS. REED said yes for the portion of the road adjacent to their property, they will pay for the widening. The widening on either end and southbound that was already planned the City would pay for.

MAYOR HARTKE asked if these amounts reflect the total or the percentage if they are able to get grants.

MS. LANG went over the spreadsheet columns.

MS. REED said the projects are outlined in the plan, but if they do not get the grants then they would not move forward with the project.

COUNCILMEMBER ORLANDO said Intel is a large user of the wastewater and asked if they do a recycling plant would that have a huge impact on the structures. Councilmember Orlando said he does not want a huge rate increase because there is another asset to maintain.

MS. LANG said there have been many conversations around this, but there are still a lot of unknowns. They have been working closely with staff at Intel and built in the best estimates in the wastewater operating fund of what they think that plant opening would have on the operations. They are behind on opening it, the original capacity is being reevaluated, and it is not going to be able to process the amount they had originally anticipated. Because of this they are not anticipating it have as big of an impact initially as they thought.

COUNCILMEMBER ORLANDO asked if there is excess capacity if it could be used for other communities.

JOHN KNUDSON, Public Works and Utilities Director, said they keep in constant communication with Intel and they do have some construction delays. The plant is expected to be completed in about six months. It is operational today, but not at its full capacity. The long-term plan for the plant would be determined as they become knowledgeable of its operating costs and benefits. Mr. Knudson said they talked about using the excess capacity for the City, but until the plant is operational they would not know much more than that.

COUNCILMEMBER ORLANDO said he wanted to ensure they do not increase rates suddenly.

MR. KNUDSON said Intel is a very quiet place when they are planning and they do not share a lot, but they have communicated they would give the City enough time to adjust as they possibly can. Mr. Knudson said it is a benefit and the plant would be one of two in the world like it and it would do amazing things for Chandler if they were able to partner with them. There would be a balancing act of how they bring it in, but it would be a gradual process.

MS. REED asked if Council was okay with the current PSPRS plan to hold the extra payment.

MAYOR HARTKE was in favor.

COUNCILMEMBER HUANG said he wanted to pay off everything as soon as possible, but they do need to take into consideration the economic situation.

COUNCILMEMBER STEWART said he feels confident in staff's ability to give the right budget as they have consistently done each year. Councilmember Stewart said he would like to see a strategy based on the economic impact and slowdown.

COUNCILMEMBER ORLANDO said the bonding would have a big impact as they move forward. PSPRS has been a moving target and if it keeps happening, he would like to reevaluate in the following years, but is in support of this year.

MS. REED said she would like to ensure they are in support of rolling back the tax rate.

COUNCILMEMBER ORLANDO said as values start dropping down they may need to change the rate or adjust based on other programs.

COUNCILMEMBER STEWART said many people are unemployed right now so any tax cut the City could provide would be beneficial.

- Key Budget Dates

## 7. Closing Remarks



MS. REED thanked the Council for their input.

ADJOURNMENT: The Work Session was adjourned at approximately 5:50 p.m.

ATTEST: Dana R. DeLong Kevin Hanthe  
City Clerk Mayor

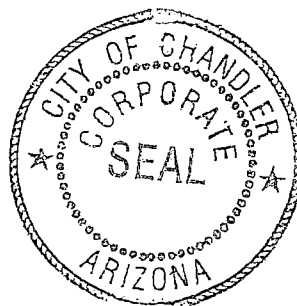
Approval Date of Minutes: April 20, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Budget Workshop #2 Meeting of the City Council of Chandler, Arizona, held on the 23rd day of March, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April, 2020.

Dana R. DeLong  
City Clerk





## CHANDLER CITY COUNCIL

### WORK SESSION MEETING MINUTES

Thursday, March 26, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, March 26, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:31 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
*Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Stewart and Councilmember McClymonds attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Joshua Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Matt Burdick, Communications and Public Affairs Director; Cori Garcia, Mayor and Council Communications Manager; Derek Horn, Development Services Director; Kevin Mayo, Planning Administrator; Micah Miranda, Economic Development Director; Chris Andres, Airport Administrator

#### 1. Presentation and Discussion on the Airpark Area Plan Update

MAYOR HARTKE thanked everyone for attending the meeting and called for a staff presentation.

MARSHA REED, City Manager, introduced the discussion item. Ms. Reed said a representative from PLAN\*et Communities which is the consulting firm for the update was in the audience. Ms. Reed said this discussion was to receive Council's first round of input regarding the update.

DEREK HORN, Development Services Director, said Council recently approved the contract with PLAN\*et Communities and they are now moving forward. Mr. Horn said they would like Council's input on vision, ideas, and any concerns, but this would not be the only opportunity for input. Mr. Horn said they anticipate this would take them until the end of the year to complete.

MR. HORN presented the outline of the meeting.

- Outline
  - Planning History
  - Remaining Parcels
  - Opportunities and Constraints
  - Economic Analysis
  - Questions/Discussion

KEVIN MAYO, Planning Administrator, presented the following Power Point presentation.

- Chandler Municipal Airport opened in 1948
  - 1949 Aerial Photo
- 1976 Chandler Comprehensive Plan
  - The plan proposed industrial development for the adjacent areas which may be airport oriented
- 1982 Circulation and Land Use Element
  - The area surrounding the airport is planned to be one of the principal industrial concentrations in Chandler
- 1986 Chandler Airpark Area Plan
  - Goal #1: To achieve a mix of compatible land uses which are also compatible with the airport operations
- 1997 Aerial Photo
- 1997 Aerial Photo and 1998 Airpark Area Plan
- 2019 Aerial Photo and 1998 Airpark Area Plan
- Amendments to the 1998 Airpark Area Plan 96% Developed as planned
- 18% Remaining Undeveloped Land Area
  - 42% Zoned PAD
  - 58% Not Zoned PAD/ County Island
- Remaining Undeveloped Parcels (not zoned PAD and County Islands)
  - Comm/Office Business Park
    - 364 acres
    - 59%
  - Industrial and Light Industrial
    - 216 acres
    - 35%
  - Commercial
    - 11 acres
    - 2%

- Residential
  - 21 acres
  - 4%
- Total 612 acres

COUNCILMEMBER ORLANDO asked if the residential area was still the same today because that land buffers the Loop 202 and asked if it is still relevant.

MR. MAYO said back in the day where Noria and Sky are located, was the only pocket because the Southeast Area Plan did not contemplate multifamily at all. That area that sits south of the Loop 202 where it was called out as medium and high density housing viewed as workforce housing for the future airport business park. A lot of it has developed today that is consistent with that. The parcel that says residential could be for other opportunities based on the traffic flow and surrounding area, but there has not been a decision made on the property.

COUNCILMEMBER ORLANDO said the last time they had done this they had put multifamily and high density along the freeway to transition into housing, but it seems this is out of place today for that parcel.

COUNCILMEMBER ROE asked if there are no railroad spurs anymore.

MR. MAYO said eventually the railroads said no more spurs.

COUNCILMEMBER ROE said Mesa was trying to do a railway spur for an industrial area and asked when the last time Chandler talked to the railway about it.

MR. MAYO said shortly after they had located Gold Canyon Candle down at the southern end of the City because there was another company that was looking to get one. It has been a number of years.

COUNCILMEMBER ROE said it does not seem likely, but the conversation could occur again.

MR. MAYO said as part of this process it would be prudent to try and have that conversation because it would be an influencing factor.

VICE MAYOR LOPEZ asked if it is atypical to see industrial against residential or if it is intentional for this area.

MR. MAYO said the industrial currently has physical buffers. There is not a place where they directly abut.

VICE MAYOR LOPEZ said it is important they maintain any buffering between industrial and residential.

MR. MAYO said he remembers seeing that when he first started. Mr. Mayo said it was because they were picking the best land use to work with the airport back then, but they did a land swap to adjust later on.

MAYOR HARTKE asked if they could get information about usage and the companies that use the railroad spur.

MR. MAYO said yes.

CHRIS ANDRES, Airport Administrator, presented the following Power Point presentation.

- Chandler Municipal Airport
- Airport
  - 18<sup>th</sup> busiest general aviation airport in US
  - Airport Master Plan Update underway
  - Airport growth tied to community growth
- Demand Forecast
  - Annual Aircraft Operations
    - 2019 – 223,192
    - 2040 est. – 274,675
  - Based Aircraft
    - 2019 – 443
    - 2040 est. – 640
  - Hangar Space (Sq. Ft)
    - 2019 – 438,517
    - 2040 est. – 728,500
  - Figures estimated from Draft 2020 Airport Master Plan
- Comparable Airparks
  - Scottsdale Airpark
    - Number of Businesses - 2,900+
    - Industries
      - Retail
      - Healthcare
      - Professional, scientific and technical services
  - Falcon District (Mesa)
    - Number of Businesses – 1,864
    - Industries
      - Aerospace/Aviation
      - Adv. Manufacturing
      - Adv. Business Services
  - Burbank Airport District
    - Number of Businesses - 849
    - Industries
      - Retail
      - Lodging/Tourism

- Technology/Digital Media

MR. MAYO continued the Power Point presentation.

- Opportunities and Constraints
- Opportunities
  - Major job center with airport-compatible land uses
  - Arterial street system designed to handle capacity
  - Beautify airpark area with high quality design
- Constraints
  - Flight paths
    - Noise
    - Building height
    - No high reflectivity
    - No lakes/ponds
- Constraints
  - 100 Year Flood Plains

COUNCILMEMBER McClymonds said as the 18<sup>th</sup> busiest general aviation airport, he asked how the runway lengths compared to their nearest competitors in regards to whoever ranks around their number. Councilmember McClymonds asked about the economic impact, revenue, and the costs associated with it.

MR. ANDRES said they have not done that specific analysis, but the majority of the competitors have runways in excess of 5,000 feet in terms of primary runway. Chandler is the only public use airport in the county that does not have a 5,000 foot runway. There are a few business airports in California that have runways that are the same length or shorter, but because of the altitude it is not an issue for them. Mr. Andres said Phoenix Deer Valley, Scottsdale, and Falcon Field recently completed economic impact studies. Scottsdale Airport's impact was about half a billion dollars for just the airport itself. Mr. Andres said he would be able to follow up with more information.

COUNCILMEMBER HUANG said the airport is the 18<sup>th</sup> busiest general aviation airport and asked what that category means.

MR. ANDRES said in the categorization of airports there are commercial service airports like Phoenix Sky Harbor and Phoenix Mesa Gateway where commercial airlines fly such as Delta and United. In the FAA, general aviation includes all other aviation but commercial. This is how airports are typically categorized. There are some small airports that are commercial service airports such as Prescott, but they run similar to a general aviation airport due to their size. General aviation is a smaller airport where they do flight training, charter flights, and other activities that don't need to be accommodated at a commercial airport. The big airports specialize in commercial air traffic the general airports do everything else.

COUNCILMEMBER HUANG asked about the comparable airports and asked for data on Chandler.

MR. ANDRES said Mr. Miranda would provide the economic data for Chandler. They chose some comparable airports to show different airpark setups such as industrial, tourism, or professional.

COUNCILMEMBER HUANG asked what Chandler is right now.

MR. ANDRES said he would defer this question to other staff.

MAYOR HARTKE said this is part of the decision with the Airpark Area Plan Update.

COUNCILMEMBER HUANG said he wanted to know where Chandler was right now so they can talk about the future.

MAYOR HARTKE said Mr. Miranda would present that information.

COUNCILMEMBER ORLANDO asked how the busiest airport is defined.

MR. ANDRES said it is aircraft operations which includes takeoffs and landings.

COUNCILMEMBER ORLANDO asked how many takeoffs and landings they had.

MR. ANDRES said they finished the last calendar year at 225,000 aircraft operations which includes fixed wing, helicopter, and travelers coming here for business purpose or leisure purpose and leaving.

COUNCILMEMBER ORLANDO asked if that included touch and go's.

MR. ANDRES said yes.

COUNCILMEMBER ORLANDO asked how many touch and go's they have.

MR. ANDRES said the air traffic control tower does not track that specifically. They estimate 80 – 85% of their activity is training related. Because they have short runways it is very efficient for touch and go's. The competing airports are happy that activity goes to other airports so it does not clog up their airspace and runways.

COUNCILMEMBER ORLANDO asked how many were fixed wing opposed to helicopter.

MR. ANDRES said the overwhelming majority are fixed wing, about 80-85%. They do have a robust helicopter operation.

COUNCILMEMBER ORLANDO said it has been a training airport for a long time. When they say it is the 18<sup>th</sup> busiest airport it is easy to think of the commercial airports with a lot of traffic coming

in. Councilmember Orlando asked if they had an extended runway, would the training be pushed out because they would have a more vibrant airport.

MR. ANDRES said no. Arizona is a wonderful environment for aviation. Mr. Andres said they may be the 18<sup>th</sup> busiest general aviation airport nationally, but locally they are not the busiest general aviation airport at all. Arizona is uniquely positioned to be a world center in training the next generation of pilots. Mr. Andres said Deer Valley is the busiest general aviation airport in the United States with almost half a million operations. They have two very large flight schools. Mr. Andres said Falcon Field is a very robust airport and have a large international flight training school.

COUNCILMEMBER ORLANDO asked why it is important to say they are a busy airport versus what they want to do with the airport.

MR. ANDRES said a busy airport reflects the value in the national airspace system. It is also the metric the FAA uses to allocate resources. The FAA has a finite budget and they will allocate resources to the busiest airports because that is where demand is in the national system. Mr. Andres said they do well competing for FAA and ADOT grants. It is important to know aircraft is in the air and it still counts as activity in the airspace and on the runways. Mr. Andres said it is a metric for how robust the airport community and industry are.

COUNCILMEMBER ORLANDO asked if they could provide a breakdown of the 225,000 operations.

MR. ANDRES said he could provide the data from the tower using a standardized method and it available on the FAA website as well. Beyond that, staff could provide opinions on what they observe. They do not track each training flight and they do not always know the intent of the flight as there is not enough staff for that. There are airports that have automated systems to track that but Chandler does not have that.

VICE MAYOR LOPEZ asked if they have any commercial.

MR. ANDRES said they do not have commercial airline service. They do have business aviation. There can be some confusion because really everything is commercial. In general aviation, they refer to business aviation because commercial aviation is typically associated with commercial airliners. Mr. Andres said Chandler would never be able to have the commercial airliners because it is impossible to fit the infrastructure and it would not make financial sense for an airliner to move out of the two world class facilities in the area. Mr. Andres said he could not foresee at any point in the future a need for commercial airline service in Chandler. Mr. Andres said their role is to support that economic engine.

VICE MAYOR LOPEZ said their role is fit into that support or reliever for those airports and support the general aviation needs so they do not clog up those airports. Vice Mayor Lopez asked if that also applied to freight flights and they fall under the commercial umbrella.



MR. ANDRES said yes. At Sky Harbor the major shipping companies are set up so they can get where they need to go. Phoenix Mesa Gateway has an opportunity for cargo, but has three military grade runways that can land the heaviest transports today. All of the airports operate in an integrated system.

COUNCILMEMBER ORLANDO asked if they have charter flights.

MR. ANDRES said yes.

COUNCILMEMBER ORLANDO asked if that is considered commercial.

MR. ANDRES said it is a different type of airline service.

COUNCILMEMBER ORLANDO said they are in the discussion of planning and asked if they keep the training facility or if they expand into more charter flights. Councilmember Orlando asked what aviation would look like in 20 years because it is important to understand what would be landing there. Councilmember Orlando said there are businesses that want the runway expanded, but what is that going to look like and what would the airport be serving.

MR. ANDRES said that is the daily challenge with all airports and what aircraft would look like in the future. Mr. Andres said they anticipate the population would increase and the population would have disposable income. Mr. Andres said they anticipate having an airport need.

COUNCILMEMBER ORLANDO asked if they would have drones there.

MR. ANDRES said it is possible.

COUNCILMEMBER ORLANDO said they want to anticipate what would be at the airport.

MAYOR HARTKE said this is part of why they are doing the update and they would be getting more information later.

COUNCILMEMBER HUANG asked what they meant by annual aircraft operations and asked if they have 611 each day.

MR. ANDRES said it depends on the day, some days there are more than 1,000 and other days not nearly as many. Each time there is a takeoff or a landing it counts.

MICAH MIRANDA, Economic Development Director, continued the Power Point presentation.

- Economic Analysis
- Job Centers
  - Downtown Chandler
    - Businesses – 86
    - Jobs – 2,260

- Airpark Area
  - Businesses – 283
  - Jobs – 9,400
- Uptown Chandler
  - Businesses – 398
  - Jobs – 11,260
- West Chandler
  - Businesses – 628
  - Jobs – 27,810
- Price Corridor
  - Businesses – 542
  - Jobs – 40,410
- Jobs in Target Industries
  - City of Chandler- 48% of jobs in target industries
  - Business Services
    - 11,492
  - Finance Ins. and RE
    - 16,400
  - Healthcare
    - 8,755
  - High Tech Mfg. and Dev.
    - 19,814
- Jobs in Target Industries
  - Airpark Area- 30% of jobs in target industries
  - Business Services
    - 700
  - Finance Ins. and RE
    - 1,480
  - Healthcare
    - 240
  - High Tech Mfg. and Dev.
    - 420
- Airpark Area Development Statistics
  - Retail
    - Existing SF Space – 2.3M
    - 12 Mo. Delivered SF – 3K
    - SF Under Construction – 0
  - Office
    - Existing SF Space – 1.3M
    - 12 Mo. Delivered SF – 13K
    - SF Under Construction – 115K
  - Industrial
    - Existing SF Space – 1.7M
    - 12 Mo. Delivered SF – 10K

- SF Under Construction – 697K
- Flex
  - Existing SF Space – 302K
  - 12 Mo. Delivered SF – 3K
  - SF Under Construction – 0
- Total Inventory by Property Type (SF)

VICE MAYOR LOPEZ said when the recession was over everyone jumped into development, but it seems it has leveled off. Vice Mayor Lopez asked if it was common to see spurts of development.

MR. MIRANDA said it is typical. In the local market to be competitive they need to begin the development process well in advance.

VICE MAYOR LOPEZ asked if this included Fab 42.

MR. MIRANDA said this is just the Airpark Area.

MR. MIRANDA continued the presentation.

- 2019-2024 Population Growth Annual Rate by Census Tract
- Economic Sustainability: 2018
  - Chandler has a balanced jobs to housing ration
  - 116,980 Jobs Citywide
  - 100,592 Households
  - 1.16 Jobs per Household
- Economic Sustainability: 2023
  - 10,300 additional jobs needed to maintain balance
  - 127,302 Jobs Citywide
  - 109,468 Households
  - 1.16 Jobs per Household
- Vacant Land Development Scenario
  - Land uses for remaining acreage per 1998 area plan

MR. HORN continued the Power Point presentation.

- Questions for Discussion
- Question 1: What general land uses and employment types does the City Council envision in the remaining undeveloped areas?
- Question 1: What general land uses and employment types does the City Council envision in the remaining undeveloped areas?
  - Flex Industrial
- Question 1: What general land uses and employment types does the City Council envision in the remaining undeveloped areas?
  - Flex Industrial

- Question 1: What general land uses and employment types does the City Council envision in the remaining undeveloped areas?
  - Office
- Question 1: What general land uses and employment types does the City Council envision in the remaining undeveloped areas?
  - Office

MAYOR HARTKE said they are looking for a sense of direction rather than just comments. Mayor Hartke said he has heard Chandler would never be like the Scottsdale Airpark, but there is opportunity for a variety of things around the airport. Mayor Hartke asked where they could go that would be realistic and get there in terms of usage.

MR. MAYO said looking at the vacant areas there are differences to them. The pieces on the north side of Queen Creek Road on the east side of the runway, historically were an office park with direct aviation ties. On the west side of McQueen south of Tumbleweed down to Ocotillo those have a different relationship because they are not directly adjacent to the airport. There are some constraints with the height, but could be a different target category. Everything on the east side of Arizona Avenue is cut by the railroad tracks and the overhead powerlines. When you drive out there it does not have a direct visual relationship with the airport. As they have started to think about that they can see three potential land use categories.

MR. MIRANDA said they have looked it across four different asset classes and looked at the average 10 acre project to determine the net direct economic impact would be over 10 years. Multifamily would be 580,000, residential 98,000, office 1.4 million, industrial 4.6 million. As they go into indirect revenue it is proportional. Having this information may help determine uses regarding the greater employment area.

MS. REED said they are here to get early input and the consultant would look at the information and provide recommendations.

VICE MAYOR LOPEZ said they want to give high level overview. Vice Mayor Lopez said he sees the area as more for industrial uses and would give them the biggest return. They need to preserve the area for industrial because there are not many other places they could go. As it gets closer to the residential areas they could move to light industrial and then office. The priority needs to be the original premise for high employment uses and ensure they bring the employment to the area. Vice Mayor Lopez said there are a lot of comparisons to the other airports in the area, but we are not them and they have different characteristics. It is good to get feedback from their neighbors, but they should not be trying to be like those and there are major investments to be like them. Vice Mayor Lopez said they want to have their own distinction and their own identify.

MAYOR HARTKE asked if they are looking at high employment density why choose industrial over office.

VICE MAYOR LOPEZ said it was his understanding the industrial had the highest density of employment.

MAYOR HARTKE said some of the light industrial such as warehousing there are not a whole lot of jobs per acre as opposed to office or manufacturing.

VICE MAYOR LOPEZ said office is the densest option.

MR. MIRANDA said that was correct.

MR. MAYO said the feedback is helpful because it is clear employment and employment density is critical. There are employment land uses that are low employment densities and there are some that are higher. This is good feedback for the consultant so they can work through the Plan and they can bring some of that language into the airpark to discourage low density employment uses.

MAYOR HARTKE said he is leaning towards employment density.

COUNCILMEMBER ORLANDO said he is leaning toward density as well. Councilmember Orlando asked what types of elements from the Price Corridor they could bring into the Airpark as far as density.

MR. MAYO said the Price Corridor had the campus environment which was critical and a lot has developed that was around the airport. It was targeting what they wanted and doubled down on what they do not want.

MAYOR HARTKE said it is important to be specific and enhance the employment land use.

COUNCILMEMBER ROE said he would like to see similarities with the Price Corridor and have dense employment and having aviation related businesses. Councilmember Roe said he would like to have nice architecture in the area.

COUNCILMEMBER STEWART said he agreed in preserving the employment corridor and said there needs to be nice architectural products. Councilmember Stewart said there is concern having large trucks in the area and he would like to see office and flex spaces and Class A if possible.

MAYOR HARTKE said on Arizona Avenue what they had previously designated as commercial properties has been changed into other things throughout the years. It takes a firmness on Councils both now and in the future to stay the course.

MR. HORN continued the Power Point presentation.

- Question 2: What general design qualities or features are desirable on remaining development?

- Glass
- Question 2: What general design qualities or features are desirable on remaining development?
  - Variety of Materials
- Question 2: What general design qualities or features are desirable on remaining development?
  - Architectural Articulation

MAYOR HARTKE said architectural design is the question and if there are any other comments.

COUNCILMEMBER ORLANDO agreed with what Councilmember Roe said and to keep the architectural top notch.

VICE MAYOR LOPEZ agreed and it would depend on the use of the space. Vice Mayor Lopez said many of the new buildings have great designs and to ensure the limited space left is done well. They would need to bring the best foot forward.

MAYOR HARTKE said they have seen a combination recently of these designs and they have expected more articulation and glass in the designs.

COUNCILMEMBER ROE said when a project develops or wants to do a project they need to push for the highest product.

MR. HORN continued the Power Point presentation.

- Question 3: How dense or intense should future development be around the airport?

VICE MAYOR LOPEZ said dense where applicable. They want to be as dense as possible where it fits.

MAYOR HARTKE said density may not be elevation because of the airport restrictions and agreed with Vice Mayor Lopez.

- Question 4: Should the boundaries of the area plan remain or be adjusted given the current state of development?

MR. HORN thanked everyone for their input.

MAYOR HARTKE thanked everyone for attending the meeting.

ADJOURNMENT: The Work Session was adjourned at approximately 5:57 p.m.

ATTEST:

Dana R. DeKey  
City Clerk

Kevin Kuntze  
Mayor

Approval Date of Minutes: April 20, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session Meeting of the City Council of Chandler, Arizona, held on the 26th day of March, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April, 2020.

Dana R. DeKey  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, March 26, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, March 26, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:05 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
*Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Stewart and Councilmember McClymonds attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Mayor Hartke.

PLEDGE OF ALLEGIANCE: Councilmember Orlando led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

MAYOR HARTKE asked for a continuance of Consent Agenda Item No. 27 to the April 23, 2020 meeting.

MAYOR HARTKE called for a presentation on Consent Agenda Item No. 42.

- \*42. RESOLUTION NO. 5361, authorizing extended use of temporary signage to promote Chandler businesses, and authorizing the Zoning Administrator to waive provisions of Section 39-10 of the Code of the City of Chandler, as reasonably necessary to promote Chandler businesses during the Covid-19 Coronavirus Pandemic.



MICAH MIRANDA, Economic Development Director, introduced Consent Agenda Item No. 42 regarding temporary sign relief for businesses affected by COVID-19. There has been decreased economic activity and signs are a way that small businesses can get the word out to people. This would allow the Zoning Administrator to relax the temporary sign code standards. Businesses would not be required to submit an application and this would be in effect until Council directs it to be rescinded. The City wants to be supportive of businesses during this time and this is a flexible and quick change to help small businesses.

COUNCILMEMBER STEWART said he wanted to ensure the language on Consent Agenda Item No. 42 does not sunset and it would go to a vote when Council would reinstate the existing sign code.

MR. MAYO said there was not a sunset date included. Staff would be taking another resolution to Council to reinstate the current code.

COUNCILEMEMBER STEWART said he appreciated staff understanding of the uncertainty of the situation and their reevaluation of expenditures.

COUNCILEMEMBER ORLANDO said on Consent Agenda Item No. 42 they have the ability to relax parts of the code and said he was concerned there was not a date set for them to look at it again.

MAYOR HARTKE said they could bring that resolution forward when they believe it is time to resume back to normal. Mayor Hartke said they are approaching election season, which means certain restrictions during that time are lifted. The code would go back to normal based on Council action or staff recommendation.

MAYOR HARTKE thanked staff for their work and a way to help bring attention to businesses.

COUNCILMEMBER ROE asked for staff presentation regarding Consent Agenda Item No. 25.

25. ENTERTAINMENT USE PERMIT, PLH19-0046, THE LOCAL CHANDLER, to continue indoor and outdoor entertainment, west of the southwest corner of Arizona Avenue and Chicago Street, located at 55 W. Chicago Street.

KEVIN MAYO, Planning Administrator, said staff received comments from the adjacent property owner who attended the Planning and Zoning Commission meeting as well as a neighborhood meeting. This owner said the operator has been great and whenever it has gotten too loud they have called management directly and it has been resolved. The comments offered at the Planning Commission related more towards the general noise in the area not necessarily this specific operator.

COUNCILMEMBER ROE said he received further comments and asked if Mr. Mayo would like to address those.

MR. MAYO said he did not have those comments.

DANA DeLONG, City Clerk, said she did have those comments and they could be read into the record as they were submitted today.

COUNCILMEMBER ROE said a good thing is that there is a reason for a temporary license to test it out, but there are comments that it is an issue and has a concern.

MAYOR HARTKE said the negative comment presented did not have a problem specifically, but it was a general comment to the area. The individual does not have a problem with this particular business.

COUNCILMEMBER ROE said he wants to ensure these licenses are given with some caution to ensure the time they had a temporary license worked out well.

MS. DeLONG read the following comments:

JARED REPINSKI, 3612 W. Harrison St, Chandler, AZ, 85226

*I am the Liquor Licensing Agent for The Local Chandler and I was present for both the Neighborhood Meeting as well as the Planning Commission Meeting; therefore, I will disclose here two significant discoveries from those meetings. First, during the Neighborhood Meeting, The Local Chandler's closest neighbor (Amos Clyde Vance) conceded that The Local Chandler does a good job keeping the music down and is very responsive if-when he wants the music turned down - NOTE Mr. Vance's house is approximately 30 feet away from The Local Chandler. Also, a woman named Beatriz Navarro-Morrison, who was not present at the Neighborhood Meeting for The Local Chandler (she attended a Neighborhood Meeting for The Perch) did attend the Planning Commission Meeting regarding The Local Chandler, however her opposition does not appear to be with The Local Chandler specifically, but seemingly with growth of Downtown Chandler and all the commotion and disquiet related to that growth. In sum, The Local Chandler has consistently proven to be a conscientious business when it comes to choosing entertainment that is compatible with the surrounding area and therefore worthy of the continuation of their Entertainment Use Permit. Thank you for your time and consideration.*

Amos Vance, 210 S. Arizona Ave, Chandler, AZ,

*The music noise problem was turned down after my complaint. The Local and The Perch need to be aware of music use permit. The Perch will not turn the music down. They think because it is an entertainment district they can play music sometimes a ½ miles away. Please let these two bars know they have music use permits. Please make sure about the music in the use permit. I do not have a copy from Planning and Zoning. It was added on during the meeting.*

VICE MAYOR LOPEZ said this is an entertainment use permit and asked if there was a different permit for music.

MR. MAYO said the music is part of the entertainment use permit. There were additional conditions added at the Planning and Zoning Commission meeting for the business to comply with.

COUNCILMEMBER ORLANDO asked if the entertainment permit could be revoked if the individual continues to have negative behavior since it is not tied to the liquor permit.

MR. MAYO confirmed the entertainment permit was no longer part of the liquor permit. Mr. Mayo said the permit could be revoked as it is a conditional use permit if the businesses do not comply with the conditions. Mr. Mayo said they are in the businesses of compliance and not enforcement. If staff begins

to receive complaints that they are not in compliance they would begin to work with the applicant to bring them into compliance. Revocation of the permit is their last resort. Mr. Mayo said they have been successful in many cases.

COUNCILMEMBER ORLANDO said the residents have more discretion over this today compared to if it were tied to the liquor license. Councilmember Orlando said the Council also has more discretion over this as well.

MR. MAYO said that was correct.

#### CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE MARCH 26, 2020, CITY COUNCIL MEETING WITH THE CONTINUATION OF CONSENT AGENDA ITEM NO. 27; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### CONSENT AGENDA ITEMS

1. NO ITEM.
2. RESOLUTION NO. 5334, CROWN CASTLE LICENSE AGREEMENT, authorizing a license to Crown Castle Fiber, LLC, to construct, install, operate, maintain, and use the public rights of way within the city to provide telecommunications services (Class 4 License) and fiber optic cable, interstate services, and other communication facilities (collectively "interstate telecommunication services") (Class 5 License) as appropriate.

#### BACKGROUND FROM COUNCIL MEMO:

Crown Castle has filed an application with the City to install, operate and maintain an underground fiber communications system that will provide both Class 4 telecommunications (lit services) and Class 5 non-telecommunications services (dark fiber). The agreement provides terms for both services and is similar to agreements the City has with other providers. This is a five-year nonexclusive agreement. Crown Castle's initial build plan includes approximately 37 miles of dark fiber in support of the wireless industry's 5G expansion.

#### FINANCIAL IMPLICATIONS:

The City has received a \$3,000 application fee to cover the City's cost for the processing of this application. A privilege tax of 2.75% will be paid on any non-interstate telecommunication services (Class 4). Fiber that is not exempted by federal or state law and is used for non-telecommunications services (Class 5) is subject to an annual \$2.27 per linear foot fee as prescribed by the City's Fee Schedule.

3. RESOLUTION NO. 5350, authorizing modification of the Assessment Diagram; making a Statement and Estimate of Expenses for the Downtown Chandler Enhanced Municipal Services District;

completing the Assessment; setting the date for the hearing on the Assessment; and ordering the Giving of Notice of Such Hearing.

**BACKGROUND FROM COUNCIL MEMO:**

On November 17, 2005, City Council adopted Resolution No. 3905 creating the Downtown Chandler Enhanced Municipal Services District, with the mission to provide marketing, promotion, security, enhanced beautification, and district management within the Downtown. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years, and has renewed the agreement every year thereafter. Fiscal Year 2020-21 represents the 15th operating year of the District.

As part of the annual assessment procedures each year, the Assessment Diagram and Assessment Roll need to be updated due to changes in ownership, plats, and land uses. Additionally, a public hearing must be held, along with the opportunity for District property owners to file objections.

The following documents are submitted with this memorandum: (i) Resolution No. 5350; (ii) Notice of Hearing on Assessments; (iii) Boundary Map; (iv) Statement and Estimate of Expenses for the District; (v) Modified Assessment Diagram; and (vi) the District Assessment Roll proposed for Fiscal Year 2020-21.

The purpose of Resolution No. 5350 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2020-2021, to set the date for the hearing on the Assessment, and to give the Public Notice of the hearing date.

As a result of Resolution No. 5350, the hearing for the setting of the Assessments will be held May 14, 2020, at 6:00 p.m., in the City Council Chambers. DCCP Staff will appropriately notify all property owners within the District boundary, and the City will publish the notice of the hearing in a daily newspaper for five consecutive days, as required by state statute.

Assessments in the District will be based on three weighted factors, including assessed value, building square footage, and land square footage. All properties will be assessed at the same rate, with the exception of buildings along the Historic Square, which will be assessed double the building square footage rate. Additional resources are spent in this area due to increased pedestrian traffic. Downtown parking garages are exempt from the building square footage calculations, but are still assessed on the other two factors (assessed value and land square footage). The assessment methodology can be found in Resolution No. 5350.

In May, staff will return with a Resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll will be sent to the Maricopa County Assessor for inclusion on the fall property tax bills. In June, staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2020-21, which will include an Operating Plan and District Budget.

**FINANCIAL IMPLICATIONS:**

The total assessments for Fiscal Year 2020-21, including the City's voluntary contribution, are \$297,690. Given the success of the DCCP in building profitable events, the FY 2020-2021 operating budget for the District may exceed this amount, but will stay in compliance with the contract reserve policy. The final amount will be presented to the City Council in June as part of the DCCP contract with the City for District management services.

As a public entity, the City is not required to pay into the District assessment, but has done so since the District's inception on a voluntary basis. As the largest single property owner in the Downtown, the City has taken a leadership role in supporting the District both financially and operationally. As in the several prior years, the City has elected to cap its voluntary contribution at \$118,804, which represents 40% of the total assessment budget. Funds to provide the City's voluntary contribution are provided for in the Downtown Redevelopment operating budget request for Fiscal Year 2020-21.

4. RESOLUTION NO. 5351, authorizing an Intergovernmental Agreement (IGA) with Maricopa County, to continue its participation in the Maricopa HOME Consortium for the purposes of receiving federal HOME funds for federal Fiscal Years 2021 through 2023; and authorizing the City Manager or designee to sign the agreement and all related documents on behalf of the City of Chandler.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler receives HOME funds annually through the Maricopa HOME Consortium, which is comprised of the cities/town of Avondale, Chandler, Gilbert, Glendale, Peoria, Scottsdale, Surprise and Tempe. The current IGA for all Maricopa HOME Consortium members is set to expire on June 30, 2021. Maricopa HOME Consortium members are required to obtain approval to enter into the new agreement from their respective city or town councils. Once approval is received from all participating cities/towns of the Maricopa HOME Consortium, Maricopa County will submit the IGA to the United States Department of Housing and Urban Development (HUD) for final review and approval. The new IGA will go into effect on July 1, 2021.

FINANCIAL IMPLICATIONS:

The City of Chandler, as a member of the Maricopa HOME Consortium, is eligible to receive federal HOME funds to provide safe and affordable housing options to its residents. A 25% non-federal match is required for all HOME-funded projects.

5. RESOLUTION NO. 5352, authorizing an Intergovernmental Agreement (IGA) with the City of Mesa, relating to Cooperative Law Enforcement Training Operations between the Chandler Police Department and the Mesa Police Department, and authorize the Chief of Police to sign, administer, execute and submit all documents and other necessary instruments in connection with such agreement.

BACKGROUND FROM COUNCIL MEMO:

The Chandler Police Department wishes to enter into an IGA with the City of Mesa Police Department for the purpose of conducting or attending joint training hosted by either department. Such training may include, but is not limited to, recruit and in-service academy training and specialty schools for both sworn and civilian personnel. This IGA provides overarching

authority for the police department to enter into training sub-agreements that would address such things as specific training needs, curriculum, number of attendees and cost per attendee.

The agreement will terminate on June 30, 2024 unless renewed.

**FINANCIAL IMPLICATIONS:**

There is no cost to the City under this agreement. Costs, if any, would be determined by way of specific training sub-agreements.

6. RESOLUTION NO. 5353, authorizing an Intergovernmental Agreement (IGA) with Maricopa County, regarding Maricopa County Sheriff's Office Basic Training Academy; and authorize the Chief of Police to sign, administer, execute and submit all documents and other necessary instruments in connection with the IGA.

**BACKGROUND FROM COUNCIL MEMO:**

The Chandler Police Department wishes to enter into an IGA with Maricopa County for the purpose of sending new police recruits to the Maricopa County Sheriff's Office Basic Training Academy. Chandler does not have its own training academy, and due to the high number of police recruits throughout the State of Arizona, Chandler is competing with other departments for limited academy openings. Therefore, there is a need for additional basic training academy options in order to fill current department vacancies in a timely and efficient manner.

The initial term of the agreement is March 1, 2020, through June 30, 2021, which will be automatically renewed for two, one-year terms unless terminated sooner by either party.

**FINANCIAL IMPLICATIONS:**

The City will be billed \$500.00 per recruit until June 30, 2020. On July 1, 2020, the cost will increase to \$750.00 per recruit.

7. RESOLUTION NO. 5354, authorizing an amendment to an existing agreement for services between Maricopa County administered by its Human Services Department and Affordable Rental Movement (A.R.M.) of Save the Family Foundation of Arizona, a Community Housing Development Organization (CHDO) and the City of Chandler, and Maricopa County, on behalf of the Maricopa HOME Consortium, for the acquisition and rehabilitation of one (1) single-family home in Chandler that will be leased to eligible low income individuals and families; and authorize the City Manager or designee to sign the amendment and all related documents on behalf of the City of Chandler, in the amount of \$240,000.

**BACKGROUND FROM COUNCIL MEMO:**

The City of Chandler, along with seven other local municipalities and Maricopa County, formed the Maricopa HOME Consortium for purposes of administering the federal HOME Program. Of the total funds allocated to each jurisdiction under the HOME Program, 15% must be reserved for specific types of non-profit organizations known as CHDO's. CHDO funds may be used to provide incentives to develop and support affordable rental housing and homeownership opportunities through activities such as acquisition, construction, reconstruction, rehabilitation, and/or various housing subsidies.

In December 2018, ARM of Save the Family Foundation of Arizona obtained a resolution of support from the Chandler City Council for an application to the Maricopa HOME Consortium for HOME CHDO funds. The application was approved by the Maricopa HOME Consortium and ARM of Save the Family Foundation of Arizona was awarded funds to acquire and rehabilitate one (1) single-family home in Chandler that will be leased to eligible low-income individuals and families. In order for funding to be available, the City of Chandler must authorize an amendment to the existing agreement with ARM of Save the Family Foundation of Arizona and Maricopa County, on behalf of the Maricopa HOME Consortium, for the administration of the contract for the acquisition and rehabilitation of the housing unit.

FINANCIAL IMPLICATIONS:

All costs associated with the HOME CHDO funding will be paid by the United States Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium, and does not require repayment by the City of Chandler.

8. RESOLUTION NO. 5356, authorizing the submission of projects for consideration in Arizona's 2021 Highway Safety Plan; and authorize the Chief of Police to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.

BACKGROUND FROM COUNCIL MEMO:

In the past, the Police Department has experienced success obtaining awards from the Governor's Office of Highway Safety (GOHS), including six awards under the FY 2020 program for DUI Overtime and Supplies, Occupant Protection (Seatbelt) Enforcement, Motorcycle Safety Education Program, Know Your Limit (KYL) Education Program, Laboratory Training, and Accident Investigation Equipment. Staff has submitted applications for award consideration in the FY 2021 program, which begins October 1, 2020; however, a City Council approved resolution must be part of the application package. This year, the Police Department is submitting the following requests to GOHS for consideration in their FY 2021 budget:

1. DUI Enforcement OT and Supplies - \$133,040
2. KYL OT - \$54,400
3. Pedestrian Bicycle Safety (MAG) - \$57,600
4. Occupant Protection OT - \$50,000
5. Motorcycle Safety Education Program - \$24,070

GOHS may award all requests, break the requests up into smaller awards (i.e. – Seatbelt Enforcement could be broken up into Occupant Protection, Click It Or Ticket, Child Safety Week, etc.), award a program not formally requested (such as DUI training conference), or award a program through another source (such as DUI Abatement Council).

FINANCIAL IMPLICATIONS:

There are no matching dollars required for these programs.

9. RESOLUTION NO. 5357, PLH19-0068, CARINO 8 ESTATES, for Area Plan Amendment from existing ranchette single-family to low density single-family.  
INTRODUCTION OF ORDINANCE NO. 4915, PLH19-0034, CARINO 8 ENCLAVE, to rezone from Agricultural (AG-1) to Planned Area Development (PAD) for eight custom single-family homes.

PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout and housing product design for customer single-family homes.

PRELIMINARY PLAT, PLT-0054, for an eight-lot, single-family residential subdivision located south of Germann Road, approximately 740 feet east of the intersection of Germann and Alma School roads. (CONTINUANCE FROM FEBRUARY 13, 2020, REGULAR COUNCIL MEETING. STAFF REQUESTS CONTINUANCE TO THE MAY 14, 2020, COUNCIL MEETING.)

BACKGROUND FROM COUNCIL MEMO:

Site is currently zoned AG-1, is 4.47 acres in area, and is comprised of two 2.235 acre lots.

Surrounding Land Use Data

North	Germann Road, then church and recreational facility	South	Single-family residential 1 – 3.6 acre lots
East	Single-family residential +/- 2.25 acre lots	West	Single-family residential (Germann Country Garden Estates – under construction) +/- .20 acre lots

Proposed Project Data

# of Lots / Homes	8 custom single-family home lots
Density	1.8 du/ac
Lot Sizes	.22 acre to .64 acre - 9,700 to 27,840 sq. ft.

Proposed Building Design Criteria

# of Stories	<ul style="list-style-type: none"> <li>Up to 4 non-adjacent homes may be 2-stories</li> </ul>
Building Height and Mass*	<ul style="list-style-type: none"> <li>30' maximum building height as regulated by the Building Height definition found in Section 35-200 of the Chandler City Code.</li> <li>Second floors may not occupy more than 40% of the space occupied by the ground floor livable area</li> </ul>
Materials*	<ul style="list-style-type: none"> <li>Stone, concrete, wood, exposed steel beams, architectural metal panels, and adobe or smooth finish stucco not to exceed 70% of façade</li> <li>Roof material to substantially vary between adjacent homes between standing seam metal, architectural metal roof paneling, and concrete roof tiles.</li> </ul>
Custom Architectural Theme / Design*	<ul style="list-style-type: none"> <li>Contemporary applications of farmhouse, bungalow, craftsman, prairie, and ranch home styles</li> <li>Mixture of pitched and flat roofs</li> <li>Horizontal and vertical articulation</li> </ul>
*The design of each home will further substantially conform to the conceptual Exhibits 9 and 10.	

Proposed Site Development Criteria



Maximum Lot Coverage	<ul style="list-style-type: none"> <li>Maximum range varies per lot between 45% and 55%, this includes 10% for unenclosed covered patios</li> <li>See Exhibit 2.1</li> </ul>
Rear yard setbacks	Min. 20 ft. for all lots
Side yard setbacks	<ul style="list-style-type: none"> <li>Min. side setbacks vary per lot between 5 and 20 ft.</li> <li>See Exhibit 2.1</li> </ul>
Front yard setbacks	<ul style="list-style-type: none"> <li>Min. front setbacks vary per lot</li> <li>Min. 12 to 20 ft. from property line to living space or side-loaded garage</li> <li>Min. 20 ft. from back of sidewalk to forward facing garage door</li> <li>See Exhibit 2.1</li> </ul>
Accessory structures	<ul style="list-style-type: none"> <li>Min. 5 ft. from side or rear property line</li> <li>Must be located behind the front façade of the principal building</li> <li>Must comply with maximum lot coverage criteria</li> <li>Must conceptually follow Exhibit 7</li> </ul>
Front Landscaping	<ul style="list-style-type: none"> <li>Lots 3 &amp; 6 – Min. 2 trees and 6 shrubs</li> <li>Remaining Lots – Min. 1 tree and 6 shrubs</li> </ul>
Rear Landscaping	<ul style="list-style-type: none"> <li>Lots 1, 2, 7, &amp; * - Min. 2 trees</li> <li>Lots 3 &amp; 6 – Min. 3 trees</li> <li>Lots 4 &amp; 5 – Min. 4 trees</li> </ul>

#### General Plan and Area Plan Designations

	Existing	Proposed
Carino Estates Area Plan	Existing Ranchettes	Low Density Single Family
2016 General Plan	Neighborhoods	No Change

Planning staff finds the proposal to be consistent with policies of the General Plan that call for a variety of housing choices and a compatible mix of housing types in infill areas.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. The required neighborhood meeting was held on August 13, 2019. The applicant held earlier additional neighborhood meetings on February 6, 2019, and July 9, 2019.

An earlier proposal for this site included 13 single-family home lots of approximately 9,000 sq. ft. in area. Based on input received from the February 6<sup>th</sup> meeting, the applicant revised the proposal to eight custom single-family home lots.

Four residents signed-in at the August 13<sup>th</sup> neighborhood meeting. The following main concerns were shared:

- c Low value of proposed homes

- The applicant shared that they expect the custom homes to sell for approximately \$600k.
- A suburban appearance that does not align with the existing ranchettes and the ability for vehicles to drive through the southern portion of the site.
  - Emergency and maintenance vehicle access only will be provided at the south end of the property. No vehicular access is proposed to the existing alley.
  - To support a rural aesthetic, the applicant has proposed extensive design guidelines to guide custom development, modest lot coverage, limited height, and varying setbacks. Further, a unique waiver has been granted to allow a compacted natural surface path on the private street in place of a standard suburban sidewalk.
- Building height
  - The applicant agreed to limit the proposal to include no more than four non-adjacent two-story homes with a second floor that is less than half the area of the first floor. Additionally, the applicant agreed to limit materials and design of any pitched roofs to avoid any glare nuisance to surrounding properties.
- Neighborhood meeting minutes have been attached for further reference.

A property owner to the east followed up separately with a number of concerns in strong opposition to the development. This individual strongly supports the preservation of the existing ranchettes. Two of his emails have been included as an attachment to this memo.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting February 19, 2020.

Motion to Recommend Approval.

In Favor: 5    Opposed: 0    Absent: 2 (Klob, Pekau)

#### Review and Recommendation

Staff finds the proposed eight custom single-family homes to be compatible with surrounding land uses and the General Plan, as follows:

- The site to the west is being developed with 16 lots between 8,850 and 9,440 sq. ft. The proposed lots will be 9,700 to 27,840 sq. ft. in area and thus serve as a transition to the surrounding ranchette lots, which are between 1 and 3.5 acres in area. Further, a custom home design and lot layout with enhanced landscaping and hardscape materials will be provided for each of the eight lots to further reflect the surrounding ranchettes and their open landscaped lots.
- This development supports the General Plan's Housing and Neighborhood Policies to provide a compatible variety of housing types, protect the low-density residential character of large lot neighborhoods, and to improve the transition between old and new neighborhoods. If any future development is proposed in this area on Germann Road, approval of this rezoning may present a precedent of increasing future proposed lot sizes by 72%.

Planning and Zoning Commission recommends approval subject to conditions.

Recommended Actions

Area Plan Amendment

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve amending the Carino Estates Area Plan from existing ranchettes to low-density single-family residential.

#### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from AG-1 to PAD for eight custom single-family homes, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Carino 8 Enclave" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0034, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
3. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an existing carwash facility that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", and CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to an existing carwash facility and that such use is legal and should be expected to continue indefinitely. The responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
4. Developer shall provide all required right-of-way dedications as determined by the Development Services Director at the time of construction plan review.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
7. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:

Lots or Features	Front Building Setback	Rear Building Setback	Side Building Setbacks
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1 & 8	12'	20'	5' & 10'
2 & 7	12'	20'	10' & 10'
3 & 6	12'	20'	15' and 5'
4 & 5	20'	20'	20' and 20'
Front Facing Garage	20' from back of sidewalk	20'	As identified above
Side Loaded Garage	12'	20'	As identified above

8. The maximum lot coverage shall be as provided below and further detailed in the Development Booklet:

Lots or Features	Lot Coverage
1 & 8	55% Max.
2 & 7	55% Max.
3 & 6	50% Max.
4 & 5	45% Max.

9. Accessory structures shall follow the criteria below:

Front Setback	Must be located at least 5' behind the front façade of the principal structure
Side and Rear Setbacks	5'
Lot Coverage	The area covered by the accessory structure shall be counted towards the maximum permitted lot coverage.
Design	The appearance of the accessory structure shall be coordinated with the principal building and conceptually conform to the applicable language and exhibits of the Development Booklet.
Other	Size, height, quantity, and all other remaining criteria not included above, shall be as provided in the City of Chandler Land Use and Zoning Code.

#### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the subdivision layout and housing product design for the Carino 8 Enclave subdivision, subject to the following conditions:

- Development shall be in substantial conformance with the Development Booklet, entitled "Carino 8 Enclave" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0034, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
- The following enhanced landscape standards shall apply to the common open space and retention area along Germann Road:
  - 100% of required trees shall have a minimum planting size of a 24-inch box

- b. A minimum of one (1) trees and six (6) shrubs per twenty-five (25) lineal feet of frontage on arterial or collector street rights-of-way.
3. Prior to submitting for building permits, an application for Administrative Design Review shall be approved by the Planning Administrator or designee for site layout and building design for each of the eight custom homes. Said applications shall at a minimum include the following:
  - a. Building elevations, floor plan(s), and roof plan
  - b. Site exhibit showing the building footprint, setbacks, lot coverage, irrigation, walls, landscaping, and any proposed hardscape improvements.
4. A maximum of four non-adjacent dwelling units may be two-stories in height. The second floor may occupy no more than 40% of the amount of space occupied by the ground floor livable area. The maximum building height shall conform to the residential height limitations of the City of Chandler Land Use and Zoning Code, and in no case shall the height of the top of parapet or top of ridge exceed thirty feet in height.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
6. The landscaping in all open-spaces, shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

#### Preliminary Plat

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the Carino 8 Enclave preliminary plat, subject to the following conditions:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
  2. Tract D shall be revised to accommodate pedestrian ingress/egress of all Carino 8 Enclave residents and guests.
  3. The label for Tract D, on Sheet 3 of 4 shall be revised to clarify that only emergency and maintenance vehicular access is provided by the easement.
  4. The City of Chandler Development Services Department shall be notified of any proposed private irrigation easements.
10. RESOLUTION NO. 5358, designating and providing notice of the 2020 Primary and General Elections to be held on August 4, 2020, and November 3, 2020, respectively; and authorize the City Clerk to enter into agreements, as required, to provide election services for the 2020 Primary and General Elections.

BACKGROUND FROM COUNCIL MEMO:

As provided for in the Chandler City Charter and in consolidation with the statewide election dates, Resolution No. 5358 designates August 4, 2020, as the date of the Primary Election and November 3, 2020, as the date of the Regular (General) Election for the City of Chandler.

The Primary Election will be held for the purpose of electing three councilmembers. Any candidates for the office of councilmember may be declared elected at the Primary Election if he/she receives a majority of all the votes cast. If at the Primary Election there are any offices to which no candidate was declared elected, then a runoff (General) election will be held.

A candidate must file the required nomination papers and signature petitions no later than 5:00 p.m. on April 6, 2020, in order to have his or her name placed on the ballot. The last day to register to vote is July 6, 2020, to be eligible to vote in the Primary Election; and October 5, 2020, to be eligible to vote in the General Election.

In addition, the resolution authorizes the City Clerk to enter into an agreement with Maricopa County Elections Department and any necessary vendors to coordinate the administration of the elections in regards to services and fees.

11. REZONING, PLH19-0052, 800 E. GERMANN, rezone from Agricultural (AG-1) district to Planned Area Development (PAD) for Planned Industrial (I-1) uses with ancillary office and retail. PRELIMINARY DEVELOPMENT PLAN (PDP) of site layout and building architecture for an industrial building located west of the northwest corner of Germann and McQueen roads. (STAFF REQUESTS CONTINUANCE TO THE APRIL 9, 2020, CITY COUNCIL MEETING).

BACKGROUND FROM COUNCIL MEMO:

Planning and Zoning Commission recommend the City Council continue the request to the April 9, 2020, City Council meeting. On February 19, 2020, the Planning and Zoning Commission continued the request to allow the applicant more time to address access to the site.

12. AGREEMENT NO. CS0-670-4172, with Ewing Irrigation and Landscape Supply, Inc., for irrigation supplies, for one year, April 1, 2020, through March 31, 2021, with the option of up to four additional one-year extensions, in an amount not to exceed \$300,000.

BACKGROUND FROM COUNCIL MEMO:

Since 1990, the Parks Division has utilized a centralized irrigation system to control area lighting and irrigation in Chandler parks. This system is installed in 63 Chandler parks and is now approaching 30 years old. The existing system has become unreliable with frequent communication problems and component failures. It is also becoming difficult to find parts or obtain support for the existing system.

Over the past year, Baseline irrigation equipment was installed at Sunset, Meadowbrook, and Homestead South parks and has proved to be very robust and durable. Baseline irrigation equipment offers several advantages over the existing outdated system. The newer technology focuses on conserving water and provides cloud storage service. This feature allows staff to access the system from anywhere through a phone, tablet, or desktop. Baseline also has several

local representatives, which will reduce the lead time on parts and service. The cities of Scottsdale and Avondale and the Town of Gilbert have also converted over to the Baseline system.

This contract will allow staff to purchase Baseline irrigation equipment for 27 of the remaining 63 parks that currently have the old irrigation system. It is anticipated to take two years to convert these parks over to the Baseline system. Attached is a map showing the locations where the new equipment will be installed.

13. NO ITEM.
14. AGREEMENT NO. FD9-345-4024, AMENDMENT NO. 1, with Bound Tree Medical, LLC, for fire emergency medical supplies, for the period of April 1, 2020, through March 31, 2021, in an amount not to exceed \$150,000.

BACKGROUND FROM COUNCIL MEMO:

The Department has eleven CAP 5 Controlled Access Pharmaceutical Dispensers, one in each fire station. These devices have automated EMS restocking which optimized the use of medications through supply tracking, recognition of expiration date, and monitored access to controlled substances. This agreement allows the Department to purchase emergency medical supplies for these dispensers and continue to use a web-based inventory management system. The latter will continue to provide staff with the tools needed to proactively monitor supplies, forecast future need, and eliminate unnecessary medical supply purchases.

15. AGREEMENT NO. HR9-962-4000, AMENDMENT NO. 1, with Devau Human Resources, for temporary staffing services, for the period of April 1, 2020, through March 31, 2021, in an amount not to exceed \$1,201,585.

BACKGROUND FROM COUNCIL MEMO:

Temporary staff is utilized by the Community Services Department, Aquatics, Center for the Arts, Fire Administration, Housing, Library, Parks, Recreation (Snedigar, Tennis, Tumbleweed, Community Recreation Programs, Nature and Facilities), Solid Waste, and Neighborhood Resources to fill temporary staffing needs such as class instructors, coaches, sign language interpreters, swim coaches, library aides, teachers, and production assistants. Other City departments that require temporary positions, not available through temporary agencies under State contract, also utilize this contract to fill those temporary staffing needs. The contract was originally established when the IRS determined in December of 1992, that a number of temporary employees used by City departments should, in fact, be appointed contract employees through a temporary employment agency. Human Resources monitors the use of this agreement to ensure that it is used exclusively for this purpose.

16. PROFESSIONAL SERVICES AGREEMENT NO. WW2003.201, with Brown and Caldwell, for the Airport Water Reclamation Facility Headworks Drainage Piping, in an amount not to exceed \$84,376.

BACKGROUND FROM COUNCIL MEMO:

The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, has been in operation since 1997. Sanitary sewer first enters the plant in the headworks building, where filter

screens remove large debris using a network of concrete channels to route flow through the building. These channels are designed to be periodically drained to fully access the filter screens for maintenance and repair. However, the valves and piping associated with this drain system are in poor condition, and City staff is limited in their maintenance activities on the filter screens.

The project scope of work consists of evaluating current drain pipe alignment and existing valves and piping, design development, and permitting assistance. The contract completion time is 120 calendar days following Notice to Proceed.

17. PROFESSIONAL SERVICES AGREEMENT NO. WW2007.202, with Jensen Systems, Inc., for the Tumbleweed Aquifer Storage and Recovery Wells Programmable Logic Controllers Programming, in an amount not to exceed \$75,900.

BACKGROUND FROM COUNCIL MEMO:

The City's Supervisory Control and Data Acquisition (SCADA) System Master Plan was completed in October 2019. The SCADA Master Plan assessed the City's SCADA system as compared to industry standard performance measures as well as City-specific resources and capabilities. As a result, several improvement projects were recommended for implementation. The Tumbleweed Recharge Facility, situated at 2250 S. McQueen Road, is located in and around Tumbleweed Park and includes ten aquifer storage and recovery (ASR) wells. ASR wells are a critical aspect of the City's reclaimed water system, either pumping water to meet demands or storing water when demands are low. The software that interfaces with the SCADA system used to operate these ASR wells is obsolete.

The project scope of work consists of software conversion to Unity Pro for the Tumbleweed ASR well sites. The contract completion time is 180 calendar days following Notice to Proceed.

18. PROJECT AGREEMENT NO. WW1907.401, with Garney Companies, Inc., pursuant to Job Order Contract No. JOC1914.401, for the Airport Water Reclamation Facility Solids Separator Hopper Platform, in an amount not to exceed \$149,478.05.

BACKGROUND FROM COUNCIL MEMO:

The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, has been in operation since 1997. This facility has expanded three times to its current treatment capacity of 27 million gallons per day. Part of the treatment process includes grit removal, which is needed to maintain basin capacities, extend equipment life, and reduce maintenance costs. The grit removal system requires regular maintenance by City staff for optimal operations and efficient grit removal. Due to the frequency of maintenance in this area, a platform is necessary to safely access the top of the hopper units.

The project scope of work consists of installation of the platform near the solids separator equipment, including handrails and ladder. The contract completion time is 90 calendar days following Notice to Proceed.

19. CONSTRUCTION CONTRACT NO. PR1706.403, to ELS Construction, Inc., for Arrowhead Meadows Park Improvements, , in an amount not to exceed \$454,499.



BACKGROUND FROM COUNCIL MEMO:

Arrowhead Meadows Park is a 30.81-acre community park located at 1475 West Erie Street, within the square mile bordered by Dobson Road, Alma School Road, Ray Road, and Chandler Boulevard. This park provides lighted baseball fields, an aquatic center, tennis courts, pickleball courts, picnic ramadas, inclusive play area, and walking paths. The park was originally constructed in 1974.

In 2014, an Americans with Disabilities Act (ADA) audit was completed on Arrowhead Meadows Park, which identified several deficiencies. The scope of work for this project includes upgrades to ADA ramps and sidewalks, parking lot pavement striping, and signage. The construction contract time is 75 calendar days for completion.

20. PURCHASE of citywide office supplies from Staples Business Advantage, utilizing Sourcewell Contract No. 010615-SCC, for a period of one year, April 1, 2020 through March 31, 2021, in an amount not to exceed \$215,000.

BACKGROUND FROM COUNCIL MEMO:

In calendar year 2019, approximately \$215,000 was spent City-wide to meet all departments' needs for office supplies. Purchases are made by every department in the City and orders are placed on a daily basis. Employees place office supply orders online, and receive next-day desktop delivery with free shipping. In addition, staff only places orders using their Purchasing Card, which contributes to the rebate for the City Purchasing Card Program.

21. PURCHASE of refuse and recycling containers and parts, from Otto Environmental Systems, utilizing City of Mesa Contract No. 2018048, in an amount not to exceed \$325,000.

BACKGROUND FROM COUNCIL MEMO:

The Solid Waste Services Division purchases approximately 5,600 plastic refuse and recycling curbside containers annually. The containers are provided to newly-constructed homes and to existing homes requiring a replacement container. In addition, approximately 1,000 replacement parts, consisting of lids and wheels, are used for container repairs after warranty expiration.

22. PURCHASE of heating, ventilation, and air conditioning (HVAC) services, from Midstate Mechanical, Inc., utilizing Mohave Educational Services Cooperative Contract No. 19FMMI2-0904, in an amount not to exceed \$73,538.30.

BACKGROUND FROM COUNCIL MEMO:

A recent assessment at the Airport Water Reclamation Facility, located at 905 E. Queen Creek Road, identified the need to replace two aging air conditioning units attached to the motor control center (MCC) for the reclaimed water pumps. The units are more than 10 years old and are no longer adequately cooling the MCC, requiring considerable repair work to maintain desired cooling. The MCC requires year-round cooling for the pump controllers, which generate a considerable amount of heat and are responsible for the distribution of reclaimed water to customers.

23. AGREEMENT NO. IT9-208-4003, with Destiny Software, Inc., for an electronic agenda (eAgenda) management solution, with a five-year total amount not to exceed \$220,000.

BACKGROUND FROM COUNCIL MEMO:

The City Council agenda collection process allows departments/divisions to present items in the form of memorandums to City Council for consideration and action. Today, the existing City Council agenda collection process is primarily manual, paper-based, resource intensive, and repetitive steps are done at all levels citywide.

A presentation to the Council's Communications and Public Affairs, Information Technology, Management Services and Fleet Subcommittee on March 17, 2020, discussed the need for a comprehensive electronic City Council agenda solution designed to improve and automate the manual agenda collection, creation, assembly and publishing process of the agenda packet for public consumption. Some key features of the new system include workflow automation, electronic signature, error proofing, streamlined publishing and increased visibility of the agenda to residents. An implementation timeline, estimated to be 120 days from Notice to Proceed, will be established with the vendor upon City Council's approval of the project.

24. SOLE SOURCE PURCHASE of Taser Conducted Energy Weapons (CEW), from Axon Enterprise, Inc., for year four of five of the five-year payment plan, in the amount of \$106,746.70.

BACKGROUND FROM COUNCIL MEMO:

The Chandler Police Department began utilizing the "less-lethal" Taser Conducted Energy Weapon (CEW) to effectively control combative subjects and subjects armed with non-ballistic deadly weapons (such as knives, bats, boards, etc.) in 1999. The weapon has undoubtedly saved lives, allowing officers to control armed subjects using less-lethal means without the use of deadly force.

In December 2011, the Police Department purchased the X2 model, which provided officers a second shot, enabling them to control two threatening subjects or rapidly issue a follow-up shot, when necessary, without having to reload. A five-year warranty was included and has been critical given the daily use, wear and tear, and some technological failures encountered. The five-year warranty expired on these units in early 2017. In FY 2017-18, all CEWs were replaced as part of a five-year payment plan approved by Council.

There are few CEW products available in the marketplace. The Axon Enterprise, Inc., CEW product was selected because of the features, reliability, and customer support required by law enforcement. The following is a list of features required by the Chandler Police Department that are only available with the Axon CEW:

- Multiple shots
- High-efficiency flashlight
- Static dual LASERs (used for target acquisition)
- ARC switch enables drive-stun with or without a Smart Cartridge installed
- Central Information Display (CID) of mission-critical data such as remaining battery energy, burst time, operating mode, and user menu to change settings and view data
- The Trilogy log system records information from a variety of sensors into three data logs that can then be downloaded to a personal computer (PC) and may be transferred to Evidence.com services
- Real-time clock with back-up battery

- Onboard self-diagnostic and system status monitoring and reporting
- Ambidextrous safety switch
- Pairs with current Axon Enterprise Body Worn Cameras

Axon Enterprise, Inc., is the sole manufacturer and distributor of Taser Conducted Energy Weapons.

25. ENTERTAINMENT USE PERMIT, PLH19-0046, THE LOCAL CHANDLER, to continue indoor and outdoor entertainment, west of the southwest corner of Arizona Avenue and Chicago Street, located at 55 W. Chicago Street.

BACKGROUND FROM COUNCIL MEMO:

Zoned as Planned Area Development (PAD); March 8, 2012. Zoning Code requires Entertainment Use Permit approval for outdoor live entertainment activity within 1,320 feet of residential and outdoor seating with external speakers within 600 feet of residential. Located within the Downtown Entertainment District. Liquor Use Permit approved in 2017 with a one-year time condition. One-year time condition has expired; prompts this Entertainment Use Permit

Surrounding Land Use Data

North	Chicago Street, then mixed use (New Square)	South	Commercial (The Perch)
East	Commercial and a single-family residence	West	Commercial/Office

Proposed Business Operations

Site area	5,455 sq. ft.
Building Area	2,401 sq. ft.
Outdoor Patio Areas	Covered - 633 sq. ft., Uncovered - 1,304 sq. ft.
# of employees	20 to 30 full-time and part-time
Hours of Operation	Typically, 10 a.m. - 2 a.m., 7 days a week
Hours of Entertainment	10:30 a.m. - 2 a.m. on Friday and Saturday; 10:30 a.m. to midnight, Sunday through Thursday
# of seats	150 to 160 seats indoor and outdoor

Review and Recommendation

Planning staff reviewed the request and finds consistency with the General Plan and PAD zoning to continue live entertainment. An Entertainment Use Permit (EUP) is required for entertainment activities as defined in the Zoning Code. Entertainment may be amplified and includes acoustic bands and a DJ. The DJ is located indoors only while bands perform indoors and outdoors. Televisions and a house speaker system are located indoors and outdoors to provide background music and broadcast sporting events.

As described in the next section, during public outreach, two residents attended the neighborhood meeting held on January 27, 2020. The resident located to the east, across the alley, stated that when he experienced loud music coming from the restaurant, he would either call the

liaison or walked to the restaurant to ask for the volume to be turned down; in these instances, the restaurant complied promptly with his requests.

Planning staff does not recommend any further time condition based on the liaison/manager's prompt action to reduce the sound level of entertainment. Conditions related to address noise concerns remain with the Entertainment Use Permit.

#### Public / Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on January 27, 2020. Two residents attended the meeting. The resident lives to the east and across the alley and stated that on several occasions, loud music from speakers was heard. The resident either called the restaurant's liaison or came to the restaurant to voice the concern, whereupon the volume was promptly turned lower. The other resident lives to the west and attended to gather information on how the process worked. No opposition to continue live entertainment was voiced by either resident when questioned by the applicant.

As of the writing of this memo, Planning staff is unaware of opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting February 19, 2020.

Motion to Approve.

In Favor: 5    Opposed: 0    Absent: 2 (Klob, Pekau)

Two single-family property owners commented on the loud music heard at their homes. One resident stated on Friday nights the music is very loud from businesses to the northeast of their home. This resident did not specifically state which business, as other bars/restaurants to the south of the subject site also have live entertainment outdoors as well as external speakers. The other resident is located adjacent to the business and stated the bass is loud, but when he contacts the manager/liaison the volume is turned down when asked to do so. A commissioner stated his concerns about the ambient noise and adjacency of residential development. To address these concerns, commissioners recommended adding the following condition:

- No noise shall be emitted from the external speakers or live entertainment in such a manner that exceeds ambient conditions so as to not disturb adjacent businesses and residential areas. (Stipulation #5)

#### Recommended Action

Planning staff find the request is in compliance with the General Plan and the approved PAD zoning. Planning and Zoning Commission recommends City Council approve the Entertainment Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved attachments (Site Plan, Floor Plan and Narrative) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
2. The Entertainment Use Permit is non-transferable to any other location.

3. The site shall be maintained in a clean and orderly manner.
  4. The establishment shall provide a contact phone number of a responsible person (i.e., bar owner and/or manager) to interested neighbors and property owners to resolve noise complaints quickly and directly.
  5. No noise shall be emitted from the external speakers or live entertainment in such a manner that exceeds ambient conditions so as to not disturb adjacent businesses and residential areas.
26. SPECIAL EVENT LIQUOR LICENSE, for Ridenow/CAG Charitable Foundation Inc., Bike Night on Friday, April 24, 2020, from 5:00 p.m. until 9:00 p.m., located at 6895 W. Chandler Boulevard.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Ridenow/CAG Charitable Foundation Inc. for the Bike Night on Friday, April 24, 2020, from 5:00 p.m. until 9:00 p.m., located at 6895 W. Chandler Boulevard.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

27. LIQUOR LICENSE, Series 6, Bar Liquor License, for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

BACKGROUND FROM COUNCIL MEMO:

This application reflects a change in ownership. This will be a continuation of the location's previous use as Emanuela Watt, dba El Coyote Sports Bar. The following application for the transfer of a liquor license was posted for hearing on March 26, 2020:

Series 6, Bar Liquor License, for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

Consideration may be given only to the applicant's personal qualifications and not to the location. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

28. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Theresa June Morse, Agent, Hot Pizzas LLC, dba Pizza Hut #35851, located at 1000 N. Arizona Avenue.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on March 26, 2020:

New License, Series 10, Beer and Wine Store Liquor License, for Theresa June Morse, Agent, Hot Pizzas LLC, dba Pizza Hut #35851, located at 1000 N. Arizona Avenue.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

29. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Theresa June Morse, Agent, Hot Pizzas LLC, dba Pizza Hut #35862, located at 985 W. Elliot Road, Suite 3.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on March 26, 2020:

New License, Series 10, Beer and Wine Store Liquor License, for Theresa June Morse, Agent, Hot Pizzas LLC, dba Pizza Hut #35862, located at 985 W. Elliot Road, Suite 3.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

30. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Theresa June Morse, Agent, Hot Pizzas LLC, dba Pizza Hut #35856, located at 5055 W. Ray Road, Suite A-6.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on March 26, 2020:

New License, Series 10, Beer and Wine Store Liquor License, for Theresa June Morse, Agent, Hot Pizzas LLC, dba Pizza Hut #35856, located at 5055 W. Ray Road, Suite A-6.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

31. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, One Way Restaurant Group LLC, dba St. Amand Kitchen & Cocktails, located at 3990 S. Alma School Road, Suite 3.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on March 26, 2020:

New License, Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, One Way Restaurant Group LLC, dba St. Amand Kitchen & Cocktails, located at 3990 S. Alma School Road, Suite 3.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor

License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

32. PRELIMINARY AND FINAL PLAT, PLT19-0049/PLT20-0010, CHANDLER AIRPORT COMMERCE PARK, for approximately a 67 acre site, zoned Planned Area Development (PAD) for light industrial business park uses, located south of the southeast corner of McQueen and Queen Creek roads.

BACKGROUND FROM COUNCIL MEMO:

Site is 67.76 acres in size. Zoned Planned Area Development (PAD) for a light industrial business park in 2007. Business park is currently under construction

The preliminary plat and final plat show the lots, tracts, easements, and rights-of-way to be conveyed or dedicated as part of developing the site in substantial conformance with the Council-approved rezoning.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 18, 2020.

Motion to [Approve or Deny].

In Favor: 7 Opposed: 0 Absent: [if needed] Abstain: [if needed]

Recommended Actions

Upon finding consistency with the General Plan and the approved zoning, Planning and Zoning Commission recommend the City Council approve the Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

Upon finding consistency with the General Plan and the approved zoning, Planning staff recommends the City Council approve the Final Plat.

33. PROJECT AGREEMENT NO. AI2002.201, with Dibble Engineering, for design of Taxiway C Rehabilitation at Chandler Municipal Airport, pursuant to Annual Airport Design & Construction Management Services Contract No. EN1701.101, in an amount not to exceed \$139,840.

BACKGROUND FROM COUNCIL MEMO:

On December 12, 2019, City Council authorized a grant agreement with the Arizona Department of Transportation (ADOT) for the rehabilitation of Taxiway Cat Chandler Municipal Airport. Taxiway C is the southernmost taxiway and is parallel to the south runway. It is experiencing shrinkage, block cracking and oxidation throughout the pavement. This cracking indicates the pavement has exceeded its useful life and, in 2017, the pavement was rated by ADOT with a Pavement Condition Index (PCI) rating of 52. The last pavement rehabilitation was a mill and overlay completed in June 1992. The project area is approximately 5, 100-feet by 60-feet, and includes the entire length between taxiways H and Q and portions of connector taxiways H, L, N, P and Q.

The scope of services consists of project management and administration; environmental, geotechnical, and design reports; topographic survey; base mapping; design plans; technical

specifications; quantities and cost estimating; construction safety and phasing plan; and bid assistance services. The agreement completion time is 270 calendar days following Notice to Proceed. The project is anticipated to begin construction in summer 2020.

34. RESOLUTION NO. 5359, amendment to the Intergovernmental Agreement (IGA) with the Regional Public Transportation Authority (RPTA), to provide Fixed Route Bus, Paratransit, and RideChoice service for Fiscal Year 2019-2020, in an estimated amount of \$2,575,501.

BACKGROUND FROM COUNCIL MEMO:

This is the first of six annual amendments with RPTA for the provision of transit service. Each year, an amendment is made to adjust for operating costs and service levels. The current amendment will run through June 30, 2020.

This Agreement covers fixed route bus, paratransit and RideChoice services. The City relies on four different funding sources to pay for these services:

- City funding General sources Fund
- Arizona Lottery Fund - Proceeds from Powerball revenues, distributed to cities for use on public transportation
- Public Transportation Funds (PTF) - Maricopa County½ cent sales tax approved through Proposition 400
- Federal Grants

This amendment accounts for a change in paratransit service as directed by City Council at a City Council Work Session on October 10, 2019. Paratransit service will continue to be provided Citywide, but the non-ADA paratransit program is being removed. Non-ADA users will still be able to utilize RideChoice or ADA paratransit.

Service levels and costs included in this agreement for Fiscal Year 2019-20 are as follows:

Fixed Route Bus Service: Thirteen bus routes operate within the City of Chandler, including 11 local fixed routes and two express routes to downtown Phoenix. For Fiscal Year 2019/2020 approximately 280,620 service miles will be funded locally (City General Fund and Arizona Lottery Fund), while approximately 1,006,290 service miles will be funded with regional funds (PTF). The estimated total local cost for fixed route bus service is \$1,734,532 (see Table 1 for details).

Paratransit: Provides door-to-door, shared-ride public transportation services (provided in vans or taxicabs) for senior citizens and persons with disabilities. In FY 2019/2020, it is estimated that approximately 52,174 trips will be provided, with an estimated local cost of \$647,052 (see Table 1 for details). In April 2020, Chandler residents will no longer be able to reserve same day or non-ADA trips. These residents will now utilize ADA paratransit or RideChoice. This change is an outcome from the October 10, 2019 City Council Work Session. The change will not have a significant impact on this FY2019-20 amendment, but should reduce paratransit demand for future amendments.

Ride Choice: The RideChoice program offers additional transportation options for seniors and persons with disabilities. This program offers participating residents more flexibility and helps



contain the City's Paratransit cost by providing service at a much lower cost per trip. In December 2018, the RideChoice program was modified to include transportation networking companies (Lyft, Uber, etc.) as potential service providers. Under the RideChoice program, participants can take up to 20 trips per month. Participants can also seek an exception for travel to and from school, work, or recurring medical trips and be granted up to 50 trips per month. For FY 2019/2020, an estimated 14,729 trips will be provided at an estimated local cost of \$193,917 (see Table 1 for details).

Table 1: Service Funding Information. Fiscal Year 2019-20

	Local Funding Sources		Other Funding Sources		
	Arizona Lottery Fund (ALF)	City General Fund	Federal Grant	Public Transportation Fund (PTF)	Totals
Fixed Route Bus	\$301,000	\$1,433,532	\$0	\$6,011,005	\$7,745,537
Paratransit	\$250,000	\$397,052	\$0	\$1,735,600	\$2,382,652
Ride Choice	\$0	\$193,917	\$50,000	\$0	\$243,917
Totals	\$551,000	\$2,024,501	\$50,000	\$7,746,605	\$10,372,106
TOTAL	\$2,575,501		\$7,796,605		

This Amendment represents a local funding increase of \$91,907 or 3.7% over Fiscal Year 2018-19 (\$2,483,594).

Transportation Commission: This Amendment to the Intergovernmental Agreement with RPTA Valley Metro was reviewed at the February 5, 2020, meeting of the Transportation Commission and was recommended for approval by a vote of (7-0).

35. AGREEMENT NO. BF7-031-3775, AMENDMENT NO. 3, with D.L. Sales Corp., for HVAC filter replacement services, for the period of April 1, 2020, through March 31, 2021, in an amount not to exceed \$96,000.

BACKGROUND FROM COUNCIL MEMO:

This contract will provide for the replacement of HVAC filters in 49 City buildings. There are 1,664 filters located in these buildings. Filter replacement is critical for preventing premature failure of mechanical equipment as well as providing clean air for building users. This contract provides filter replacement monthly or quarterly based on use and equipment specifications. This contract will also provide for replacement of HEPA filters at the Public Safety Training Center (PTSC) Phase II Fire Training Range that are required to remove 99.97% of airborne particles measuring 0.3 microns or greater in diameter based on the discharge of fire arms in the firing range.

36. AGREEMENT NO. FS0-060-4131, with Tex Chevrolet, dba Earnhardt Chevrolet, Earnhardt Enterprises dba Earnhardt Toyota Scion, Earnhardt Gilbert Dodge, Inc., dba Earnhardt Chrysler

Dodge Jeep Ram, Earnhardt Chandler Cadillac, Inc., Earnhardt Ford Sales Company, Larry H Miller Ford, and Courtesy Auto of Mesa, dba Courtesy Dodge, for original equipment manufacturer (OEM) auto parts and service.

BACKGROUND FROM COUNCIL MEMO:

The City's Fleet Services Division and Fire Department have an ongoing requirement to repair all City of Chandler vehicles and service equipment. The requested contracts will provide original equipment manufacturer (OEM) parts and service for that purpose. The primary use of the contracts will be to purchase repair parts. The service component of the contracts may be used on a very limited basis depending upon the repair.

37. PURCHASE of vehicles from Larry Miller Dodge, utilizing the State of Arizona Contract No. ADSP017-166118, from Midway Chevrolet utilizing the State of Arizona Contract No. ADSP017-166122, from Sanderson Ford, utilizing the State of Arizona Contract No. ADSP017-166123, and from San Tan Ford, utilizing the State of Arizona Contract No. ADSP017-166124, in the amount of \$1,225,893.80. (STAFF REQUESTS WITHDRAWAL.)

BACKGROUND FROM COUNCIL MEMO:

On an annual basis, the City's Fleet Advisory Committee (FAC) evaluates all City vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. This request is for the purchase of 35 vehicles including cars, SUVs, pickup trucks, and cab chassis trucks with service bodies. The request also includes one electric vehicle. The price of the vehicles includes up-fitting from the dealer, where available. This request will complete the recommended vehicle replacements for FY 19-20.

38. PURCHASE of tires from Firestone North America, utilizing the State of Arizona Contract No. CTR02117; with Hankook Tire of America, utilizing the Sourcewell Contract No. 102517-HTA; with Goodyear Tire and Rubber Company, utilizing the Sourcewell Contract No. 102517-GTC; and with Michelin North American, utilizing the Omnia Partners Contract No. 20119209, in an amount not to exceed \$270,000. (STAFF REQUESTS WITHDRAWAL.)

BACKGROUND FROM COUNCIL MEMO:

The Fleet Services Division and the Fire Department have an ongoing requirement to provide tires for City vehicles when replacement is needed. This request is to authorize funds for replacement tires for City-owned equipment and vehicles.

39. PURCHASE of aftermarket auto parts from Genuine Parts Company NAPA, Co., utilizing the State of Arizona Contract No. ADSP016-129364, in an amount not to exceed \$175,000.

BACKGROUND FROM COUNCIL MEMO:

The State of Arizona competitively solicited and awarded a contract for aftermarket auto parts. The City has a current Intergovernmental Agreement with the State of Arizona allowing for the cooperative use of State of Arizona contracts.

The State's contract will be utilized to supplement the existing City contracts for original equipment manufacturer (OEM) parts and service, providing alternate sources when parts are

discontinued or otherwise not available from the OEM. Additionally, the contracts will be a source for less costly parts in applications where Fleet determines OEM parts are not necessary. The term of the contract is April 1, 2020, through March 31, 2021. Genuine Parts Company NAPA, Co., has stores in Chandler, providing immediate access to parts for staff when needed.

40. RESOLUTION NO. 5360, canceling the April 6, 2020, Study Session meeting and rescheduling the April 9, 2020, Regular meeting to April 20, 2020.

BACKGROUND FROM COUNCIL MEMO:

Section 2.12 of the City Charter and Section 2-1 of the City Code require the Chandler City Council to meet regularly at least twice every month at such times and places as the Council may prescribe by resolution. Due to the current pandemic emergency it is recommended that the Council meeting schedule for April be amended.

Resolution No. 5312 adopted October 12, 2019, set forth the 2020, City Council meeting schedule.

Resolution No. 5360 amends Resolution No. 5312, by canceling the April 6, 2020 Study Session meeting, and rescheduling the April 9, 2020, Regular Meeting to April 20, 2020.

- \*41. MINUTES of the Chandler City Council Regular Meeting of March 23, 2020.
- \*42. RESOLUTION NO. 5361, authorizing extended use of temporary signage to promote Chandler businesses, and authorizing the Zoning Administrator to waive provisions of Section 39-10 of the Code of the City of Chandler, as reasonably necessary to promote Chandler businesses during the Covid-19 Coronavirus Pandemic.

BACKGROUND FROM COUNCIL MEMO:

The coronavirus health crisis will have a significant economic fallout and is already causing global supply and demand shocks, according to the International Monetary Fund. Efforts to contain the spread of the disease have reduced the workforce, lowering production and disrupting global supply chains. On the demand side, heightened uncertainty, fear, and loss of income have made consumers and businesses reluctant to spend.

The City of Chandler is taking the proactive measure to extend the use of temporary signage to ease sign regulations within the City in order to promote local businesses and help drive additional demand for goods and services while simultaneously following best practices as recommended by the Centers for Disease Control and Prevention.

The proposed resolution provides the following flexibility as it relates to temporary signs:

- 1) Suspends all time limits on the use of temporary signs; and
- 2) Waives the requirement to obtain a permit before displaying a temporary sign; and
- 3) Authorizes the Zoning Administrator to temporarily waive further provisions of Section 39-10 of the Chandler City Code as reasonably necessary to promote increased economic activity within the City of Chandler while this resolution is in effect; and
- 4) Declares this resolution will expire upon formal action of the Chandler City Council.

- 5) Thirty days after the Chandler City Council terminates the authority of this resolution, businesses will need to apply for the use of temporary signs pursuant to the normal City process, however, the use of temporary sign per this resolution shall not be counted against the annual maximum allowable temporary sign period.
- 6) This resolution does not allow for deviation from existing temporary signage regulations.
- 7) This resolution does not infringe upon any covenants, conditions and restrictions that may exist between a property owner and tenant.

PUBLIC HEARING:

PH1. ANNEXATION of three parcels totaling approximately 27.47 acres located at the southwest corner of Chandler Heights Road and 124th Street.

1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

2. Staff Presentation

MR. MAYO introduced the item. Mr. Mayo said the property is about 27 1/2 acres that is located on the south side of Chandler Heights and McQueen in Maricopa County. This is currently going through a rezoning request as well. The property is in southeast Chandler and the General Plan designates it as neighborhoods. In the Southeast Area Plan it is designated further as rural agrarian character low density residential. Utility services are provided to the site. A petition has been circulated and Staff has not been made aware of any concerns.

3. Council Discussion

COUNCILMEMBER ORLANDO asked if the long-range plan was for housing.

MR. MAYO said yes. The rezoning request is being processed for a single-family subdivision.

4. Discussion from the Audience

MAYOR HARTKE asked if there was any public comment. There was none.

5. Close Public Hearing

MAYOR HARTKE closed the public hearing.

BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile east of the southeast corner of Chandler Heights and McQueen roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 27.47 acres. Upon annexation, initial City zoning will be Agricultural (AG-1) district. A Rezoning and Preliminary Development Plan are in review for a single-family subdivision and will be forthcoming to City Council

Surrounding Land Use Data

North	Chandler Heights Road, then single-family residential	South	Unincorporated, single-family residential
East	Unincorporated, single-family residential	West	122 <sup>nd</sup> Street, then single-family residential (Orchard Heights - under construction)

General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

Utility Services

Existing municipal water and wastewater service are available in both Chandler Heights Road and 122<sup>nd</sup> Street.

Staff Comments

Staff circulated this request among City departments and received no negative comments relative to the property's annexation.

UNSCHEDULED PUBLIC APPEARANCES

None.

CURRENT EVENTS

A. Mayor's Announcements

MAYOR HARTKE said the community is in an unprecedented time regarding COVID-19. He wanted to reassure the community that Council has the community's best interest at heart while also following State and National recommendations. The Council has received many requests and some of which are beyond their scope due to State actions. The City has been exercising concern for residents and small businesses. On March 19, the City declared a local emergency and the City has closed many facilities. They have promoted online and phone based services to continue to provide residents access to City services. Mayor Hartke said this would continue until it is deemed safe to resume normal operations. Mayor Hartke encouraged businesses to review the information from the State regarding what is considered an essential business. Mayor Hartke encouraged citizens to follow the City on social media and the City's website for updated information. Mayor Hartke said there is a designed page for businesses to notify residents about services and jobs.

B. Councilmembers' Announcements

VICE MAYOR LOPEZ said the City is doing a lot to respond and flatten the curve. Many citizens want to reach out and help. Vice Mayor Lopez said he recently shared a video that would provide more information on where to volunteer or donate. Vice Mayor Lopez encouraged residents to contact For Our City Chandler as they are coordinating with many non-profits to ensure they are helping as many people as possible.

COUNCILMEMBER HUANG said the Census is still happening and encouraged everyone to participate.

COUNCILMEMBER ROE said many people have lost their jobs and there is a great need. Many non-profits are in need of additional resources and encouraged everyone to help.

COUNCILMEMBER ORLANDO said the City has been working with the State and National partners including the Chandler Chamber of Commerce to help small businesses. There is a business resource page on the website to help the businesses meet their financial obligations during this time. Councilmember Orlando said the Senate has passed a relief package. Councilmember Orlando said the business resource page is constantly being updated and encouraged businesses to share their concerns with Council.

COUNCILMEMBER McCLYMONDS said he has quarantined himself and said he is working diligently from afar and encouraged everyone to stay healthy.

COUNCILMEMBER STEWART said the Council is paying attention to what is happening and the economic impact is troubling, but they are working diligently. Staff has been working tirelessly on the situation. The City will do everything they can to ensure they get through this.

MAYOR HARTKE said the Federal CARE Act has the intention of releasing \$2.2 billion to Arizona. There is a lot to be resolved with that funding. The Governor has been looking at using State funds to help where the federal money is not able to. There is a lot of action being taken and there should be more updates within the next week.

#### C. City Manager's Announcements

MARSHA REED, City Manager, thanked the executive leadership team. This has been very trying on staff and they have risen to the occasion during this emergency.

ADJOURNMENT: The meeting was adjourned at 6:37 p.m.

ATTEST:   
City Clerk

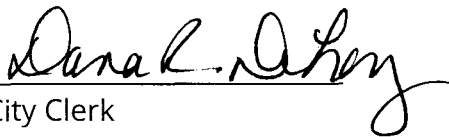
  
Mayor

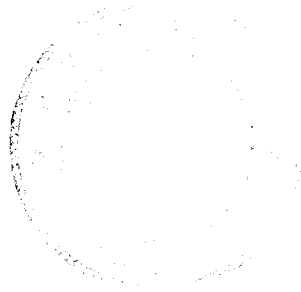
Approval Date of Minutes: April 20, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 26<sup>th</sup> day of March 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of April, 2020.

  
\_\_\_\_\_  
City Clerk





## CITY OF CHANDLER COUNCIL MEETING MINUTES

### Regular Meeting

Monday, April 20, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, April 20, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
*Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Huang attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Mayor Hartke.

PLEDGE OF ALLEGIANCE: Vice Mayor Lopez led the Pledge of Allegiance.

#### CONSENT AGENDA DISCUSSION

COUNCILMEMBER ORLANDO said Consent Agenda Item No. 4 is another potential ditch issue and wanted to ensure the applicant and the owners were satisfied before moving forward. Councilmember Orlando said he wanted to ensure everyone reached an amicable agreement.

4. INTRODUCTION OF ORDINANCE NO. 4914, PLH19-0036, CASADIA, rezoning from Agricultural (AG-1) district to Planned Area Development (PAD), for single-family residential. PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout.



PRELIMINARY PLAT, PLT19-0027, for a 13-lot single-family residential subdivision on approximately 4.62 acres, located south of the southeast corner of McQueen and Via De Palmas roads.

COUNCILMEMBER ORLANDO asked about Consent Agenda Item No. 5 and if this project had the intent of being used for commercial purposes. Councilmember Orlando received a response stating no it was just for the family.

5. INTRODUCTION OF ORDINANCE NO. 4918, PLH19-0011, ROJAS FAMILY HOME, rezoning from Medium-Density Residential (MF-1) to Planned Area Development (PAD) for a custom single-family home.  
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building design, on .10 acre, located south of Frye Road, approximately 55' east of the southeast corner of Frye Road and California Street.

#### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER McCLYMONDS MOVED TO APPROVE THE CONSENT AGENDA OF THE APRIL 20, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER STEWART.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### CONSENT AGENDA ITEMS

- 1a. MINUTES of the Chandler City Council Special Meeting of March 17, 2020.
- 1b. MINUTES of the Chandler City Council Work Session Meeting of March 17, 2020.
- 1c. MINUTES of the Chandler City Council Budget Workshop #2 of March 23, 2020.
- 1d. MINUTES of the Chandler City Council Study Session Meeting of March 23, 2020.
- 1e. MINUTES of the Chandler City Council Special Meeting of March 25, 2020.
- 1f. MINUTES of the Chandler City Council Work Session Meeting of March 26, 2020.
- 1g. MINUTES of the Chandler City Council Regular Meeting of March 26, 2020.
- 1h. MINUTES of the Chandler City Council Special Meeting of March 26, 2020.
- 1i. MINUTES of the Chandler City Council Special Meeting of April 1, 2020.
- 1j. MINUTES of the Chandler City Council Special Meeting of April 8, 2020.
- 1k. MINUTES of the Chandler City Council Special Work Session Meeting of April 8, 2020.
- 1l. MINUTES of the Chandler City Council Work Session Meeting of April 15, 2020.
2. INTRODUCTION OF ORDINANCE NO. 4912, PLH19-0052, 800 E. GERMANN, rezoning from Agricultural (AG-1) district to Planned Area Development (PAD) for Planned Industrial (I-1) uses with ancillary office and retail.  
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture for an industrial building located west of the northwest corner of Germann and McQueen roads. (CONTINUANCE FROM MARCH 26, 2020, CITY COUNCIL MEETING. STAFF REQUESTS CONTINUANCE TO THE MAY 14, 2020, CITY COUNCIL MEETING).

BACKGROUND FROM COUNCIL MEMO:

This item was continued from the March 23, 2020, City Council meeting to allow additional time to address access to the subject site. The applicant requests another continuance.

At the attached request of the applicant, Planning staff recommend the City Council continue the request to the May 14, 2020, City Council meeting.

3. INTRODUCTION OF ORDINANCE NO. 4913, annexation and initial zoning of approximately 4.62 acres, located south of the southeast corner of McQueen and Via De Palmas roads.

BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile south of the southeast corner of McQueen and Chandler Heights roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 4.62 acres. Upon annexation, initial City zoning will be Agricultural (AG-1) district. Annexation public hearing held February 13, 2020. On this agenda, a request for Rezoning, Preliminary Development Plan, and Preliminary Plat for a single-family subdivision referenced as PLH19-0036 Casadia, accompanies this annexation and initial city zoning

Surrounding Land Use Data

North	Single-family residential within unincorporated area	South	Church within unincorporated area
East	Single-family residential	West	McQueen Road, then single-family residential

General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in McQueen Road.

Staff Comments

A City Council public hearing was held February 13, 2020. Staff circulated this request among City departments and received no negative comments relative to the property's annexation. As of writing this memo, Planning staff is unaware of any opposition to or concerns with the request.

In accordance with Arizona Revised Statutes, the subject site, upon annexation, will be zoned AG-1 within the City of Chandler, which provides for land uses no greater in intensity than those permitted within the RU-43 zoning district of Maricopa County.

Recommended Action

Planning staff find the request is in compliance with Arizona Revised Statutes and the General Plan and recommends the City Council approve the annexation and initial city zoning.

4. INTRODUCTION OF ORDINANCE NO. 4914, PLH19-0036, CASADIA, rezoning from Agricultural (AG-1) district to Planned Area Development (PAD), for single-family residential.  
PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout.  
PRELIMINARY PLAT, PLT19-0027, for a 13-lot single-family residential subdivision on approximately 4.62 acres, located south of the southeast corner of McQueen and Via De Palmas roads.

BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile south of the southeast corner of McQueen and Chandler Heights roads. Approximately 4.62 acres. Subject site zoned Rural Residential (RU-43) within Maricopa County. A request for annexation and initial City zoning to Agricultural (AG-1) district is also on this agenda. Request to rezone from AG-1 to PAD for single-family residential with PDP for subdivision layout and Preliminary Plat for 13 lots; a separate PDP for housing product is required as a future submittal

Surrounding Land Use Data

North	Single-family residential (unincorporated)	South	Church (unincorporated)
East	Single-family residential (Anatolian Country Estates)	West	McQueen Road, then single-family residential (Rockwood Estates)

General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

Proposed Project Data

# of Lots	13 single-family lots
Density	2.81 du/ac
Lot Sizes	Lots 1-5: 72' x 140' (10,080 sq. ft.) Lots 6-13: 65' x 130' (8,450 sq. ft.)
Front yard setbacks	<ul style="list-style-type: none"> <li>• Min. 18 ft. from property line to forward facing garage door</li> <li>• Min. 20 ft. from back of sidewalk to forward facing garage door</li> <li>• Min. 10 ft. from property line to living space or side-loaded garage</li> </ul>
Rear yard setbacks	<ul style="list-style-type: none"> <li>• Single story min. 20 ft.</li> <li>• Two story min. 30 ft., reduced setbacks for attached patios and single-story elements of the two-story home min. 20 ft.</li> </ul>
Side yard setbacks	<ul style="list-style-type: none"> <li>• Min. 5 ft. and 10 ft.</li> <li>• Lots 1-5 shall group larger side yard setbacks</li> </ul>

Accessory structures	<ul style="list-style-type: none"><li>• Min. 10 ft. rear property line</li><li>• Must comply with side yard setbacks and maximum lot coverage</li><li>• Must be located behind the front façade of the principal building</li></ul>
Maximum Lot Coverage	<ul style="list-style-type: none"><li>• Maximum 55%</li></ul>
Building Height	<ul style="list-style-type: none"><li>• One and two stories are permitted</li><li>• Lots 1-5 are limited to 1 story</li></ul>

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. A neighborhood meeting was held on August 20, 2019. Nine neighbors attended as well as Planning staff and the applicant's team. General questions about the proposal were asked, including cost of homes, ability to install a traffic light at the subdivision entry and design standards. A majority of the questions regarded the future of the irrigation ditch along the north and eastern property line. The developer has worked with adjacent property owners to the north, receiving signed letters stating they had no concerns with the design and undergrounding of the ditch. One resident did not sign the letter as he currently has an RV gate accessed from the subject site and is disappointed the access will no longer be used once the subject site develops.

As of writing this memo, Planning staff has received one phone call from a resident over a quarter of a mile away stating concerns about the irrigation ditch. The developer has contacted the resident with future plans, and conveyed that the irrigation ditch will be addressed in accordance with Arizona law and/or any agreement reached between the affected parties.

#### Review and Recommendation

Planning staff has reviewed the request and finds it consistent with the General Plan and the Southeast Chandler Area Plan (SECAP). The proposal is consistent with policies of the General Plan that call for a variety of housing choices and a compatible mix of housing types within the Neighborhood designation. The subject site is designated as Rural/Agrarian Character within SECAP and permits 2.5 units per acre, with higher densities up to 3.5 du/ac considered if optional amenities are included. The proposal has achieved these additional points through increased open space, providing a community amenity with passive and active recreational areas, and designing a tree-lined boulevard through the subdivision. The proposal is consistent with the SECAP designation and design standards as outlined in the development booklet.

The developer proposes larger lots along the northern property boundary to transition from the large unincorporated residential properties to the north. In addition, the northern lots are limited to single-story only and the ten-foot side yard setbacks shall be grouped together, providing more open space between homes. Although housing product is not included and will require a separate PDP, the proposal complies with the Residential Development Standards (RDS), as outlined within the development booklet.

Planning staff finds the proposal to be consistent with the goals of the General Plan and SECAP. Planning and Zoning Commission recommends approval subject to conditions.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of March 18, 2020.

Motion to Recommend Approval.

In Favor: 7    Opposed: 0

Recommendation Actions

Rezoning

Planning staff find the request is in compliance with the General Plan and the SECAP. Planning and Zoning Commission recommend the City Council approve the rezoning from AG-1 to PAD for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Casadia" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0036, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
3. Developer shall provide all required right-of-way dedications as determined by the Development Services Director at the time of construction plan review.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
6. Lots 1 through 5 shall be constructed with single-story homes only.
7. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:

Front yard setbacks	<ul style="list-style-type: none"><li>• Min. 18 ft. from property line to forward facing garage door</li><li>• Min. 20 ft. from back of sidewalk to forward facing garage door</li><li>• Min. 10 ft. from property line to living space or side-loaded garage</li></ul>
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Rear yard setbacks	<ul style="list-style-type: none"><li>• Single story min. 20 ft.</li><li>• Two story min. 30 ft., reduced setbacks for attached patios and single story elements of the two story home min. 20 ft.</li></ul>
Side yard setbacks	<ul style="list-style-type: none"><li>• Min. 5 ft. and 10 ft.</li></ul> *Lots 1-5 shall group larger side yard setbacks
Accessory structures	<ul style="list-style-type: none"><li>• Min. 10 ft. rear property line</li><li>• Must comply with side yard setbacks and maximum lot coverage</li><li>• Must be located behind the front façade of the principal building</li></ul>

#### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan and SECAP, Planning and Zoning Commission recommend the City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Casadia" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0036, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The following enhanced landscape standards shall apply to the common open space and retention area along McQueen Road:
  - a. 100% of required trees shall have a minimum planting size of a 24-inch box
  - b. A minimum of one (1) trees and six (6) shrubs per twenty-five (25) lineal feet of frontage on arterial or collector street rights-of-way.
3. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
4. The landscaping in all open-spaces, shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
7. The existing irrigation ditch located on the Property shall either be undergrounded in compliance with City Code Section 48-12.12 with the agreement of the properties served by the ditch, or left in place and a view fence constructed along the border of the irrigation ditch easement that faces the development. Any alterations to the ditch should be designed and/or approved by a registered civil engineer. The decision of whether to underground the irrigation ditch is purely a private property matter, and the City shall have no role in deciding whether the irrigation ditch will be altered or how it will be maintained in the future.

Preliminary Plat

Planning staff find the request is in compliance with the General Plan and SECAP, Planning and Zoning Commission recommend the City Council approve the preliminary plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

5. INTRODUCTION OF ORDINANCE NO. 4918, PLH19-0011, ROJAS FAMILY HOME, rezoning from Medium-Density Residential (MF-1) to Planned Area Development (PAD) for a custom single-family home.

PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building design, on .10 acre, located south of Frye Road, approximately 55' east of the southeast corner of Frye Road and California Street.

BACKGROUND FROM COUNCIL MEMO:

Site is .10 acres in area. Currently developed with one single family home. Site is currently zoned MF-1.

Surrounding Land Use Data

North	Frye Road, vacant lots and single-family residential	South	Single-family residential and AZCEND nonprofit facilities
East	Single-family residential	West	Single-family residential

Proposed Project Data

Unit and Lot Size	Demolishing exiting dwelling Building 1 dwelling Existing lot size of 4,547 sq.ft. to remain
Setbacks	Front: 10 feet to covered patio 18 feet to front facade Side: 5 and 12 feet Rear: 3 feet
Lot Coverage	51% as shown
Site and Building Design	<ul style="list-style-type: none"> <li>• Two-story home; tapers to one story at front and rear</li> <li>• Second-story balcony and 8-foot deep front porch</li> <li>• Stucco exterior with contrasting trim paint color at pop-outs, iron railing, tapered box columns with stone base, 6 over 6 windows, paver driveway, 3' front wall, setback driveway gate</li> </ul>

General Plan and Area Plan Designations

2016 General Plan	Downtown Chandler, Growth Area 1
South Arizona Avenue Corridor Area Plan (SAZACAP)	Low Density Residential, 0 – 6 du./ac.

Planning staff finds the proposal to be consistent with policies of the General Plan and SAZACAP that call for a variety of compatible housing choices and densities.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. The required neighborhood meeting was held on January 16, 2019. One resident attended; no concerns about the rezoning or design were shared. The resident confirmed with the applicant that the project will be completed in a timely manner.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of March 18, 2020.

Motion to Recommend Approval.

In Favor: 7      Opposed: 0

#### Review and Recommendation

The MF-1 District permits a single-family home to be developed with City Council approval of a Use Permit. Instead of applying for a Use Permit, the applicant is requesting to rezone to PAD, which allows the applicant to request reduced setbacks. Under a Use Permit, a front setback of 25 feet would have been required. Since this setback accommodates the depth of a parking space, it typically results in a garage-prominent site design, which can conflict with the pedestrian-oriented goals of the SAZACAP. By requesting to rezone, the applicant is able to propose a 10-foot setback for the 8-foot deep porch and an 18-foot setback for the front façade. These setbacks provide a safer and more comfortable sidewalk by accommodating a direct pedestrian connection to the home, orienting the more articulated building façade to the street, and creating turn around space in the rear yard to allow vehicles to exit the site in a forward motion as compared to backing out.

As such, Planning staff find the proposal to be consistent with the goals of the General Plan and SAZACAP. Planning and Zoning Commission recommends approval subject to conditions.

#### Recommended Actions

##### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommend the City Council approve the rezoning from MF-1 to PAD for one custom single-family home, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Rojas Family" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0011, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the property is located adjacent to or nearby the "Entertainment District" which may contain land uses that create adverse noise and other externalities. The "Purchase Contracts" and the lot property deed shall include a disclosure statement outlining that the site is adjacent to the Entertainment District. The responsibility for



notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

3. Developer shall provide all required right-of-way dedications and/or easements as determined by the Development Services Director at the time of construction plan review.
4. Developer shall complete construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Minimum setbacks shall be as provided below:

Setback	Distance
Front	18' to front façade 10' to front of covered porch
Side	12'
Side	5'
Rear	3' to accessory parking structure

6. The maximum lot coverage shall be 55%.

#### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommend the City Council approve the Preliminary Development Plan for site and building design for one custom single-family home, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Rojas Family" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0011, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to submitting for building permits, an application for Administrative Design Review or Plot Plan shall be approved by the Planning Administrator or designee for site layout and building design for each of the eight custom homes. Said applications shall at a minimum include the following:
  - a. Building elevations, floor plan(s), & roof plan, and wall elevations
  - b. Site exhibit showing the building footprint, setbacks, lot coverage, walls, landscaping, and any proposed hardscape improvements.
3. Landscape and hardscape improvements located in all rights-of-way and behind the back of sidewalk shall be maintained by the adjacent property owner or property owners' association.
4. All mechanical equipment will be located in the side or rear yard and screened entirely from view by material(s) that are architecturally consistent with the proposed dwelling.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

6. RESOLUTION NO. 5363, authorizing the Mayor to execute and submit the Arizona Department of Emergency and Military Affairs Designation of Applicant's Agent Form designating Keith Hargis, Assistant Fire Chief, as the City of Chandler's agent.

BACKGROUND FROM COUNCIL MEMO:

As a component of submitting for federal and state reimbursement, the City must identify an Applicant Agent. The Agent will work in coordination with the Maricopa County Department of Emergency Management and the Arizona Department of Emergency and Military Affairs, on behalf of the City, to facilitate the reimbursement process related to the COVID-19 Pandemic. Financial Implications: Reimbursement for COVID-19 related costs will be determined through the Public Assistance policies of the Federal Emergency Management Agency. The amount of potential reimbursement is unknown at this time.

BRIEFING:

BR1. DISCUSSION of FY2020-2021 Budget as presented on April 9, 2020.

MAYOR HARTKE called for a staff presentation.

MARSHA REED, City Manager, said they would discuss the budget briefing items. There was nothing in the presentation that was not previously covered in Budget Workshop #2 or would be covered in the All Day Budget Briefing. The reason for the individual meetings with Council was to gauge the comfort level because staff has had to republish all of the books in a short timeframe in terms of revenue projections. Ms. Reed said the All Day Budget Briefing is scheduled for this Friday at 8:15 a.m. Ms. Reed said the first hearing for the budget is in May. There have been a lot of requests for data in relation to COVID-19 financial impacts. Staff would not have a great data set for a few more months since reporting is generally a few months behind. Ms. Reed said the Management Services team has been doing 18 months of projections and they have done an excellent job in responding to the changes of COVID-19. Ms. Reed said there have been many discussions of other cities and it is important to note that our tax base is different and our financial projections.

COUNCILMEMBER ORLANDO said he had some concerns and wanted to ensure if there were any additional questions the discussions could be held in public.

MAYOR HARTKE said Council would have another chance to discuss this further on Friday.

DAWN LANG, Management Services Director, said they wanted to really communicate estimated revenue impacts as a result of COVID-19. This is having a global impact that they have never seen before. Staff can look at past recessions and downturns, but how this pandemic impacts the economy long term could be quite different. Ms. Lang said they need to base their projection on current information and they are setting projections well before the City has received data. Transaction privilege tax or sales tax makes up 51% of the general fund and state shared revenues makes up 29%. Reporting from these sources is often two months behind and Urban Revenue Sharing which is the State income tax is two years delayed.

MS. LANG said it is important to realize that Chandler does have its own unique tax base although we often compare ourselves to other cities as a benchmark. It is difficult in this situation because we are different. Chandler is not as reliant on tourism and we maintain a transaction privilege tax on food. The more vulnerable tax categories are hotel motel, restaurant, bars, and amusements during COVID-19. Chandler has traditionally been very conservative and delineate between ongoing and one-time revenues, maintain healthy reserves, and adhere to a strong financial policy. The last quarter of Fiscal

Year 19/20 and the first quarter of Fiscal Year 20/21 has been updated with revised three month revenue impacts and six and nine month projections were developed. This has been accomplished by removing planned new positions and removing or reducing new operations and maintenance and adjusting employee merits. Additionally, measures such as no travel, holding vacant positions, and strategically prioritizing capital projects and deferring fleet replacements are in place to minimize the impacts to revenues.

MS. LANG said they are doing their best to address reductions through the proposed budget versus implementing midyear reductions. Depending on how long the impacts of COVID-19 go on, they have identified service reductions for the future as well. Ms. Lang said they have estimated the Fiscal Year 19/20 impact to be \$10.5 million. When they move into the first quarter of Fiscal Year 20-21 is going to be larger at \$20 million. These lower revenues have been incorporated into the budget as well as the corresponding expenditure reductions. This represents about 11.7% reduction from March to September compared to what the original forecast was estimated at. Should this extend to December, they are estimating another \$20 million and another \$15 million through March, as they would anticipate the economy would still be rebounding. The forecasted total for general fund is \$261.3 million.

COUNCILMEMBER ORLANDO asked how the \$10.5 million shortfall is being covered.

MS. LANG said they are currently in a position in Fiscal Year 19/20 where the revenues are coming in above the projections by about \$13.6 million.

MS. LANG said the total forecasted revenue before COVID-19 impact was at \$261.3 million now that has been reduced to \$241.3 million. Out of that total, the portion of the revenues that support ongoing expenses is projected at \$219.1 million, which has since been reduced to \$214.4 million.

COUNCILMEMBER ORLANDO clarified the ongoing has been reduced about \$5 million.

MS. LANG said that was correct.

MS. REED said there are measures staff has taken to reduce expenditures in the proposed budget. The general merits and markets have been adjusted. The association contracts have remained intact and there have been no changes. The vacancy savings rate has been updated from 1.5% to 2.5%, which has been accomplished by holding positions. Many of the decision packages have been removed or reduced and Council would be able to discuss those further at the Budget meeting on Friday. Ms. Reed said the new and carryforward capital has been removed or shifted to other funding sources. The Council budget amendment reserves have been removed and other contingencies and reserves have been adjusted in order to make the proposed budget balance.

COUNCILMEMBER ORLANDO asked if all of these reductions were staff recommendations to Council.

MS. REED said that was correct.

COUNCILMEMBER ORLANDO asked if the vacancy savings rate included police officers and fire fighters.

MS. REED said yes, it includes everyone in the general fund.

COUNCILMEMBER ORLANDO asked if there were a number of vacancies for police and fire that could be shared with the Council.

MS. REED said yes, they were not looking to hold sworn positions as part of the number.

COUNCILMEMBER ORLANDO asked if the employee merits and markets were adjusted downward.

MS. REED said yes. There were some early discussions in the beginning of the year. The market adjustments have been removed and merits have been reduced. Ms. Reed said this is just for general employees.

MS. REED said all training and travel is being held until the end of the calendar year. Ms. Reed said they are holding vacant positions, but the caveat is that there are a few vacant positions that must be filled. She said holding positions did not mean that there would never be a job posting. For instance, a building official employee has announced his retirement and by the Code they must have that position filled since they have some specific authority in the Code. Positions like that and sworn positions would be considered on a case-by-case basis. Ms. Reed said capital projects have been prioritized and fleet replacements have been deferred. All purchases would be scrutinized at the department level.

MS. REED said if revenues do come in differently, she would be asking for a onetime market adjustment for general employees.

COUNCILMEMBER ORLANDO asked if it would be a onetime or if that adjustment would be going into the next year.

MS. REED said that would be a discussion they would have later in the next fiscal year.

COUNCILMEMBER ORLANDO said he wanted to ensure it was clear if it would be a onetime check or if it would be a onetime request for an ongoing adjustment.

MS. REED said it is more difficult to come up with the ongoing dollars so it would have to be reviewed if the revenues were to come in differently than the projections today.

MS. REED said there are many millions of dollars in the Capital Program and Council would be going over each project during the meeting on Friday. Ms. Reed said there have been only two changes to the projects. Mayor and Council requested that Veteran's Memorial Park Phase II be moved up. That has been done and has been added to the next fiscal year budget. Ms. Reed said a change has been added by the request of Judge Fuller that security fence enhancements be added for the courts. This project has been moved to the next fiscal year. Ms. Reed said both projects are cash funded and other than that, all projects have remained the same.

MS. REED said at the Budget Kickoff there were some CIP guidelines that were presented such as maintaining infrastructure, finishing planned construction of parks and streets, and addressing public needs. Ms. Reed said the list presented to Council is strictly general fund, cash funded projects. If a project is not shown on the list those are paid out of a different source and would be discussed Friday. Ms. Reed said the total of the projects show is \$16.9 million that is currently in the proposed budget for



all funding sources. Out of that, \$14.7 million is from the general fund. Ms. Reed said there is about \$8.2 million dollars that are important projects, but they are projects that could be held if the revenues do not come in.

MS. REED said Community Services has a number of projects many of which are about maintaining existing infrastructure. The two projects that could wait six months would be the replacement of fitness equipment and Veteran's Memorial Park Phase II. The Park Centralized Irrigation System is in need of replacement and that has an impact on the maintenance of the parks. Ms. Reed said Cultural Development, the Center for the Arts improvements have been pushed out and they can wait for the last half of the year. The Downtown Redevelopment and Maintenance is ongoing.

MS. REED said rebuilding Fire Station #282 could wait until the second half of the year because that project could also go to bonds if necessary. The existing building repairs and renovations for all of the City buildings is a need that should be started at the beginning of the year. The security cameras and fencing upgrades could wait until the second half of the year. Energy Management upgrades, asphalt repairs, and community center and senior center renovation would start at the beginning of the year since these projects maintain existing infrastructure. Ms. Reed said the Building Assessment Phase II could wait for the second half of the year.

MS. REED said Information Technology projects are split between the first half and second half of the year. The Voice and Data Convergence funds are for the Police Department to change over to the new system. The infrastructure monitoring system would be year one and the Wi-Fi access points would be split between the year. Ms. Reed said with the citywide infrastructure projects they would like to move quickly on as there has been a great need for it especially during these times. Ms. Reed said for the mobility pilot they would like to continue during the second half of the year.

MS. REED said the police body worn cameras contract expires at the end of the year and that would have to be addressed before then. Ms. Reed said she did speak with the Police Chief regarding the radio communication equipment and they would be able to wait until the second half of the year.

MS. REED said there are a number of streets and traffic projects and they have determined projects that need to move forward quickly and some that could wait until the second half of the year.

COUNCILMEMBER ORLANDO asked if the asphalt patch truck was just for the truck itself.

MS. REED said yes.

COUNCILMEMBER ORLANDO asked if the current truck would be able to last.

MS. REED said yes, however they are in great need of replacement.

COUNCILMEMBER ORLANDO said he did have concerns with pushing the ADA upgrades, but would discuss more on Friday.

MS. REED said there was enough money still available to carry them through the fall.

COUNCILMEMBER ORLANDO said he would have questions on Friday as well regarding Veteran's Memorial Park Phase II and the Police radio communications.

COUNCILMEMBER ROE said he hoped the numbers would be this good, but was concerned they are being far too optimistic. Councilmember Roe said he believes they are really in trouble for the next year. Councilmember Roe said the Capital Improvements seem higher for this next year than the current fiscal year.

MS. REED said that was true. The increases are in utility funds where some very expensive repairs need to happen to pipes and the treatment plants around the City.

COUNCILMEMBER ROE said he does not believe any new construction should happen on any park including Veteran's Memorial Park.

MAYOR HARTKE said these discussions would take place on Friday.

COUNCILMEMBER ROE said he hoped they would have conversations in earnest on Friday because there are a number of items to discuss.

BR2. DISCUSSION regarding Chandler's communication plan relating to COVID-19.

MATT BURDICK, Communications and Public Affairs Director, said there are three objectives guiding their communications activities. The first is being a conduit of information and they continue to reinforce the public health information and recommendations from public health officials both national, state, and local. Mr. Burdick said they have been sharing executive orders and news released by the Governor's Office, connecting people and businesses with resources, and addressing COVID-19 questions from citizens. Mr. Burdick said the COVID-19 webpage has been up since March 11 and it is already the third highest viewed page on the website with over 35,000 visits. The social media outreach in the past five to six weeks has 465,000 views through the different posts.

MR. BURDICK said they have been working on public information campaigns for City services, virtual experiences, promoting outdoor activities residents can do at home, safety and availability of water, education regarding the damage flushing material that is not biodegradable, and publicizing the US Census. Mr. Burdick said their third objective has been to communicate Chandler's plan and response to COVID-19, communicate the operational status of City services and facilities, online resources, sharing stories of ways businesses are supporting the community, and developing the communication plan for the reestablishment of City services. Mr. Burdick said when they get to that point the Communications Department would be assisting departments in communication campaigns to let residents know that the services or facilities are reopen.

MAYOR HARTKE said the Council would have a robust conversation and said they are planning on having representatives from the County to provide information. Mayor Hartke said they would also be looking at the orders and recommendations from the President and the Governor and how those interact with Chandler's plan to open. Mayor Hartke said Chandler would be one of the first cities to roll out a plan on how the City would reopen based on the information from the County, State, and President.

COUNCILMEMBER STEWART asked what staff has been hearing from citizens. Councilmember Stewart asked if staff could do a survey to ask what information residents need. He asked for more information about how residents feel the City is doing in regards to communication.

MR. BURDICK said some of the more recent inquiries have been focused on people trying to connect with resources so staff is helping to connect them to these resources. Mr. Burdick said there have been more questions regarding the status of City services and facilities reopening. They do have the availability to do some polling and surveys and staff would be able to put that together to get more information.

COUNCILMEMBER ROE asked if public service announcements were being sent out regarding mental health concerns and domestic violence.

MR. BURDICK said they would partner with the Police Department and take their lead to determine if there is a need for assistance from the Communications Department. Mr. Burdick said they had worked with the Public Works Department earlier as they had concerns regarding the wastewater infrastructure. Mr. Burdick said he would follow up with the Police Chief and they would be happy to assist in any capacity they need.

COUNCILMEMBER ROE asked if that was something that could also be on the website.

MR. BURDICK said yes, the Police Department has their own web presence and they would be able to link to their website.

COUNCILMEMBER ROE asked if there could be videos as well.

MR. BURDICK said yes, he would follow up with the Police Chief to discuss it further.

COUNCILMEMBER McCLYMONDS said as the health crisis evolved, he felt that Council took a measured approach at following the facts and making decisions based on the facts. Some of the feedback from the community was that the City was not getting the messaging out. The City is doing so many things yet there seemed to be a disconnect. Councilmember McClymonds said perhaps there could be a virtual town hall so they can really get more citizens involved.

MR. BURDICK said the Information Technology Department is working on some solutions to be able to support something like that.

COUNCILMEMBER McCLYMONDS said it would be nice to have some video conferencing, but a more simple way would be via telephone. Councilmember McClymonds would like to see if it would be possible to do it to get the message out more and for residents to understand how Council created their plan.

MR. BURDICK said he would follow up with the Information Technology Department to explore those different options.

MAYOR HARTKE said the more that could be done to get the information out the better.

COUNCILMEMBER McCLYMONDS said he would like to give it a try.

MR. BURDICK said they would look at options to best get Chandler's message out moving forward.

COUNCILMEMBER ORLANDO asked how Chandler communications with other entities such as the Chandler School District, DCCP, Chamber of Commerce, and major employers.

MR. BURDICK said they have a lot of relationships with these businesses though different departments and staff. Mr. Burdick said they work very closely with some of these resources especially staff in the Economic Development Department, Neighborhood Resources Department, and Cultural Affairs Department.

COUNCILMEMBER ORLANDO asked how that information feeds back to the Communications Department.

MR. BURDICK said he looks to see what information needs to be communicated from gaps in information or misinformation. From the day-to-day interactions, those staff would look at how to partner as a City with them. Mr. Burdick said he looks at what communications support needs to be provided and what information needs to be disseminated as part of those objectives.

ADJOURNMENT: The meeting was adjourned at 6:46 p.m.

ATTEST: *Erica Banta*  
City Clerk *acting*

*Kevin Hanthe*  
Mayor


Approval Date of Minutes: May 14, 2020

#### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 20<sup>th</sup> day of April, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 18 day of May, 2020.

*Erica Banta*  
City Clerk *acting*

The seal is circular with a double-lined border. The outer ring contains the text "CITY OF CHANDLER" at the top and "ARIZONA" at the bottom, separated by two stars. The inner circle contains the word "CORPORATE" at the top and "SEAL" at the bottom, also separated by two stars.





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, April 23, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, April 23, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Mayor Hartke.

PLEDGE OF ALLEGIANCE: Councilmember Stewart led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

VICE MAYOR LOPEZ thanked everyone who would be serving on the Boards and Commissions as they continue to keep Chandler one of the best run cities in the State.

### CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE APRIL 23, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER McClymonds.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

## CONSENT AGENDA ITEMS

1. FINAL ADOPTION OF ORDINANCE NO. 4913, annexation and initial zoning of approximately 4.62 acres, located south of the southeast corner of McQueen and Via De Palmas roads.

### BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile south of the southeast corner of McQueen and Chandler Heights roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 4.62 acres. Upon annexation, initial City zoning will be Agricultural (AG-1) district. Annexation public hearing held February 13, 2020. On this agenda, a request for Rezoning for a single-family subdivision, referenced as PLH19-0036 Casadia, accompanies this annexation and initial city zoning

### Surrounding Land Use Data

North	Single-family residential (unincorporated)	South	Church (unincorporated)
East	Single-family residential	West	McQueen Road, then single-family residential

### General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

### Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in McQueen Road.

### Staff Comments

A City Council public hearing was held on February 13, 2020. Staff circulated this request among City departments and received no negative comments relative to the property's annexation. As of writing this memo, Planning staff is unaware of any opposition to or concerns with the request.

In accordance with Arizona Revised Statutes, the subject site, upon annexation, will be zoned AG-1 within the City of Chandler, which provides for land uses no greater in intensity than those permitted within the RU-43 zoning district of Maricopa County.

### Recommended Action

Planning staff find the request is in compliance with Arizona Revised Statutes and the General Plan and recommends the City Council approve the annexation and initial city zoning.

Ordinance was introduced and tentatively adopted on April 20, 2020

2. FINAL ADOPTION OF ORDINANCE NO. 4914, PLH19-0036/PLT19-0027, CASADIA, rezoning from Agricultural (AG-1) district to Planned Area Development (PAD), for a 13- lot single-family residential subdivision, on approximately 4.62 acres, located on the south of the southeast corner of McQueen and Via De Palmas roads.

BACKGROUND FROM COUNCIL MEMO:

At the April 20, 2020, City Council meeting, a Council member asked if surrounding neighbors were in agreement with future plans for the irrigation ditch. Staff contacted the parties involved and can confirm all adjacent neighbors and stakeholders agree to future plans of the undergrounding of the ditch. Adjacent neighbors include the church to the south and large, agricultural residential properties to the north.

Staff also had included a condition, number 7 under the Preliminary Development Plan heading of the City Council memo for April 20, 2020, that also addressed the ditch. This condition stated the future condition of the ditch, whether undergrounded or left open, was subject to agreement of the properties served by the ditch and the City would have no role in this decision. The condition was adopted with the City Council action on the case.

Located approximately ¼ mile south of the southeast corner of McQueen and Chandler Heights roads. Approximately 4.62 acres. Subject site zoned Rural Residential (RU-43) within Maricopa County. A request for annexation and initial City zoning to Agricultural (AG-1) district is on this agenda. Request to rezone from AG-1 to PAD for single-family residential

Surrounding Land Use Data

North	Single-family residential (unincorporated)	South	Church (unincorporated)
East	Single-family residential (Anatolian Country Estates)	West	McQueen Road, then single-family residential (Rockwood Estates)

General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

Proposed Project Data

# of Lots	13 single-family lots
Density	2.81 du/ac
Lot Sizes	Lots 1-5: 72' x 140' (10,080 sq. ft.) Lots 6-13: 65' x 130' (8,450 sq. ft.)
Front yard setbacks	<ul style="list-style-type: none"><li>• Min. 18 ft. from property line to forward facing garage door</li><li>• Min. 20 ft. from back of sidewalk to forward facing garage door</li><li>• Min. 10 ft. from property line to living space or side-loaded garage</li></ul>
Rear yard setbacks	<ul style="list-style-type: none"><li>• Single story min. 20 ft.</li><li>• Two story min. 30 ft., reduced setbacks for attached patios and single story elements of the two story home min. 20 ft.</li></ul>
Side yard setbacks	<ul style="list-style-type: none"><li>• Min. 5 ft. and 10 ft.</li><li>• Lots 1-5 shall group larger side yard setbacks</li></ul>

Accessory structures	<ul style="list-style-type: none"><li>• Min. 10 ft. rear property line</li><li>• Must comply with side yard setbacks and maximum lot coverage</li><li>• Must be located behind the front façade of the principal building</li></ul>
Maximum Lot Coverage	<ul style="list-style-type: none"><li>• Maximum 55%</li></ul>
Building Height	<ul style="list-style-type: none"><li>• One and two stories are permitted</li><li>• Lots 1-5 are limited to 1 story</li></ul>

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. A neighborhood meeting was held on August 20, 2019. Nine neighbors attended as well as Planning staff and the applicant's team. General questions about the proposal were asked, including cost of homes, ability to install a traffic light at the subdivision entry and design standards. A majority of the questions regarded the future of the irrigation ditch along the north and eastern property line. The developer has worked with adjacent property owners to the north, receiving signed letters stating they had no concerns with the design and undergrounding of the ditch. One resident did not sign the letter as he currently has an RV gate accessed from the subject site and is disappointed the access will no longer be used once the subject site develops.

As of writing this memo, Planning staff has received one phone call from a resident over a quarter of a mile away stating concerns about the irrigation ditch. The developer has contacted the resident with future plans and conveyed that the irrigation ditch will be addressed in accordance with Arizona law and/or any agreement reached between the affected parties.

#### Review and Recommendation

Planning staff has reviewed the request and finds consistency with the General Plan and the Southeast Chandler Area Plan (SECAP). The proposal is consistent with policies of the General Plan that call for a variety of housing choices and a compatible mix of housing types within the Neighborhood designation. The subject site is designated as Rural/Agrarian Character within SECAP and permits 2.5 units per acre, with densities up to 3.5 du/ac allowed if optional amenities are included. The proposal has achieved these additional points through increased open space, providing a community amenity with passive and active recreational areas, and designing a tree-lined boulevard through the subdivision. The proposal is consistent with the SECAP designation and design standards as outline in the development booklet.

The developer proposes larger lots along the property's northern boundary to transition from the large unincorporated residential properties to the north. In addition, the northern lots are limited to single-story only and the ten foot side yard setbacks shall be grouped together, providing more open space between homes. Although housing product is not included and will require a separate PDP, the proposal complies with the Residential Development Standards (RDS), as outlined within the development booklet.

Planning staff finds the proposal to be consistent with the goals of the General Plan and SECAP. Planning and Zoning Commission recommend approval subject to conditions.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of March 18, 2020.

Motion to Recommend Approval.

In Favor: 7      Opposed: 0

#### Recommendation Action

##### Rezoning

Planning staff find the request is in compliance with the General Plan and the SECAP. Planning and Zoning Commission recommend the City Council approve the rezoning from AG-1 to PAD for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Casadia" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0036, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
3. Developer shall provide all required right-of-way dedications as determined by the Development Services Director at the time of construction plan review.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
6. Lots 1 through 5 shall be constructed with single-story homes only.
7. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:

Front yard setbacks	<ul style="list-style-type: none"><li>• Min. 18 ft. from property line to forward facing garage door</li><li>• Min. 20 ft. from back of sidewalk to forward facing garage door</li><li>• Min. 10 ft. from property line to living space or side-loaded garage</li></ul>
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Rear yard setbacks	<ul style="list-style-type: none"> <li>• Single story min. 20 ft.</li> <li>• Two story min. 30 ft., reduced setbacks for attached patios and single story elements of the two story home min. 20 ft.</li> </ul>
Side yard setbacks	<ul style="list-style-type: none"> <li>• Min. 5 ft. and 10 ft.</li> <li>*Lots 1-5 shall group larger side yard setbacks</li> </ul>
Accessory structures	<ul style="list-style-type: none"> <li>• Min. 10 ft. rear property line</li> <li>• Must comply with side yard setbacks and maximum lot coverage</li> <li>• Must be located behind the front façade of the principal building</li> </ul>

Ordinance was introduced and tentatively adopted on April 20, 2020

3. FINAL ADOPTION OF ORDINANCE NO. 4918, PLH19-0011, ROJAS FAMILY HOME, rezoning from Medium-Density Residential (MF-1) to Planned Area Development (PAD), for a custom single-family home, located south of Frye Road, approximately 55' east of the southeast corner of Frye Road and California Street.

BACKGROUND FROM COUNCIL MEMO:

Site is .10 acres in area. Currently developed with one single family home. Site is currently zoned MF-1

Surrounding Land Use Data

North	Frye Road, vacant lots and single-family residential	South	Single-family residential and AZCEND nonprofit facilities
East	Single-family residential	West	Single-family residential

Proposed Project Data

Unit and Lot Size	Demolishing exiting dwelling Building 1 dwelling Existing lot size of 4,547 sq.ft. to remain
Setbacks	Front: 10 feet to covered patio 18 feet to front facade Side: 5 and 12 feet Rear: 3 feet to accessory parking structure
Lot Coverage	51% as shown
Site and Building Design	<ul style="list-style-type: none"> <li>• Two – story home, tapers to one story at front and rear</li> <li>• Second-story balcony &amp; 8-foot deep front porch</li> <li>• Stucco exterior with contrasting trim paint color at pop-outs, iron railing, tapered box columns with stone base, 6 over 6 windows, paver driveway, 3' front wall, setback driveway gate</li> </ul>

General Plan and Area Plan Designations

2016 General Plan	Downtown Chandler, Growth Area 1
South Arizona Avenue Corridor Area Plan (SAZACAP)	Low Density Residential, 0 – 6 du./ac.

Planning staff finds the proposal to be consistent with policies of the General Plan and SAZACAP that call for a variety of compatible housing choices and densities.

Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. The required neighborhood meeting was held on January 16, 2019. One resident attended; no concerns about the rezoning or design were shared. The resident confirmed with the applicant that the project is to be completed in a timely manner.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of March 18, 2020.

Motion to Recommend Approval.

In Favor: 7      Opposed: 0

Review and Recommendation

The MF-1 District permits a single-family home to be developed with Council approval of a Use Permit. Instead of applying for a Use Permit, the applicant is requesting to rezone to PAD, which allows the applicant to request reduced setbacks. Under a Use Permit, a front setback of 25 feet would have been required. Since this setback accommodates the depth of a parking space, it typically results in a garage-prominent site design which can conflict with the pedestrian-oriented goals of the SAZACAP. By requesting to rezone, the applicant is able to propose a 10-foot setback for the 8-foot deep porch and an 18-foot setback for the front façade. These setbacks provide a safer and more comfortable sidewalk by accommodating a direct pedestrian connection to the home, orienting the more articulated building façade to the street, and creating turn around space in the rear yard to allow vehicles to exit the site in a forward motion as compared to backing out.

Planning staff find the proposal to be consistent with the goals of the General Plan and SAZACAP. Planning and Zoning Commission recommends approval subject to conditions.

Recommended Action

Rezoning

Planning staff find the request is in compliance with the General Plan, Planning and Zoning Commission recommend the City Council approve the rezoning from MF-1 to PAD for one custom single-family home, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Rojas Family" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0011, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of

each buyer, acknowledging that the property is located adjacent to or nearby the "Entertainment District" which may contain land uses that create adverse noise and other externalities. The "Purchase Contracts" and the lot property deed shall include a disclosure statement outlining that the site is adjacent to the Entertainment District. The responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

3. Developer shall provide all required right-of-way dedications and/or easements as determined by the Development Services Director at the time of construction plan review.
4. Developer shall complete construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Minimum setbacks shall be as provided below:

Setback	Distance
Front	18' to front façade 10' to front of covered porch
Side	12'
Side	5'
Rear	3' to accessory parking structure

6. The maximum lot coverage shall be 55%.

Ordinance was introduced and tentatively adopted on April 9, 2020

4. INTRODUCTION OF ORDINANCE NO. 4916, granting a no-cost irrigation easement to Roosevelt Water Conservation District (RWCD), to accommodate the development of Robert Rice Elementary School, within a portion of the north side of Ocotillo Road at 148th Street.

**BACKGROUND FROM COUNCIL MEMO:**

The Chandler Unified School District is constructing a new elementary school, to be known as the Robert Rice Elementary School, at the northeast corner of Ocotillo Road and 148th Street in the Town of Gilbert. To accommodate this development, RWCD is requesting the City grant RWCD an irrigation easement over a portion of the Ocotillo Road right-of-way at the northwest corner of Ocotillo Road and 148th Street. The area in question contains approximately 100 square feet. Since the development of the new school facility will benefit the citizens of the City of Chandler, the easement is being granted to RWCD at no cost.

Staff has reviewed and approved the easement and legal description for the requested easement.

5. NO ITEM.
6. RESOLUTION NO. 5362, authorizing an Intergovernmental Agreement (IGA) with the Chandler Unified School District (CUSD), authorizing the City to design and construct required infrastructure improvements on Gilbert Road on behalf of the District, in exchange for reimbursement of costs attributable to the improvements.



BACKGROUND FROM COUNCIL MEMO:

The Chandler Unified School District (CUSD) Governing Board approved the Intergovernmental Agreement (IGA) on April 22, 2020. When the agreement has been signed by the District superintendent, it will be forwarded to the Chandler City Clerk.

7. PRELIMINARY DEVELOPMENT PLAN (PDP), PLH19-0066, HOPEWELL CHANDLER AIRPORT CENTER, for site layout and building architecture, for two flex industrial buildings with offices, located on the northeast corner of Germann Road and Northrop Boulevard.

BACKGROUND FROM COUNCIL MEMO:

Approximately 9.6 acres. Subject site zoned Planned Area Development (PAD) for Industrial Business Park within an 111-acre Chandler Airport Center (CAC) master plan in 1999. Uses were amended allowing for commerce-midrise, office, showroom, and light industrial within the CAC expanded master plan totaling 245 acres in 2005. Uses were amended again allowing for adult vocational/educational uses in 2009. Separate PDP's are required for all properties within CAC. General Plan designates the site as Employment and within a Growth Area. Chandler Airpark Area Plan (CAAP) designates the site as Commercial/Office/Business Park; light industrial and commercial are interchangeable under this designation. Project consists of two flex buildings, allowing for a mix of light industrial uses and office

Surrounding Land Use Data

North	West & Southeast Realtors of the Valley (WeSERV) headquarters and training facility office	South	Germann Road, then Metro CAC industrial development
East	Undeveloped property entitled for one industrial building	West	Vacant property zoned PAD for commerce-midrise, office, showroom, and light industrial

Proposed Development

Building Square Footage	143,680 total square feet Building A 68,771 square feet Building B 74,909 square feet
Building Height	41 feet
Number of Dock Doors	Approximately 49 doors (10 at grade & 39 dock)
Parking Spaces Required	201 spaces
Parking Spaces Provided	232 spaces; allowing for approximately 25% office

Review and Recommendation

Planning staff has reviewed the request and finds consistency with the General Plan, CAAP, and the CAC master plan. The two proposed flex industrial buildings allow for a mix of uses including manufacturing, research and development, and office. Generally, ancillary uses such as office and retail showroom are limited to occupy ten percent of a building within industrial development, unless noted. The proposal requests up to 25 percent office and/or retail showroom to comply with available parking. The City's Economic Development Division finds the proposed flex industrial is a benefit to the CAAP, which has a 6% vacancy rate, by providing additional square footage for several types of industrial users.

The request was reviewed for compliance with the design standards established within the CAC master plan, including landscaping and signage. A mix of material, including glass, metal features, and different textures, were used to enhance the architecture, thus creating storefronts within the flex industrial buildings. An existing landscaped intersection will remain, as the subject site is located on a corner of the CAC master plan and more landscaping will be added. Special attention to increase the amount of landscaping and eight-foot tall masonry walls are used to screen dock doors along Northrop Boulevard. Signage was established within the master plan, but did not indicate location of monument signs for each property. The proposed signage is taken from the master plan and architecturally integrated with existing signs within CAC.

Staff finds the proposal to be consistent with the goals of the General Plan, CAAP, and CAC. Planning and Zoning Commission recommends approval.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice was sent in lieu of a neighborhood meeting due to lack of adjacent residential properties. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of March 18, 2020.

Motion to Recommend Approval.

In Favor: 7      Opposed: 0

During the Study Session, the Commission requested elevations along the west side of both buildings be enhanced by adding an orange panel and a steel canopy, as seen on the front elevation, wrapping the corner of the buildings. In addition, commissioners requested the orange, metal fin be added to the western elevations. The elevations have been updated to represent the Commission's recommendations; therefore, no additional stipulations were added.

#### Recommendation Action

##### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan, CAAP, and CAC master plan, Planning and Zoning Commission recommend the City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Hopewell Chandler Airport Center" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0066, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 3673 in case DVR04-0037 Chandler Airport Center, except as modified by condition herein.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

8. BOARDS AND COMMISSIONS APPOINTMENTS.

BACKGROUND FROM COUNCIL MEMO:

Airport Commission

Reappoint David Sperling

Appoint Robert Bozelli

Architectural Review Committee

Reappoint Bryan Saba

Arts Commission

Reappoint Jose Benavides

Reappoint Julie Ray

Reappoint Farhana Ahmed

Board of Adjustment

Reappoint Dean Ouellette

Reappoint Dan Henderson

Reappoint Bill Vasquez

Board of Appeals

Reappoint Dennis Street

Appoint Heather Mattison

Citizen's Panel for Review of Police Complaints and Use of Force

Reappoint Shadow Asgari

Reappoint William Wallace

Reappoint Aaron Harris

Appoint Samuel Enoch

Appoint Jen Rooney

Cultural Foundation

Reappoint Christopher McMullan Reappoint David Woodruff

Reappoint Steena Murray

Reappoint Sherida McMullan

Reappoint Lorah Neville

Appoint Christian Lopez

Economic Development Advisory Board

Reappoint Ryan Nous  
Reappoint Larissa Spraker  
Reappoint Jonvieve Bryant

Health Care Benefits Trust Board

Reappoint Michael Bohnert

Housing and Human Services Commission

Reappoint Catrina Ulery  
Reappoint Cynthia Hardy  
Reappoint Greg Rodriguez  
Reappoint Antonio Alcala  
Appoint Heather Mattison

Human Relations Commission

Reappoint Shahzad Amjad  
Reappoint Maria Decker  
Reappoint Ozetta Kirby

Industrial Development Authority

Appoint Charles Ertl

Library Board

Reappoint Shanesah Davis  
Reappoint Roman Orona

Mayor's Committee for the Aging

Reappoint Prannath Tiku  
Reappoint Barbara Mullins  
Appoint Ellen Peck  
Appoint Craig Shoemaker

Mayor's Committee for People with Disabilities

Reappoint Joan Barron  
Reappoint Lisa Davis  
Reappoint Jeff Deaver  
Appoint John Marlatt

Museum Foundation

Reappoint Holly Metz  
Reappoint Dorothy Ruoff  
Reappoint Joan Clark

Neighborhood Advisory Committee

Reappoint Eshe Pickett

Appoint Brian Fox

Parks and Recreation Board

Reappoint Melanie Dykstra

Planning and Zoning Commission

Reappoint George Kimble

Reappoint Rick Heumann

Reappoint David Rose

Reappoint Robert Klob

Public Safety Personnel Retirement System Local Board: Fire

Reappoint Carlos Vargas

Appoint Scot Jensen

Public Safety Personnel Retirement System Local Board: Police

Reappoint George Arias

Appoint Daniel Shellum

Workers' Compensation Trust Board

Reappoint Michael Bohnert

9. CLAIMS REPORT, for Accounts Payable Payments for Quarter ending March 31, 2020.

BACKGROUND FROM COUNCIL MEMO:

The claims report for the Accounts Payable payments for the quarter ending March 31, 2020, is on file in the City Clerk's office (or is attached here if viewing the agenda online) per Section 3-6 of the City Code: The City Manager/designee shall advise the City Council of all claims and demands paid, together with the name of the vendors or payees, dates paid and amounts.

10. AGREEMENT NO. IT8-920-3889, AMENDMENT NO. 2, with Neudesic Managed Services, for annual application support services, for the period of May 1, 2020, through April 30, 2021, in an amount not to exceed \$123,000.

BACKGROUND FROM COUNCIL MEMO:

The Capital Projects Division manages approximately \$900 million in Capital Improvement Projects (CIP). In 2018, the division implemented a computerized project management system to leverage project information for transparency, more efficient management, and automated reporting.

Phase 1 consisted of developing the Core Portal, where all projects have high-level reports within a system dashboard that display the status of each project's life-cycle. Phase 2 leveraged the contract fee schedules for streamlined and automated payments to consultants and contractors. Phase 3 and Phase 4 are planned for the future and will allow automated data entry and creation of documents including document sharing, team communication and integrated project

calendars. Neudesic Managed Services is the vendor that provides applications support and maintenance for this system.

11. NO ITEM.
12. AGREEMENT NO. PW0-745-4183, with M.R. Tanner Development and Construction, Inc., for street maintenance repaving, surface seal and repair services, for a one-year term, May 1, 2020, through April 30, 2021, with the option of up to four additional one-year extensions, in an amount not to exceed \$3,440,094.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division has an established pavement management restoration and repaving program that addresses the preventative maintenance and rehabilitation needs for the City-maintained roadway sections. An untreated life expectancy of a newly constructed or repaved roadway is between 20 to 30 years and is dependent upon a variety of factors, (quality of construction, traffic loads, types of traffic, weather, oxidation, and the sun) all play as factors in the life span of a roadway. The City's Transportation Division pavement management restoration and repaving program includes asphalt repaving, surface seals, and repair work on roadway sections that are in need of various preventative maintenance based on a recent roadway assessment of the City's Pavement Quality Index.

Strategically programmatic preventative maintenance efforts extend the life expectancy of a roadway section keeping them in the best possible condition pushing out and in some cases eliminating the need for costly reconstruction. Full reconstruction can cost up to \$30/square yard (sy) in some cases compared to asphalt repaving \$15/sy, slurry seal \$2/sy, and fog seal \$0.85/sy respectively. This agreement will be used to rehabilitate an estimated 84 lane miles of roadway in Chandler.

13. PROFESSIONAL SERVICES AGREEMENT NO. ST2003.201, AMENDMENT NO. 1, with Sunrise Engineering, Inc., for design of the Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road), in the amount of \$116,610, for a revised contract amount not to exceed \$387,463.

BACKGROUND FROM COUNCIL MEMO:

On February 13, 2020, City Council approved an agreement with Sunrise Engineering, Inc., for design of the Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road). The project provides for the addition of a third southbound lane on Gilbert Road, between Ocotillo Road and Powell Place, a new traffic signal just south of Ocotillo Road to serve the Fry's and Sprouts shopping centers, as well as remaining segments of a third northbound lane outside of Chandler Unified School District's (CUSD) frontage.

Staff has negotiated an Intergovernmental Agreement (IGA) with CUSD, which also appears on this City Council agenda, for the City to perform the design and construction along the CUSD's frontage. This additional work will be paid for by CUSD to ensure seamless integration of CUSD's new school project and the City's Gilbert Road Improvements project.

Amendment No. 1 to Professional Services Agreement No. ST2003.201 provides for additional design services, per the IGA, to complete the design of the northbound Gilbert Road improvements along CUSD's frontage, which includes adding a third northbound lane on Gilbert Road from the north end of the school property to approximately 250 feet south of Brooks Farm Road intersection, and new traffic signals at the intersection of Gilbert Road and Brooks Farm Road and at the new school's main entrance on Gilbert Road. This will also include turn lanes and deceleration lanes, curb and gutter, sidewalks, storm drainage, signing, striping, erosion control, and other related or incidental work along the school's Gilbert Road frontage. These additional design services will be completed concurrently with the existing design underway for the City's Gilbert Road Improvements.

14. PURCHASE of Microsoft software licenses, from CDW-G, utilizing State of Arizona Contract No. ADSP017-149774, in an amount not to exceed \$351,538.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler has traditionally purchased various Microsoft software products on an as-needed basis to support critical business services. Several core business applications utilize these Microsoft software products and their usage is increasing. These applications include utility billing, employee timekeeping, budgeting, document imaging, and many others. This purchase also includes Windows 10 Enterprise Upgrade licensing that will be administered under an Enterprise Agreement. This will give the City better pricing, allow for future upgrades without the need for a new purchase and secure ongoing support for these applications.

This memo covers the third annual payment due under the agreement with the addition of Citywide Windows 10 Enterprise upgraded licenses.

15. AGREEMENT NO. WH7-670-3783, AMENDMENT NO. 3, with Sprinkler World of Arizona, Inc., Ewing Irrigation and Landscape Supply, Horizon Distribution, LLC, and Best Plumbing Specialties, for plumbing and irrigation supplies, for a period of one year, March 23, 2020, through March 22, 2021, in a combined total amount not to exceed \$200,000.

BACKGROUND FROM COUNCIL MEMO:

The City purchases a variety of plumbing and irrigation supplies that are stocked in the City's Central Supply warehouse. These items are primarily used by Parks, Building & Facilities, Housing, Streets, and Water Distribution. Under this Agreement, these divisions also have the ability to purchase items direct from the contracted suppliers. The products available under this Agreement include couplings, faucets, filters, polyvinyl chloride (pvc) pipe, sprinklers, toilet repair kits, and valves.

16. PURCHASE of traffic signal maintenance services, from Roadway Electric, LLC, utilizing City of Mesa Contract No. 2017135, in an amount not to exceed \$530,000.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division is responsible for the maintenance of 224 signalized intersections and over 29,500 streetlights. Although City staff manages the day-to-day maintenance of these assets, the rehabilitation of the underground infrastructure for the signals

and light emitting diode (LED) streetlight upgrades are completed by a contractor that offers specialized services for this type of work.

This contract will be used for the rehabilitation of existing underground infrastructure of approximately three intersections including installation of necessary conduit, junction boxes, and wiring. This contract will also be used for the upgrade of approximately 1,300 streetlights to LED that is included in the current year's budget. These LED streetlight replacements are estimated to save more than \$42,000 in energy costs each year of operation.

17. PURCHASE of network fiber cabling services, from Tel Tech Networks, Inc., utilizing State of Arizona Contract No. ADSPO17-169126, in the amount of \$63,983.44.

BACKGROUND FROM COUNCIL MEMO:

The City's Supervisory Control and Data Acquisition (SCADA) System Master Plan was completed in October 2019. The SCADA System Master Plan assessed the system's resources and capabilities compared to industry best practices. Recommendations from the report included several improvement projects for implementation, including conversion of the control system to a fiber optic system.

The Tumbleweed Recharge Facility, situated at 2250 S. McQueen Road, is located in and around Tumbleweed Park and includes ten aquifer storage and recovery (ASR) wells. ASR wells are critical to the City's reclaimed water system, either pumping water to meet demands or storing water when demands are low. Currently, the ASR system is controlled using an outdated and unreliable radio system. This project will begin the conversion of the ASR control system to a fiber optic system offering better reliability, faster SCADA control of the wells, and real-time data download. Additional future capacity will be made available as part of the project to provide fiber connections to the system as needed.

18. PURCHASE of vector manhole cockroach treatment services, from Peoria Pest Control, Inc., utilizing Pima County Agreement No. MA-PO-16-196, for a two-year term, March 7, 2020, through March 6, 2022, with the option of one additional two-year extension, in an amount not to exceed \$200,000.

BACKGROUND FROM COUNCIL MEMO:

Vector control is part of normal maintenance of the City's wastewater collection system. The City anticipates treating 9,500 manholes and 3,500 sewer cleanouts per year. Municipalities are required by State law to obtain pesticide licenses to apply insecticides in manholes for extermination of sewer roaches if self-performing the work. Staff has determined the most cost-effective solution for controlling roaches in the wastewater collection system is to engage the services of a licensed exterminator to apply insecticide paint to the interior of manholes.

19. NEW LIQUOR LICENSE, Series 9, Liquor Store Liquor License, for approval to add sampling privileges to the existing State Liquor License No. 09070459s, for Bashas' Inc., dba Bashas' #161, located at 4940 S. Gilbert Road.

BACKGROUND FROM COUNCIL MEMO:



Bashas' Inc., dba Basha's #161 has been in business at this location since May 20, 2006 at which time Council approved a Series 9, Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 9 State Liquor License No. 09070459. The Arizona State Legislature amended A.R.S. Section 4-206.01(J) effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

The following application to add sampling privileges to the existing liquor license was posted for hearing on April 23, 2020:

Series 9, Liquor Store Liquor License, for Michael Joseph Basha, Agent, Bashas' Inc., dba Bashas' #161, located at 4940 S. Gilbert Road.

With a Series 9, Liquor Store Liquor License, the business may sell all alcoholic beverages for off-premise consumption only.

20. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Masoud Kamranian, Agent, BP Food Management LLC, dba Buon Padre Pizza, located at 1080 E. Pecos Road.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on April 23, 2020:

New License, Series 12, Restaurant Liquor License, for Masoud Kamranian, Agent, BP Food Management LLC, dba Buon Padre Pizza, located at 1080 E. Pecos Road, Suite 23.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

21. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Gurmeet Kaur Nagra, Agent, SSTs Corporation, dba Chicago's Pizza With A Twist, located at 3950 W. Ray Road, Suite 1.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on April 23, 2020:

New License, Series 12, Restaurant Liquor License, for Gurmeet Kaur Nagra, Agent, SSTs Corporation, dba Chicago's Pizza With A Twist, located at 3950 W. Ray Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

22. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Shabir Mehboob Pathari, Agent, Burgerim Arizona LLC, dba Burgerim, located at 1515 S. Price Road, Suite 4.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on April 23, 2020:

New License, Series 12, Restaurant Liquor License, for Shabir Mehboob Pathari, Agent, Burgerim Arizona LLC, dba Burgerim, located at 1515 S. Price Road, Suite 4.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

23. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, Maskadores Taco Shop #15 Chandler LLC, dba Maskadores Taco Shop, located at 2100 W. Chandler Boulevard, Suite 38.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on April 23, 2020:

New License, Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, Maskadores Taco Shop #15 Chandler LLC, dba Maskadores Taco Shop, located at 2100 W. Chandler Boulevard, Suite 38.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

24. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Jeffrey Craig Miller, Agent, Founding Fathers Kitchen LLC, dba Founding Fathers Kitchen, located at 1050 W. Ray Road.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on April 23, 2020:

License, Series 12, Restaurant Liquor License, for Jeffrey Craig Miller, Agent, Founding Fathers Kitchen LLC, dba Founding Fathers Kitchen, located at 1050 W. Ray Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

25. ON ACTION.
26. FINAL PLAT, PLT19-0058, LA VALENCIA, for a 65-lot single-family subdivision on approximately 13.29 acres, located at the southeast corner of Lindsay and Riggs roads.

BACKGROUND FROM COUNCIL MEMO:

Approximately 13.29 net acres. Zoned Planned Area Development (PAD) for 65 lot single-family residential subdivision; approved October 2019

Purpose

The plat creates the individual residential lots and tracts for a new single-family subdivision development and establishes and delineates the private streets. It adds right-of-way and also creates and shows the necessary easements for access, water lines, drainage, and utilities.

Recommended Action

Upon finding consistency with the General Plan and the approved zoning, Planning staff recommends the City Council approve the Final Plat.

27. RESOLUTION NO. 5366, authorizing grant agreements with the Federal Aviation Administration (FAA) to accept Coronavirus Aid, Relief, and Economic Security Act (CARES Act) grants for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreements and all other documents necessary to effect the agreements.

BACKGROUND FROM COUNCIL MEMO:

On March 27, 2020, the President signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) into law. The Act provides nearly \$10 billion to eligible US airports to prevent, prepare for, and respond to coronavirus impacts, including support for continuing airport operations. Federal funds are available to (1) keep airports in reliable, safe operation to serve the aviation industry, the travelling public, and support the economy (2) keep airport and aviation workers employed and (3) keep airport credit ratings stable.

Per the Act, the Chandler Municipal Airport anticipates receiving an allocation for aviation purposes and the FAA is encouraging airports to spend funds expeditiously. The initial round of grant funding is designed to be used for payroll, operational, and debt service costs.

FINANCIAL IMPLICATIONS:

No city matching funds are required in the initial round of funding.

ACTION AGENDA DISCUSSION:

25. DENIAL OF LIQUOR LICENSE, Series 6, Bar Liquor License, for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

MAYOR HARTKE called for a staff presentation.

DANIELLE WELLS, Revenue and Tax Manager, introduced Action Item No. 25. Ms. Wells said staff received the liquor license application from the Department of Liquor on January 24, 2020. The application also showed an interim liquor license at that time. An interim liquor is a conditional permit that allows the establishment to continue to serve alcohol until they receive approval for their own. This could be cancelled at any time by the Department of Liquor if they see cause. The City is a local governing body that can provide a recommendation based on the applicant's personal qualifications and in this case, not

the location since a Series 6 license was issued for this location to the prior owner. The applicant bears the responsibility to prove they are reliable, capable, and qualified and in the best interest of the community will be served by the issuance of the license. A copy of the application was posted on January 29, 2020 with the 11x17-poster board on the establishment in a conspicuous place in front of the business to allow those near the property to file written arguments in favor of or in opposition. Ms. Wells said they have not received anything at this time.

MS. WELLS said the City's solicitation for written comment is during the protest period, and if that is expired there is still an opportunity for protest either for or against to go the Arizona Department of Liquor Licenses. Ms. Wells said staff inquired if an entertainment use permit was needed from the Development Services Department, and none was needed. Ms. Wells said staff also requested a recommendation from the Police Department. On April 13, 2020, staff received a recommendation for denial. This decision was based on the executive order by the Governor that was issued on March 19, 2020, to have the bars closed. There was an incident at the establishment on March 21, 2020. Ms. Wells said the Chandler Police Chief would be making a presentation with more detail. Ms. Wells said on March 26, 2020, the interim liquor license was cancelled by the Department of Liquor Licenses and Control.

MS. WELLS gathered input based on the violations from that incident. Input was gathered from the Departments and was compiled on a memo for Council. Staff is recommending denial due to the qualifications of the applicant as the applicant did not demonstrate they are qualified during the interim period. If disapproval is recommended the hearing would be held at the Arizona Liquor Board and the City would be able to support their recommendation and hear any other protests from other parties. The Department of Liquor License and Control is also providing a protest at that time. Ms. Wells said the Board would hear arguments and either approve or deny the license. If it were denied the applicant could appeal. If it ultimately were denied the applicant would not be able to apply for a liquor license anywhere for a year.

COUNCILMEMBER STEWART asked who normally determines qualifications.

MS. WELLS said they gather information from the Development Services Department and the Police Department and in this case, the qualifications were based on the recommendation from the Police Department. Violations had occurred during that time with the incident. Ms. Wells said their recommendation is based on the recommendation of the Police Department.

COUNCILMEMBER STEWART asked what the specific parameters are for the qualifications.

MS. WELLS said she did not have a list of specifics.

COUNCILMEMBER STEWART asked what the metrics were that they measured against.

MS. WELLS said they do not have a guideline such as that.

COUNCILMEMBER McCLYMONDS said this is the first denial of a liquor license that he has seen. He asked if they were to vote against it and the Council voted to not deny it, what would happen.

MS. WELLS said if Council recommended approval the Arizona Department of Liquor License and Control would hear that recommendation and any additional protests. Ms. Wells said there would be no automatic hearing and they would just give the recommendation for approval.

COUNCILMEMBER McCLYMONDS clarified if they vote for approval, the license is given approval.

MS. WELLS said yes. The last denial that was done was in 2007.

COUNCILMEMBER HUANG asked if the restaurant would be able to apply for it again.

MS. WELLS said if it resulted in denial, and after all of the appeals, the applicant would not be able to apply anywhere for one year.

COUNCILMEMBER HUANG clarified that it was just one year.

MS. WELLS said yes.

VICE MAYOR LOPEZ asked if there is a liquor license that was only temporary.

MS. WELLS said there is not a temporary license.

MAYOR HARTKE asked what the duration is for the liquor license.

MS. WELLS said it is until they close or it is transferred to another person.

COUNCILMEMBER ORLANDO asked if the City could recommend the interim license again or if there are alternatives to just a yes or no answer.

KELLY SCHWAB, City Attorney, said the recommendation could be made, but the Arizona Department of Liquor has jurisdiction. The license is either approved or denied and it goes on unless it is cancelled in some manner. Ms. Schwab said she did not believe the Department of Liquor License takes City recommendations on interim licensing.

COUNCILMEMBER ORLANDO asked if the Council could make a recommendation outside of a yes or no answer.

MS. SCHWAB said they could make a different recommendation, but the Department of Liquor License would ultimately approve or deny the license.

VICE MAYOR LOPEZ asked if the Council could recommend revoking the license if the establishment is an unsafe place for the community.

MS. WELLS said there is a revocation process the Arizona Department of Liquor License and Control has and they would be the body that would go through that process. It would not be for Chandler to do that.

VICE MAYOR LOPEZ said they could recommend it, but it would be the State to conduct it.

MS. WELLS said yes.

MAYOR HARTKE asked if they had a part in the initiation of the revocation process.

MS. WELLS said she believes they could be part of the initiation process or provide additional information to them. Ms. Wells said if they do deny the license then staff would be at the hearing and would be able to provide the background and provide some solutions such as the interim license.

MAYOR HARTKE said before staff is a recommendation to deny on the Item.

COUNCILMEMBER ROE asked where the summary on the dais was from.

MARSHA REED, City Manager, said the applicant put the information together and sent it over.

SEAN DUGGAN, Police Chief, said the owners of El Nuevo Coyote applied for a liquor license and an interim permit was issued towards the end of January. Chief Duggan said from February 1, 2020, to March 21, 2020, the Chandler Police Department had responded to the bar 10 times in a relatively short duration. The majority of the calls were disturbance related such as fights, assaults, and disorderly people inside the bar. Of the 10 calls, two had resulted in an arrest. Chief Duggan said on March 21, 2020, was the day after the Governor's executive order going into effect mandating that all bars close. Chief Duggan said he would be reading excerpts from the police report from the Senior Lieutenant who was acting as Watch Commander that night. Chief Duggan said this was on camera and he had the opportunity to watch the recordings from that evening.

CHIEF DUGGAN said that night the Lieutenant was doing a routine patrol in his marked police car down Arizona Avenue and he saw three males knocking on the front door of the El Nuevo Coyote Bar. This drew his attention because all bars were to be closed. Chief Duggan said the Lieutenant pulled into the parking lot and asked the three men what they were doing and one replied they were going to the bar. The Lieutenant informed them that the bar should be closed, but one of the subjects stated there were people inside and security told them to go to the back door but it was locked. Music could be heard inside and all of the interior lights were on. The Lieutenant checked the front door and it was locked. He knocked and no one responded so he went around to the back and encountered two other males that were standing at the door. The Lieutenant asked what they were doing and they said they were told to go to the back door. At that point, the Lieutenant walked to the north side of the building where he observed four other men standing in the parking lot, one of which was wearing a shirt that said security. A second male, who was there was later identified as one of the owners of the bar, walked up to the Lieutenant and asked what was going on.

CHIEF DUGGAN said at the time the Lieutenant did not know who Mr. Hoover was and directed his attention to the man wearing the security shirt. The Lieutenant asked why the bar was open and the security guard said he did not know what he was talking about and went on to deny he was an employee of the bar. The Lieutenant asked about the shirt and the man's response was that it was just a shirt. At that point, other officers began to arrive and they went to the door and knocked for a number of minutes. The music stopped and a man came to the door and was later identified as Alex Castillo, one of the owners. The Lieutenant explained why the officers were there, that it was a violation of the Governor's executive order, and that the bars were not supposed to operate. At that point, Mr. Castillo

responded the bar was not open and that they were holding a private party for family and friends. Mr. Castillo said he was not aware of the executive order because he had just returned from Mexico earlier that day. The Lieutenant tried to enter the door, which was open, and then Mr. Castillo stepped in front blocking his path. The other officers on scene intervened and asked Mr. Castillo to step aside.

CHIEF DUGGAN said Mr. Castillo stepped aside and the officers entered the bar and counted about 30 to 35 people. Most everyone had some type of alcoholic beverage in their possession. The Lieutenant approached the bartender and asked if she was aware of the Governor's order and she said yes. Officers then informed everyone in the bar that they were in violation of the order and that they had to leave. The Lieutenant turned from the bar towards the door where he spoke with Mr. Hoover and Mr. Castillo and the man wearing the security shirt. The Lieutenant told them that it did not matter how they categorized the event and because it was a licensed business establishment it is mandated to follow the law. This also includes not locking any of the doors while patrons are inside. Both Mr. Hoover and Mr. Castillo were argumentative. Mr. Hoover became belligerent and antagonistic by continuing to diverge from the subject stating it was a private gathering with no money transaction. While they are having this discussion, patrons are leaving and at least three patrons approached the police officers inside the bar and asked if they would be getting their 20 dollars back. They had all paid a 20 cover charge to enter the bar.

CHIEF DUGGAN said that ended the discussion with the bar owners. The Lieutenant said he offered voluntary compliance and would not cite anyone. The officers remained on scene until all of the bar patrons left. A short time later, they observed the male wearing the security shirt returning money to patrons. This is the same person who initially denied being employed by the bar. Chief Duggan said the report was completed and sent to the Arizona Department of Liquor, which is required by law. They subsequently revoked the temporary liquor license on March 26.

CHIEF DUGGAN said factoring in the volume of disturbance calls, the encounter that evening, and the deceptive and uncooperative behavior of ownership; it was the Police Department's suggestion that a liquor license is not issued to the applicants.

COUNCILMEMBER STEWART asked if Chief Duggan had ever recommended a denial of a liquor license in the past.

CHIEF DUGGAN said about a dozen times, but not in Chandler.

COUNCILMEMBER STEWART said there were some lies and some laws broken, and asked if that was the primary reason for the recommendation of denial.

CHIEF DUGGAN said the 10 calls were a concern, but the primary area of concern was the level of deceptiveness of the applicants. They are people the City is supposed to have a trustworthy relationship with and attempting to not allow the officers in is another violation. Any officer is allowed to enter a bar while they are serving alcohol to do inspections. Even that blatant act is severe and the constant deceptiveness during the encounter is a great concern and an indication of behavior moving forward.

MAYOR HARTKE said a week later there were posts on social media regarding El Nuevo Coyote and asked if Chief Duggan knew the details of that.

CHIEF DUGGAN said there was a Facebook post advertising a party. It was advertised as a private party at a residence in the proximity of El Nuevo Coyote. The most obvious concern is that the experts and the Governor are recommending social distancing and not gather in more than groups of 10 people. The applicants were suggesting they were going to hold a party, but it did not play out. Agents from the Department of the Liquor License and Control reached out to the promoters of that and had a conversation and the event did not occur.

MS. REED said the Code Enforcement Department responded to that as well.

LEAH POWELL, Neighborhood Resources Director, said Code Enforcement did respond as they were asked to provide some educational information. Ms. Powell first looked at the event on Facebook to see the details of the planned event. Stephen Erno, Neighborhood Preservation Manager, did give them a call and spoke with the owners and was told it was a private function. Mr. Erno called to their attention that it was posted on Facebook and appeared to be a public event because of how it was posted on Facebook. Shortly after that, the event was removed.

COUNCILMEMBER ORLANDO asked how the 10 incident calls compared with the new ownership and if it was on par with the old ownership.

CHIEF DUGGAN said they would need to review the logs in more detail for each nature of the calls. The establishment across the street during the exact same period had four calls with no arrests. The El Nuevo Coyote had 10 calls for service and two arrests.

COUNCILMEMBER ORLANDO asked if they are trying to improve the process or if this is a continuation of the behaviors and attitudes.

CHIEF DUGGAN stated there is a continuation document and there is a new level of deceit.

MAYOR HARTKE asked the applicants to present.

ALEJANDRO CASTILLO, 320 W. Oak Street, Nogales, AZ, 85621, said he is one of the new owners of El Nuevo Coyote Sports Bar. Mr. Castillo said they are first time business owners that are reliable, credible, qualified, and are serving the best interest of the community. Mr. Castillo requested that their license be recommended. Shawn Hoover has been a Chandler resident since he was born and he and his family own homes in Chandler. Mr. Hoover went to Corona Del Sol High School and attended Mesa Community College. Mr. Castillo was born and raised in Tempe and graduated from Valley Christian High School and attended Arizona State University. Mr. Castillo and Mr. Hoover met and became best friends in 2008 while umpiring baseball. Mr. Castillo said they both worked together in professional baseball for two years and they have continued to work little league, high school baseball, travel baseball, and now currently work college baseball together.

MR. CASTILLO said they both have worked together at the Hawthorne Suites in Chandler where they are the Area General Manager and the Area Sales Director. Mr. Hoover is also the General Manager at the Hawthorne Suites in Tempe and Mr. Castillo is a licensed process server in the State of Arizona. Mr. Castillo said they are first time business bar owners and are were very excited to purchase a bar in Chandler. Chandler is where they wanted to start their business. Their number one priority is to develop



a great partnership with the City of Chandler with the Chandler Police and the community. Mr. Castillo said the purchase of the business was very complex and there were many problems and issues, which in turn took about 14 months to close on the property. Under the previous ownership, the business was a liability to the City and has been problematic for the Chandler Police. The goal in purchasing the business was to be able to provide jobs and to bring revenue to the City that would stay local.

MR. CASTILLO said this was the only Hispanic bar in Chandler and the only Hispanic bar within a 12-mile radius. Mr. Castillo said they have done some renovations to the bar and have seen an increase in patrons from neighboring cities. Mr. Castillo and Mr. Hoover have been involved in the community from a young age and have donated time and money to many organizations in the Valley. They have both been good law abiding citizens, good neighbors, and have clean criminal records. In the summer of 2018, at the Hawthorne Suites in Chandler, the Chandler Police requested their assistance in conducting an undercover sting operation for drugs and prostitution at the hotel. They were willing to provide additional information and assist with anything they could during the investigation. The investigation led to more than five arrests.

MR. CASTILLO said their goal was to help the City, the residents, and the Police with anything they can do with an end goal of becoming the most upstanding bar in Chandler. Mr. Castillo said they are in the process of joining the Chamber of Commerce. During the shutdown, Mr. Hoover and Mr. Castillo made extreme efforts to improve the training program and to ensure the employees had updated liquor certifications and ongoing education. They hired Arizona Liquor Industry Consultants as their exclusive training liquor license agents. This includes all bartender, server, management, and security training. Mr. Castillo said they are in the process of getting the kitchen back open to offer food as well as a new logo and color scheme. Due to COVID-19 their timeline has been pushed back. COVID-19 is something the City, State, and Country has never faced.

MR. CASTILLO said when the Mayor declared an emergency on March 19, 2020, section 3 of the order stated that public gatherings such as bars, clubs, libraries, gyms and other places where groups of excess of 10 people congregated were urged to implement social distancing. During the event on March 21, 2020, that is what they had read according to the City of Chandler's website and that was what their understanding was. Mr. Castillo said they had a private party on the books two months before for a private birthday party that was not open to the public. Mr. Castillo said they were not trying to be deceitful and were trying to be as transparent as possible. When the Lieutenant arrived, he spoke to Mr. Castillo at the front door. At no time did the officer explain he wanted to go into the bar, he just took a step forward. Mr. Castillo said his first reaction was to take a step backwards. The Lieutenant still took a step forward, made contact with Mr. Castillo, and brushed against his shoulder. Mr. Castillo said their normal beat officer, who they have a good relationship with, said the Lieutenant is trying to get in and you cannot block him. Mr. Castillo said he thought the officer was trying to make contact with him and did not want to cause any issue with the Chandler Police.

MR. CASTILLO said Mr. Hoover and himself are very qualified, credible, and upstanding citizens and members of the community. Along with both being reliable and qualified as bar owners they have the proper training and support from a very credible alcohol consulting company. Mr. Castillo said they are good for the community and thanked everyone who took time to submit comments in their support. Mr. Castillo said they are responsible, caring, and transparent. Mr. Castillo said at this time they would like to offer an apology to the City, the Council, and the Chandler Police for any misunderstandings, negative

interactions, or misinterpretations that were had on March 21, 2020. Mr. Castillo said that is not the way they act and if it was deemed inappropriate, they apologize. Mr. Castillo apologized to Chief Duggan. Mr. Castillo said they all share a common goal to run a clean upstanding law-abiding business and employee Chandler residents and generate revenue for the City. Mr. Castillo said Ephesians 4:32 says be kind to one another tenderhearted forgiving one another as God in Christ forgave you. Mr. Castillo said they are asking for forgiveness and the opportunity to show what they are able to do with this business. Mr. Castillo said if there is something that needs to be fixed, they are the first that are ready to fix the situation.

MAYOR HARTKE said the Council did receive comments. There were 49 that did oppose denial and 40 of those were Chandler residents.

COUNCILMEMBER HUANG asked when Mr. Castillo assumed ownership.

MR. CASTILLO said they assumed ownership on November 26, 2019.

COUNCILMEMBER HUANG asked if they had ever done something like this before.

MR. CASTILLO said no, they are first time business owners and first time doing anything with a bar.

COUNCILMEMBER STEWART asked for more clarification on the email that was sent with the comparison of Police calls from other bars in the area in 2019. Councilmember Stewart asked what a trespassing subject refusing to leave meant.

SHAWN HOOVER, 819 E. Erie Street, Chandler, AZ, 85225, said when cleaning up the bar they wanted to ensure certain individuals did not enter the bar. One example would be those who were previously being intoxicated. With the trespass warnings, the owners have the right to refuse entry to the establishment. After asking multiple times on some of these occasions, the person refused to leave. The next course of action in this situation is to call the police.

COUNCILMEMBER STEWART said according to the list that they have had six disorderly conduct calls and asked for more information.

MR. HOOVER said this bar is kind of rough and Mr. Castillo and himself knew that going in. They have learned more from the Police Department and other patrons. Their background is to clean up properties and they do not want any prostitution or drugs at the bar. Mr. Castillo said the first month or two was the owners calling the Police to show the people they are cleaning up the bar and they are not playing games. They are serious about cleaning it up. Mr. Hoover said they want it to be a Hispanic bar where guests can listen to live music two nights a week, have a good time, and be a neighborhood bar. Mr. Hoover said he lives six blocks behind the bar and lives in the neighborhood.

MAYOR HARTKE asked about the Facebook flyer that went out that listed an event as being sponsored by the bar and if it was held at his house.

MR. HOOVER said it was a donation party as they were seeing other bars do for their employees. Mr. Hoover said they had to lay off the staff as they are not open. Mr. Hoover said the flyer was in Spanish

and the donations were going to go to the bartenders and employees. Mr. Hoover said they received a call from the City and in trying to navigate the COVID-19 situation, they decided to not have the event. Mr. Hoover said they did remove the post and the party never happened.

MAYOR HARTKE said he received a copy of the post, which said hurry and sign up 150 spaces left. Mayor Hartke said he is concerned because this was sent out on behalf of the bar at a private residence, but either way this was a week after the Governor's Statement and after the Police talked to them.

MR. CASTILLO said Facebook allows you to invite your friends and where it says 150 spots is where friends could sign in and say they are going to attend. It is an automatic feature through Facebook.

MAYOR HARTKE said in behalf of the name of the bar a large event was being posted for a private residence.

MR. HOOVER said after speaking with staff and learning more about what was happening they decided it was not the best situation to have that post. The post was removed and nothing further happened.

COUNCILMEMBER ROE asked if they were operating on an interim license.

MR. HOOVER said yes.

COUNCILMEMBER ROE asked when the interim license was issued.

MR. HOOVER said in January.

COUNCILMEMBER ROE said in January they were given an interim license to serve alcohol at the bar.

MR. HOOVER said that was correct.

COUNCILMEMBER ROE said a liquor license is a very big deal and people have to jump through some hoops to get the license. Councilmember Roe said Mr. Castillo and Mr. Hoover seem to know the history of the facility and yet even while on an interim license with or without COVID-19 the liquor laws were violated. Councilmember Roe asked if that was true.

MR. HOOVER said there were no violations other than the COVID-19 incident on March 21, 2020. Mr. Hoover said they followed the Mayor's post on social media and on March 19, 2020, the Mayor said bars could be open. On Friday, the Governor issued his executive order, but they work bar hours so they sleep during the day and they did not see his order.

COUNCILMEMBER ROE said they have an interim license that they are trying to clean up. With or without COVID-19 they have an obligation if an event is being held and public safety comes to the door they have an obligation to let them in. Councilmember Roe said he has not seen the video, but he could only go by what Chief Duggan, Mr. Castillo and Mr. Hoover are saying. Councilmember Roe said there was a misunderstanding, but there was some untruthfulness because they mislead the officers a bit and there was talk of refunding the customer's money. Councilmember Roe said it would be difficult him to recommend they get the liquor license.

COUNCILMEMBER ORLANDO said some of the Council is looking for some flexibility of what is happening. Councilmember Orlando said they are asking him to take their word in the historical perspective of what has been going over a responsible police officer. Councilmember Orlando asked what they are going to do if the bar is open again and resources must be sent over and over again. Councilmember Orlando said the truthfulness bothered him. Councilmember Orlando said he is a fellow umpire and as an umpire, there is no gray area. Either they deliberately deceived the officers or they did not. Councilmember Orlando said they need to convince them what would happen if they were to recommend the liquor license.

MR. HOOVER said after the event they looked into proper training and hired Craig Miller's company, who used to be a detective for the Arizona Liquor Board, within the last 30 days to ensure each employee is updated and current on all liquor laws and security tactics. Mr. Hoover believes their numbers are decreasing compared to the other bars in the area. Mr. Hoover said he is also a tax paying citizen and would not want to waste money on something that was not going to be fixed. Mr. Hoover said they have spent money on remodeling the bar to ensure it is a higher class bar. The next project would be to work on the outside. Mr. Hoover said they are also going to rebrand and rename to get perception of El Nuevo Coyote gone with something new.

COUNCILMEMBER STEWART asked what would happen if they did not get the license and they were suspended for a year.

MR. HOOVER said the bar would be foreclosed as they would not have a years-worth of rent. Mr. Hoover said they own the property, but they have to make a mortgage payment each month. Through the COVID-19 situation, he is not sure what the value of the bar would be or the value of the land. The area is zoned for a bar or restaurant and with all of the new social distancing rules he was not sure what would happen. The City of Chandler would lose a Hispanic bar and that neighborhood is Hispanic.

COUNCILMEMBER HUANG said he believes attitude is everything. Councilmember Huang said he saw them apologize to the Police Department and saw they looked very sincere and they are new owners. Being new owners, he believed they deserved a second chance and would oppose the denial. Councilmember Huang said he hoped they would keep their word.

MR. HOOVER said that is their intention and that is why they hired a consultant to help them. If this goes through the process, they would become the agent on the liquor license. If there are issues, they would be called and then it would go to the owners to fix the issue right away. Mr. Hoover said they have taken the steps to ensure they follow the Arizona Liquor Laws and keep everything up to date. They do want to provide something positive for the City. Mr. Hoover said he grew up in Chandler and his whole family is from Chandler. It is home and he would love to have a business in Chandler. Mr. Hoover apologized to the Police Department and that the situation was a misunderstanding. Mr. Hoover said they would like a second chance.

COUNCILMEMBER STEWART asked if they could extend the temporary liquor license.

MS. SCHWAB said the temporary license has been revoked.

MR. HOOVER said it was possible to get it back of the Liquor Board made that determination.

COUNCILMEMBER STEWART said if a license were issued by the State if it was given in perpetuity.

MS. SCHWAB said that is correct. The jurisdiction of the license lies with the State. The Police Department is required to provide incident reports that occur at the location, but it does not come back to the Council once the recommendation is made.

COUNCILMEMBER STEWART asked what their plan was to fix being rude to the Police Department and what they would do to ensure the bar is safe. Councilmember Stewart said they are a premier City and asked what they were going to do to be a premier business owner.

MR. HOOVER said they have reached out to Chief Duggan and apologized and asked how they could work together. Chief Duggan told them to follow the law first and then they could work together moving forward. Mr. Hoover said they had a good relationship with their beat officers. Mr. Hoover said obtaining the new company for training would allow staff to know the proper ways to do things and would reduce the calls. Mr. Hoover said the bar clientele knows they are not going to put up with the drugs and prostitution those people would not come. Mr. Hoover said they are increasing their security and have proper signage at the door. Mr. Hoover said he takes full responsibility for being disrespectful to the police officers and there was no excuse. Mr. Hoover said he admitted a mistake and wanted to prove that it was an isolated incident.

COUNCILMEMBER HUANG said if there are issues though it is important that the police be called.

MR. HOOVER said that is why they want to have a working relationship with the Police Department so that when there is an incident they are not afraid to call. Mr. Hoover said if they get the license, he would like to meet monthly with the Police Department to see if there is anything they could improve or ways to make the relationship better. Mr. Hoover said the liquor license has to be renewed every year with the State and said it is possible at that time they could give a recommendation for denial.

MAYOR HARTKE asked Ms. Wells if that was correct.

MS. WELLS said she did not believe the City has that option. Once the license is approved, it is up to the Liquor Board to make determinations.

COUNCILMEMBER McClymonds said he was hopeful he would hear positive reinforcement of the change at that location because of its history. Councilmember McClymonds said it is critical that bars have a great relationship with the police because even the best run bars still have incidents. It is the nature of a drinking establishment. Councilmember McClymonds asked if the account of Chief Duggan was accurate.

MR. HOOVER said 90%. Mr. Hoover said he did not want to get into details as they are focused on amending the relationship. Mr. Hoover said most people would not act that way towards an officer unless something was said.

MAYOR HARTKE said the actions taken are cosmetic in the bar, but the liquor license falls on the ability to run a bar. Mayor Hartke said the critical mistakes were not necessarily institutionally, but on their judgement. Mayor Hartke said the Governor mandated the bars close.

COUNCILMEMBER ORLANDO asked if a use permit is needed since they play music twice a week.

MS. SCHWAB said if it is inside she does not believe they need a use permit.

COUNCILMEMBER ORLANDO asked Chief Duggan for his thoughts on the matter.

CHIEF DUGGAN said he wanted to clarify a few things that were said. Chief Duggan said the applicants stated there were no other violations then the violation against the Governor's order. Chief Duggan said the Governor's order applied to everyone in that bar so everyone in the bar was subject to a criminal citation and that was not done on behalf of the Lieutenant's discretion. Everyone in the bar, whether drinking or facilitating it or working, was subject to that violation. In addition, all of the Title 4 Liquor Codes apply. Every door that was locked was a criminal violation. Preventing the officer from entering was a violation. At the end of the night when the patrons were exiting, the band moved their equipment to the back parking lot. One of the members of the band exited the bar with a holstered pistol at his side which is a criminal violation. There was enough in the police report for the Department of Liquor License and Control to revoke the liquor license.

CHIEF DUGGAN said he has been with the City for six years and it has been many years since a license has been denied. Chief Duggan said he has not recommended a denial since being here. Prior to Chandler, Chief Duggan was the Assistant Chief in Scottsdale for seven years and before that he was a precinct commander in the downtown area. Chief Duggan dealt routinely with the bar district which is 10 times larger than Chandler's area. Often what would cause a bar to have the license revoked were reoccurring acts of violence, but that is not the case here. In this case, the issue is more egregious because it was the actions of the owners that drew their concern and moving forward is this an indicator of a partnership between a business and the City.

VICE MAYOR LOPEZ said he understood they are two new owners that have never owned a bar before. Vice Mayor Lopez said he appreciated the apology, but it is difficult when interacting with the Police in that way in Chandler. It is hard to overcome. Vice Mayor Lopez said they are learning along the way and making mistakes. Vice Mayor Lopez said it is a difficult time for all bars and they started right at the beginning of COVID-19. It is furthering hindering the owners and denying the liquor license has the unintended consequence of foreclosure. Vice Mayor Lopez said it is a hard decision.

COUNCILMEMBER STEWART said nullification could happen in courts of laws where the consequence is egregious compared to the offense committed. Councilmember Stewart said that in Chandler they support the Police and Chief Duggan and Chandler has one of the best police forces. Councilmember Stewart said it is rare to recommend a denial. It is important to weigh the constitutionality of revoking someone's license without going through court. Councilmember Stewart said it is important to weigh the consequences compared to the offenses; if a patron wore a gun that is not necessarily the owner's fault. Councilmember Stewart said the owners being rude to the police officers and hosting a party during an executive order and having the doors locked is against the law. Councilmember Stewart said none of this had happened if COVID-19 had not happened. In the particular instance, as bad as it is, if COVID-19 does not happen then this problem does not happen. Councilmember Stewart said it is about nullifying what is going to happen as a direct result of COVID-19 and recognize the stress that everyone is feeling and look to help a business owner move forward and have an opportunity to redeem themselves.

COUNCILMEMBER McCLYMONDS said he was looking for a path where it is not a clear cut yes or no and put more discipline and guidelines.

MAYOR HARTKE said Council is a recommending body and it can only be a yes or no, but it is up to the Liquor Board.

MS. SCHWAB said that was correct.

COUNCILMEMBER STEWART asked if there is a way to table the discussion to see if there is a different path they could take that is not just a yes or no.

MAYOR HARTKE said this already came a month ago and was delayed.

MS. WELLS said they could do a continuance if Council would like to extend.

COUNCILMEMBER STEWART said that bars and restaurants may not be open soon and would like to get more information on what path they could be put on.

COUNCILMEMBER ORLANDO asked when this was to be presented to the Liquor Board.

MS. WELLS said she did not have a date at this time.

MR. HOOVER said after the City makes their recommendation it is 15 days after that. Mr. Hoover said he was given that information by their consultant.

COUNCILMEMBER ORLANDO said he is not one to sit and not make a recommendation however, he is hearing that their recommendation does not mean very much. Councilmember Orlando said he recommended that they not recommend anything to the Liquor Board and that they are neutral.

MS. SCHWAB deferred to Ms. Wells for more information.

MS. WELLS said they do have the option for no recommendation. At that point, the Liquor Board would not take the recommendation and would move forward without say from the City.

VICE MAYOR LOPEZ said he appreciated the motion and it is an interesting path to take. Vice Mayor Lopez said he would like to wait to conduct more research to see if a better solution could be reached. Vice Mayor Lopez said his concern is the unintended consequence of the property going to foreclosure and the situation getting worse.

COUNCILMEMBER ORLANDO said that is also what he is struggling with as well.

VICE MAYOR LOPEZ asked if this was already on the Liquor Board's agenda.

MS. WELLS said she was not sure. Once the Liquor Board received a recommendation they put the item on the schedule and was unsure when that would be.

COUNCILMEMBER ORLANDO said he is willing to give anyone a chance, but he also feels like if they wait what kind of data do they anticipate receiving since they cannot really be open.

MAYOR HARTKE said they currently do not have a license.

COUNCILMEMBER ORLANDO said he understood and was not sure how waiting for a decision to be made would be helpful.

MS. WELLS said the bar would not have the opportunity to reopen.

COUNCILMEMBER ORLANDO asked what they gain by tabling the discussion if the business is not operational.

COUNCILMEMBER McClymonds said by buying time they might have more information if the Council could add stipulations that are workable to the State for them to decide. For example, every night there is live music there has to be a police officer. This may not be a viable, but is an example. For the business to function they would commit to the stipulations and then when it goes to the State they would see the recommendation would include the stipulations. Councilmember McClymonds said he was unsure if they could do that.

MAYOR HARTKE said they are a recommending body and are not able to make stipulations. They look at the recommendation and have their own protests. It is a simple statement and they do not add stipulations.

MS. SCHWAB said the statute requires that the City enter an order recommending approval or disapproval within 60 days after filing the application. If the recommendation is for disapproval than a statement of the specific reasons containing a summary of the testimony or other evidence supporting the recommendation for disapproval. Ms. Schwab said there is no legal authority to attach conditions and Ms. Schwab did not know what the Liquor Board would do with them because they ultimately issue the license. The Liquor Board also has some limitations per the statute as well.

MAYOR HARTKE said what Ms. Schwab read was very cut and dry and yet what Ms. Wells is saying is that it is possible to not offer a recommendation. Mayor Hartke asked if it was a viable action.

MS. WELLS said they do not have to recommend.

MS. SCHWAB said she believes Ms. Wells is relying on information that the Department of Liquor has told her, but Ms. Schwab is reading what the statute requires.

COUNCILMEMBER ORLANDO MOVED FOR NO RECOMMENATION TO BE GIVEN TO THE ARIZONA LIQUOR BOARD REGARDING ACTION AGENDA ITEM NO. 25; SECONDED BY COUNCILMEMBER STEWART.

COUNCILMEMBER STEWART said he would be voting no on the motion because there is still a lot of ambiguity on what Council can do.

COUNCILMEMBER STEWART WITHDREW HIS SECOND TO THE MOTION.



THE MOTION FAILED DUE TO LACK OF SECOND.

MAYOR HARTKE asked if stipulations are allowed to be added to a recommendation.

MS. WELLS said no, but she would be able to get further clarification.

VICE MAYOR LOPEZ said he would like to get more information and see if anyone had tried it before and perhaps there are other means to put restrictions on the bar in order to ensure if the license goes through that there is some accountability.

MS. SCHWAB said they would reach out to the Department of Liquor because that is ultimately who would give that direction since it is not provided for in statute or regulations.

COUNCILMEMBER STEWART MOVED TO CONTINUE ACTION AGENDA ITEM NO. 25 UNTIL THE NEXT REGULAR COUNCIL MEETING; SECONDED BY COUNCILMEMBER McCLYMONDS.

MOTION TO CONTINUE ACTION AGENDA ITEM NO. 25 UNTIL THE NEXT REGULAR COUNCIL MEETING CARRIED BY MAJORITY (5-2) MAYOR HARTKE AND COUNCILMEMBER HUANG DISSENTING.

#### ACTION AGENDA

25. DENIAL OF LIQUOR LICENSE, Series 6, Bar Liquor License, for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

##### BACKGROUND FROM COUNCIL MEMO:

This application reflects a change in ownership. This will be a continuation of the location's previous use as Emanuela Watt, dba El Coyote Sports Bar. The following application for a liquor license was posted for hearing on March 26, 2020, at which time it was continued until April 23, 2020:

License, Series 6, Bar Liquor License for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

Consideration may be given only to the applicant's personal qualifications and not to the location.

The Police Department has recommended denial of this application, citing objection to the issuance of this license based on the qualifications of the applicant. One of the criteria for the issuance of a liquor license is that the applicant has the capability, qualifications and reliability to operate a liquor establishment. The Police Department reported violations of this applicant as the basis for their recommendation for denial.

No written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

The following additional information was requested at the April 20, 2020, Study Session by Mayor and Council:

1. History of license and Police calls for service
2. History of City of Chandler liquor license denials based on records retained in Tax & License
  - a. March 22, 2007
  - b. June 22, 2006
  - c. April 22, 2004

Also, staff surveyed surrounding Cities and Towns to solicit other methods that they may use to meet the Liquor License posting requirements from the Arizona Department of Liquor Licenses and Control. A comparison chart has been prepared.

## BRIEFING

BR1. DISCUSSION of review completed by Heinfeld, Meech & Co., P.C., the City's external auditor, of Accounting payment/receipt procedures.

MAYOR HARTKE called for a staff presentation.

MARSHA REED, City Manager, said a few months ago there was a settlement agreement with Vincon Construction and they had recently completed a construction project. As part of the settlement agreement there were some recommendations and requests by Council to enter into an outside audit to review our processes and procedures around that.

DAWN LANG, Management Services Director, said this was following a cyber-fraud incident in 2019 that resulted in payment to a City vendor paid through an automated clearinghouse method to be sent to a fraudulent account. The review has been completed and a report was provided to Council.

KRISTI SMITH, Accounting Manager, said the audit review was completed by Heinfeld Meech. She said staff had worked to provide documented procedures, forms for review, and were currently working on implementing procedures and form changes as a result of the report that was received. Overall, the results were positive and reflect that there are reasonable procedures and process in place. Within the report, the executive summary included six key recommendations and on the memo provided included Staff's action for each item. The first recommendation is to explore the usage of secure portals for the transmission of information between the City, vendors, and customers. Staff had been and would continue to research the ability to provide access through secure portals within the financial software. The next opportunity would be in conjunction with an Oracle upgrade coming in the fall or early next spring.

MS. SMITH said the second recommendation was that direct deposit setup and changes should be verified via phone when not initiated on City premises when City employees can perform identity verification. Written procedures have been updated to include verification by phone for changes not made in person. The third recommendation was for vendors with ACH payments to provide void checks or banking letters. Staff had been requesting void checks prior to processes ACH forms however; the forms themselves did not indicate the requirement was necessary. The forms have been updated

including banking letters are acceptable as well. The fourth recommendation was that ACH setup and changes should be done over the phone and documented on a vendor confirmation form. Upon learning on the incident last summer, staff immediately implemented phone verification for vendors. Staff have prepared a verification of banking information form for payroll, accounts payable ACH, and accounts payable for wire transfers. These are being completed for every ACH setup request and change. This form also requires a secondary supervisor review prior to initiating the ACH.

MS. SMITH said the fifth recommendation was that the standard forms and procedure documents be updated to reflect implemented recommendations. All documents have been updated or are in the process of being updated to reflect the recommendations. The last recommendation was that City management should perform the review of change verifications and system change log information. This is in addition to the secondary supervisor review that is already implemented. Staff is currently researching how to best obtain this information from the financial software for review. Overall, the recommendations are being researched and many are already being implemented. Some are easier to implement than others. Ms. Smith thanked City Staff for their assistance throughout the process review and implementation of the recommended changes. Ms. Smith thanked Council for the opportunity to provide this update.

COUNCILMEMBER ORLANDO thanked staff for the update and asked what the timeframe was for implementation of all recommendations.

MS. SMITH said they are still waiting for additional information as to what reporting capabilities there are for their financial software on the change logs and audit information. Ms. Smith said implementing the portals is much more time intensive and requires multiple divisions to work together which would take more time.

COUNCILMEMBER ORLANDO said they have safeguards in place, but these will also enhance and help with the workload.

MS. SMITH said that was correct. The best practice that could have been in place at the time when the issue occurred would have been the phone verification. That was immediately implemented upon finding the issue.

MAYOR HARTKE thanked Ms. Smith and Ms. Lang for the work that was done and their ongoing efforts to protect the City from fraud.

#### UNSCHEDULED PUBLIC APPEARANCES

None.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE said there would be a virtual family bike ride. To encourage social distancing the Chandler Family Bike Ride would be a weeklong virtual event from April 27 to May 3. Participants are encouraged to register online and to take their bike on a bike ride along a Chandler trail. Goody bags would be given to those who participate and we would be following #bikechandler to follow everyone's fun experience.

MAYOR HARTKE said the COVID-19 pandemic has effected the City operations in a variety of ways. The safety of residents has been and would continue to be their top priority as they implement changes from the State and National levels. Mayor Hartke said they would be discussing staff recommendations on how to reactivate services and facilities in the City. During the Budget Briefing Council would be looking at COVID-19 impacts on the budget and how they plan to adjust for the next year.

B. Councilmembers' Announcements

COUNCILMEMBER STEWART commended Public Safety for being prepared for the COVID-19 crisis. Councilmember Stewart also thanked the community for everyone who has stepped up to help in so many ways and all of the positive feedback.

COUNCILMEMBER McCLYMONDS said Arizona lost a legend with Tex Earnhardt's passing at the age of 89. He was born on September 9, 1930, and grew up in rural Texas then moved to Chandler during his teenage years. In 1951, he became the youngest person to receive a Ford franchise. His business enterprise has grown exponentially ever since. The Earnhardt Family has asked that in lieu of flowers or gifts that cards could be sent in his memory and any monetary donations be given to the Chandler Compadres. The money would go to disadvantaged kids in the community and there are many that are in need during this time.

VICE MAYOR LOPEZ gave his condolences to Tex Earnhardt's family and friends.

COUNCILMEMBER HUANG encouraged everyone to stay safe and healthy and to keep in touch with their families.

COUNCILMEMBER ROE said these are trying times for many people and encouraged everyone try to make it better for everyone. Councilmember Roe gave Councilmember Orlando his condolences for the loss of his mother.

C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 7:38 p.m.

ATTEST:   
City Clerk *Victoria Salas*

  
Mayor

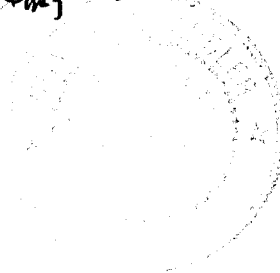
Approval Date of Minutes: May 14, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 23<sup>rd</sup> day of April 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 18 day of May, 2020.

  
acting City Clerk





## CHANDLER CITY COUNCIL

### SPECIAL MEETING – WORK SESSION MINUTES

Thursday, April 23, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, April 23, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 7:47 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Kim Moyers, Cultural Development Director; Dawn Lang, Management Services Director; Derek Horn, Development Services Director; Micah Miranda, Economic Development Director; Andy Bass, Community Services Director; Ryan Peters, Governmental Relations and Policy Manager; Mike Hollingsworth, Facilities and Fleet Manager; Cori Garcia, Mayor and Council Communications Director; Sean Duggan, Police Chief; Tom Dwiggin, Fire Chief; Sandip Dholakia, Chief Information Officer; John Knudson, Public Works and Utilities Director; Rae Lynn Nielsen, Human Resources Director; Leah Powell, Neighborhood Resources Director; Matt Burdick, Communications and Public Affairs Director.

#### 1. Opening Remarks

MAYOR HARTKE said their thoughts and prayers are with those affected by COVID-19. He thanked the Council and staff for working tirelessly to protect, advocate, and serve the community. These have been trying times for everyone and their service has allowed the City to continue operations essential to the daily lives of residents and businesses. Mayor Hartke said they have been working with their regional partners to fight COVID-19 and plan for the future. The number one priority has been public safety and protecting public health would continue to

be the priority. Mayor Hartke said they would continue to use Arizona data and follow the Governor and President to flatten the curve and mitigate the risk of resurgence. Mayor Hartke thanked the community for their patience and partnership. Mayor Hartke provided an outline of the meeting.

2. Situational Briefing from Maricopa County Public Health Representative, Chandler Fire Chief, Chandler Police Chief, Chandler Economic Development Manager

MAYOR HARTKE introduced Dr. Marcy Flanagan, Director of Maricopa County Department of Health, to speak. Mayor Hartke said Dr. Flanagan had previously served as the Pima County Health Director and has degrees from the U of A and NAU.

DR. FLANAGAN said the current case count in Maricopa County is 2,963. Of those, almost 49% are male and 51% female. The most affected age group for hospitalizations are over 65 with chronic health conditions. That represents 26% of the total cases. The hospitalizations have been at 19% with 6% needing to go to the ICU and 4% experiencing death. The death count in Maricopa County is 116. Many people have asked about the curve and if we have peaked and when we could expect a decline. Dr. Flanagan said the epi curve is not a model, but is actual data of what is trending in Maricopa County. Dr. Flanagan said they saw a rise in cases a couple of weeks ago and have now seen a plateau and even started a slight decline. This is in hospitalizations. Because testing is not widespread yet in Maricopa County the best indicator is looking at hospitalizations for COVID-19. According to what they see now they do believe they have reached the peak and are now at a plateau, but that would require to continually monitor hospitalizations and watch how that curve is going to move.

DR. FLANAGAN said there were a lot of unknowns around if the summer weather would impact the numbers. She said it may impact or it may not. Most novel viruses, and there are several of them, tend to be affected by environmental conditions. Because COVID-19 is so new, they have not seen it through the summer and winter months, they do not know how it is going to behave. Dr. Flanagan said if it does behave like other novel viruses then we could expect a slight decrease in the summer months.

DR. FLANAGAN said another question is around when the cities could reopen. There are different plans and there are some triggers they are looking for. Some plans have come from President Trump and there are a few others that have been released from different schools of public health. They all have a few things in common. One trigger is a decrease in cases and that is for a 14-day period. Another is increased testing availability and the third is to manage hospitalizations without altering any standards of care.

DR. FLANAGAN said they all recommend the most effective approach is to do things in phased approaches. This means some areas would open and there would be a waiting period to see what happen with the epi curve. If it starts to increase dramatically and the hospitals begin to be overwhelmed then the mitigation efforts go back in place. From what they have heard from the Governor's Office is they are looking to mirror and closely follow the President's guidelines.

There are three gating criteria. The first has to do with symptoms and there has to be a downward trajectory of influenza like illness for 14 days and a downward curve of COVID like cases. These are drawn from surveillances they do from hospitals throughout the year. This is always done in the flu season and is typically followed in public health. The second gating criteria is there has to be a downward trajectory of documented cases or a downward trend of positive cases as a percent of total cases in a 14-day period. The third gating criteria is that hospitals would treat all patients without crisis care and have a robust testing program in place for at risk healthcare workers including antibody testing.

DR. FLANAGAN said when all of this criteria has been met then they could begin Phase 1. In Phase 1 how to move to Phase 2 is that you go back to the gating criteria again. Maricopa County has not met the gating criteria and the only one they are close to meeting is the hospitals are able to take patients. Dr. Flanagan said they are not quite there with testing yet, but they anticipate to have testing in place within the next week and a half. Dr. Flanagan said they have not yet seen a downward trajectory of cases yet and they are still at a plateau. They have seen a very slight decrease of COVID-19 like symptoms in hospitalization, but it is not enough to really begin the 14-day timeline. It has been so slight that it goes up and down.

DR. FLANAGAN said they do need to work on testing and they hope testing would increase. The problem with testing increasing is that there needs to be some areas in the supply chain to smooth out. Dr. Flanagan said that includes PPE and testing supplies. Dr. Flanagan said when they are working several angles of trying to get more PPE in Maricopa County it has been months of putting in orders and they do not get filled or they get bumped. She said they have ordered \$2 million worth of PPE and have not received any of it to date. The PPE they have been able to distribute is from our allocation from the Strategic National Stockpile. They have had to prioritize the PPE and have given it to acute care hospitals, first responders, and long-term care facilities. As of April 23, they have distributed 66,000 N95 masks, almost 150,000 surgical masks, almost 30,000 face shields, 82,000 surgical gowns, and 180,000 gloves.

DR. FLANAGAN said the supply chain needs to get better and have the supplies come in consistently. The testing supplies need to be readily available. Dr. Flanagan said a lot of people refer to test kits. The first one is the kit for the capability for a lab to process samples and the materials in the lab to do this. These are not in short supply and there is a large capacity within the system and many labs available. The second part of a test kit is actually the supplies needed to collect the specimen. In a healthcare setting, they use something they also refer to as a test kit. At the very beginning of COVID-19 this consisted of a nasal swab and transport media to be able to ship off the sample. The nasal swabs to take a throat or nose sample with were in short supply.

DR. FLANAGAN said one of the major factors that happened was that the biggest supplier of these swabs was based out of Italy. When Italy was on lockdown and not able to produce any more swabs that is what started the chain reaction. In the last month, there has been the ability to do saline nasal washes and then it is collected in a test tube and is sent for testing. This is not necessarily preferred by physicians and is not the easiest test to perform in an office so they rely



heavily on the swabs. They are starting to see some swabs more available and have allowed some swabs similar to a Q-tip to take a sample at the base of the nostril. This has just began to hit the market in the past few weeks.

DR. FLANAGAN said the quick result testing machine by Abbot, for a five minute test, are planned to be used at Walgreens. There are currently two drive thru testing sites in Arizona. One is in Phoenix and one in Tucson. An online survey must be taken online to go over symptoms you may have and then an appointment is scheduled for a drive thru test if you meet the criteria. The State also received some Abbot tests at ADHS. Two have been provided to Maricopa County, one is put in the jail, and one is being used to test those experiencing homelessness. These tests are not meant to do large quantity of tests and it only one test at a time is able to be completed. It can take up to 15 minutes per test.

DR. FLANAGAN said being able to collect specimen for testing requires the use of PPE. There is a shortage of PPE so this is compounded the testing not being as readily available at this point of the outbreak. They both rely on each other and are interrelated. Once the PPE and testing becomes readily available they do expect to see an increase in cases. This does not necessarily meaning that infection has increased, but rather it gives more information about what infection looks like in the community. This is important because when they really know it is safe to open it would be when we reach herd immunity or there is a vaccine created and available. Neither one of those things happen quickly so testing is vital to this pandemic.

DR. FLANAGAN said it was announced that at home tests are going to be made available so this should increase the testing capabilities in Arizona. We are going to be able to expand the tracing capability. Contract tracing is when an individual tests and that sample is collected from the doctor and it is sent from the lab. The results are put into an electronic system that is fed directly to Arizona Department of Health Services, which then puts that information into a system to send secure information regarding all reportable diseases. That could take up to 10 days. When they find out about a positive case, they contact the individual and ask where they have been and who they have had contact with. Then they begin to reach out to all of the individuals who they have had contact within six feet for more than ten minutes at a time. Some counties stopped doing case investigations, but Maricopa County has not stopped.

DR. FLANAGAN said they did modify the way they do investigations and moved to a model where if there is a positive case that person notifies close contacts themselves. They are given education materials and resources and phone numbers that those contacts could call. Dr. Flanagan said they are moving back to the prior model with expanded testing and with trying to lift mitigation efforts. It is important for them to intensify their contact tracing again. Dr. Flanagan said they would be working out the final details of the plan and they are working with the universities to bring on additional staff. They are looking at bringing on five times the current amount of epidemiologists on staff to help with the contact tracing. If you think about how many people 120, the prior count of new cases for the day, people come into contact with the numbers could reach in the thousands quickly. When staff starts to have discussions with these contacts

there are some that may have been in close contact that are experiencing symptoms or they may need to work to get housing or food services to these individuals.

DR. FLANAGAN said the epi curve is the time it takes for a sample to go to the lab and get reported to do the investigation. This is the same process that is used for all reportable diseases. It happens much more quickly here compared to other places around the world. Dr. Flanagan said there have been questions about hospital capacity. It is hard to determine the exact number of tests being performed and say if it is safe to open. Just because more testing happens it does not mean that all of the people who get it are going to have to be hospitalized. On a daily basis, all hospitals report their capacity and they monitor and watch what their capacity looks like. Capacity is doing very well and they have more capacity this time this year than they typically have in other years during a flu season. Dr. Flanagan said they could take in more individuals and treat them. If they begin to see more cases increase as mitigation efforts begin to be released that is when they would recommend more mitigation efforts be put back in place until the hospitals go to a level that is manageable.

DR. FLANAGAN said she tried to answer all questions she received and asked if there were additional questions.

COUNCILMEMBER STEWART said there has been a lot of talk about antibody testing and asked about the accuracy of the test and herd immunity.

DR. FLANAGAN said this test is not something they would want to use for diagnostics. This is not a good measure of saying that somebody is COVID-19 positive or negative. This is meant to measure that COVID-19 antibodies are measured in their system. It would tell them if a person was asymptomatic and had COVID-19 and did not realize it. They may have an immunity built up that they did not realize. It could tell them that they have not been exposed. The weakness of a test like this is that it is not meant for diagnostic testing. Depending on the level of sensitivity, they could be hard to measure especially novel viruses. It may pick up antibodies from prior novel viruses an individual may have had. Typically, these immunities do not last a lifetime. For example, we get the flu shot every year but then in other cases you get shots as a child one time because the antibodies last in the body differently. This particular COVID-19 has not been around long enough to allow for the perfect serology test.

DR. FLANAGAN said if there are individuals in a congregate setting, it is helpful to know who to cohort together. It would be good to cohort those that show immunity as opposed to those who do not. Dr. Flanagan said someone may be in the early stages of having COVID-19 so the test may not pick it up or they may have had a very mild version. Dr. Flanagan said the University of Arizona is doing a study with their serology test with 250,000 tests which would give great information and data.

COUNCILMEMBER McCLYMONDS asked which States are excelling at testing.

DR. FLANAGAN said when there started to be some hot spots in the United States such as New York, Chicago, and Seattle the Federal Government stepped in and started to do an abundance of drive thru testing. Those hot spots received priority PPE and testing supplies. The States that were not hot spots or not experiencing a high number of cases were getting the supplies bumped and the government was intercepting the supplies. That has now lightened up. The Federal Government announced a few weeks ago that they would not be doing the drive thru testing and now the States would be taking over testing. Dr. Flanagan said Texas has an abundant testing and other places that had high numbers in the beginning had a lot of testing.

COUNCILMEMBER McCLYMONDS said that in Arizona there is a lack of being able to test in abundance and asked for details about metrics. He asked about the medical deaths that have occurred in Arizona and asked if that could tell how prevalent COVID-19 was.

DR. FLANAGAN said they have begun looking at death data not just from deaths that occurred in hospitals. She said they have started working with the Office of Medical Examiners to have tests performed on individuals that died at home that had respiratory symptoms. It is going to take a couple of weeks' worth of data collection to get a good picture of mortality rates in the community. The death data was only being received from hospitals and that does not show a good picture of the total deaths. Dr. Flanagan said once they get more data they would be able to compare that to the entire population and really get data on the mortality rate.

VICE MAYOR LOPEZ asked how far back the data would go and if the numbers would flood the current days numbers or if past numbers would be adjusted.

DR. FLANAGAN said they are not going back on deaths that have occurred, but moving forward. Anytime an individual passes away in their home and it is reported there is an arrangement with the funeral homes that they collect a swab from the person's nasal passage. All research shows that COVID-19 would show up in the test results still by that time. Those are sent to the lab and then they provide the information on who was positive.

VICE MAYOR LOPEZ said they are setting a new scope of testing to include deaths that were not previously accounted for.

DR. FLANAGAN said that was correct.

VICE MAYOR LOPEZ said one of the gating criteria that needed to be passed was that the number of cases needed to see a decrease. Vice Mayor Lopez said if that is normalized against the number of tests issued then there are increased numbers due to increased testing.

DR. FLANAGAN said yes. The positive cases are a percent of the total tests in a 14-day period. It is not a straight percentage because the number of cases increase or decrease. It does not matter how many are done or not done it is a percentage of the tests for that day.

VICE MAYOR LOPEZ said the graphs he has seen is based on number of cases and not based on a normalized number. He asked if there was a sub metric that was being analyzed for those exhibiting symptoms or hospitalized and if so if it was being normalized.

DR. FLANAGAN said yes, that is what the epi curve does. This is the difference between a model and which are just numbers that do not take into consideration all of those other factors and metrics. Dr. Flanagan said the downward epi curve is what they are looking at for influenza and COVID-19 like symptoms as well as the number of people being tested which is taken into account.

COUNCILMEMBER HUANG said a friend of his was infected and recovered, but she had to wait a long time to be tested and three days after for a result. Councilmember Huang said she was not quarantined and was sent home, but advised to stay at home. Councilmember Huang asked if that was still the case.

DR. FLANAGAN said where she went to get the testing done was sent to a private lab. When tests are sent to a private lab they only receive the results of a positive case. The advice she was given to stay home, not go out, and to quarantine and she would only hear from Public Health if she was positive. At that point, the Public Health Department would start their investigation. The advice for everyone is that if you have symptoms to stay home. If someone is not having difficulty breathing they would be told to go home and self-quarantine until they receive the test results. If the results are positive, they are notified and the investigation begins. Dr. Flanagan said the three days is consistent with private labs. The hospital setting the samples would be sent to the State lab and are back in 24 hours.

COUNCILMEMBER HUANG said it seems everyone is being passive and waiting for the number to decrease to open. Councilmember Huang said if they reopen, there is more chance of being infected and said there needs to be more preparation so when everything is opened the cases would not increase. He asked if there is a recommendation for people to wear masks.

DR. FLANAGAN said as the Governor allows businesses to open they are prepared for cases to increase. That has to happen until herd immunity or a vaccine is available. It is normal for an outbreak, but we do not want to overwhelm the system so that is the reason for a slow approach. Dr. Flanagan said they anticipate this to be very cyclical. Dr. Flanagan said when someone wears a mask they are protecting others from themselves especially the cloth masks. For certain populations, it is always important for them to wear masks and limit their time in public. This would be for those over 65 and have underlying health conditions. They would be the last population that is encouraged to go out and socialize again. The restrictions on care facilities would be the last to be lifted.

COUNCILMEMBER ROE said as they continue there are some procedures that are going into place, but asked if there were any therapies that are being adopted that are provided improved outcomes.

DR. FLANAGAN said there are a few things that are happening. A lot has been said about chloroquine and it has had mixed results. For some it is effective in combination with other medicine. Some other therapies have been useful in some cases, but nothing has been widely studied enough to say it is an approved treatment. The FDA has allowed some emergency use operations, which means something does not have to go through the same stringent FDA guidelines to be used on a patient. It would be up to each individual physician as to whether to use it or not. Dr. Flanagan said what has been effective is that individuals decline quickly and it is that they are barely having issues with breathing and it could be overnight that their lungs collapse and the hospital cannot save them. She said they have started to measure saturation rates with the blood to watch oxygen levels. When the oxygen saturation drops, the sooner they are put on assisted breathing whether that is a nasal cannula or full intubation they are seeing a higher success rate of not dying. Dr. Flanagan said they are giving tools to long-term care facilities to monitor the oxygenation of the people in their care. They are seeing individual cases that have good results, but it has not been across the board.

COUNCILMEMBER ORLANDO said with all of the triggers at the State and Federal level, he wanted to clarify that we are not there yet.

DR. FLANAGAN said we are able to treat all patients at this point in Arizona so we are doing really well.

COUNCILMEMBER ORLANDO said there are three gating criteria and asked about the status.

DR. FLANAGAN said the ability to treat in the hospitals is the only gating criteria they have currently met.

COUNCILMEMBER ORLANDO said other countries are ahead of us and in some cases are experiencing second and third waves after reopening. Councilmember Orlando asked what the metrics would be to either lessen or increase restrictions.

DR. FLANAGAN said in the Asian countries they are experiencing second waves and they are hoping that COVID-19 is not re-infecting individuals. Dr. Flanagan said they are hoping they are new cases, as these countries have not reached herd immunity. When there is a second wave, it is an increase of cases as they have started to open the countries again. She said they expect to see the same thing here and they are expecting in a few months to see a second wave. Dr. Flanagan said this is what they expect and what they knew was going to happen. The cyclical pattern would probably last for the next year or so. Dr. Flanagan said it would go back to those three gating criteria to measure what is happening and ensuring the hospitals do not stay overwhelmed. If the hospitals get overwhelmed that is when they would be very concerned and would put out strict isolation efforts.

COUNCILMEMBER ORLANDO asked when they enter the fall season what could they do to prepare for the outbreak.

DR. FLANAGAN said in the fall, in addition to what we are currently doing, is getting the flu vaccine widely administered. Part of this is because they would not want to have the hospitals overwhelmed with both COVID-19 and the flu. Dr. Flanagan said at the beginning the hospitals were starting to be overwhelmed, but as flu season went away, they began to have more availability. Dr. Flanagan said in August there would be a lot of effort to get as many people vaccinated as possible.

MAYOR HARTKE said listening to the President's presentation that one of the epidemiologist was doing a study on the effect of heat. It is too early to know, but hopefully that would have a dampening effect in Arizona.

DR. FLANAGAN said for other coronaviruses and other novel viruses the heat is our friend in killing viruses and bacteria on high use things, just basic cleaner works against the viruses so it does die easily on a surface with these products. Dr. Flanagan said they are hoping for the same with heat. Dr. Flanagan said she appreciated the partnership with all jurisdictions and encouraged a representative continue to join the webinars if they do not already.

MAYOR HARTKE thanked Dr. Flanagan for the information she provided to the Council and the community.

COUNCILMEMBER ORLANDO asked for staff and Council to send a letter to Dr. Flanagan for all that she has done for the City.

MAYOR HARTKE asked Micah Miranda, Economic Development Director, to give a presentation.

Mr. Miranda presented the following Power Point presentation.

- Economic Impact and Tourism
- Global Recession
  - Measures implemented to limit the spread of COVID-19 have affected consumption and disrupted business operations throughout the global economy
  - International Monetary Fund predicts a slowdown in economic activity into 2021
- Retail Sector
  - Retail and food sales across the U.S. were down 8.7% in March compared to February
  - Impact on sales varies by store type
- Restaurants
  - Restaurant sales in the U.S. are down more than 43% year-over-year
- Hotels
  - U.S. hotels reported an average occupancy rate of 21.6% in the first week of April
  - Chandler hotels have been affected, 35,500 fewer rooms sold in March 2020 than March 2019
- Unemployment
  - More than 22 million people in the U.S. filed for unemployment benefits over a four-week period with 5.2 million people filing during the most recent week

- In Arizona, the hardest hit industries have been accommodation and food services, healthcare and social assistance, and retail trade

VICE MAYOR LOPEZ asked if the category of who could claim unemployment changed.

MR. MIRANDA asked if Vice Mayor Lopez was referring to layoff furloughs.

VICE MAYOR LOPEZ asked if there were changes, for those who could not claim unemployment in the past were they now able to claim.

MR. MIRANDA said they have heard there have been some changes to who is able, but he did not have the specifics.

- Manufacturing
  - U.S. manufacturers have begun to feel the impacts of COVID-19 with total industrial production down 5.4% in March and manufacturing output down 6.3%
  - Impacts on industrial production vary. For example, semiconductor production was down 0.1% in March compared to 28% for motor vehicles and parts
- Chandler: Diversified Economy
  - Chandler's economy is well-diversified with a larger share of employment in industries that have been less impacted, such as high-tech manufacturing, finance and insurance
  - Below is a comparison of percent of workforce in key industries
- Chandler: Strong Fundamentals
  - Chandler is better positioned to recover from the COVID-19 pandemic than most other communities because our fundamentals remain strong:
    - Diversified economy
    - Educated workforce
    - Political stability
    - City commitment to fiscal discipline

TOM DWIGGINS, Fire Chief, presented the following Power Point presentation.

- Guidelines Under the Opening of America Announcement
- National Guidelines
  - Proposed Gating Criteria
    - Symptoms
      - Downward trajectory of influenza like illnesses (ILI) reported within a 14-day period and
      - Downward trajectory of COVID-like syndromic cases reported within a 14-day period
    - Cases
      - Downward trajectory of documented cases within a 14-day period or
      - Downward trajectory of positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests)

- Hospitals
  - Treat all patients without crisis care and
  - Robust testing program in place for at-risk healthcare workers, including emerging antibody testing
- Phased Approach
  - Implementable on statewide or county-by-county basis at Governor's discretion
- Influenza-Like Illness
- COVID-Like Illness
- Arizona Daily Positive Cases
- Positive Test % of Total Tests
  - COVID-19 tests completed and percent positive by week
    - Percent positive is defined as number of people with a positive test result, out of all people with COVID-19 testing completed in AZ.

COUNCILMEMBER STEWART asked if some people went to get a test and they all came back negative, could someone game the system and skew the data in the wrong direction. Councilmember Stewart said he did not have a clear understanding of who could be tested.

CHIEF DWIGGINS said if people showed up symptomatic, but tested negative it would decrease the percentage of positives. It was possible to game the system that way, but he was unsure why someone would do that. Chief Dwiggins said he did not know what the process was to validate that someone has symptoms. Fever is one of them and it is hard to fake a fever. Chief Dwiggins said he was not sure how much leniency facilities had in testing, but if more tests are given to people who are not symptomatic it would skew the numbers. It would drive the percentages down because there are more negative tests.

COUNCILMEMBER STEWART said as more testing increase it is really per capita that they are looking at not just the flat number.

CHIEF DWIGGINS said that information is now being shared on AZDHS. On their data analytics page you can review per capita and review the data. Over the last week, it seems each week the data gets better and the platform is improved. New data is going to start coming out as many are asking for additional data.

COUNCILMEMBER ORLANDO said the chart has a disclaimer there is a 4-7 day lag time and asked if that was the time from when the test was taken or the time it is reported back.

CHIEF DWIGGINS said it is the time reported back. When they get the results from the test there is a process that is required from many different facilities. They have seen fluctuation in the numbers, but it has to do with the reporting of when it is reported.

CHIEF DWIGGINS continued the presentation.

- Treat All Patients Without Crisis Care



VICE MAYOR LOPEZ asked if there was a surge number that was defined.

CHIEF DWIGGINS said he was not sure what that number is or was. Chief Dwiggins said he has not seen a specific number, but at the Governor's press conference there was plenty of room and they feel confident if new projections of a peak in May or June does arrive, there would be plenty of capacity to handle it.

- Robust Testing for Healthcare Workers
  - Total COVID-19 Tests Completed 56,601
  - Test completed yesterday in Arizona 1,449
  - Total % Positive COVID-19 Tests 8.5%
- Chandler Fire Department Emergency Medical Services
- COVID-19 Chandler Statistics
  - 3.5 CLI Daily Average
  - 42 CLI Nursing Home Incidents
  - 215 Positive COVID-19 Cases
  - 72% Hospital Capacity
- Fire Department Statistics
  - 140 Days with Full PPE Supply
  - 20% Decrease in Daily Service Calls

COUNCILMEMBER HUANG said he is concerned with reopening. The City needs to be reopened, but before that happens there needs to be a proactive plan in place to prevent the spike. Councilmember Huang thought just saying we open and we expect a spike is not being proactive. There needs to be some measures taken to prevent a spike.

MAYOR HARTKE said they would be able to discuss that later in the meeting.

SEAN DUGGAN, Police Chief, presented the following Power Point presentation.

- Chandler Police Department Crime and Service Calls
- Police Department Statistics
  - Increase
    - Domestic Violence +22%
    - Motor Vehicle Theft +75%
    - Vehicle Burglary +20%
  - Decrease
    - Traffic Collision -58%
    - Residential Burglary -29%
    - Aggravated Assault -40%

### 3. Review of Governor Ducey's Executive Orders and City of Chandler Facility Closures

MS. REED continued the Power Point presentation.

- Governor's Executive Orders
  - Status of City Facilities, Services, and Events
- Governor's Executive Orders
  - March 20
    - Gyms and Indoor Fitness Clubs Closed
  - March 23
    - Essential Government Functions Defined
  - March 31
    - Stay Home Stay Healthy Stay Connected Order Issued
  - April 4
    - Additional Guidance on Essential Services
- Stay Home Stay Healthy Stay Connected
  - March 31
  - Essential Government Functions Remain Open
  - May adjust operations to promote physical distancing such as:
    - Offering online services
    - Limiting number of persons in a physical space
    - Limiting access to specific facilities or areas
  - Residents shall limit time away from home except to:
    - Participate in essential activities and functions
    - Engage in outdoor exercise activities if physical distancing practices are used
    - Use services or products provided by essential businesses
- Additional Guidance on Essential Services
  - April 4
  - Close amenities at public parks that do not allow for recommended physical distancing or proper hygiene such as:
    - Basketball courts
    - Splash pads
    - Playgrounds
    - Public Restrooms
  - Public parks shall remain open to the greatest extent possible
  - Close communal pools at parks however there should still be maintained under environmental and public health rules and guidelines
- Status of City Facilities
  - Closed Through April 30
  - Chandler Museum and Vision Gallery
  - Center for the Arts and CCA Gallery
  - Chandler Public Libraries
  - Chandler Recreation Centers: Community Center, Environmental Education Center, Snedigar Recreation Center, Tennis Center and Tumbleweed Recreation Center
  - Park Restrooms
  - Chandler Senior Center: Continues to provide carryout or delivery of hot meals to senior residents who depend on this service

- Buildings on Ryan Road, Armstrong Way and IT
  - Public Works and Development Services: By appointment only
- Status of City Facilities
  - Closed Until Further Notice
  - All park amenities which included but are not limited to:
    - Playgrounds
    - Basketball, volleyball, tennis and pickleball courts
    - Dog parks
    - Skate/Bike parks
    - Archery Range
    - Ramadas and standard places of gathering
  - Chandler pools and aquatic centers
- Status of City Facilities
  - Unavailable Until Further Notice
    - Development Services Customer Service Counter
      - Consolutions are by appointment only
    - Chandler Police
      - Fingerprinting
    - Housing and Neighborhood Resources Lobby
    - Passports
    - Tax and License Service Counter
    - Utility Bill Payment Counter
- Status of City Services
  - Promoting Use of Online, Phone and Email Options
    - Chandler Police Department Non-Emergency
    - Code Enforcement: Non-contact concerns
    - Construction Inspections and Building Permits
    - Contact Chandler Form
    - Court Cases and Information: Request an extension, continuance or payment plan
    - File a Police Report
    - Housing Resources and Updates
    - Public Records Request
    - Request a Police Record
    - Tax and Licensing Applications and Forms
    - Utility Payments
- Status of City Events
  - Canceled Through April 30
    - Performances at Chandler Center for the Arts
  - Canceled, Postponed, Rescheduled Through May 31
    - Special Events Conducted by the City or Planned on City Property
  - Canceled Until Further Notice
    - In-person Programming by Recreation, Library and Arts and Culture
- Council Direction Regarding City Facility Closures

- Facilities and Services not Covered Under Governor's Executive Orders
  - Facilities
    - Chandler Museum
    - Vision Gallery
    - Tennis Center
  - Park Amenities
    - Dog Parks
    - Skate and Bike Parks
    - Archery Range
    - Disc Golf
    - Tennis and Pickleball Courts

MAYOR HARTKE said Council had closed these and there has been conversation about what it means to open the City. These are not covered by the order that were closed and asked what interest there is in opening the facilities.

COUNCILMEMBER ORLANDO asked if there was still six feet and no more than 10 or 50 people in one place.

MAYOR HARTKE said there is still social distancing in place and being in groups of less than 10.

MS. REED said the things on the list were options that staff felt restrictions could be enforced and accommodated.

MAYOR HARTKE said social distancing is possible at dog parks, but more than 10 people could be in that broad space and still maintain distance.

COUNCILMEMBER STEWART said heat is our friend in helping with this and as the temperature increases the parks may not be used as much since the equipment gets so hot. Councilmember Stewart said they should consider opening the outdoor activities since it is easier to social distance there than at a store.

VICE MAYOR LOPEZ said he agreed and the amenities listed should be open since they are easy social distancing activities.

COUNCILMEMBER ORLANDO said he finds it hard to believe to do social distancing at skate and bike parks. Those are confined areas and the kids usually group together. Councilmember Orlando did not believe it was a prudent thing to do at this time. He said the dog parks could open since it is easy to maintain distance. The archery range may be able to work. Councilmember Orlando said the disc golf, tennis, and pickleball courts are where people group together, not so much on a court but a group of individuals sharing a court.

MAYOR HARTKE said he thought archery could be achieved by where the targets are placed and could do every other spacing. Mayor Hartke said with tennis the court size could allow for social distancing with only a couple of people.

COUNCILMEMBER ORLANDO asked if they would open lessons as well.

MAYOR HARTKE said they are not discussing the lesson aspect it would just be the courts.

COUNCILMEMBER ROE said there has been a strong warning that people should practice social distancing. Councilmember Roe said he is not sure how social distancing would be handled at the skate and bike parks and would suggest they go slow opening those. Councilmember Roe said he agreed with opening the other amenities.

COUNCILMEMBER HUANG said he did not have a problem with opening park amenities as long as social distancing was practiced. Councilmember Huang said it was strongly recommended to put signs out encouraging it, but it would be difficult to enforce.

MAYOR HARTKE asked if Council was in agreement opening the dog parks, archery range, and disc golf.

COUNCILMEMBER McCLYMONDS said the tennis and pickleball courts are outside, but they are sharing a ball.

COUNCILMEMBER STEWART said kids are going to congregate regardless. There are not that many reported cases of younger kids getting it and they are out all of the time. He said it would be safe for the kids to be at the skate and bike park. Councilmember Stewart said he understood the point about sharing a ball at the tennis and pickleball courts. Councilmember Stewart said we could micromanage to an extent, but it is up to people to make a decision and social distance.

COUNCILMEMBER ORLANDO said he was still wary about tennis and pickleball courts.

COUNCILMEMBER STEWART said he would be in agreement with a three to five day delay between tennis and pickleball courts

A majority of the Council was in agreement with opening dog parks, archery, and tennis and pickleball courts.

MAYOR HARTKE asked for discussion on skate and bike parks.

COUNCILMEMBER ROE said he could support opening all of them along with the signage out. Councilmember Roe said there is information everywhere and people are still in the stores.

COUNCILMEMBER ORLANDO asked how the skate and bike parks would be limited to 10 people and how it is enforced. Councilmember Orlando said they are children and believes from a safety point they should stay closed because they could not be properly monitored.

VICE MAYOR LOPEZ asked for clarification that the Governor has not ordered these amenities to be closed.

MS. REED said that was correct.

VICE MAYOR LOPEZ said the other requirement is social distancing and asked if additional clarification on only 10 people.

MAYOR HARTKE said groups of 10.

MS. REED said CDC guidelines were no more than 10 people congregating.

VICE MAYOR LOPEZ said the kids do congregate together, but it is usually three or four in a group that he has seen. Vice Mayor Lopez said he did not have an issue opening them.

MAYOR HARTKE said he thought if signage was going to be put up and if they see a lot of misuse then they could close them again.

COUNCILMEMBER ROE suggested a two-week delay on opening the skate and bike parks to see how the other openings go. Councilmember Roe said it is important people are able to get outside and live and be optimistic.

MAYOR HARTKE said pickleball players typically congregate waiting to go to the courts. He thought having the waiting area marked would help encourage social distancing.

MAYOR HARTKE asked about timelines. He suggested the bike parks open at the end of April and the other amenities open earlier.

VICE MAYOR LOPEZ clarified that all amenities would open on Friday and the skate and bike parks open April 30.

MAYOR HARTKE said to have everything open on April 30, or to have the other amenities open earlier and skate and bike parks on April 30.

VICE MAYOR LOPEZ said he would agree to open everything now and wait on the skate and bike parks until then.

COUNCILMEMBER STEWART said he suggested opening everything tomorrow except for pickleball. That seems to be where the challenges are.

COUNCILMEMBER HUANG asked if this included any indoor courts.

MAYOR HARTKE said it would be outdoor only.

COUNCILMEMBER HUANG said he recommended they open as soon as possible after the signs and staff were ready.

MAYOR HARTKE asked how many would agree to open dog parks as soon as feasibly possible.

There was a consensus from Council to open as soon as possible.

MAYOR HARTKE asked how many would agree to open skate and bike parks as soon as feasibly possible.

There was a consensus of Council to delay the opening.

MAYOR HARTKE asked how many would agree to open archery, disc golf, and tennis and pickleball as soon as feasibly possible.

There was a consensus of Council to do this as soon as possible.

MAYOR HARTKE asked what does as soon as possible look like for staff.

MS. REED said signage has been ordered so as soon as it is received the amenities would be able to open.

ANDY BASS, Community Services Director, said they received the signs today and would be working on installing the signs tomorrow.

MAYOR HARTKE asked for discussion on the Chandler Museum, Vision Gallery, and Tennis Center.

COUNCILMEMBER HUANG said these are indoor and there would be air conditioning circulating and asked if that would make everyone sick or not. If it is not an issue then it could be opened as long as it is 10 people at a time in an area. These are locations the number of people could be controlled.

MAYOR HARTKE clarified Councilmember Huang was saying to open as soon as possible as long as it is controlled.

COUNCILMEMBER HUANG said yes.

VICE MAYOR LOPEZ said the CDC rules still apply to stay six feet away and no more than 10 people. Vice Mayor Lopez said they do not get an extreme crowd at the Vision Gallery normally

and the Chandler Museum is increasing. Vice Mayor Lopez said to have signs there as well and said he would support opening at the end of the month.

COUNCILMEMBER ROE asked about the tennis center and how it could be operated in a way that staff could control the area.

MR. BASS said they propose reopening as they were operating before it was closed. There is a side gate that would be opened and would be first come first serve. Mr. Bass said there are staff onsite to ensure social distancing.

COUNCILMEMBER ROE said he was in favor of opening.

MAYOR HARTKE said the Tennis Center would be outside.

MR. BASS said yes, they are not talking about the club house.

MAYOR HARTKE said this is the outside center at Tumbleweed and asked if it could be regulated.

MR. BASS said yes, it was operating before it was closed and it seemed to go well with social distancing.

COUNCILMEMBER McCLYMONDS asked if staff were public facing would they be wearing masks.

MR. BASS said yes, it is part of the plan.

MAYOR HARTKE asked if everyone agreed to open the Tennis Center for the outdoor area.

There was a consensus from Council to open.

MAYOR HARTKE asked about the two indoor facilities.

COUNCILMEMBER ORLANDO said the gating criteria was not being met and he is concerned opening the closed facilities. He said they need to be patient in reopening these. Councilmember Orlando said they just went over all of the metrics and it does not make sense to open with only 10 people going at a time. He said the outdoor areas could potentially open with proper guidelines, but did not understand the rush in opening the indoor areas especially after hearing about the metrics.

MAYOR HARTKE said there is not a rush, but these are not covered by the Governor.

COUNCILMEMBER ORLANDO suggested to wait a few more weeks until additional information is received from the Governor.



COUNCILMEMBER ROE said he does not believe attendance issues would cause a concern and suggested they open.

COUNCILMEMBER HUANG said he agreed to opening, but some precautions need to be taken. The precautions need to be defined. Councilmember Huang said the amount of people in an area need to be limited.

MS. REED said with the facilities there is concern regarding too many people inside. Ms. Reed said staff is proposing timed entry and those guests would have to leave before the next group enters with some time to wipe down areas as necessary.

COUNCILMEMBER HUANG said he would like to encourage staff to wear masks. Councilmember Huang said that would send a message to the guests to wear masks also.

COUNCILMEMBER McClymonds said the Governor's order and the outdoor facilities provided great opportunities to keep people healthy. Councilmember McClymonds did not feel these indoor facilities are mission critical and did not feel a rush to open them. Councilmember McClymonds suggested aligning those openings with Phase One.

COUNCILMEMBER STEWART said the term mission critical is important.

MAYOR HARTKE asked if Council was comfortable waiting on opening these facilities and aligning them with the Governor's orders.

COUNCILMEMBER STEWART said there was no directive and no mandate for wearing a mask and did not want to force it, but if the employee wants a mask they would accommodate.

COUNCILMEMBER HUANG said the State does not provide tennis court services and does not think the City needs to wait for the State.

MAYOR HARTKE said they would open the Tennis Center, but wait on the Vision Gallery and Museum for either when the Council decides or based on the Governor.

There was a consensus from Council to proceed in that manner.

MS. REED continued the Power Point presentation.

- City Council Boards and Commissions
  - Council Chamber and Meetings
    - Option One
      - The Council Chambers would remain closed to in-person public attendance
      - An online comment form and printed forms submitted to the City Clerk prior to meetings would be used to collect public comment on agenda items

- City Council Boards and Commissions
  - Council Chamber and Meetings
    - Option Two
      - Reopen Chambers for public attendance at public meetings
        - Limited to 50 people in the audience
      - Install appropriate social distancing signage and markers
      - Install temporary markers on seats or the floor to designate appropriate social distancing in the audience seating area
      - Provide disinfectant to wipe down podium after each speaker use
      - Use overflow measures
        - Audio and video of meetings would be broadcast in the Council Chambers lobby, while the audio of the meetings would be broadcast in the City Hall Courtyard

MAYOR HARTKE asked for Council discussion on the subject.

COUNCILMEMBER STEWART said people have the right to address their governance and there should be options for people for people to call in. Councilmember Stewart said for the next few weeks they should continue in the current Option 1 setup for the safety of staff at meetings. Councilmember Stewart said people could be allowed for a direct case.

MAYOR HARTKE asked about the last meeting in May.

COUNCILMEMBER STEWART suggested they decide at the next Council meeting.

COUNCILMEMBER McCLYMONDS thought for the next two to four weeks make special accommodations for the public interactions, and continue in this format in May.

VICE MAYOR LOPEZ asked if they could accommodate 50 people and still provide a way to participate virtually.

MS. REED said yes.

MAYOR HARTKE asked if this conversation is to still not allow casual observers to come in or if this is for people to come and make comments.

MS. REED said it would be on a first come first served basis.

MAYOR HARTKE asked if Council was in agreement for the first meeting to continue as is with Option 1 and the next meeting to determine at a later time.

VICE MAYOR LOPEZ said he agreed.

COUNCILMEMBER HUANG said he agreed with having the virtual options and to allow people who want to comment, speak.

COUNCILMEMBER ROE said they are not scheduled until May 11, 2020, and said he supported Option 2 if staff can manage how many people attend. If numbers change dramatically then the decision may be different.

COUNCILMEMBER ORLANDO said he agreed with Mayor Hartke's summary. Councilmember Orlando asked if there is a way to get real time questions during the hearings.

MAYOR HARTKE said yes, there is a capacity to do unscheduled public appearances.

COUNCILMEMBER ORLANDO said if there were a case normally, someone would give a card to the City Clerk saying they wanted to speak. He asked if there was a way to participate in real time.

MATT BURDICK, Communications and Public Affairs, said there is a comment form that is submitted online that goes into the system. Mr. Burdick said by having an open platform they must have a way to comply with open meeting laws. Right now, the comments that are submitted before 5:00 p.m. are submitted to Council and any comments that come in after that are read by the Clerk into the minutes.

COUNCILMEMBER ORLANDO asked if the comments were being monitored during the meetings.

DANA DeLONG, City Clerk, said yes the comments are sent to an email and are able to be read during the meeting.

MAYOR HARTKE asked if Council was in agreement for the first meeting to continue as is with Option 1 and the last May meeting to determine at a later time.

COUNCIL agreed.

MS. REED continued the Power Point presentation.

- City Council Boards and Commissions
  - Boards and Commissions
    - Option One
      - Allow virtual meetings for the month of May for those that have business needs
      - An online comment form submitted to the Board Liaison prior to the meeting and read into the record
    - Option Two
      - Resume meetings with limited attendance per guidelines and continue online comment card collection
      - Meetings held where social distancing can be achieved

COUNCILMEMBER ORLANDO asked where the meetings would be held.

MS. REED said it could be held in Council Chambers, the training, the Cooper Room at the Library, or other large rooms around the City buildings.

COUNCILMEMBER ORLANDO asked which Boards and Commissions need to meet.

MS. REED said she did not have a complete list, but definitely the Planning and Zoning Commission, and Housing and Human Services. Currently, this would be only the Boards and Commissions that would have business needs.

COUNCILMEMBER ORLANDO said he would be fine with the room, but limiting the scope of how many people attend. Councilmember Orlando was in favor of Option 2.

COUNCILMEMBER ROE said if there is a Board meeting any elector could call in.

MS. REED said yes if that is the guidance of the Council.

COUNCILMEMBER HUANG said he wanted to explore the possibility that everyone have virtual meetings. Councilmember Huang was in favor of Option 1.

VICE MAYOR LOPEZ said he was in favor of Option 2 with the option to call in.

COUNCILMEMBER McCLYMONDS said he was in favor of Option 2 with the option to call in.

COUNCILMEMBER STEWART agreed.

MAYOR HARTKE said Council agreed to go with Option 2 with the option to call in.

MS. REED continued the Power Point presentation.

- Guidelines Under the Opening of America Announcement

CHIEF DWIGGINS continued the Power Point presentation.

- National Guidelines
  - Maximize physical distance from others when in public
  - Social settings of more than 10 people should be avoided where appropriate distancing may not be practical unless precautionary measures are observed
  - Schools and organized youth activities remain closed
  - Visits to senior living facilities prohibited
  - Large venues can operate under strict physical distancing protocols
  - Gyms can open if they adhere to strict physical distancing and sanitation protocols
  - Phase One
    - For states and regions that satisfy the gating criteria

- National Guidelines
  - Maximize physical distance from others when in public
  - Social settings of more than 50 people should be avoided where appropriate distancing may not be practical unless precautionary measures are observed
  - Schools and organized youth activities can reopen
  - Visits to senior living facilities prohibited
  - Large venues can operate under moderate physical distancing protocols
  - Gyms can remain open if they adhere to strict physical distancing and sanitation protocols
  - Phase Two
    - For states and regions with no evidence of a rebound and continue to satisfy gating criteria
- National Guidelines
  - Low-risk populations should consider minimizing time spent in crowded environments
  - Vulnerable individuals can resume public interactions but should practice social distancing and minimize exposure to social settings where distancing may not be practical unless precautionary measures are observed
  - Schools and organized youth activities remain open
  - Visits to senior living facilities can resume
  - Large venues can operate under limited physical distancing protocols
  - Gyms can remain open if they adhere to standard sanitation protocols
  - Phase Three
    - For states and regions with no evidence of a rebound and continue to satisfy gating criteria

#### 4. Discussion and Council Direction regarding Chandler's Return to Service Plan

MS. REED said the support departments would be giving support to the forward facing departments. Masks would be going to those that are front facing and we did not have a supply chain to provide everyone with a mask. Ms. Reed said this plan has been built around the three phases of the Federal Government and if the Governor comes out with something different then the plan may need to be modified.

CHIEF DWIGGINS continued the Power Point presentation.

- Chandler's Proposed Return to Service Plan
- Chandler Fire Community Outreach and Inspections
  - Phase One
    - No Change
  - Phase Two
    - Prevention Bureau
    - Resume business inspections and follow-up inspections
  - Phase Three
    - Prevention Bureau

- Review resuming inspections for healthcare facilities

CHIEF DUGGAN continued the Power Point presentation.

- Chandler Police Community Programs
  - Phase One
    - No Change
  - Phase Two
    - No Change
  - Phase Three
    - Resume community outreach programs but practice social distancing
    - Resume outside training partnerships

VICE MAYOR LOPEZ asked if in Phase 2 schools open.

CHIEF DUGGAN said yes.

VICE MAYOR LOPEZ asked if the SRO's would return then.

CHIEF DUGGAN said yes.

COUNCILMEMBER HUANG said there were discussions about having PPE and one symptom of COVID-19 is fever. Councilmember Huang asked if we were allowed to test people or take their temperature before they enter a facility.

KELLY SCHWAB, City Attorney, said that is a complex issue. Staff would be asked to do the tests and they may not be medically trained. There are different reasons it could be considered going after someone's medical standing. If they were doing that it would have to be done very carefully and there would be a lot of legal liability the City would be exposed to.

COUNCILMEMBER HUANG said he was asking because it is common right now in Taiwan and in China for most public places. Councilmember Huang said those thermometers are easy to use, but was not sure how intrusive it is.

MS. SCHWAB said in the United States with the liability and privacy laws it may be more challenging for us to do that.

COUNCILMEMBER HUANG said in the schools normally if a child is sick they call the parents to come to the school and take them home. If the same philosophy is applied maybe they could do that. Councilmember Huang asked if this could be included as part of the plan.

MAYOR HARTKE asked for staff to look into it and see if it is being done in other cities.

DAWN LANG, Management Services Director, continued the Power Point presentation.

- Management Services Utility Services and Tax/License Walk-In Service

- Phase One
  - Continue to keep counter closed to walk-in services
  - Implement safety measures: ie. Plexiglas partitions, floor markings, proper PPE and cleaning products
  - Identify and develop appointment scheduling software
- Phase Two
  - Provide ability to make appointments for customer consultations
  - Continue to promote conduction business online, by email and phone
- Phase Three
  - Open counters for walk-in services with safety measures
  - Continue to offer by appointment consultations
  - Continue to promote conducting business online, by email and phone

JOHN KNUDSON, Public Works and Utilities Director, continued the Power Point presentation.

- Public Works Household Hazardous Waste Collection
  - Phase One
    - No Change
  - Phase Two
    - Open Household Hazardous Waste Collection, pending adequate supplies of PPE and equipment
  - Phase Three
    - Resume street maintenance, paving, concrete and ADA work in residential areas
    - Resume residential water conservation audits

COUNCILMEMBER STEWART asked if major arterial street work was being done during the downtime now.

MR. KNUDSON said yes. The supervisor came up with an idea to take advantage of the time while schools were out. He said staff has worked really well to get ahead during this time.

DEREK HORN, Development Services Director, continued the Power Point presentation.

- Development Services Customer Service Plan Reviews Walk-in Consultations
  - Phase One
    - Continue to keep counter closed to walk-in services
    - Implement safety measures: ie plexiglass partitions, floor markings, proper PPE and cleaning products
    - Identify and develop appointment scheduling software
    - Re-establish pick-up and drop-off service in the lobby area
- Development Services Customer Service Plan Reviews Walk-in Consultations
  - Phase Two
    - Make appointments for customer consultations
    - Continue to promote conducting business online and by email and phone

- Phase Three
  - Open counters for walk-in services with safety measures implemented
  - Continue to offer by appointment consultations
  - Encourage conducting business online and by email and phone

MS. DeLONG, City Clerk, continued the Power Point presentation.

- City Clerk Passport Services
  - Phase One
    - Identify and develop appointment scheduling software
    - Explore and install permanent sneeze guard shield/security glass for passport services windows
  - Phase Two
    - Roll out communication plan and social media advertising regarding services reopening
    - Reopen Passport Application Acceptance Services for a limited number of daily appointments in order to enforce strict social distancing guidelines
  - Phase Three
    - Open Passport Application Acceptance Services full time by appointment

VICE MAYOR LOPEZ asked if Passport Services would wait to do walk-ins until COVID-19 was no longer a threat or if it would indefinitely remain appointment only.

MS. DeLONG said at that time they would review their options. Ms. DeLong said she has considered a hybrid of continuing to do appointments as it helps manage the workload as people wait for multiple hours some days. There are many calls asking for appointments currently and this change would provide better customer service. She said there is an option to do a walk-in day as well or assist walk-ins if time is available.

COUNCILMEMBER HUANG asked if mailing service is offered.

MS. DeLONG said renewals are only accepted by mail, but first time applicants have to be in person or for minors.

COUNCILMEMBER HUANG said renewals are only accepted by mail.

MS. DeLONG said yes.

COUNCILMEMBER HUANG asked if they could renew in person as well.

MS. DeLONG said no.

LEAH POWELL, Neighborhood Resources Director, continued the Power Point presentation.

- Neighborhood Resources Code Enforcement



- Phase One
    - Enforcement will begin with health and safety cases from complaints that were received from the point staff ceased issuing notices
    - Informational letters will be mailed
  - Phase Two
    - Code enforcement will return to all normal activities for residential areas with the exception of issuing notices through door hangers
    - All notices will be mailed
  - Phase Three
    - Commercial code inspections will resume code compliance for all items with the exception of temporary signage as determined by Council action
- Neighborhood Resources Diversity Office
  - Phase One
    - The Diversity Office will move forward with plans for Veterans event to be a virtual event
  - Phase Two
    - For Our City will hold a virtual kick-off of Operation back to School to plan for a new process for distribution that meets social distancing guidelines
  - Phase Three
    - Planning for formulation of the Four Our City Day Committee will begin and Staff will tour the target areas
- Neighborhood Resources Homeless Navigation
  - Phase One
    - No Change
  - Phase Two
    - No Change
  - Phase Three
    - The Community Navigator may resume transporting clients in compliance with CDC recommendations and a regular disinfection process
- Neighborhood Resources Public Housing Services and Facilities
  - Phase One
    - Install drop box in garage for resident paperwork drop off
    - Develop process to move to online appointment scheduling in place of Walk-in Wednesdays
    - Recreation rooms at each family housing site will have a deep cleaning and playgrounds will be power washed
    - The Housing Youth Recreation Program will finalize plans for the Summer Program to begin in Phase Two
- Neighborhood Resources Public Housing Services and Facilities
  - Phase Two
    - Limited in-person appointments with housing specialist
    - Fair Housing training scheduled and advertised
    - Move to online appointment scheduling
    - Six-foot markers to be placed in the Housing lobby and hall area

- The Housing Youth Recreation summer program will begin with limited attendance
  - Playgrounds and basketball courts will open in conjunction with similar park amenities
- Neighborhood Resources Public Housing Services and Facilities
  - Phase Three
    - Lobbies and intake room open to the public with social distancing protocols in place
    - Housing Rehab Program to meet with applicants and schedule in-home inspections
    - Housing community and tenants meetings resume
    - Housing staff increase in-person appointments
    - Non-emergency maintenance work orders resume

COUNCILMEMBER STEWART said there is an older population at Kingston Apartments and asked what is happening at the site.

MS. POWELL said all of the senior residents at any housing sites have been receiving phone calls from staff to check on them. Ms. Powell said they have also ensured there are food boxes going out including toilet paper in the beginning. Ms. Powell said if the seniors are running out of items they are getting them. Ms. Powell said the part time census staff has been making the phone calls to check on them and getting the census information. Ms. Powell said they have been doing that with some other groups as well.

KIM MOYERS, Cultural Development Director, continued the presentation.

- Cultural Development Chandler Museum and Vision Gallery
  - Phase One
    - Develop marketing strategy for facility opening date
    - Identify programming goals for next 30-60 days
    - Identify PPE for staff for installations/load in/load out
    - Develop social distancing guidelines for public areas
    - Develop Museum procedures for rentals
    - Timed entry to limit number of people in the facility
- Cultural Development Chandler Museum and Vision Gallery
  - Phase Two
    - Museum and Vision Gallery to open facility only
    - Programming and special events will continue to be virtual
    - Provide scheduling of all events, programs, shows and classes online
  - Phase Three
    - Resume all normal operating practices
- Cultural Development Center for the Arts
  - Phase One
    - Develop marketing strategy for facility opening date
    - Identify programming goals for next 30-60 days

- Identify PPE For staff installations load in and load out
- Phase Two
  - Provide scheduling of all events, programs, shows and classes
  - Establish venue specific cleaning/safety protocols
  - Reach out to vendors to confirm event-specific needs can be fulfilled or if substitutes need to be found (example: equipment rental companies, hotel providers, security staffing)
  - Identify alternative locations for dressing room space/outdoor performances
  - Resume small events using CDC guidelines
  - Train Staff and volunteers on how to answer questions and concerns related to COVID-19
- Cultural Development Center for the Arts
  - Phase Three
    - Install protective barrier at areas of transaction
    - Increase standalone hand sanitizer stations
    - Encourage all patrons to bring credit/debit cards instead of cash
    - Maintain a supply of disinfectant spray/wipes, masks and gloves
    - When Box Office returns to serving customers at the windows, implement the use of gloves for handling tickets, receipt and money exchange
    - CCA to initiate events using CDC recommendations and social distancing protocols
- Cultural Development Special Events
  - Phase One
    - Begin reaching out to producers when special events will resume on City-owned property
    - Identify any extra precautions special events should consider with events until the end of 2020 (social distancing, disinfectant, additional cleaning stations etc.)
  - Phase Two
    - Communication to all event producers of additional precautions that the City is requesting to assure a safe environment
  - Phase Three
    - Resume normal operations

MAYOR HARTKE said he does not see any reason that long range scheduling could be going on now instead of waiting until Phase 2.

MS. MOYERS said they could do some of it now. With the Center for the Arts it is a challenging time to reschedule because many of these have tour dates that go along with it and they may not be able to come here. Ms. Moyers said they might be limited in the short term of picking acts in the next 30 to 60 days.

MAYOR HARTKE said he would like to fit that in now and does not want to miss opportunities.

COUNCILMEMBER HUANG asked how much revenue has been lost over.

MS. MOYERS said the Center for the Arts has lost about \$400,000.

COUNCILMEMBER HUANG asked if it was fiscally responsible to schedule a performance if they have to follow CDC guidelines because they may only have a small audience.

MS. MOYERS said yes those are the challenges, they have to look for performances where they could break even or make money.

COUNCILMEMBER STEWART asked if the farmer's market date was voted on. Councilmember Stewart said it seems like a safe place to get food.

MAYOR HARTKE said it was mentioned last time and covered under the Governor's statement.

MS. MOYERS said they could do the farmer's market and the DCCP is making the decision to start on June 1, 2020.

COUNCILMEMBER HUANG said he did not recall discussion regarding the farmer's market.

MAYOR HARTKE said it was mentioned the last time they met.

COUNCILMEMBER HUANG said they did not give staff direction on that.

MAYOR HARTKE said that was correct.

COUNCILMEMBER HUANG said it is planning to open in June.

MAYOR HARTKE said yes.

COUNCILMEMBER HUANG asked if Council would be making a decision or if they would trust the Director to make a decision.

MAYOR HARTKE said it is a DCCP event. Mayor Hartke asked if this is covered under the Governor's order.

MS. MOYERS said the type of farmer's market the DCCP has is considered an essential service. There are vouchers that could be used as well so it is important that they begin. The direction last month was if the situation continued to improve that Council would be open to the farmer's market starting earlier if they wanted to. The DCCP has chosen to begin June 1 because that begins their summer season with limited hours.

COUNCILMEMBER HUANG said he was asking because it is on City property.

COUNCILMEMBER STEWART said condensing hours forces more people to be there at one time and it might want to be brought up to the DCCP.

MS. REED said she had re-outlined based on direction from the last meeting. If there is different direction than what Ms. Moyers is offering then staff needs to know.

COUNCIL said they were in agreement.

MR. BASS continued the Power Point presentation.

- Community Services Park Amenities
  - Phase One
    - Open various park amenities that allow for physical distancing
    - Restart contractor nightly cleaning, may need time to rehire
  - Phase Two
    - All amenities closed through Governor's order re-opened
    - Provide limited restroom availability based on City Council direction
  - Phase Three
    - Return to normal services
    - Resume reservations for park amenities and athletic fields
    - All restrooms open except those at Apache, Folley and Navarrette parks

MAYOR HARTKE asked if in Phase 3 they would be returning to reservations at parks such as youth sports and asked what bathrooms would be open.

MR. BASS said they would work with the group specifically to make accommodations.

COUNCILMEMBER HUANG said in Phase 3 all restrooms would be opened except at certain locations and confirmed it was because it was vandalized. Councilmember Huang asked if those could be fixed now and opened in Phase 3.

MR. BASS said they have been working on those repairs, but it was a decision to deter vandalism as it has been a reoccurring theme at those sites.

COUNCILMEMBER HUANG said if it repaired now then perhaps it would be damaged again so they would rather wait for that time.

MR. BASS said yes.

COUNCILMEMBER STEWART asked for more clarification on fields and why that is in the phase it is in and if it was based on the Governor's order.

MR. BASS said the order did not specifically include fields, but it does talk about social distancing. When youth sports are being played, it is hard to maintain social distancing both playing the game and spectating.

COUNCILMEMBER STEWART said it is not consistent with other decisions. The outdoor sports and skate parks, but they can go back to school but not play sports. Councilmember Stewart said he would like to propose the fields be moved up.

MS. REED said they could do that if that is Council's direction. Ms. Reed said this was drafted based on the Presidential guidelines.

COUNCILMEMBER ORLANDO asked how 12 to 14 people were going to be kept in the dugout at six feet apart from each other. Councilmember Orlando said they need to be flexible and practical on some of the facilities. Some of these entities have made decisions themselves that they cannot maintain social distancing and have canceled their seasons this year. Councilmember Orlando said he did not want to give false hope and wanted to wait on this.

COUNCILMEMBER STEWART said hope is never false, but there are professional sports that are looking at starting but with no fans. Councilmember Stewart said they cannot govern people and say what they can and cannot do. If they have been given a recommendation to social distance, but if we are liable because we do offer sports then it is a different conversation. Councilmember Stewart asked if Councilmember Orlando believed the City would be liable.

COUNCILMEMBER ORLANDO said no, but there are a limited number of PPE supplies. Perhaps 80% of people would follow the guidelines, but what about the other 20%. Now we would be stuck with the hospitals being overwhelmed. Councilmember Orlando would like to see more caution.

COUNCILMEMBER STEWART said he was grateful for the cautiousness. Councilmember Orlando said there are just inconsistencies for what was outlined with the school district and what was made with the parks. Councilmember Stewart said based on data the kids are not getting it and are not passing away.

MAYOR HARTKE said he would like to revisit this later since they are not in Phase 1 yet. If everything else is being directed by social distancing then certain sports cannot be played.

MS. REED suggested they wait until more information is received from the Governor. Ms. Reed said they could bring back more options.

MAYOR HARTKE said they do not know what the Governor is going to do and the City is ahead of the rollout. There may be other guidelines the City must follow. The Plan being presented is based on the President's plan.

MR. BASS continued the Power Point presentation.

- Community Services Recreation Centers and Programs
  - Phase One
    - Tennis Center Gate: Drop in Play
    - Tumbleweed Recreation Center: Fitness areas, gym, track, limited programs w/social distancing, limited hours
    - Summer Recreation Program sign-ups
      - Chandler residents first priority
    - Provide protective gear for staff and disinfectant spray for customer service areas

MAYOR HARTKE said since they are not in Phase 1, then remove the Tennis Center Gate Drop in Play since this would be happening before Phase 1.

MR. BASS continued the Power Point presentation.

- Community Services Recreation Centers and Programs
  - Phase Two
    - EEC, Community Center, Snedigar: Limited Hours
    - Tennis Center: Clubhouse open, ball machine rentals
    - TRC: Increase programming and extend facility hours
    - Summer Recreation Program begin with small groups and social distancing protocols
    - Provide additional protective gear for staff gloves and masks
    - Additional disinfecting facilities once per week
  - Phase Three
    - All facilities open with normal hours and social distancing protocols
    - Senior Center: Limited Hours
    - All normal programming returns
    - Provide additional protective gear for staff gloves and masks
    - Additional disinfecting facility once per week
- Community Services Pools, Aquatic Centers and Programs
  - Phase One
    - Resume lap swimming with restrictions, Aqua Fit classes and hire lifeguards at Nozomi, Desert Oasis and Mesquite Groves only
    - Provide protective gear for staff and disinfectant spray for customer service areas
  - Phase Two
    - Resume limited swimming and diving lessons, club swim times, staff training, public swimming at Arrow head, Nozomi, Desert Oasis and Mesquite Groves only
  - Phase Three
    - All pools and aquatic centers open normal hours
    - Return to full programming
    - Provide protective gear for staff and disinfectant spray for customer service areas

- Community Services Chandler Public Library and Programs
  - Phase One
    - Open all library lobbies only: 8 hours a day
    - Circulation services only checkout return and holds
    - Material in quarantine for 72 hours after return
    - Staff to assist with checkout and place holds
    - Continuation of virtual programming
    - Provide protective gear for staff and disinfectant spray for books
  - Phase Two
    - All branches open
    - Every other computer in service
    - Computer sessions limited per day public hours reduced from normal hours
    - Computer lab closed to public
    - Provide additional protective gear for staff gloves and masks
    - Install plastic protective shields at staff help desks
    - Additional disinfecting facilities once per week
    - Training volunteers
- Community Services Chandler Public Library and Programs
  - Phase Three
    - All branches open
    - All regular library services resume including programming
    - Provide additional protective gear for staff gloves and masks
    - Additional disinfecting facilities once per week

COUNCILMEMBER STEWART said as the hours are condensed then attendance is higher in those hours.

COUNCILMEMBER ORLANDO said he agreed.

MR. BASS said they would need time to get staff ready to go to ensure they could cover the full hours.

COUNCILMEMBER ORLANDO said there have been a lot of gloves, masks, and other protection and asked how it would be rolled out.

MS. REED said all of this would be based on availability. Building and Facilities has been working on installing the plexiglass shields now. Ms. Reed said the gloves and masks would be a supply chain issue and some areas may come back to Mayor and Council because there are only so many supplies.

COUNCILMEMBER ORLANDO asked if the plexiglass barriers should be put in as a permanent structure.



MS. REED said yes, anywhere that this could be installed. Recently there was a safety audit around the City where there are counters as there have been safety concerns as well. This is an opportunity to take care of both of these items and install something more permanent. It would be timing and how fast they could be installed.

MAYOR HARTKE said all of the additional equipment for PPE is under the CARES Act to track and submit.

MS. REED said all of these are going through the Emergency Operations Center and they are tracking every cost for future reimbursement.

COUNCILMEMBER McCLYMONDS said there are local companies as well manufacturing plexiglass shields and to consider those if the City needs to purchase any.

#### 5. Closing Remarks

MAYOR HARTKE thanked everyone who has attended the meeting and those who worked on putting the policy together. This is a great set of guidance that would serve the City well.

MS. REED said it has been a lot of work and appreciated those remarks. It is a lot harder to start up than to shut down so staff has been planning a while for this.

COUNCILMEMBER HUANG thanked everyone for their hard work.

ADJOURNMENT: The Work Session was adjourned at approximately 11:15 p.m.

ATTEST:   
City Clerk *acting*

  
Mayor

Approval Date of Minutes: May 14, 2020

#### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special - Work Session Meeting of the City Council of Chandler, Arizona, held on the 23th day of April, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 18 day of May, 2020.



  
*acting* City Clerk



## CHANDLER CITY COUNCIL

### SPECIAL MEETING – WORK SESSION MINUTES

Thursday, April 23, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, April 23, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 5:01 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Leah Powell, Neighborhood Resources Director; Cori Garcia, Mayor and Council Communications Manager; Riann Balch, Community Resources Manager.

#### 1. Discussion of Community Development Block Grant and CARES Act Funding

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said they would be receiving CDBG funds, almost \$850,000, from the CARES Act.

RIANN BALCH, Community Resources Manager, presented the following Power Point presentation.

- CARES Act CDBG-CV Funding
  - Purpose: to prevent, prepare for and respond to Coronavirus
  - Chandler Allocation: \$849,415
  - Eligible Activities:
    - Must be new or quantifiably increase public services

- Must address a specific need created by COVID-19
  - Must be targeted at low-mod income persons specifically impacted by COVID-19
  - Must be implemented in coordination with local health authorities
- CDBG Regulations
  - Environmental Review
  - Contract
  - Documentation
  - Regulations
  - National Objectives
  - Measureable Goals, Timelines
  - Financial Management
  - Monitoring
- Increased Risk Factors for Low-Mod Income Persons
  - Lack Safety Net
  - Elderly or Disabled
  - Compromised Health
  - Congregate Living Settings
  - Lack Access to Hygiene Products and Sanitary Facilities
  - Lack Access to Information/Media
- Homelessness in Maricopa County
  - 12% Increase Overall (from 2019)
  - 7% Increase Sheltered (from 2019)
  - 18% Increase Unsheltered (from 2019)
- Homelessness in Chandler
  - 39% Increase (since 2019)
- Coordination with Public Health Authorities
  - State and County Response
  - Local Response
  - Regional Coordination
- Recommended CDBG-CV Activities
  - Eviction Prevention and Rental Assistance
  - Homeless Navigation and Client Services
  - Supplies and Equipment
  - Alternate Space and Operations
  - Food
  - Medical Transportation
- Next Steps
  - Review Citizen Participation Plan
  - Submit FY 2019-2020 Substantial Amendment
  - Complete Five-year Consolidated Plan and Annual Action Plan
- Question
  - Is there consensus to allocate CDBG-CV funds for the activities discussed?

COUNCILMEMBER ORLANDO said some of the food banks need food today and asked if there was a way to get funds allocated to them now.

MS. BALCH said yes, they are able to allow food banks to charge back to March 1. If the RFP is released and food is one of those released then there would be an opportunity to have a question on Monday with the providers that are interested. Ms. Balch said they would let them know that they could begin spending and charge back to March 1.

COUNCILMEMBER ORLANDO said they could approve so many dollars to get reimbursed for money already dispersed, and asked about future spending.

MS. BALCH said they do have to go through the procurement process and making recommendations soon thereafter, which would come to Council May 28. Ms. Balch said they would be able to give organizations guidance as to whether or not they would be qualified for CDBG. If they would be approved they could charge back for the funds they are spending now, which could then be used for the future. It is not a guarantee because of the procurement process.

COUNCILMEMBER ORLANDO said it is disappointing that it could not be given to those selected in the past.

MS. BALCH said right as the shutdown started they began to pay the contractors in full for the year so that they have all of the funds that they would have gotten. Ms. Balch said this is a way they have supported them during this time.

MAYOR HARTKE said there has been an influx of fresh produce that have been filling the food banks and said non-profits could apply for the PPP's. Mayor Hartke asked if any local non-profits have received letters stating they would receive funds.

MS. BALCH said they have heard from AZCEND as they applied in the first wave and were awarded some funds for staff for eight weeks.

MAYOR HARTKE asked about Matthew's Crossing Food Bank.

MS. BALCH said she did not have that information and would contact them.

MAYOR HARTKE asked if any others received assistance.

LEAH POWELL, Neighborhood Resources Director, said other non-profits have applied, but they do not have a status on all of them. The East Valley Jewish Community Center did apply for funding and they have received funding from DES at the State level. Ms. Powell said they are running programs though For Our City and have been collecting donations. Those would get dispersed to the non-profits as well. For food donations, staff has been referring phone calls to AZCEND. Ms. Powell said AZCEND is also applying for small grants. The non-profits are taking a

hit because they normally have fundraising going on at this time, which are unrestricted funds. The PPP and the grants are keeping them afloat, but they are not getting enough money to get to where they need to be.

MAYOR HARTKE said the PPP would help with workforce.

COUNCILMEMBER ORLANDO said staff is doing the best they could and requested that if the process is completed earlier that Council could have a meeting to approve it and get money out faster. There are things that are needed now and do not wait a month if at all possible.

MAYOR HARTKE asked for more information on the timeline.

MS. BALCH said they could look at the timeline and if they could move it up to an earlier date.

MAYOR HARTKE said if there are ways to hasten to inform Council.

COUNCILMEMBER ROE asked if there was an effort to contact those with COVID-19 to see what could be done to help with their hardships.

MS. BALCH said that is not something staff has looked at, but it is something they could look into.

COUNCILMEMBER HUANG asked how to let people know how to apply.

MS. BALCH said those experiencing homelessness have been issued cell phones through their Navigators so they could stay in contact. Ms. Balch said those that are housed and vulnerable is something that staff could work on to provide support.

COUNCILMEMBER HUANG asked if those people could not be found is there a way to reach the City.

MS. BALCH said there are flyers and information about how to receive services. Those are being put out through the community. They have also been made available to Police and Fire.

COUNCILMEMBER HUANG said some of them may not have internet and understood it may be difficult.

MS. BALCH said they are working across the region in multiple different fields. Ms. Balch said they are working with organizations who help those with disabilities and they are working on getting information out. Ms. Balch said she believes they are reaching a lot of people.

COUNCILMEMBER HUANG asked how fast the funding could be received.

MS. BALCH said they would have to look at the timeline to see if it could be sped up. Ms. Balch said HUD does have to accept the plan and hoped to get is accepted quickly.

COUNCILMEMBER HUANG asked for an estimated timeframe.

MS. BALCH said the current timeline is June and would try for May.

MAYOR HARTKE said Council has been asked if the funds could be used for those experiencing homelessness and the ancillary resources. Addressing homelessness and those on the verge on homelessness is a large undertaking and cautioned expanding it much more than that. Mayor Hartke said he wanted to ensure they could disperse money rapidly.

COUNCILMEMBER ROE said he had not heard any antidotal stories of those who have COVID-19 that are homeless and was sure some existed. Councilmember Roe said there are confirmed cases of people with COVID-19 who are experiencing hardships and there may be opportunities there.

MS. BALCH said they would be able to help those residents without utilizing these funds.

MAYOR HARTKE said it sounds like the City would check up on the people rather than help with funds and connect them to other resources.

MS. BALCH said yes, they could do that now.

COUNCILMEMBER HUANG said he had a great concern for those who lost their jobs and are unable to pay their rent.

MS. BALCH said a large portion of this funding could serve those persons to prevent additional homelessness. Ms. Balch wants to ensure they stay in their homes.

COUNCILMEMBER HUANG asked if a priority could be set up since funding is limited.

MS. BALCH said yes, they need to meet the funding eligibility requirements. Organizations that do this work generally have criteria to assess people. Because they want to get these funds out quickly and they need to release an RFP quickly. Ms. Balch said they would like guidance on if these services are appropriate and they could move forward. Ms. Balch said they would come back to Council with the results of the RFP and approval to disperse the funds.

MAYOR HARTKE asked if Council was in agreement with what was being presented.

COUNCILMEMBER ORLANDO said there was a list of recommendations and asked if that is what they would be going after.

MS. BALCH said that those are the general areas of need in the community and are services they would like to provide. Some of the services could be provided internally at the City, but others they would like to contract with non-profits to provide.

COUNCILMEMBER ORLANDO said he is looking to provide food and medical supplies. Councilmember Orlando said there are already systems in place to assist the homeless population.

MS. BALCH said they may need more resources for homelessness in the future depending on how big this gets. Ms. Balch said portable sanitation is not something they normally have in their budget so staff hopes if they are eligible services they could seek reimbursement from HUD. For items like food they would need to seek an outside a provider and to do that they need to put out a request for proposal. Ms. Balch said they do not want to do that without Council direction.

COUNCILMEMBER ORLANDO asked if it was more than just one of these.

MS. BALCH said yes, it is all of them.

COUNCILMEMBER ORLANDO said he was in agreement with all of them because they are all immediate needs.

COUNCILMEMBER ROE said it is reasonable and to consider adding victims of domestic violence and those with mental health needs.

MS. BALCH said they could serve them through hotels when a shelter is full.

COUNCILMEMBER HUANG said regarding with Domestic Violence the Police Department has programs. Councilmember Huang said there are concerns for those who have lost their job because their service need is significantly diminished. Councilmember Huang said he would like that to be a priority as well.

VICE MAYOR LOPEZ said he agreed with the proposed path.

COUNCILMEMBER McCLYMONDS said he would be interested to see what is brought back and they would go from there.

COUNCILMEMBER STEWART said Chandler has always done a great job and trusted that staff would come back with a great recommendation.

MAYOR HARTKE said they had approval to proceed.

MS. REED said they would move forward with the RFP.

ADJOURNMENT: The Work Session was adjourned at approximately 5:32 p.m.

ATTEST:   
City Clerk *acting*

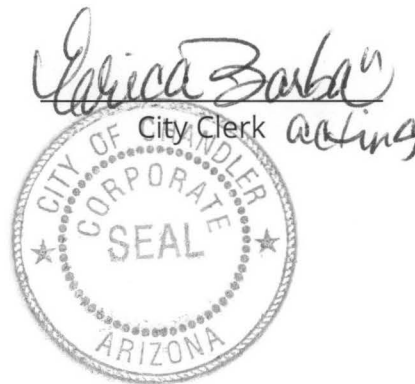
  
Mayor

Approval Date of Minutes: May 14, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special - Work Session Meeting of the City Council of Chandler, Arizona, held on the 23th day of April, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 18 day of May, 2020.







## CHANDLER CITY COUNCIL

### SPECIAL MEETING – WORK SESSION MINUTES

Monday, May 11, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, May 11, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:31 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Micah Miranda, Economic Development Director; Matt Burdick, Communications and Public Affairs Director; Dawn Lang, Management Services Director; Kim Moyers, Cultural Development Director; Ryan Peters, Governmental Relations and Policy Manager; Andy Bass, Community Services Director.

#### 1. Overview of Chandler's Economic Development Practices During COVID-19 Pandemic

MAYOR HARTKE introduced the items to be discussed and asked for a Staff presentation.

MARSHA REED, City Manager, said there were some questions regarding all of the work that Economic Development has done. Ms. Reed said they are all aware of the impacts that COVID-19 has had.

MICAH MIRANDA, Economic Development Director, presented the following Power Point presentation.

- Economic Development During COVID-19
- Strategic Plan Elements
  - Business Attraction
  - Business Climate
  - Entrepreneurship
  - Infill and Redevelopment
  - Market Assessment Meetings
  - Competitive Positioning
  - Tourism
  - Education and Talent
- COVID-19 Impact By Sector
  - Industrial
  - Office
  - Retail
  - Hospitality

VICE MAYOR LOPEZ said some people are working from home and offices may shrink and others may grow. Vice Mayor Lopez asked if there are any metrics regarding office space users and average square feet per user to see if there is a shift in trends.

MR. MIRANDA said yes it is a metric that they watch but it is too soon to tell. Mr. Miranda said it would be interesting to watch. The jobs per square foot ratio is usually 100 square feet per user. As offices have increased to higher density but the need for social distancing and need for space, that setup is going to decline. There is traction around going towards cubes or modified office spaces. Mr. Miranda said it is a metric they are familiar with across industrial warehouse, flex, and office.

COUNCILMEMBER ORLANDO asked what the vacancy rate is right now compared to a few months prior.

MR. MIRANDA said the vacancy rate is pretty flat and did not have the direct number. They are starting to see increased subletting.

COUNCILMEMBER ORLANDO asked if they could get the numbers.

MR. MIRANDA said yes.

MR. MIRANDA continued the Power Point presentation.

COUNCILMEMBER ORLANDO asked what was happening at the mall and wanted to know what Chandler is doing as well as best practices from other cities. Councilmember Orlando said he

would like to know what is happening to keep businesses going. Councilmember Orlando said the mall has been closed and they just lost a second major tenant.

MR. MIRANDA said from the onset the City has been proactive in reaching out to major stakeholders. Mr. Miranda said in regards to Chandler Fashion Center, Staff has been coordinating with the owner operator. Specific to Nordstrom, Staff knew it was coming and they have been working over the past eight months on a project to backfill the space. Independent of that Staff is also working with the operators to open up the mall. There has been concern that opening up the air conditioned facility in the summer months may result in a larger congregation of people. The Governor's Office would hopefully relax the order soon and Staff has encouraged those stakeholders to come up with best practices to ensure the guests stay staff.

MR. MIRANDA said aside from COVID-19 there have been additional conversations regarding what Chandler Fashion Center looks like moving forward. There is a changing retail landscape and how it is not is not how it is going to be in the next couple of years. They have been looking at different site plans to see how they could reuse the mall space that is economically viable and continue to generate sales tax.

COUNCILMEMBER STEWART asked what some of the ideas are that are being proposed.

MR. MIRANDA said Staff has a lot of ideas but ultimately it would be up to the owner operators and did not want to speak for them prematurely. It is important that it is economically viable, sustainable, and a vulturous property. The large anchor tenants are evolving. They know the mall has to change and Mr. Miranda is excited to see what happens. The mall was the last traditional mall to be built and it would begin to evolve. It may become more of a 24/7 destination with a complete mix of uses. Mr. Miranda said he did not want to speculate and overstep.

COUNCILMEMBER STEWART said there was a 60% reduction in retail grands and there is a lot of funding coming down to landlords and there is speculation of rent relief. Councilmember Stewart asked how that is affecting revenue for the City overall.

MR. MIRANDA said the information would be delayed based on how the reporting occurs. Mr. Miranda said this week they would receive the first full month of March data.

DAWN LANG, Management Services Director, said the memo going out this week would be the first look at the impact of COVID-19 on the City budget. It would reflect the sales of March that were reported in April that are then summarized in May. It would only show about half of March but it would be able to provide more information about what to expect.

COUNCILMEMBER ROE asked what the City is doing to message the Governor's Office. Many businesses are small and independent and if the City is really sending a message to open.

MR. MIRANDA said Council has taken steps to share their position and that is another leadership position that Chandler is out there pushing to explain the Governor's Office's decisions are impacting Chandler as a municipality and local businesses. Mr. Miranda said there are a couple dozen organizations the City works with from the Economic Development Department who then take the City's input and take the collective voice to message the Governor's Office. Mr. Miranda said the steps the Council has taken are being seen and well received. On the Staff level side there is a lot of communication with the Arizona Commerce Authority and the Intergovernmental Office.

COUNCILMEMBER ROE said there are steps in place and are starting to roll out. Councilmember Roe said he thought the mall was part of that.

MR. MIRANDA said no. The County is still hesitant to open climate controlled retail spaces because there is concern it would cause crowds and not follow social distancing guidelines. Mr. Miranda said they are pushing back because the stakeholders have plans in place and they have gone through this with openings in other parts of the world. Mr. Miranda said they are hoping the Governor's Office would provide more direction in the following week.

COUNCILMEMBER ORLANDO said he understood the opening and closing of the mall and that it is short term but Councilmember Orlando is more concerned with the long term. Councilmember Orlando asked how the mall would look and the plans for the future and if there is a mall somewhere else that it would be modeled after.

MR. MIRANDA said from a Staff perspective they have taken steps to have meetings with different organizations that have worked on repositioning malls especially in oversaturated markets. Southern California is similar geographically and positioning and they have started to think about retail in general. Chandler Fashion is the largest retail location and those conversations have to be done collaboratively as well as working with the Management Services Department to get a historical look at what the mall generates. Mr. Miranda said they need to understand what types of new activities or product types would have to be introduced to maintain the revenue generation. Mr. Miranda said if they want to continue to see the rate of growth then they need to consider what they need to fill the space with. It is not a perfect science. The retail partners are being very diligent and patient in trying to determine how to reposition the mall. Staff is thinking about it and the City Manager's Office had asked this to be looked at even prior to COVID-19 so we can begin the process.

COUNCILMEMBER ORLANDO asked what the timeframe is regarding when they could see possible plans. Councilmember Orlando said he would like to have confidence. The more a plan is solidified then the confidence would help the businesses.

MR. MIRANDA said that is the crux of the Economic Development Department. People have been asked to stay home and that message has been communicated. Mr. Miranda said they are looking at how to push the Shop Chandler message. They have seen a dramatic increase in online retail. It is not important for everyone to communicate to the general public and it is important to support the brick and mortar store. From the tourism side there are some reallocation of resources in the next budget cycle. That is incumbent on everyone to go to the local store and make a purchase.

MR. MIRANDA continued the Power Point presentation.

- Business Project Pipeline
  - Projects are moving forward cautiously
  - Businesses are thinking beyond COVID-19
  - Site selection process takes months to years
  - Projects initiated today may locate 2 years from now
- Business Project Pipeline
  - Code Name and Potential Jobs
    - Denali – 1,500
    - Skylight – 1,000
    - Prometheus – 937
    - Nexus – 700
    - Shield – 500
    - Radio – 500
    - Alphabet – 442
    - Falcon 5 – 205
    - Runway – 150
    - First – 100
  - Projects by Potential Jobs
- Business Attraction – Base
  - Clarivate Analytics
    - Adv. Business Services
    - 30,000 SF Office
    - 150 jobs
    - Feb. 2020
  - Root Insurance Co.
    - Financial Services
    - 38,000 SF Office
    - 480 jobs
    - March 2020
  - Project “Cheese”

- Healthcare
  - 100,000 SF Office
  - Up to 600 jobs
  - TBD
- Retention/Expansion
  - Rinchem
    - Wholesale Trade
    - 57,000 SF addition
    - 25 new jobs
  - Pillir
    - Adv. Business Svcs.
    - Coworking suite
    - 14 jobs and growing
  - Morsch Machine
    - 21,000 SF facility
    - 20 new jobs
  - Pearson
    - Education Technology
    - 91,000 SF Office
    - 400 jobs retained
  - Stantec
    - Professional Services
    - 9,000 SF expansion to 64,000 SF of space
- Marketing
  - LinkedIn and Twitter posts
  - YouTube playlist
  - Canal mural coverage
  - E-newsletter
  - Lead/prospect management
- Tourism
  - Curbside Chandler Campaign
  - Social media shift to local audience
  - Meeting planner outreach
  - Contacting hotels and restaurants
  - Updated website to advise of closures and event cancellations
- COVID-19 Response
  - Engaging with impacted businesses to provide education on funding programs and other resources
  - Informing residents of opportunities to safely shop and dine in Chandler (delivery, takeout, curbside pickup)

- Coordinating calls with property owners and developers to understand how COVID-19 is affecting their tenants and projects
- Coordinating with partners to avoid duplication of efforts (i.e. Chandler Chamber of Commerce, GPEC, ACA, DCCP, etc.)

COUNCILMEMBER STEWART asked if sports tourism is still on the radar as parents continue to invest in children regardless of if there is a recession.

MR. MIRANDA said yes it is on their radar and does come up. From the tourism perspective Chandler does not have a lot of field space to market so it is something they work through with the Community Services Department to get field space set aside. The Community Services Department is open to regional tournaments as well and Staff will pitch Chandler when available. Mr. Miranda said the other existing assets, such as the tennis center, continues to be pitched for tennis tournaments. Races and marathons where there is built out infrastructure continues to be pushed and there are some events coming up. It is on their radar but they are stuck in a field crunch. As the fields become available and could be set aside then they would be able to pitch those more. It takes about 12 to 24 months in advance to get into the cycle.

COUNCILMEMBER ORLANDO asked if banks are lending.

MR. MIRANDA said yes. There are the PPP loans available and Arizona received 43,000 of those loans in the second round which came in at just under 4 million. Those loans have been going to businesses of all sizes. The challenges that a lot of businesses are facing is whether or not to take on more debt not know what the future holds. There is lending available but it comes down to the risk appetite. On the manufacturing industries, they seem to be more willing but the restaurant and retail are more trepidations.

COUNCILMEMBER ORLANDO said if they would be seeing large construction projects being financed.

MR. MIRANDA said if it is built to suite where the anchor tenant is known or if it is a speculative project with a tenant in tow then the lenders are more willing. If it is purely a speculative project there is a lot more hesitation and the banks are requiring the developer to step up with more equity just because of the unknown.

COUNCILMEMBER ORLANDO said the Economic Development team has been looking into the hotel and motel business and asked what they are finding.

MR. MIRANDA said they participate with the stakeholders and have outreach to specific properties in Chandler. There is not a lot of guidance. Some of the larger full service hotels are closing because their overhead costs are much higher. They are looking towards July or August.

The limited service business hotels are open and there seems to be more excitement that occupancy would ramp up faster. In the greater Phoenix area outside of the resort properties with the stay and play type of vacation it is the slow season anyway. If this was hitting in the winter it would be a different scenario. The guidance has been based on property types. The luxury would take a longer time to come back and the business travel would possibly come back faster. Mr. Miranda said it would not be travelers we are used to but rather people who cannot go home because they are providing healthcare and do not want to expose their families. From the economic side they are taking a conservative approach and are not expecting to see an uptick until January.

COUNCILMEMBER HUANG said in April many tenants tell their landlords that they are not going to be able to pay and asked what the landlords would do. Councilmember Huang asked how that impacts the sales tax.

MR. MIRANDA said there has been a reduction in paying rent from a retail perspective. The different loan programs that have been rolled out federally could be used to pay a mortgage or rent relief. The projections on what it means to the City of Chandler is something that Management Services and Economic Development track. It would be based on some of the numbers received in the next week.

COUNCILMEMBER HUANG asked what the lenders are going to take care of the situations if they know payments may not be made for a few months.

MR. MIRANDA said they reached out to some landlords and property owners and the feedback that Staff received was across the board. The office and industrial group continues to get rent in the 80 to 90% range and retail gets about 40%. It comes down to the specific leases. The landlords want to take care of tenants and have sympathy for them but there are certain limitations based on the lending terms of what they can and cannot do. It comes to the specific loan the property owner has on the building.

COUNCILMEMBER HUANG asked if there would be payment forgiveness.

MR. MIRANDA said there probably isn't going to be forgiveness but it may be moved to the end of the loan or re-amortized but it is up to the bank. It is on a per property basis.

COUNCILMEMBER HUANG asked if there was an estimate of a percentage of how many retailers are expected to close.

MR. MIRANDA said it is too early to answer but they are tracking it closely.

MR. MIRANDA continued the Power Point presentation.



- COVID-19 Response
  - Temporary relaxation of sign code rules
  - No Service Disconnects
  - 30-minute parking for carryout in Downtown Chandler
  - Electronic correspondence
  - Chandler Police business watch program
  - Scammer awareness
  - Mental health support
  - Economic performance tracking
  - Business outreach calls
- New Initiatives
  - COVID-19 Business Resources webpage
  - Shop Chandler webmap
  - Visit Chandler conference call backgrounds
- New Initiatives
  - Business Resource Update video series
  - Blog highlighting how Chandler businesses are giving back
  - Business surveys
- What Cities Are Doing
  - Phoenix and Mesa were eligible for direct federal CARES Act funding due to their populations (>500,000) and will be offering business grants

COUNCILMEMBER ORLANDO asked how many phone calls were made to the businesses.

MR. MIRANDA said about 300 calls were made. This was done early on and Staff has continued to make outreach calls to the base industries to see where they are at. It is not a metric that was on the leading edge.

COUNCILMEMBER ORLANDO asked how big the pool was.

MR. MIRANDA said depending on the data set there are about 5,000 businesses in Chandler.

COUNCILMEMBER ORLANDO said a lot of these programs he hadn't heard about and asked how the message was getting out.

MR. MIRANDA said the website and social media is most effective. At the onset the feedback was regarding questions about how the businesses could get money. Once the federal money was released it took some stress off of them and then the conversation shifted from loans to wanting a grant. The messaging is Citywide and through the Economic Development channels like newsletters, social media and outreach calls.

COUNCILMEMBER ORLANDO asked for more information about the programs offered in Tempe.

MR. MIRANDA said they did two different programs. The first is the voucher system that was does in partnership with the IDA, Downtown, Tourism, and the Chamber. It was the Hound Voucher Program which was a prepaid gift card. They also backed up to one million in collateral with a banking institution which is similar to what the Chandler IDA does with their collateral assistance program.

COUNCILMEMBER ORLANDO asked for more information regarding the Chandler IDA's program.

MR. MIRANDA said the Chandler IDA serves as a conduit lender for specific types of programs.

MR. MIRANDA continued the Power Point presentation.

- Chandler IDA
  - Separate political subdivision of the State; issuing agency for bonds
  - 7-member board appointed by Mayor and City Council; 6-year terms
  - Conduit lender: does not directly loan funds; but passes fund through
  - Annual fees collected from bond issuance can be used for economic activities
  - Collateral Assistance Program created in 2013
- Collateral Assistance Program
  - Helps Chandler businesses obtain loans from private lenders
  - Provides additional collateral up to \$50,000 or 20% of loan amount
  - The term of CIDA's collateral pledge is two to four years
  - Can support businesses seeking loans for extra working capital

COUNCILMEMBER ORLANDO asked for more information on the program.

MR. MIRANDA said the Chandler IDA collect fees off of the bond issuance. The IDA board receives a fee off of the conduit lending that is set aside and can do a lot of things with it. They are held to the same legal requirements as Chandler is and they have done grants and things like that.

COUNCILMEMBER ORLANDO asked if the IDA was meeting.

MR. MIRANDA said they meet every month on the second Tuesday.

COUNCILMEMBER ORLANDO said there is almost a million dollars and they have a program in place and asked what applicants are given.

MR. MIRANDA said the Collateral Assistance Program is a full program.

COUNCILMEMBER ORLANDO asked how they help or what is provided.

MR. MIRANDA said that is something Staff is looking for direction from Council on in terms of what type of bumpers they would like Staff to stay within. Mr. Miranda said Staff could approach the IDA board with formal grant and lending programs outside of the Collateral Assistance Program.

MR. MIRANDA continued the Power Point presentation.

- City Council Direction
  - Chandler IDA Recommendations
  - New Business Assistance Programs
  - Development Services "Clock Stoppage"

COUNCILMEMBER ORLANDO said with the overarching need today there is money that could help some businesses and asked for more information. Councilmember Orlando said that Council needs more information about what the IDA can and cannot do and requested options to be brought to Council. Councilmember Orlando said he would also like information on what other cities are doing.

MR. MIRANDA said each City has a different approach based on their goals. In Chandler, Staff really focuses on aligning with the strategic goals as outlined by Council. If Council wanted Staff to explore retail and restaurants that is something Staff could look at and come back with ideas. Those then would be pitched to the IDA board for formal programming.

COUNCILMEMBER STEWART asked if Mesa and Phoenix received federal funding that they are distributing to private business through a grant or loan program.

MR. MIRANDA said Phoenix, Tucson, and Mesa are the three municipalities in the State that received CARES Act funding. They are all setting aside the funds into different pots by how they want to spend it. Some is going to assist with rent, utilities, or helping with the acquisitions of personal protection equipment. Those categories are a big part of the framework that was set and what the dollars should be used for.

COUNCILMEMBER STEWART said they are receiving federal dollars for private industry because they have a population over 500,000 and asked how that was a fair market principle.

MAYOR HARTKE said the States were given money and the cities over 500,000 were direct recipient and counties over 500,000 were a direct recipient sans the cities within them who received direct funding. The smaller counties or cities under 500,000 were to approach the State for this. There has been a lot of conversation and lobbying through the League of Cities and Towns to see what monies could be available. Mayor Hartke said he has been working with Maricopa County to see what are some options available because that is their direct conduit not

necessarily the State. Maricopa County is addressing concerns around health in the general health in the county and in particular nursing homes, prisons, and those experiencing homelessness.

MAYOR HARTKE said smaller cities like Casa Grande said their recourse is to talk directly to the State. The State and the Counties have their own priorities that may or may not involve cities. It would benefit us, such as testing and contact tracing, but it would not be in our direct jurisdiction. Mayor Hartke said there is talk about a second wave of funding going to smaller cities and counties. Mayor Hartke said Phoenix cannot use money to help their revenues and it must serve their community.

COUNCILMEMBER STEWART said Chandler is going to be at a competitive disadvantage because there is 90 million dollars going to Mesa to help support their business community. That is not how this is supposed to work and it is not fair to the businesses in Chandler.

MAYOR HARTKE said Maricopa County just voted to receive and they do have a tentative draft together. Mayor Hartke said they continue to lobby with them.

COUNCILMEMBER ORLANDO said he agreed and it is no different from CDBG funding and they typically receive their share.

MAYOR HARTKE said the City has received CDBG dollars and there would be recommendations later but it is a smaller amount. The City is also documenting expenses that relate to COVID-19. Mayor Hartke said they do want to document all expenses to possibly get money later.

COUNCILMEMBER McCLYMONDS said he did speak with Ms. Reed about tracking the dollars and Staff is aware but understood the concern.

MR. MIRANDA continued the Power Point presentation.

- Summary
  - Leadership Role
  - Proactive Measures
  - Balancing Activities
  - Reopening Facilities
  - Executing Council Vision

MAYOR HARTKE said the IDA is going to be following direction and the current policy of supporting the base industries. Mayor Hartke asked if they would like recommendations from Council about programming.

MR. MIRANDA said when he and Ms. Lang approach the IDA on potential programs Mr. Miranda asked if Council has a framework or certain things they would like to see.

VICE MAYOR LOPEZ said there is about a million dollars in the bucket and asked how often the money is replenished.

MS. LANG said it grows slowly and it depends on the bond issues that come forward to the board. As of recent, the Intel bond issues have been the main issues that have allowed the amount to be increased over the last few years than it has over five years before that. The IDA has built that balance through the bonds that are outstanding the fee is added. The IDA is a separate non-profit. Their main activity is issuing bonds to support economic development and there is a little leeway about how they could be used but they still must support economic development and their mission. The Collateral Assistance Program is one thing but over the last few years, there have been numerous loans and grant provided. The Bond Counsel is brought in to ensure there is consideration, measureable, information coming back on how the dollars are supporting economic development.

MS. LANG said there are larger IDAs that actually bring in so many fees that they have Staff that could help with loan programs. The Phoenix IDA set aside 2.6 million and they are doing 10,000 dollar grants with very specific guidance and Staff reviews the applications. Some smaller IDAs have similar Collateral Assistance Programs, grant requests, and loan requests.

VICE MAYOR LOPEZ said they built up to the million but it took many years. If they delete the fund then they would probably not see that return for a while. Vice Mayor Lopez said it sounds like the fund is used for a larger economic development program and they would do some larger projects. Vice Mayor Lopez confirmed that they do currently do grants and loans out of the fund.

MS. LANG said yes. The last request was in 2018 and before that was 2015. They are not frequent but it is something that the Board deliberates on and an agreement is created.

MAYOR HARTKE said there are small and medium size companies that are struggling and may not have received federal funds. In order to take advantage of this it would not only have to help replenish lost revenue but it would need to substantiate economic development and growth in Chandler. Mayor Hartke said it would need to keep the business going but also expansion or growth.

MS. LANG said that was correct. If it is a loan or grant, it is looking towards economic development and expansion. The Collateral Assistance Program could be used for working capital. If a company were looking for a boost to get out of this they could apply through a banking institution and the City would be able to provide the guarantee on the loan either 50,000 or 20% of the loan.

MAYOR HARTKE asked if the Collateral Assistance Program was also coming from this pool of money.

MS. LANG said yes.

COUNCILMEMBER STEWART said the Collateral Assistance Program is a loan and the grants are coming out of this million-dollar fund. Councilmember Stewart said most of the fund came from Intel. Councilmember Stewart asked if the money would typically be used to incentivize opportunities for business. For example, there was Project Cheddar coming in and asked if this money was used for hiring incentives.

MS. LANG said the IDA is a separate political subdivision of the State of Arizona. It is connected to the City but it is a completely separate entity. The bond transactions that happen through the IDA is separate. The funds are not ours and the bond activity is not ours. It is a conduit between private entities and a bank, which allows access to tax exempt financing. The laws are strict because whenever you are dealing with tax exemptions there is a lot of scrutiny. The fees that come in can accumulate over time and it is silent in State and Federal laws on how to manage those fees. Bond Counsel typically states because it is related to the bond transactions they must still follow the mission of the IDA. It still needs to have that economic development element. Because the funds are limited, when an application comes in it is deliberated and it is really looked at to review the impact to the community. Ms. Lang said if they were to do something in the midst of COVID-19, they would have to partner with a bank to do some sort of small business loan. In the past, based on the requests that were made they were able to do an agreement. Those are another way in which the fees could be used.

COUNCILMEMBER ORLANDO said there are a lot of pieces and said there were conversations awhile back regarding how to use this money. It has been a few months since then. Councilmember Orlando said he is concerned about small businesses surviving and maybe there are ways to do small grants of 400-500 dollars to help businesses. Councilmember Orlando suggested Staff look at options with the direction of helping small businesses or entities that support small businesses because they could then leverage their dollars as well.

VICE MAYOR LOPEZ said the funds cannot be used for COVID-19 the way it is right now. Council must redefine the edict of how it could be used.

MS. LANG said the IDA is separate so Council could make recommendation and guidance towards certain things. Ms. Lang said they have only received one grant request in the last week.

VICE MAYOR LOPEZ said if the IDA board could already issue grants and loans for COVID-19 reasons then why do they need Council's edict if it is only a recommendation.

MR. MIRANDA said they would like direction on an economic development perspective because it is a small pot of money. If they sit down to put together a program they would like to know what high-level objectives would Council like Staff to take forward.

VICE MAYOR LOPEZ said Staff would like guidelines on of grants and collateral because as more grants are given the less money they have. It is a balancing act of grants and collateral and maintaining a balance of future projects.

MAYOR HARTKE asked Staff if there was an amount of money so that if they did want to assist small businesses and what recommended amount would be. Mayor Hartke said they did not want to picking and loosing companies that are going to get money or not but would like to take a percentage of the money that would be spread out to impact a number of companies.

COUNCILMEMBER McCLYMONDS said the federal money with the loans was burned through quickly and that was one billion dollars and this is only a million dollars. It is going to go quickly fast and then they must pick winners and losers. Councilmember McClymonds said when the letter that Council wrote to the Governor stating that businesses should ramp back up in a responsible manner and watching for the safety of the community. If there were the small grants to help with safety if could help a lot more people.

COUNCILMEMBER STEWART thanked Staff for the explanation. Councilmember Stewart asked if they are allowing an unelected body to distribute general fund dollars to businesses based on application.

MAYOR HARTKE said they are not general fund dollars.

COUNCILMEMBER STEWART said they are fees that come from taxes paid by the business owners. Councilmember Stewart said if they are used to incentivize economic development and how that would work.

MS. LANG said this is a completely separate legal entity which is a non-profit. It is a completely separate subdivision. The IDA is governed by a very specific set of rules it is the ability to be a conduit for a private entity to get a tax exempts on a bond deal. They pay a pretty substantial fee in order to have that opportunity. The dollars are not the City's and the City cannot say how those dollars are used. When those fees come through, they are invested with that legal entity completely separate from the City's funds. Ms. Lang said when supplementing City's programs it is up to the IDA because they are separate. Ms. Lang said the City has the articles of incorporation of how they are to operate and Council appoints the board members.

COUNCILMEMBER STEWART asked if the fee was a tax.

MR. MIRANDA said the fee is not a tax because the entity could use any IDA and they are electing to use the Chandler IDA. Mr. Miranda said they are purchasing a service and the cost is the fees. It is not a tax on them and could go to another IDA and that IDA could offer other fees.

MAYOR HARTKE said he agreed with Councilmember McClymond's recommendation but asked that Staff come back with further information.

VICE MAYOR LOPEZ agreed to have Staff put together recommendations.

MEETING RECESSED AT 5:58.

MEETING RECONVENED AT 6:13

## 2. Discussion and Council Direction regarding Chandler's Facilities Reopening and Return to Service Plan

MAYOR HARTKE called for a Staff presentation.

MS. REED asked if there was any other discussion regarding the Economic Development items.

MAYOR HARTKE said no.

MS. REED said introduced the next discussion topic. Ms. Reed presented the following Power Point presentation.

- Return to Service Plan Phase 1
- Implemented in Phase One
  - Safety measures, social distancing, cleaning, and PPE where needed based on CDC guidelines
  - Library circulation service for holds pick-up and drop-off items
  - Code enforcement of health and safety cases
  - Summer recreation program sign-ups for Chandler residents
  - Strategy, goals, and procedures for opening facilities in future phases
- Additional Actions by Council
  - Outdoor park amenities not covered under Governor's Executive Orders
    - Tennis Center courts for drop-in play
    - Tennis and pickleball courts
    - Dog parks
    - Archery range



- Disc golf
- Skate and bike parks
- Board and Commission meetings with limited attendance and social distancing

MAYOR HARTKE said he received one email from an individual asking about other tennis courts and asked if the schools would be opening their recreational facilities.

ANDY BASS, Community Services Director, said currently the School District properties are locked down and it would be up to the School District to reopen them.

MAYOR HARTKE asked if it was worth asking if they would open during time off of school.

MR. BASS said he would reach out to them.

- Return to Service Plan Phase 2
- Facilities and Services Pending City Council Action
  - Implement safety measures, social distancing, cleaning and PPE
  - Facilities
    - Environmental Education Center, Community Center and Snedigar Rec Center limited hours
    - Tennis Center clubhouse and ball return rental payment
    - Athletic field use for youth league practices only
    - Park ramadas and amenities not in Governor's Executive Orders
    - Libraries with limited services and reduced hours
    - Chandler Museum and Vision Gallery facilities (not programs)
  - Services
    - Summer recreation programs with small groups
    - Center for the Arts small events
    - Public Housing recreation programs
    - Customer Service counters by appointment only
    - Code Enforcement in residential areas with notices mailed
    - Household hazardous waste collection appointments

MAYOR HARTKE asked if some of these facilities may be opened but until the governor further rescinds his order there is still a maximum number with social distancing.

MS. REED said as long as it stays under the 50 number they could move forward under the current CDC guidelines. In some of these areas, they may be limited to 10 depending on the square footage of space.

COUNCILMEMBER STEWART asked if it was possible to set up appointments. Councilmember Stewart said in a prior meeting that PPE would not be able to be provided to all Staff and asked if that had changed.

MS. REED said there was some discussion around PPE and they have received more supplies. Ms. Reed said not it could be provided to staff that are front facing. If they have Staff that does not interact with the public then they would not be able to provide PPE. Ms. Reed said they are prepared to open all of these with Council direction under Phase 2. Ms. Reed said the appointments would be difficult for these.

COUNCILMEMBER STEWART said it would make sense to open the ramadas and athletic fields.

VICE MAYOR LOPEZ said the green spaces are open there is just no booking or youth sports for games.

MR. BASS said that was correct. The fields are open for drop in and unorganized play. If it was a team looking to secure that place that is not currently being done.

COUNCILMEMBER STEWART said there are requests from the public to permit the fields for practice and small groups.

MR. BASS said the only request they have a request from soccer groups to hold practice and training session but would not be holding games. They would be following the U.S. Soccer Guidelines on how to do soccer practices during this time.

VICE MAYOR LOPEZ asked if under the Governor's order they are in Phase 1.

MS. REED said it is a little bit different in the Governor's orders from what the City has proposed. Ms. Reed said the only thing still covered are gyms, pools, basketball courts, splash pads, playgrounds, and public restrooms.

VICE MAYOR LOPEZ said of the list they would be able to open everything.

MS. REED said that was correct.

VICE MAYOR LOPEZ asked if there was a limited number of people.

MS. REED said no those limited number of people interacting are CDC guidelines.

VICE MAYOR LOPEZ asked if there was a current recommendation for Arizona.

MS. REED said it is the CDC guidelines that are federal guidelines that the State points to.

VICE MAYOR LOPEZ asked if the tennis center does not fall into the realm of being a gym.

MS. REED said that was correct, as it is an outdoor facility.

VICE MAYOR LOPEZ asked about the clubhouse.

MS. REED said the inside spin room would have to stay closed. Ms. Reed said they could have the doors open where the pro shop is so people could reserve courts.

COUNCILMEMBER ROE said it would be great to get the facilities open. Councilmember Roe asked if there was a cleaning contract or if Staff are doing it.

MS. REED said both. Ms. Reed said Staff has taken over disinfecting the areas but they could also do it through the custodial contract.

COUNCILMEMBER ROE said as the heat ramps up and they were to reserve a ramada, Councilmember Roe asked if they would be given paperwork to remind them of CDC guidelines. Councilmember Roe said after that it would be up to them to self-police.

MS. REED said if there are large groups under the ramadas and the City has allowed them to be there then it would be expected that calls might be received. Some of the larger ramadas may have to go without reservations but they are open and people are using them today.

COUNCILMEMBER ORLANDO said he had heard three weeks ago there were 800 patients in the hospital that were COVID-19 positive. Last week, it was said that there were 900 patients in the hospital that were positive and then this week was 1,000. Councilmember Orlando asked what is driving that.

TOM DWIGGINS, Fire Chief, said he was not sure what is driving it but more testing is being done which would produce more positive cases. For someone to be admitted into the hospital would be those that are symptomatic. Chief Dwiggins has not seen anything across the board as far as the numbers. AZDHS and Maricopa Public Health does update those. It was consistent but if there is an uptick he is unable to say why. Chief Dwiggins said they are seeing more positives although the last few days it has come down a bit, but they are testing sometimes up to 6,000 tests a day.

COUNCILMEMBER ORLANDO said they are testing and some are being told to go home and self-isolate but the numbers are increasing in hospitalization, therefore there are still those that need hospitalization.

CHIEF DWIGGINS said if they are being hospitalized means they are symptomatic and it is severe enough that they cannot go home. They are looking at how many patients are in some type of bed within the facility and some patients may be on the way out but the number is constantly moving.

COUNCILMEMBER ORLANDO said it is growing whether we are testing or not people are still going to the hospital.

COUNCILMEMBER STEWART said the data last week for the percentage capacity was flat across the board by use and type. Councilmember Stewart asked if that was still the case in Chandler.

CHIEF DWIGGINS said they would update on Wednesday with current information. When looking at hospital capacity there are other things separate from COVID-19 such as heart attacks and strokes and those numbers are constantly fluctuating. Capacity is the key that we need to look for. Initially the concern was that we would not have the healthcare infrastructure to treat COVID-19 but there has been enough for this.

COUNCILMEMBER STEWART asked if the hospitals are now admitting more COVID-19 patients to fill those numbers.

CHIEF DWIGGINS said he would not be able to answer what the hospitals are doing but did not know why the hospitals would admit someone who did not need to be.

VICE MAYOR LOPEZ asked if hospitals are expanding their testing and if they are getting designations for COVID-19 positive and symptoms or if they are in the hospital for something else and are getting testing.

CHIEF DWIGGINS said the patients that are being tested have the CLI signs, which means they have a fever and difficulty breathing. To say someone was going in with a broken foot and they would be tested for COVID-19, Chief Dwiggins could not say if that was actually occurring right now.

COUNCILMEMBER McClymonds said he wanted to be mindful of that there is a group of 30-40% and there is a group to saying to get back to life and then some in the middle. Councilmember McClymonds said in their letter to the Governor that they said they would look for safety and ways to open opportunities where they can. At a City level, it is something that could be controlled but asked if they owed it to themselves as a City to put safety in mind. Councilmember McClymonds said he wanted to put himself in the mindset of the 30% that are not comfortable opening up. Councilmember McClymonds said he is in support of opening the facilities and allowing the kids to play on the fields but the kids are going to be close to each other. Councilmember McClymonds asked if they do go the route of opening up and ensuring there is strong encouragement for being safe.

MAYOR HARTKE said it does seem like whatever Council would do like with ramadas it should be a contract and ensure there are strong guidelines of social distancing. If kids are doing practices those could maintain social distancing. The conversation is not opening leagues but just

practicing. Mayor Hartke said they would expect to receive comments but that would be part of the opening. Mayor Hartke said they need to open where they can but be safe. There may be areas where they could do both.

COUNCILMEMBER ORLANDO said his concern is the safety of employees because if they wear a mask and someone walks in without a mask who is COVID-19 positive the employee may get it. The mask only really protects an individual from transmitting not from catching it. Councilmember Orlando said the policing of the guidelines is a concern. Councilmember Orlando said regionally it is not a badge of courage to be the first one open. Councilmember Orlando would like to look at what is happening regionally. Councilmember Orlando said he did not want people from all over to come to Chandler to rent a ramada and then the Police Officers have to be potentially exposed. If Tempe, Mesa, and Gilbert are all closed then they would come to Chandler. Councilmember Orlando said they need to work with the other communities systematically so that Staff is not overly exposed, Police Officers are not called to go because there are too many people. Councilmember Orlando said what would the Police Officers even say to enforce that rules in that situation. Councilmember Orlando said he did not know why they want to put Staff and citizens in this type of predicament.

MAYOR HARTKE asked what direction Council would like to give regarding the facilities.

COUNCILMEMBRE ROE said he agreed to allow Staff with some latitude in messaging and how they register but did not see a reason to not open the facilities on the list.

MAYOR HARTKE asked if ramadas could be rented just to Chandler residents.

MR. BASS said generally, when it comes to someone renting a facility they could ensure it is a Chandler resident that is on the reservation. Mr. Bass said that with the Libraries there are some regional agreements that do not allow us to bar those that are not Chandler residents. Mr. Bass said they did see, as other libraries closed, there were an influx of customers from other areas in the Valley.

MAYOR HARTKE asked what Council through about the EEC, Community Center, and Snedigar Rec Center. Mayor Hartke asked what type of activities would happen at these locations.

MR. BASS said it goes with the services below. They have released their summer schedule and they would be preparing for the summer programs happening in June. Mr. Bass said they would work on getting the facility ready and they would be working on capacity for those programs. At this point, the drop-ins have stopped but they would be looking at restarting some of those with a limited number of people. Mr. Bass said it would be a slow reopening and they would need to schedule and notify Staff.

MAYOR HARTKE said even in these facilities they are not renting out large spaces for events but only the City programs and services that would use those facilities.

MR. BASS said yes.

COUNCILMEMBER STEWART said it is important that it is important to keep Staff safe and asked about the partitions and walls. Councilmember Stewart said he is not excited about limited hours because it concentrates the number of people in the facility. Councilmember Stewart said if they are open normal hours the people would be spread out. Councilmember Stewart said if they are going to appointments and limit the number of people there has to be a plan and how people come in.

MAYOR HARTKE said mentioning these items are people who would belong there not just people coming in because they can. Mayor Hartke said these would be preset classes and the people would be signed up to be there. This would be Chandler programs for Chandler residents and would be determined by the programing.

MR. BASS said yes. Tumbleweed has a gym and workout facilities which is more a drop in. these other facilities are not based on drop-ins because of the amenities so people come because they are hosting an event or program.

COUNCILMEMBER STEWART asked if they would be going through this bullet point by bullet point.

MAYOR HARTKE said yes.

COUNCILMEMBER HUANG said these are our own programs and asked if we are not checking people's ID.

MR. BASS said the software asks for their address so they do have the ability to know if they live in Chandler. MR. Bass said they open the registration to Chandler residents first. Normally it is a week but that could be extended a couple of weeks. If there are openings still available then a non-resident could register for those programs.

COUNCILMEMBER HUANG asked if that is necessary to limit people outside of Chandler if it is Chandler's own program. Councilmember Huang asked if the people would be limited.

MAYOR HARTKE said that with limited openings they want to ensure they are able to serve the taxpayers who pay for these amenities and facilities first. Mayor Hartke said they want to ensure those in other communities do not override their opportunity.

COUNCILMEMBER HUANG asked if they want to set up the strict rule it is only for Chandler residents.

MAYOR HARTKE said they want to extend and ensure Chandler residents could be in the programs and have the first pick. If that is extended or exclusive, that is Council's decisions.

COUNCILMEMBER ORLANDO asked how many shields have to be installed to protect the employees.

MS. REED said there are about 20 left to go up.

COUNCILMEMBER ORLANDO asked when those would be up.

DEB STAPLETON, Assistant City Manager, said they are waiting on supplies and they expect to have them very soon. Today about 50 were installed. Ms. Stapleton said they have ordered another 20 but they do not believe they have that many more to go.

COUNCILMEMBER ORLANDO asked how residents are going to be protected and if they would be required to wear masks. The mask only does so much. If they are coming in from outside of the facility, the employees could be vulnerable. Staff is vulnerable as they do not have the shields in place, they may have masks, but yet the public is going to come in to utilize the facilities and that employee is not fully protected.

MAYOR HARTKE said they are not opening facilities until the safety protocols are in place.

COUNCILMEMBER ORLANDO said there is a lot of confined spaces where individuals are going to be coming in. The employees would have a mask but the other person may not and that could infect the employee. Councilmember Orlando asked if people would be staying six feet away or have them wear masks. Councilmember Orlando asked if the Police Officers would be brought down to cite people if they do not comply. Councilmember Orlando said he was not trying to stonewall but was very concerned with the safety of employees. Councilmember Orlando said he was concerned with Police Officers getting in an altercation because they are going to try to enforce something that is not a law. Councilmember Orlando said they just want to open it up and it is frustrating to him.

MAYOR HARTKE said they are talking item by item to see what could be opened. Mayor Hartke said he doubted a group of fourth graders with eight in a room and two instructors and did not think the Police Officers would be called for that.

COUNCILMEMBER ORLANDO asked the Mayor to not make light of his comment. Councilmember Orlando said if there was a soccer tournament going on and residents are there and maybe 10 to 12 parents are congregating. If someone comes by and said there are 12 parents chatting away and a Police Officer goes up to them and they say they are not going to disperse.

MAYOR HARTKE said when they get to the fields that would be a time to discuss that. Mayor Hartke said he is trying to ask Council on each item to get consensus on what should open. Mayor Hartke said they are on the first item with programs starting in June.

VICE MAYOR LOPEZ said if they are focusing on the recreational programs for the standard procedures now that would be good. Vice Mayor Lopez said they would be kept in small groups and they could do social distancing. It is also up to the people who attend to do social distancing.

MAYOR HARTKE asked when the programs would start.

MR. BASS said the first week of June. Mr. Bass said they could work on getting things open as quick as they could for drop-in play but the actual programming would start in June.

VICE MAYOR LOPEZ said he would want to limit this to just the programs. The drop-in could bring large groups.

MAYOR HARTKE asked if they were in consensus to open the centers for the summer programming.

COUNCILMEMBRE HUANG said yes. If they are going to open, then just open but they need to encourage following the CDC guidelines.

MAYOR HARTKE said they would just be there for the programs and the hours would just be for the programs.

COUNCILMEMBER HUANG said the participants should be limited and they should be encouraged to wear masks.

COUNCILMEMBER STEWART said he was inclined to think a bunch of kids in a room is a challenge. Councilmember Stewart said he was more interested in outdoor activities.

MAYOR HARTKE asked about the hours for the programming.

MR. BASS said they would offer some all-day programs such as the summer camp program. Other programs typically last 45 minutes to an hour depending on what they are.

COUNCILMEMBER STEWART said schools are out and now they are starting a classroom. Councilmember Stewart said he wanted to wait to see what the School District was going to do before they put the camps together. Councilmember Stewart said they had not seen this list prior and now they are vetting through this on the fly. Councilmember Stewart asked for latitude if they ask questions.



MAYOR HARTKE said this was sent late but it was also part of what was done earlier. There is no pressure to open anything or everything.

COUNCILMEMBER HUANG said he would like to take the thermometer more seriously to see what temperature the kids are. Councilmember Huang said many kids are healthy and may already be infected but they did not know. One of the symptoms is temperature and perhaps they could screen some.

MAYOR HARTKE said he was hearing open or open with thermometers and masks. Mayor Hartke said he is also hearing them wanting to not open. Mayor Hartke said it could be revisited but if they are going to do summer programming they need to make a decision.

COUNCILMEMBER McClymonds said May 15 there may be a good probably there would be some allowance for reopening of gyms. If gyms are able to open in some capacity then perhaps these programs could also open with some of the same guidelines. Councilmember McClymonds suggested they wait until then to see what the guidance is issued at that time.

COUNCILMEMBER ORLANDO said that goes back to regionalism and opening at one time so that no community is being forced to handle the other sister communities. Councilmember Orlando agreed with Councilmember McClymonds' point.

MAYOR HARTKE said if the Governor makes an announcement to open gyms or a similar facility to these then the City would fall in line. Mayor Hartke said this would be most of the indoor facilities.

MS. REED said she appreciated the recommendation. This is a sensitive issue. Ms. Reed said it would be preferable to wait to see what the Governor would do and bring this back the following week. Ms. Reed said she would hate to have conflicting decisions and then have to talk about it again anyway. Ms. Reed said if there is something particular Council is completely good to go on perhaps that could be a direction otherwise wait for the Governor.

MAYOR HARTKE said if the Governor opens in such a way that regionally these facilities could be utilized with certain guidelines and if Staff would have direction to open. Mayor Hartke said if the Governor said if gyms are good then open the indoor facilities concurrently.

COUNCILMEMBER ORLANDO said he agreed with that. Councilmember Orlando said he is still worried about Staff but at least a portion of that is done with a regional approach.

COUNCILMEMBER STEWART said they didn't even get passed the first bullet point and now they are discussing this regionally. Councilmember Stewart said they could not look at this situation globally and it needs to be looked at per City. Councilmember Stewart said a regional plan is a cop out and did not know why they would do that. Councilmember Stewart said they are looking

at the data and information and there are things that could be opened that would be safe for the families. Councilmember Stewart said they have the capacity to treat people if they get sick. Councilmember Stewart said we cannot social distance the virus away. They could wait 18 months for a vaccine. If they do that then they need to consider other subjects like shutting things down entirely. Councilmember Stewart said they are here today to open things so people could start exercising, lowering domestic violence, lowering car theft, put people back to work, and get back on our feet. There is a way to let certain things open and did not want to talk about a regional strategy. Councilmember Stewart said he would like to talk about the youth fields so kids could practice.

MAYOR HARTKE said he would like to finish this one because when the Governor says Arizona, Maricopa County you could open gyms with these guidelines Mayor Hartke would like to open the facilities to align with them. Mayor Hartke said this would allow the Governor to be the trigger to open the facilities and other cities would also follow instead of people coming to Chandler if they were to open today. Mayor Hartke said they would have the conversation regarding the outdoors. Mayor Hartke asked that if there were other indoor facilities that they felt confident with proper safety protocol and other communities not flocking to Chandler that these facilities open with gyms. It sounds from the City Manager and Community Services Director that safety protocol is in place.

COUNCILMEMBER HUANG said he was in agreement with opening but with the precautions and safety measures.

MAYOR HARTKE said it sounds as there is some consensus with waiting for the Governor and asked if there were any strong reservations. Mayor Hartke said he anticipated the Governor may make an announcement in the upcoming week.

COUNCILMEMBER McClymonds said when he made the suggestion he was referring to the first line item because it is similar to a gym. Councilmember McClymonds said there is a high likelihood that the Governor would have some type of opening in the next week. Councilmember McClymonds said he was in support of that for the first bullet point.

MAYOR HARTKE asked if the same would apply to the Tennis Center Clubhouse and asked for more details.

MR. BASS said this is the main entrance to the courts. Currently they have opened the side gates so people could walk in and out. Once the clubhouse is open, they would close the side gate and people would go through the clubhouse. That would ensure courts are reserved and the ball machine could be rented. This allows them to know who is in the facility. Mr. Bass said they could ensure people are no lounging in the center.

MAYOR HARTKE said there was majority consensus in regards to opening that. Mayor Hartke asked about athletic fields for youth league practices only with emphasis on social distancing. Mayor Hartke asked for Council's thoughts on this.

COUNCILMEMBER STEWART asked if these groups are doing practice if they have to be under 10 people. Councilmember Stewart asked if the soccer clubs or baseball teams have rules that have been delivered to them.

MR. BASS said yes each sport league has a governing body and they have issued how the sports could be played whether cancelling the sport temporarily or if only certain activities are allowed. Mr. Bass said that is the case with soccer and that the governing body has issued rules for how they could do soccer while still following CDC guidelines.

COUNCILMEMBER STEWART said if they are using those tools to direct their clubs on how to be safe and effective. Councilmember Stewart said that is going to be the direction they go towards as a community and a country and rely on self-governance. Councilmember Stewart said they could not micromanage the process and was in support of opening this tonight.

COUNCILMEMBER McCLYMONDS said he was in supportive with safe guidance.

VICE MAYOR LOPEZ agreed.

MAYOR HARTKE asked if Mr. Bass had a copy of the guidelines they would be following.

MR. BASS said yes, Staff would have a copy.

COUNCILMEMBER HUANG said his position as the same with these to be open as long as CDC Guidelines are followed.

COUNCILMEMBER ROE agreed.

COUNCILMEMBER ORLANDO asked if the soccer organization was for profit or a non-profit.

MR. BASS said he believed they were a non-profit.

COUNCILMEMBER ORLANDO asked Staff to confirm. Councilmember Orlando asked what the guidelines they had put out.

MR. BASS said the guidelines were from USA Soccer. It has so many people on the field, eight at a time with a coach. Mr. Bass said there are specific drills that they recommend that would keep the social distancing at a maximum. Mr. Bass said scrimmaging is not allowed specific to soccer.

COUNCILMEMBER ORLANDO said he was in disagreement.

MAYOR HARTKE said the next facility was park ramadas not in the Governor's executive orders. Mayor Hartke asked if people using them would sign as part of their agreement that they would follow the guidelines.

MR. BASS said they could do that. Mr. Bass said the ramadas are open and in use but are not being reserved right now.

VICE MAYOR LOPEZ said he thought part of the Governor's guidelines were that the ramadas were part of their closures and has not opened those.

MS. REED said not on the list she has.

KELLY SCHWAB, City Attorney, said ramadas are not part of the executive order.

VICE MAYOR LOPEZ was in agreement to open them.

MAYOR HARTKE said majority Council reached consensus to open the ramadas. Mayor Hartke said the next topic was the libraries and asked the details of how the limited services in the library would work.

MR. BASS said there would be a capacity limit of how many people could be in the library at a single time. Mr. Bass said they would do 25% of their total capacity level to keep the social distancing. The libraries are a challenge because people do stay from opening to close and they would not have the ability to move them. Mr. Bass said they could limit their time on a computer but not so much their total time in the library. This would be a challenge for Staff but they are ready to make it happen. It is their hope that reducing the amount of furniture it would encourage people to come in, do their business, and move on with their day. Mr. Bass said people do come and stay all day.

COUNCILMEMBER ROE said somebody comes in for the whole and asked if they were able to communicate that people not stay more than 90 minutes or 2 hours. Councilmember Roe said he thought that while they do not want to micromanage they are clearly doing that. Decisions are made across the City everyday all day long about if someone should get a band-aid or not. There has to be a certain amount of trust in the people that are working for the City.

MS. SCHWAB said they could always ask that people be mindful of their time and when their time is up. The challenge is enforcing them. If they are not violating any rules and just choose to stay, it is very difficult to remove them from a public facility that is open to the public. Ms. Schwab said it would be a challenge that they would not want to take on but they could ask and remind them about limiting the time so more could come through.

COUNCILMEMBER ROE said he is not looking for enforcement and if some of the social distancing has been an issue. Councilmember Roe asked if there was a problem before they go down this road.

SEAN DUGGAN, Police Chief, said there have been calls and they have been able to inform and educate. As of this date, they have been able to gain compliance. Chief Duggan said they have not issued any citations or any arrests for violation of laws, which are different than guidelines. They have no standing to enforce guidelines, they enforce laws. Chief Duggan said they have had great cooperation in the community in a very general sense.

COUNCILMEMBER ROE said it does not seem like a hardship and if they have guidelines and people say they are not leaving then ok. Councilmember Roe said they would not take someone out in handcuffs if they do not leave.

CHIEF DUGGAN said it is not a violation of the law. There would have to be other activities that are a violation of the law to enforce. In that one scenario, it is not a violation.

COUNCILMEMBER ROE said he thought they could ask people to be respectful and leave after a certain amount of time. Councilmember Roe said he thought they had a right to provide an informational card and a time when they should leave.

MS. SCHWAB said she agreed they could ask them to leave. The enforcement part of it is where there are legal concerns.

VICE MAYOR LOPEZ said due to confinement and Staff concerns, he thought it would be best to align this with the Governor's order and regionally as well. Vice Mayor Lopez said he thought they should postpone for at least another week. This could be a place for a lot of people coming together.

COUNCILMEMBER ORLANDO said he agreed this would fall under the inside facilities. Councilmember Orlando said if people are not leaving then it shows that there are individuals that are going to be selfish and that is not against the law. If there is someone standing outside because there is a limit then it is a concern. Councilmember Orlando agreed to nicely say move along after their time is up so others could enjoy the library.

COUNCILMEMBER HUANG said limiting the time of the service would not really be enforceable. Councilmember Huang said even if someone was only there a few minutes they could still infect other people. Councilmember Huang said if they want to open the library then some services need to be reduced like the computers. Councilmember Huang said they should alternate computers that are available to enforce social distancing. If they could not meet the guidelines then they should not open.

MAYOR HARTKE said reducing the amount of computers is already in place.

COUNCILMEMBER HUANG said he is concerned with the sanitization of the key boards.

MAYOR HARTKE said there is a wave of sentiment to line up with gyms.

COUNCILMEMBER STEWART asked what services the libraries are providing right now.

MR. BASS said that right now someone could go online to place a hold for a book or DVD and then come to the library to check it out. Mr. Bass said all of the online or virtual options are available as well.

COUNCILMEMBER STEWART said there are a lot of people who use the computers at the library who don't have computers at home and asked what they are doing to be able to do those things.

MR. BASS said he could not answer that. Mr. Bass said the school has given out technology for students who need it. Mr. Bass said there are people who use the WiFi in the parking lot, which is great. Mr. Bass said there has not been a huge request to Staff.

COUNCILMEMBER STEWART said he agreed with Vice Mayor Lopez.

MAYOR HARTKE said there was majority consensus to delay and wait for further announcements from the Governor. Mayor Hartke asked about the Vision Gallery and Museum. These could easily have attendance restrictions.

COUNCILMEMBER McClymonds said they could control capacity into these facilities. Councilmember McClymonds said he would be supportive of opening these.

VICE MAYOR LOPEZ said these are a different kind of venue and there is not a lot of contact. Vice Mayor Lopez said if they limit capacity and it is a lower risk to employees and thought they could open.

COUNCILMEMBER ORLANDO said he would like to delay the opening.

COUNCILMEMBER ROE said yes.

COUNCILMEMBER HUANG said yes.

MAYOR HARTKE was in agreement and majority consensus of Council was to open the Vision Gallery and Museum with limited occupancy. Mayor Hartke said asked when the Center for the Arts programming was scheduled to start.

KIM MOYERS, Cultural Development Director, said this would be kid camps through the third week in June to when school starts back.

MAYOR HARTKE said the programs would start in five weeks and asked if this would allow Chandler residents to sign up first before those in other cities.

MS. MOYERS said they do feel comfortable with this because they would keep groups of eight or less and maintain social distancing.

MAYOR HARTKE asked for Council's thoughts. The majority consensus of Council agreed to have the Center for the Arts camps.

COUNCILMEMBER STEWART said this idea of small groups could also be applied to the Veteran's Oasis groups and the events that are being put on by the recreations group. Councilmember Stewart asked if they were going to do this but not that.

MAYOR HARTKE said this is five weeks out from starting as opposed to three weeks out. Both of these would likely be covered by the Governor's executive orders but they are giving the go ahead for RSVP's for five weeks out.

COUNCILMEMBER STEWART said he understood that these are things that are not covered by the executive order and they are trying to lean on the executive order. Councilmember Stewart said there is no consistency. Someone could go to Walmart but not the farmers market. Someone could go to the Vision Gallery but not something else. Councilmember Stewart said he wanted some consistency. Councilmember Stewart asked if they could push the recreation programs back to the five-week mark and do the same.

MAYOR HARTKE asked for details on the Public Housing recreation programs.

MS. REED said these are more of ongoing programs that they have at the public housing sites. It would be up to the Council if those should start back up or wait for more direction from the governor. In all of these cases the CDC Guidelines would be met and there would be appropriate protection for everyone.

VICE MAYOR LOPEZ asked what the attendance was like.

MS. REED said it is small groups of kids that participate and it varies who is at the residence at the time. Ms. Reed said they have tried to keep all of these program at eight kids and under with two Staff to make a group of ten.

VICE MAYOR LOPEZ said since these are ongoing if Council says start and when that would be.

MS. REED said that would be up to Mayor and Council and they have been shut down for a while. It is possible to wait until the other programs start.

VICE MAYOR LOEPZ agreed to proceed.

COUNCILMEMBER ROE said these programs are using City Staff and there are no outside contractors.

MS. REED said that was correct.

COUNCILMEMBER ROE agreed to open.

MAYOR HARTKE said majority consensus of Council agreed to open. Mayor Hartke said the next topic was customer service counters by appointment only and asked where these were located.

MS. REED said this would be Development Services, Management Services Utility Billing, and Neighborhood Resources. Ms. Reed said this would be where there are counters where people could do a transaction and this would be done by appointment only.

MAYOR HARTKE asked if the safety protocol and PPE was available for Staff.

MS. REED said yes and if there were an area delayed then it would be delayed opening. The counters would not open unless the safety protections are there. Mostly across the City, the safety measures are in place.

COUNCILMEMBER STEWART said he agreed with moving forward.

MAYOR HARTKE said Council reached a consensus and agreed to open. Mayor Hartke said the next topic was Code Enforcement to give notices.

MS. REED said right now only health and safety code violations are being pursued. Ms. Reed said this would start back code enforcement of residential areas but there would be no contact. Ms. Reed asked if Council was ready to begin issuing code citations against the residences.

VICE MAYOR LOEPZ asked for clarification if they had never stopped issuing citations for health and safety.

MS. REED said they did for a period of time. In Phase 1 that started back with the health and safety citations and this would be Phase 2.

VICE MAYOR LOPEZ said he was in agreement to begin the code enforcement.

COUNCILMEMBER HUANG asked if this would start tomorrow or June.

MS. REED said it depends on where the cases were in the system. If they were almost done but didn't issue a citation they would probably have to go back and inspect and then proceed with the process. Ms. Reed said they try to get voluntary compliance before issuing citations.

COUNCILMEMBER HUANG asked if the investigation was ongoing.



MS. REED said no not on residences. It has been stopped at the moment.

COUNCILMEMBER STEWART said he would like to see it start again and asked for some verbal leeway. This would give residents a little bit of a break since everyone is stressed.

COUNCILMEMBER McCLYMONDS said a lot of people have lost jobs and would agree with allowing some leeway.

MAYOR HARTKE said he is hearing a graceful yes. Council reached a consensus to move forward. Mayor Hartke said the next topic was household hazardous waste collection appointments.

MS. REED said this would be where they could provide the proper PPE. Ms. Reed said the hazardous waste collection was halted but they are ready to start by appointment.

COUNCILMEMBER HUANG said he was surprised it was halted.

COUNCIL reached consensus to move forward. Mayor Hartke asked if there were any other topics.

MS. REED asked if she could go back through the list to summarize.

MAYOR HARTKE said yes.

MS. REED said the EEC, Community Center, and Snedigar Rec Center and summer recreation programs would be held until the Governor opens the gyms. Ms. Reed said the Tennis Center clubhouse, athletic fields, park ramadas and amenities would open. The Chandler Museum and the Vision Gallery would open. Ms. Reed said the libraries would hold to open in line with the gyms. Ms. Reed said the summer recreation programs, Center for the Arts, and Public Housing recreation would be small groups of eight or less plus two instructors. Ms. Reed said the customer service counters would open and the code enforcement would begin but with latitude and try to reach voluntary compliance. Ms. Reed said they would reopen the household hazardous waste.

MAYOR HARTKE said that was correct.

MS. REED and Dana DeLong, City Clerk, continued the Power Point presentation.

- Facilities and Services Pending Governor's Executive Orders and City Council Action
  - Tumbleweed Recreation Center
    - Limited area, hours and programs
  - Nozomi, Desert Oasis, and Mesquite Groves
    - Lap swim and Aqua Fit classes Only

- Park Amenities covered under Governor's Executive Orders
  - Playgrounds, Splash Pads, Basketball Courts, and Restrooms
- Services Pending U.S. Dept. of State and City Council Action
  - Passport applications by appointment if Western Passport Center processing resumes

MS. REED continued the Power Point presentation.

- City Council Meetings
  - Option One
    - Council Chambers remain closed to in-person public attendance
    - Collect public comment through online comment and printed forms
    - Limit attendance to speakers on agenda items only
  - Option Two
    - Council Chambers open with attendance limited to 50 people in the audience
    - Safety measures, signage, social distancing and disinfection protocols
    - Broadcast audio and video of meetings in the Chambers lobby for overflow audience

MAYOR HARTKE said it was his understanding the Planning and Zoning was operating under Option Two.

MS. REED said yes as of the last meeting they are allowing people into the Chambers.

COUNCIL reached consensus to open the meeting under Option Two.

MS. REED asked for direction regarding scheduled public appearances.

MAYOR HARTKE asked if this would include service recognitions or just those wishing to speak.

MS. REED asked for direction on both. There are service recognitions that are Staff driven and could be delayed. Ms. Reed said anyone else that has requested to be invited to receive a proclamation or wanting to speak.

VICE MAYOR LOPEZ said if they want to come he would be in favor of having them. Vice Mayor Lopez said for service recognitions for the discretion to be up to the employees if they feel comfortable attending.

COUNCILMEMBER STEWART said he agreed with Vice Mayor Lopez. If someone has put their time in and are retiring then they should have the opportunity to be recognized.

COUNCILMEMBER HUANG said he would like the people to come if they would like to speak. Councilmember Huang said he did have concerns about having a lot of people in attendance. Councilmember Huang asked if they specifically need to be at the meeting if they are to be recognized or want to talk then they could come in. For those who want to watch then perhaps not.

MAYOR HARTKE said with Option Two is that it would only be those that would like to address the Council or a recognition.

COUNCILMEMBER HUANG said in Option Two up to 50 people could come in. Councilmember Huang said he would only like the people who have business to do with the Council would come in.

MAYOR HARTKE clarified that Councilmember Huang wants to put a definition on who the 50 people are.

COUNCILMEMBER HUANG said yes, only the people who have a reason they must be there. Councilmember Huang said not just the general public.

MAYOR HARTKE said that would be back to Option One.

COUNCILMEMBER ROE said if someone wanted to come down and talk to Council that would be great and they would be welcome.

COUNCILMEMBER ORLANDO asked if the service recognitions were controlled or if they would do those. Councilmember Orlando said the unscheduled public appearance or a public hearing people would be allowed. Councilmember Orlando asked for clarification.

MS. REED said every time there are service recognitions there are a lot more, far exceeding the number that actually wish to come be recognized at Council. If they wish to be recognized they would come in for the recognition and leave.

COUNCILMEMBER ORLANDO said then we are having service recognitions.

MAYOR HARTKE said that is what we have to decide.

COUNCILMEMBER ORLANDO said it is important but normally they bring family and friends and that could be pretty tight and asked about the logistics.

MS. REED said it could depending on what else is on the agenda. Ms. Reed said they are still looking at a maximum of 50 people and could actually seat with CDC Guidelines. It would just depend on what is on the agenda if they run into an issue or not.

COUNCILMEMBER ORLANDO said if they have honoring the girl scouts and asked if those would be postponed or they would be back. Councilmember Orlando said he had no problem with people coming in to do the business of the Council meeting but wanted to understand the logistics if they add other entities and service recognitions. Councilmember Orlando said there are monthly meetings of teacher of the month and things like that and what is essential business to the City to keep attendance at a minimum.

MS. REED said a lot of those are nice to do but the actual business of the City would be for someone to speak on an agenda item or represent their interest on something Council is about to vote on. It would be up to the Council to wait to start those.

COUNCILMEMBER ORLANDO said that is what he is struggling with because if there is an agenda item someone wants to speak on should they take precedence over someone coming for a recognition.

VICE MAYOR LOPEZ said they would be able to handle it discretionally. If they know they have a contentious item coming then they would let them come to speak on an item. If there is a recognition then the family members could wait outside and or have one come to take pictures. Vice Mayor Lopez said Staff should have the opportunity to be recognized in public. Vice Mayor Lopez said it should not be an issue.

MAYOR HARTKE said it seems as everyone is in favor of appearances if someone wishes to address the Council. Mayor Hartke asked if there is a possibility to add these types of things on a Monday meeting and Thursday to dilute the amount of special recognitions at a meeting.

MS. REED said yes that could be posted and work out where they have service recognitions on one night and other recognitions on another. Ms. Reed said they do generally know if they have an item that is going to draw a lot of attention and Staff could manage that accordingly.

COUNCILMEMBER McClymonds said the Mayor presented a great example that could be safely navigated. Councilmember McClymonds said that would be great going forward.

COUNCILMEMBER STEWART said he like the idea. Councilmember Stewart said he looks forward to watching the awards and recognitions and is happy to still do that.

MAYOR HARTKE said this may limit them from bringing in a whole high school football team but they could continue to recognize individuals or small groups.

MS. REED said those were all of the discussion items.

ADJOURNMENT: The Work Session was adjourned at approximately 7:46 p.m.


ATTEST:  City Clerk  
 Mayor

Approval Date of Minutes: May 28, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special - Work Session Meeting of the City Council of Chandler, Arizona, held on the 11th day of May, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 28 day of May, 2020.

  
City Clerk



## CHANDLER CITY COUNCIL

### BRIEFING MINUTES

Thursday, May 13, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, May 13, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 2:15 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember

Councilmember Orlando was absent and excused.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Matt Burdick, Communications and Public Affairs Director.

#### I. Mayor's Welcome and Introduction

MAYOR HARTKE thanked everyone for attending. Mayor Hartke said the COVID-19 pandemic has been felt worldwide and has created unparalleled situations in our community. Mayor Hartke said our hearts and prayers are with you. Mayor Hartke thanked Council and Staff for working tirelessly to address the evolving needs of the pandemic and provide innovative solutions for us to continue to protect and serve the community. Mayor Hartke said we are a community of innovation and is proud of the City, businesses, residents, and partners and how everyone has come together. There have been 428 positive cases reported in Chandler and roughly 12,000 confirmed cases across the state and 594 deaths. Chandler has followed the State's lead to

combat the virus by utilizing Arizona data to make informed decisions on how to best address public health.

MAYOR HARTKE said the number one priority from the beginning has been safety and prosperity of the community. Under the President's Opening America Again Plan, the states and counties must meet certain gating criteria before a phased approach to reopening begins. The most recent data for Arizona was presented by Governor Ducey and shows we have met this criteria. The Governor has replaced the Stay Home, Stay Healthy, Stay Connected order with the new Stay Healthy, Return Smarter, Return Stronger executive order. This order focuses on vulnerable individuals, encourages them to stay home, prohibits in person visitation to nursing homes. The order recommends businesses and services follow CDC Guidelines and implement protocols to protect employees and customers. Arizonans should physically distance, avoid large gatherings, and keep schools closed.

## II. Presentation of Chandler's Return to Service Plan

MAYOR HARTKE said the executive order is not a return to normal but it is step forward and believes Chandler is ready to take those next steps. On April 23, City Staff presented Chandler's Return to Service Plan to Council. Council has decided to implement Phase One and on April 24 they opened the outdoor park amenities not covered under the Governor's executive orders. On May 4, Council initiated the full Phase One plan which focused on the reestablishment of City facilities and services by implementing safety measures to protect the public and employees.

MAYOR HARTKE said today they initiate Phase Two which allows for Chandler facilities to reopen in a capacity that abides by CDC guidelines. Mayor Hartke urged everyone to continue social distancing and practice enhanced hygiene. Park ramadas and amenities, except for those covered by the Governor's executive order, are open today. This includes the Tennis Center clubhouse and reservation and rental of athletic fields for practices only. On May 16, the rest of the park amenities will open, including basketball courts, playgrounds, splash pads, and restrooms. On May 18 the recreational centers would open for drop-in exercise and limited programming for groups under 10. The aquatic centers would open for lap swimming and aqua fit classes. The libraries, Chandler Museum, and Vision Gallery would open with limited capacity and reduced services. The customer service counters would reopen by appointment.

MAYOR HARTKE said on May 28 City Council meetings would open to in-person audience attendance up to 50 people. This does include Staff as well. Two aquatic centers will reopen for public swim Memorial Day weekend. The rest of the aquatic centers would open June 6 as staffing allows.

MAYOR HARTKE said in June 2020 summer recreation programs camps and classes in groups of 10 or fewer would be given first priority to Chandler residents. Mayor Hartke encouraged everyone to visit the COVID-19 webpage for more details. Mayor Harkte appreciates the community's patience and cooperation as they implement CDC Guidelines in these facilities that may make your experience different than what it was before COVID-19.

### III. COVID-19 Impacts on Community, Businesses, Non-profits and Chandler's Budget and Economy

Mayor Hartke said they are excited to reenergize the local economy and looks forward to working together to keep the community safe and vibrant.

VICE MAYOR LOPEZ said Chandler supplies on average 56 million gallons of drinking water every day while meeting or exceeding all health and safety standards. Vice Mayor Lopez said they have prepared for emergencies like this and have continued to provide safe and clean water and wastewater to all citizens through the pandemic. The virus has not been detected in any drinking water and the conventional water treatment that is used for disinfecting drinking water should remove and inactivate the virus. Many businesses have been operating with limited staff for almost two months now while others have been closed entirely. To ensure that every business has safe water for their operations as they open the CDC has put together a guide for businesses to use as a resource. This eight-step guide provides a strong starting point for businesses to prevent safety hazardous in building water systems and devices. Resources including comprehensive water plans, water heaters, hot tubs and spas, and equipment is well maintained and safe to use can be found on the City's website.

COUNCILMEMBER STEWART said this is a very challenging time to small businesses owners and half of the Arizona workforce is employees by small businesses. The COVID-19 crisis has impacted the community greatly. Councilmember Stewart said federal relief efforts are on their way to help small businesses. There is a huge recovery period coming. When the storm passes this road to recovery would begin on Main Street and not on Wall Street. Council has worked diligently to support businesses throughout this. Council has enacted several measures and would continue to do so such as relaxing sign code, creating a business watch program though the Police Department, installing new downtown parking measures, and creating a Shop Chandler platform. Councilmember Stewart said they are offering assistance and connecting people to funding and support resources.

COUNCILMEMBER STEWART thanked the Economic Development Staff in mitigating the impact to the business community and they continue to work to help the business community to move forward. Councilmember Stewart said they have joined with the Chandlers Chamber of Commerce, Arizona Commerce Authority, GPEC, and any other group that would help move the



economy forward. There are many reopening webinars to communicate resources. It would be more important than ever for the City to be a facilitator and not a regulator. This recovery in the entire nation would start with small businesses.

COUNCILMEMBER McCLYMONDS said every year the City must put together a balanced budget. This year they had done it twice. It is a yearlong process for the budget year starting July 1, 2020. By March of this year, the proposed recommendation was almost ready but then the COVID-19 impacts changed the economy in an instant. Chandler was one of the few cities that projected an economic downturn in the long-range financial forecast prior to the crisis. There are 91 cities and towns in Arizona and Chandler was one of two cities that were actually planning for a downturn and that shows our fiscal responsibility. The Fiscal Year 20-21 revenues were reduced as well as expenditures without impacting current levels of service. Travel and training is on hold until the end of the year, vacant positions are on hold except for public safety, CIP projects are being strategically held, fleet replacements are deferred, and all purchases are scrutinized to determine necessity.

COUNCILMEMBER McCLYMONDS said all these measures would help minimize the impact of revenue shortfalls, which are unknown at this time. Chandler's economy is well positioned, well diversified with a larger share of employment in industries that have been less impacted. This includes high tech manufacturing, financing, and insurance. Councilmember McClymonds said Chandler has a unique tax base that is not reliant on tourism. Other cities are considering furloughs or tax reductions, Chandler does not anticipate doing this because Chandler already runs a lean organization at 6.4 per 1,000 population. There are other cities that have 12-14 per 1,000 population. Staff is monitoring revenues monthly and Council would review it quarterly. If revenue impacts were greater than anticipated and longer then additional reductions would be needed. This approach allows for flexibility and allows time to gather data to make strategic reductions to continue certain services to the community.

COUNCILMEMBER McCLYMONDS said should revenues rebound services would continue as well. Council cares about the City services and infrastructure that is provided to the citizens and businesses. The City has a tradition of fiscal responsibility, sound decision making, and COVID-19 would not change that. Councilmember McClymonds said the budget needs flexibility to adapt to whatever changes or volatility may occur. Councilmember McClymonds hopes to tow the line between the worst and the best and are positioned to survive or thrive.

COUNCILMEMBER HUANG said Chandler is a prosperous community so there are normally many arts and cultural events and festival all year round. Due to COVID-19 many of them have been shut down. To continue to provide this experience while also maintaining social distancing the Chandler Center for the Arts has launched the CCA Anywhere series. On Thursday night on the Chandler Center for the Arts Facebook and Instagram pages, they would present virtual

performances. The performance would include a variety of CCA favorites and arts making their debut in Chandler. The CCA Anywhere series would continue May 21 through mid-June. Information is on both the Center for the Arts and City of Chandler event website. The Center for the Arts has also provided an Arts Education resources page for families.

COUNCILMEMBER HUANG said the Downtown Chandler Farmers Market returns on June 1 at Dr. AJ Chandler Park from 9am to 1pm every Saturday. Staff is working with event producers to schedule events and festivals for the fall. Councilmember Huang said the Ostrich Festival would be rescheduled for Halloween weekend. There would be a lot to look forward to in the upcoming months.

COUNCILMEMBER ROE said the City's Community Development Division has been working to assist Chandler's most vulnerable and those experiencing homelessness during the pandemic. Councilmember Roe said many are trying to apply for unemployment or are struggling to make payments and the City is doing what they can to address some of those needs. In addition to a number of programs the City does, non-profits are trying to help. Chandler was awarded an 849,000 dollars in Community Development Block Grant Coronavirus funds from the Coronavirus Aid Relief and Economic Security Act. These funds are going to serve individuals and families who have been impacted by COVID-19 including rental, utility, and food assistance as well as those experiencing homelessness. Council would be voting on the use of these funds at tomorrow's Council meeting. There are other non-profits that are helping and they need the support if you are able. Councilmember Roe encouraged those who are interested to visit For Our City Chandler to learn more about providing or receiving assistance.

MAYOR HARTKE thanked Council for being outstanding advocates for the community. Mayor Hartke said two nights ago the City's Economic Development Director shared an update on the business community and keeping Chandler economically viable and competitive through the pandemic. Mayor Hartke said through the Economic Development team has continued to work with existing Chandler companies to continue to expand their operations and businesses looking to locate in Chandler. Mayor Hartke said projects are moving forward cautiously and they are working with their businesses beyond COVID-19. Since January 2020, the Economic Development team has supported business attraction and retention projects that are anticipated to provide over 1600 jobs in Chandler.

MAYOR HARTKE said through the pandemic many residents have lot their jobs are looking for new sources of income. Mayor Hartke said Chandler has been working to put to gather and host a virtual job fair to connect residents with job opportunities in the community. Mayor Hartke said they are working with Arizona at Work, Pipeline Arizona, and Best Companies Arizona to provide meaningful connections with Chandler employers. The City would continue to look for other partners to join and encouraged everyone to go to the City's website and register for update.

IV. Closing Remarks

MAYOR HARTKE thanked everyone for watching and asked everyone to continue to do their part to keep the community safe. Mayor Hartke said they look forward to a new breath of fresh air to come to Chandler as standards are relaxed. Mayor Hartke said he hopes everyone to find normalcy and as things change in Chandler and we would be the first to change for safety reasons. Safety and economic prosperity are the Council's priorities. Mayor Hartke thanked the residents, businesses, and all of the amenities the community has to offer.

ADJOURNMENT: The Work Session was adjourned at approximately 2:37 p.m.

ATTEST: *Dana R. DeLong* *Kevin Hartke*  
City Clerk Mayor

Approval Date of Minutes: May 28, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Briefing of the City Council of Chandler, Arizona, held on the 13th day of May, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 28 day of May, 2020.

*Dana R. DeLong*  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, May 14, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, May 14, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Mayor Hartke.

PLEDGE OF ALLEGIANCE: Councilmember McClymonds led the Pledge of Allegiance.

### **CONSENT AGENDA – DISCUSSION**

MAYOR HARTKE said there were questions and comments received on Consent Agenda Item No. 4.

Ron Harris, 901 E. Madison St., Phoenix, AZ, 85034, wrote the following comment in support: (Applicant)- Thank you Mr. Mayor and City Council. We believe this project is an appropriate transitional large lot plan which will be a unique and beautiful addition to the Carino Area Plan. We have worked closely with City staff throughout this process to develop a plan and standards sensitive the surrounding community, and gain support for this proposal. We have held three neighborhood meetings since Feb. 2019 (1 voluntary and 2 official) and have evolved the proposed plan over time in repose to the concerns heard from our neighbors.

Moe Wakefield, 797 W. Germann Rd., Chandler, AZ 85286, submitted the following questions and was opposed to rezoning. Kevin Mayo, Planning Administrator, provided answers for the questions below.

Because of the City's supervision by the Arizona Department of Water Resources (ADWR) in conserving groundwater and drought management, I ask that the following questions be read into the record and answered by the City, and also promptly answered in writing for next Thursday's Regular Session.

1. The two [Carino 8 Enclave] C8E ranchette lots currently are connected to an underground pipe capable of delivering Salt River Project (SRP) irrigation, but that pipe will probably be removed to build the retention basin and new street entrance. After the new gated street, retention basin, landscaping and homes are completed, will C8E irrigate all landscaping with SRP irrigation water? [Y/N]

No

2. If the answer to question 1 is "yes," please explain how such SRP water will be delivered to C8E and used for irrigation.

N/A

3. If the answer to question 1 is "no," please identify:
  - a. Any and all water sources that will be used to provide any irrigation water to C8E and its 8 homes for at least the first 20 years of this redevelopment, and explain how that water will be delivered from each source.

*As shown on the proposed preliminary plot, water will be provided by the City for means of drinking and irrigation and will come from an existing city water main in Germann Road. No other means of water service are shown or proposed.*

- b. The approximate amount of water in gallons needed to be received annually from each separately identified irrigation water source.

*In a residential context, on average approximately 135 gallons of city water per person are used each day. This average includes water used for drinking as well as for irrigation purposes.*

- c. All individuals and/or legal entities that have signed legal agreements with and committed to C8E to provide all needed irrigation water.

*These commitments are issued by The City as part of the development review process and preparation of the final plat in the form of a "will serve" letter as well as a certification of an assured 100-year water supply, pursuant to ARS Section 45-576. As the final plat comes after the approval of the preliminary plat, these have not yet been provided.*

- d. The person(s) who will pay for all irrigation water from each source, and the percentage of the total irrigation costs such person(s) will pay.

*Based on the proposed preliminary plat, eight individual lot owners will be responsible for the cost of the city water they use to irrigate their private properties and one home owners association will be responsible for the cost of the city water used to irrigate the proposed open spaces.*

4. When the City approved redevelopment for 16 Germann Country Garden Estates (GCGE) homes bordering C8E on the west, it specified that GCGE must leave a gap in its east wall to allow a connecting street from GCGE to C8E. As presently proposed by C8E and recommended by City staff, there will be no connecting street between GCGE and C8E, and the question becomes which approval has priority.

- a. Does the City Intend to require a connecting street between GCGE and C8E? [YIN]

*No, Although, this was planned for as part of the Germann Country Garden Estates proposal, based on neighborhood feedback to avoid creating a large suburban tract neighborhood, Planning staff worked with the applicant to propose a separate eight-Jot neighborhood. As shown on the proposed exhibits and as stipulated, this portion of the site will be improved with a compacted surface to support the ingress/egress of emergency and maintenance vehicles. Pedestrian access will also be permitted for Carino 8 Enclave residents and guests to allow them access to fruit bearing trees that will line this area.*

- b. If the answer to question 4a is "yes," please explain fully when and why it will do so.

N/A

- c. If the answer to question 4a is "no," does the City commit to allowing no connecting street? [YIN]

*As shown in the proposed exhibits, sufficient land is not provided to permit a future connecting street within the subject site.*

- d. If the answer to question 4c is "no," please explain fully when and why it would allow and/or require a connecting street.

N/A

Moe Wakefield, 797 W. Germann Rd., Chandler, AZ 85286, submitted the following:

- a. Denial of any meaningful opportunity to be heard at today's 6:00 p.m. Regular City Council hearing regarding C8E.

I believe the C8E rezoning hearing scheduled for today's 6:00 Council Session is a violation of the State's Open Meeting Law, and a violation of Due Process because the proposed rezoning hearing materially affects a vested property right owned by my wife and I, but allows us meaningful right of notice and opportunity to protest the pending action. At <https://www.chandleraz.gov/government/departments/city-clerks-office/city-council-meetings/city-council-agendas> (see Attachment AA) I received a City email saying I could not attend; I could only comment and have those comments read into the hearing record if I submitted them by 5:00 p.m. today. So I assume the Council Chambers (and its 50 Corona safe

chairs) will only allow the Council, City staff, and the redeveloper's representatives to attend. However, to effectively comment today, even if allowed to do so in person, I needed a written response to the questions I timely submitted for last Monday's Council Study Session. City staff told me the Council did not consider my questions on 05/11/20 because they were "not received" in time. I have proof that those questions were received in time.

- b. Denial of any meaningful opportunity to be heard at last Monday's (05/11/20) 6:00 p.m. City Council Study Session regarding C8E.

On Monday, 005/11/20 the City Clerk's Office told me I could not attend the Monday, 05/11/20 or the Thursday, 05/14/20 Council Sessions, but that I could submit comments and questions that would be read into the record as a substitute for any in-person attendance. I was specifically told that an email submission to the City Clerk would be sufficient. I filed a timely email submission, with the PDF attachment again now presented in Attachment AB, that stated in part:

Moe Wakefield, 797 W. Germann Rd., Chandler, AZ 85286, submitted the following:

I never received the response I needed for the 05/14/20 Council Session. In particular, I received no written response. I believe this lack of City response has materially damaged any realistic opportunity to be heard. The Council agenda ( [https://www.chandleraz.gov/sites/default/files/20200514\\_Agenda.pdf](https://www.chandleraz.gov/sites/default/files/20200514_Agenda.pdf) ) in Attachment AC is not available (as the City Clerk's Office told me yesterday) online until about 24 hours prior to the Council Session. I did not see it until this morning, and had little time to research, prepare, and send this email. The hearing packet attached to the agenda contained prior emails from me in opposition to rezoning, but my last email of 05/11/20 was not included with or without written responses.

- b. Improper acknowledgment of private well co-ownership by rezoning.

The proposed Ordinance No. 4915 in the Council packet for today improperly recognizes that the CSE rezoning includes water rights in a well site that is not within the project boundaries previously disclosed by the redeveloper and the City. However, no one has done the title search to confirm that the current property owner has a connected title to the well and the right to use well water. I do not believe I should be required to pay for a title search to prove the negative that the redeveloper does not have any ownership right in the well. Each of the 26 ranchette home-site owners got a 1126th interest in the well, and CSE clearly cannot claim to have any right to use well water on both ranchettes that it wants to redevelop. But what is to stop CSE homeowners from getting unlimited "free" irrigation water (after the City takes all the SRP irrigation water to treat and sell as drinking water to the City's water customers? As long as there is water in the well's distribution line in the alley) the CSE homes will be legally able to use that water as free irrigation to offset the loss of the SRP irrigation and the expensive City drinking water that they will be forced to use as irrigation water by CSE and the City. My wife and I have a 1126th interest in the well, and our property rights are now in jeopardy, I believe, by City action. In addition to CSE, the City (I believe at the prodding of the Arizona Department of Environmental Quality (ADEQ)) is now at the 20% design stage of a new City water line down the alley (and running parallel to the well distribution line) to hook up neighborhood homes to City water.

- c. Wasteful City water management regarding groundwater conservation and drought preparation by the City.

Attachment AD is a PDF copy of the Preliminary Plat that apparently shows (by admission of one city employee) that C8E will be irrigated with potable drinking water, which is probably the largest and most costly type of water used by residential consumers. There are no separate irrigation lines to homes and common areas that could later be connected to the City's reclaimed water line that is also in Germann Road. Future homebuyers may be awed by the C8E Development Booklet's description of the "lush landscape opportunity" that the much cheaper SRP water should have been allowed to happen. When that economic impact is discovered by homeowners, I assume that there will be a lot of vegetation turned into crushed rock and cactus gardens. I do not believe there is any real consumer protection for new home buyers in Chandler.

- d. I ask the City to specify that C8E's 8 new homes not be connected to the Garrett-Walker (GW) redevelopment.

When the City approved the GW redevelopment for 16 homes on 3 ranchettes bordering C8E on the west, it required a gap in the wall for a connecting street to C8E's 8 new homes, and the use of C8E's street by cars from 24 (instead of 8) homes creates a very great road safety concern for my household located nearby. In now approving C8E rezoning for 8 homes on only one gated street, the City would be declaring that only 8 homes will use the new gated street. However, the City and C8E are aware of periodic "negotiations" that could result (presumably soon) in a single owner of both developments that has no liking for "gated streets" and wants a roadway connection between both developments. If the City should then allow such a connection, I would strongly suspect rezoning deception. It is ironic that under the claim of protecting me from the Corona virus, I cannot attend a Council meeting to protect my interest in preserving life and limb in traffic as I leave or return to my home.

- e. Please read these comments by email into the record, and add this email and attachments to the rezoning record.

COUNCILMEMBER ORLANDO asked for Staff to answer the questions on Consent Agenda Item No. 4.

KEVIN MAYO, Planning Administrator, said Staff has responded to the residents.

COUNCILMEMBER ORLANDO said Mr. Wakefield has been an advocate and have attended a lot of sessions and asked to address the issues.

MR. MAYO said the questions revolved around what and how would water be supplied to the future subdivision and regarding a road connection from Germann Country Garden Estates to the subdivision in the west. Mr. Mayo said the City of Chandler would provide City potable water to the site that the eight homeowners would use for their homes, landscaping, and HOA tracts. Mr. Mayo said the Germann Country Garden Estates with its original approval there was talk about bringing in two parcels in a second phase. There was a potential roadway connection that was put at the southern end that served three different things. One, if there was a desire for vehicular connection. Two, an emergency vehicle connection. Three, the ability to loop water lines for Germann Country Estates and the future parcel. Mr. Mayo said the immediate second phase did not happen. Through the development process, it has been determined that the two subdivisions do not need to have a roadway connection. The site is not



providing the proper width for the future street connection. Mr. Mayo said it is extending the emergency access easement and the appropriate width and providing the place for the looping of the water main.

COUNCILMEMBER ORLANDO said it was important to have this in the record since the comments were provided so that the questions were addressed. Councilmember Orlando asked if Mr. Wakefield had responded to any of the answers.

MR. MAYO said no they have not received comment on the answers. Staff sent the response to the questions today. It took a few days to gather the responses as some of the questions were a bit more technical in their nature. Staff wanted to ensure the answers were clarified. Mr. Mayo said they were sent via email directly to him and the City Clerk.

COUNCILMEMBER ORLANDO said this was an introduction to the ordinance so they would see more about this again.

MR. MAYO said yes, the ordinance comes back for final adoption on May 28, 2020.

COUNCILMEMBER ORLANDO said if Mr. Wakefield wanted to attend in person, he could do so on May 28, 2020.

MR. MAYO said yes.

COUNCILMEMBER ROE said Mr. Wakefield has been tenacious and has worked very hard to look out for his neighborhood and thanked him. Councilmember Roe said it is good to have people engaged.

#### CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE MAY 14, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER McCLYMONDS.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### CONSENT AGENDA ITEMS

- 1a. MINUTES of the Chandler City Council Regular Meeting of April 20, 2020.
- 1b. MINUTES of the Chandler City Council Study Session Meeting of April 20, 2020.
- 1c. MINUTES of the Chandler City Council Special Meeting of April 23, 2020.
- 1d. MINUTES of the Chandler City Council Work Session Meeting of April 23, 2020.
- 1e. MINUTES of the Chandler City Council Regular Meeting of April 23, 2020.
- 1f. MINUTES of the Chandler City Council Work Session Meeting of April 23, 2020.
- 1g. MINUTES of the Chandler City Council Special Meeting of April 29, 2020.
- 1h. MINUTES of the Chandler City Council Special Meeting of May 6, 2020.
2. FINAL ADOPTION OF ORDINANCE NO. 4916, granting a no cost irrigation easement to RWCD within a portion of the north side of Ocotillo Road at 148th Street, to accommodate the development of the Robert Rice Elementary School.

BACKGROUND FROM COUNCIL MEMO:

The Chandler Unified School District is constructing a new elementary school, to be known as the Robert Rice Elementary School, at the northeast corner of Ocotillo Road and 148th Street in the Town of Gilbert. To accommodate this development, RWCD is requesting the City grant RWCD an irrigation easement over a portion of the Ocotillo Road right-of-way at the northwest corner of Ocotillo Road and 148th Street. The area in question contains approximately 100 square feet. Since the development of the new school facility will benefit the citizens of the City of Chandler, the easement is being granted to RWCD at no cost.

Staff has reviewed and approved the easement and legal description for the requested easement.

This Ordinance was introduced and tentatively adopted on April 23, 2020.

3. INTRODUCTION OF ORDINANCE NO. 4912, approving the Sollid Cabinetry Vacation Plat and authorizing the vacation of a portion of the former Germann Road alignment west of Stearman Drive.

BACKGROUND FROM COUNCIL MEMO:

In November 2018, City Council approved an area plan amendment, rezoning, and preliminary development plan for Sollid Cabinetry, located near the southwest corner of Germann Road and Stearman Drive. As part of the development process, the City is requiring that Sollid Cabinetry accept a portion of the former Germann Road west of Stearman Drive. The area to be vacated contains approximately 39,857 square feet of land more fully described in the attached vacation plat prepared by Sollid Cabinetry.

Staff has reviewed and approved the vacation plat and legal description. The property is being vacated to Sollid Cabinetry at no cost, as the property has been determined by a recent appraisal to have a value of \$500.00. In addition, staff has determined that the City will save approximately \$200.00 per month in future maintenance costs by vacating the property to Sollid Cabinetry.

4. INTRODUCTION OF ORDINANCE NO. 4915, PLH19-0034, CARINO 8 ENCLAVE rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for eight custom singlefamily homes. PRELIMINARY DEVELOPMENT PLAN for subdivision layout and housing product design. RESOLUTION NO. 5357, PLH19-0068 CARINO 8 ESTATES AREA PLAN AMENDMENT to Carino Estates Area Plan from existing Ranchette single-family to low density singlefamily. PRELIMINARY PLAT, PLT19-0054, CARINO 8 ENCLAVE for an 8-lot single-family residential subdivision, located south of Germann Road, approximately 740 feet east of the intersection of Germann and South Alma School roads.

BACKGROUND FROM COUNCIL MEMO:

This item was continued from the March 26, 2020, City Council hearing due to the applicant's request for additional time to solidify their position with the property seller.

Background Data

Site is currently zoned AG-1, is 4.47 acres in area, and is comprised of two 2.235 acre lots.

#### Surrounding Land Use Data

North	Germann Road, then church and recreational facility	South	Single-family residential 1 – 3.6 acre lots
East	Single-family residential +/- 2.25 acre lots	West	Single-family residential (Germann Country Garden Estates – under construction) +/- .20 acre lots

#### Proposed Project Data

# of Lots / Homes	8 custom single-family home lots
Density	1.8 du/ac
Lot Sizes	.22 acre to .64 acre (9,700 sq. ft. to 27,840 sq. ft.)
Subdivision Layout	<ul style="list-style-type: none"> <li>• 1 gated entrance from Germann Road</li> <li>• Enhanced landscaped retention basin at entrance</li> <li>• Easements for open space, utilities, maintenance, and emergency access in southern portion of site</li> </ul>

#### Proposed Building Design Criteria

# of Stories	<ul style="list-style-type: none"> <li>• Up to 4 non-adjacent homes may be 2 stories</li> </ul>
Building Height and Mass*	<ul style="list-style-type: none"> <li>• 30' maximum building height as regulated by the Building Height definition found in Section 35-200 of the Chandler City Code</li> <li>• Second floors may not occupy more than 40% of the space occupied by the ground floor livable area</li> </ul>
Materials*	<ul style="list-style-type: none"> <li>• Stone, concrete, wood, exposed steel beams, architectural metal panels, and adobe or smooth finish stucco not to exceed 70% of façade</li> <li>• Roof material to substantially vary between adjacent homes among standing seam metal, architectural metal roof paneling, and concrete roof tiles</li> </ul>
Custom Architectural Theme / Design*	<ul style="list-style-type: none"> <li>• Contemporary applications of farmhouse, bungalow, craftsman, prairie, and ranch home styles</li> <li>• Mix of pitched and flat roofs</li> <li>• Horizontal and vertical articulation</li> </ul>
*The design of each home will further substantially conform to the conceptual Exhibits 9 and 10.	

#### Proposed Site Development Criteria

Maximum Lot Coverage	<ul style="list-style-type: none"> <li>• Maximum range varies per lot between 45% and 55%, including 10% for unenclosed covered patios</li> <li>• See Exhibit 2.1</li> </ul>
Rear yard setbacks	Min. 20 ft. for all lots
Side yard setbacks	<ul style="list-style-type: none"> <li>• Min. side setbacks vary per lot between 5 and 20 ft.</li> </ul>

	<ul style="list-style-type: none"> <li>• See Exhibit 2.1</li> </ul>
Front yard setbacks	<ul style="list-style-type: none"> <li>• Min. front setbacks vary per lot</li> <li>• Min. 12 to 20 ft. from property line to living space or side-loaded garage</li> <li>• Min. 20 ft. from back of sidewalk to forward facing garage door</li> <li>• See Exhibit 2.1</li> </ul>
Accessory structures	<ul style="list-style-type: none"> <li>• Min. 5 ft. from side or rear property line</li> <li>• Must be located behind the front façade of the principal building</li> <li>• Must comply with maximum lot coverage criteria</li> <li>• Must conceptually follow Exhibit 7</li> </ul>
Front Landscaping	<ul style="list-style-type: none"> <li>• Lots 3 &amp; 6 – Min. 2 trees and 6 shrubs</li> <li>• Remaining Lots – Min. 1 tree and 6 shrubs</li> </ul>
Rear Landscaping	<ul style="list-style-type: none"> <li>• Lots 1, 2, 7, &amp; 8 - Min. 2 trees</li> <li>• Lots 3 &amp; 6 – Min. 3 trees</li> <li>• Lots 4 &amp; 5 – Min. 4 trees</li> </ul>

#### General Plan and Area Plan Designations

	Existing	Proposed
Carino Estates Area Plan	Existing Ranchettes	Low Density Single Family
2016 General Plan	Neighborhoods	No Change

Planning staff finds the proposal to be consistent with policies of the General Plan that call for a variety of housing choices and a compatible mix of housing types in infill areas.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. The required neighborhood meeting was held on August 13, 2019. The applicant held earlier additional neighborhood meetings on February 6, 2019, and July 9, 2019. An earlier proposal for this site included 13 single-family home lots of approximately 9,000 sq. ft. in area. Based on input received from the February 6<sup>th</sup> meeting, the applicant revised the proposal to eight custom single-family home lots.

Four residents signed-in at the August 13<sup>th</sup> neighborhood meeting. The following main concerns were shared, along with the applicant's responses:

- Low value of proposed homes
  - The applicant shared that they expect the custom homes to sell for approximately \$600k.
- A suburban appearance that does not align with the existing ranchettes and the ability for vehicles to drive through the southern portion of the site.
  - Emergency and maintenance vehicle access only will be provided at the south end of the property. No vehicular access is proposed to the existing alley.
  - To support a rural aesthetic, the applicant has proposed extensive design guidelines to guide custom development, modest lot coverage, limited height, and varying setbacks.

Further, a unique waiver has been granted to allow a compacted natural surface path on the private street in place of a standard suburban sidewalk.

- Building height
  - The applicant agreed to limit the proposal to include no more than four non-adjacent two-story homes with a second floor that is less than half the area of the first floor. Additionally, the applicant agreed to limit materials and design of pitched roofs to avoid any glare nuisance to surrounding properties.
- Neighborhood meeting minutes have been attached for further reference.

A property owner to the east followed up separately with a number of concerns in strong opposition to the development. This individual strongly supports the preservation of the existing ranchettes. Two of his emails have been included as an attachment to this memo.

Planning and Zoning Commission Vote Report  
Planning and Zoning Commission meeting February 19, 2020.  
Motion to Recommend Approval.

In Favor: 5    Opposed: 0    Absent: 2 (Klob, Pekau)

#### Review and Recommendation

Staff finds the proposed eight custom single-family homes to be compatible with surrounding land uses and the General Plan, as follows:

The site to the west is being developed with 16 lots between 8,850 and 9,440 sq. ft. The proposed lots will be 9,700 to 27,840 sq. ft. in area and thus serve as a transition to the surrounding ranchette lots, which are between 1 and 3.5 acres in area. Further, a custom home design and lot layout with enhanced landscaping and hardscape materials will be provided for each of the eight lots to further reflect the surrounding ranchettes and their open landscaped lots.

This development supports the General Plan's Housing and Neighborhood Policies to provide a compatible variety of housing types, protect the low-density residential character of large lot neighborhoods, and to improve the transition between old and new neighborhoods. If any future development is proposed in this area on Germann Road, approval of this rezoning may present a precedent of increasing future proposed lot sizes by 72%.

Planning and Zoning Commission recommends approval, subject to conditions.

#### Recommended Actions

##### Area Plan Amendment

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve amending the Carino Estates Area Plan from existing ranchettes to low-density single-family residential.

##### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from AG-1 to PAD for eight custom single-family homes, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Carino 8 Enclave" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0034, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
3. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an existing carwash facility that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", and CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to an existing carwash facility and that such use is legal and should be expected to continue indefinitely. The responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
4. Developer shall provide all required right-of-way dedications as determined by the Development Services Director at the time of construction plan review.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
7. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:

Lots or Features	Front Building Setback	Rear Building Setback	Side Building Setbacks
1 & 8	12'	20'	5' & 10'
2 & 7	12'	20'	10' & 10'
3 & 6	12'	20'	15' and 5'
4 & 5	20'	20'	20' and 20'
Front Facing	20' from back of	20'	As identified above

Garage	sidewalk		
Side Loaded Garage	12'	20'	As identified above

8. The maximum lot coverage shall be as provided below and further detailed in the Development Booklet:

Lots or Features	Lot Coverage
1 & 8	55% Max.
2 & 7	55% Max.
3 & 6	50% Max.
4 & 5	45% Max.

9. Accessory structures shall follow the criteria below:

Front Setback	Must be located at least 5' behind the front façade of the principal structure
Side and Rear Setbacks	5'
Lot Coverage	The area covered by the accessory structure shall be counted towards the maximum permitted lot coverage.
Design	The appearance of the accessory structure shall be coordinated with the principal building and conceptually conform to the applicable language and exhibits of the Development Booklet.
Other	Size, height, quantity, and all other remaining criteria not included above, shall be as provided in the City of Chandler Land Use and Zoning Code.

#### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the subdivision layout and housing product design for the Carino 8 Enclave subdivision, subject to the following conditions:

- Development shall be in substantial conformance with the Development Booklet, entitled "Carino 8 Enclave" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0034, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
- The following enhanced landscape standards shall apply to the common open space and retention area along Germann Road:
  - 100% of required trees shall have a minimum planting size of a 24-inch box
  - A minimum of one (1) trees and six (6) shrubs per twenty-five (25) lineal feet of frontage on arterial or collector street rights-of-way.
- Prior to submitting for building permits, an application for Administrative Design Review shall be approved by the Planning Administrator or designee for site layout and building design for each of the eight custom homes. Said applications shall at a minimum include the following:
  - Building elevations, floor plan(s), and roof plan

- b. Site exhibit showing the building footprint, setbacks, lot coverage, irrigation, walls, landscaping, and any proposed hardscape improvements.
4. A maximum of four non-adjacent dwelling units may be two-stories in height. The second floor may occupy no more than 40% of the amount of space occupied by the ground floor livable area. The maximum building height shall conform to the residential height limitations of the City of Chandler Land Use and Zoning Code, and in no case shall the height of the top of parapet or top of ridge exceed thirty feet in height.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
6. The landscaping in all open-spaces, shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

#### Preliminary Plat

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the Carino 8 Enclave preliminary plat, subject to the following conditions:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
  2. Tract D shall be revised to accommodate pedestrian ingress/egress of all Carino 8 Enclave residents and guests.
  3. The label for Tract D, on Sheet 3 of 4 shall be revised to clarify that only emergency and maintenance vehicular access is provided by the easement.
  4. The City of Chandler Development Services Department shall be notified of any proposed private irrigation easements.
5. INTRODUCTION OF ORDINANCE NO. 4919, granting a no cost utility easement to Arizona Public Service Company (APS) within a portion of Commonwealth Avenue between Dakota Street and California Street, to accommodate the DC Heights East development.

#### BACKGROUND FROM COUNCIL MEMO:

DC Heights Mar, LLC (the "Owner"), is the owner of the property located on the south side of Commonwealth Avenue between Dakota and California streets, also known as downtown redevelopment Site 4. The Owner has finalized plans to develop the property into a residential development known as DC Heights East. In order for this development to move forward, the Owner is requesting the City grant APS a utility easement for electrical facilities that must be placed within a portion City right-of-way on the south side of Commonwealth Avenue between Dakota and California streets. The utility easement is being granted to APS at no cost.

Staff has reviewed and approved the easement and legal description for the requested easement.



6. INTRODUCTION OF ORDINANCE NO. 4921, PLH20-0016 AMERICAN MEDICAL ASSOCIATES rezoning from Planned Area Development (PAD) to Planned Area Development (PAD) amended for Neighborhood Commercial (C-1) and Community Commercial (C-2), located on the southwest corner of Chandler Boulevard and Cooper Road.

BACKGROUND FROM COUNCIL MEMO:

Site was zoned PAD in 1995 for retail shopping center only, non-retail uses such as medical office are restricted by zoning stipulation. Subject parcel is currently developed with a 7,800 sq. ft. retail building. The applicant seeks to operate a medical office on the site.

Surrounding Land Use Data

North	Chandler Boulevard, commercial center	South	Single-family residential- Waterfall Condominiums
East	Cooper Road, gas station and church	West	Single-family residential- Waterfall Condominiums

Proposed Project Data

Unit and Lot Size	One existing building with two suites for a total of 7,800 sq.ft. -Suite one is 4,717 sq.ft. -Suite two is 3,083 sq.ft. Existing lot size of 46,001 sq.ft.
Parking Required	42
Parking Provided	43

General Plan and Area Plan Designations

2016 General Plan	Neighborhoods
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Planning staff finds the proposal to be consistent with policies of the General Plan that call for a variety of non-residential uses such as commercial, institutional, public facilities, and commercial offices.

Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. Due to COVID-19, the applicant hosted the required neighborhood meeting online as a video/phone conference on April 23, 2020 at 6:00pm. There were no participants at the neighborhood meeting. Three neighbors indicated interest in participating and were emailed a PowerPoint presentation along with call-in instructions to participate in the meeting. None of the three neighbors who expressed interest in the neighborhood meeting called in to participate. Meeting was adjourned at 6:20pm. Follow up emails were sent out on April 24, 2020 providing the interested neighbors again with the PowerPoint presentation and inviting them for a one-on-one phone call to discuss the proposed development. None of the neighbors responded. At this time, staff has not received any questions or complaints regarding the request.

Planning and Zoning Commission Vote Report  
Planning and Zoning Commission meeting May 6, 2020.  
Motion to Recommend Approval.

In Favor: 7    Opposed: 0

#### Review and Recommendation

In 1995, The Village at the Springs was originally envisioned as an 8-acre shopping center. In 2018, The Waterfall townhome development that is currently under construction was approved and the size of the center was reduced from 8-acres to 4.3 acres.

The subject parcel being rezoned is 1.05 acres of the remaining 4.3 acres. Stipulation 1 in Ordinance No. 2555, adopted in 1995, restricted particular nonretail commercial uses including assembly halls, nursing homes, community centers, churches, hospitals, and miniature golf courses in order to a successful shopping center. The request is to add medical offices to the site. For this reason, Planning staff is recommending removing the stipulation and replacing it with the allowance of all Neighborhood Commercial (C-1) and Community Commercial (C-2) nonresidential district uses on the property. This will allow the medical office by right and any other commercial use that is able to meet the parking requirements.

Based on how the site has developed, the adequate availability of parking provided, and the ability to add more parking in the future if needed, the previously restricted uses no longer appear to be an issue of concern. As such, Planning and Zoning Commission and Planning staff find the proposal to be consistent with the goals of the General Plan and recommend approval subject to conditions.

#### Recommended Action

##### Rezoning

Planning staff find the request is in compliance with the General Plan, Planning and Zoning Commission recommend the City Council approve the rezoning from PAD to PAD Amended to allow Neighborhood Commercial (C-1) and Community Commercial (C-2) uses, subject to the following conditions:

1. All uses permitted in the Neighborhood Commercial District (C-1) as well as Community Commercial District (C-2) shall be permitted on the subject site.
  2. Except as modified above, all applicable stipulations approved as part of Ordinance 2555 shall remain in effect for the subject site.
7. INTRODUCTION OF ORDINANCE NO. 4924, granting to Southwest Gas Corporation its successors and permitted assigns, the right and privilege to construct, maintain, and operate its gas system and gas system facilities upon, over, across, and under the present and future public rights-of-way of the City of Chandler for the purpose of supplying natural gas and/or artificial gas, including gas manufactured by any method whatsoever, and/or gas containing a mixture of natural gas and such artificial gas to the City, its successors, inhabitants, and all individuals and entities, either within or beyond the limits thereof, for all purposes, prescribing certain rights, duties, terms, and conditions in respect to this franchise; providing for an effective date; providing for the repeal of conflicting ordinances; and providing for severability.

RESOLUTION NO. 5372, Repealing Resolution No. 5317 adopted by the City Council on October 10, 2019, and granting a gas franchise beneficial for the City of Chandler; placing on the November 3, 2020, general election ballot, and submitting to the voters of the City the question of whether or not the gas franchise shall be granted to Southwest Gas Corporation.

BACKGROUND FROM COUNCIL MEMO:

Southwest Gas Corporation currently operates within the City of Chandler under a 25-year franchise approved by Chandler voters in 1996. The existing franchise will expire on January 9, 2021.

The proposed franchise allows Southwest Gas Corporation to construct, maintain, and operate its natural gas system in public rights-of-way and City-owned property for the purpose of supplying natural gas and, or artificial gas to the City and its residents.

The new franchise will have a 25-year term that begins January 1, 2021, and expires on December 31, 2045. If approved by Chandler voters, an ordinance to approve and grant the franchise will be presented to Council as required by the Chandler City Charter.

FINANCIAL IMPLICATIONS (one-time fees and costs): If approval of the franchise is the sole item on the City's general election ballot, Southwest Gas Corporation must pay all of the City's general election costs. If approval of the franchise is not the sole item on the City's general election ballot, Southwest Gas Corporation must pay half of the City's general election costs. Southwest Gas Corporation must pay all of the general election publication costs. The City Clerk will send an invoice to Southwest Gas Corporation for payment of these general election costs when the City Clerk receives the invoice from Maricopa County. In addition, the City has received Southwest Gas Corporation's application and customary application fee in the amount of \$3,000 to cover part of the City's costs to grant this new franchise.

FINANCIAL IMPLICATIONS (on-going fees, costs, and taxes):

Under the terms of the franchise, Southwest Gas Corporation must pay a franchise fee equal to two percent of the gross revenues collected from customers within the corporate limits of the City for use of the public right-of-way. Southwest Gas Corporation will also pay: (a) general ad valorem property taxes; (b) transaction privilege and use tax authorized by City ordinance; (c) other charges, taxes or fees levied upon businesses generally throughout the City; and, (d) applicable construction inspection fees.

8. INTRODUCTION OF ORDINANCE NO. 4925, PLH19-0052, 800 E. GERMANN rezoning from Agricultural (AG-1) district to Planned Area Development (PAD) for Planned Industrial (I-1) uses with ancillary office and retail.  
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture for an industrial building located west of the northwest corner of Germann and McQueen roads.

BACKGROUND FROM COUNCIL MEMO:

This item was continued from the April 20, 2020, City Council meeting to allow the applicant additional time to evaluate the market.

Approximately 8.7 acres. Subject site zoned AG-1 and undeveloped. General Plan designates the site as Employment and within a Growth Area. Chandler Airpark Area Plan (CAAP) designates the site as Light Industrial. Project consists of one flex building allowing for a mix of light industrial uses, office, and ancillary retail; outdoor storage will be permitted within the secured rear yard. Generally ancillary uses such as office and retail showroom are limited to occupy ten percent of a building unless noted; the proposal allows up to 15 percent due to available parking. No tenants have been identified, but occupancy of two tenants is desired as represented by the applicant

#### Surrounding Land Use Data

North	City of Chandler Armstrong Way yard facilities	South	Germann Road, then Tumbleweed Park and Recreation Center
East	Vacant property zoned PAD for recreational vehicle storage, fuel station, and retail development; existing auto repair shop and U-Haul rental	West	Self-storage facility and a single-family home zoned AG-1

#### General Plan And Area Plan Designations

	Existing	Proposed
General Plan	Employment	No Change
Chandler Airpark Area Plan	Light Industrial	No Change

#### Proposed Development

Building Square Footage	113,000 square feet
Building Height	Maximum Allowable 45 feet; Provided 44.9 feet
Number of Dock Doors	Approximately 22
Parking Spaces Required	105 spaces
Parking Spaces Provided	177 spaces; allowing for approximately 15% office

#### Review and Recommendation

Planning staff has reviewed the request and supports the proposal, citing consistency with the General Plan and CAAP. Since 1998, the City has reserved the area generally located between the Union Pacific Railroad tracks and McQueen Road for industrial uses to protect the Chandler Municipal Airport from incompatible land uses and to promote economic development. The proposed site is located approximately three quarters of a mile to the northwest of the Airport.

The parcel immediately southwest of this project is unavailable to be included in this development, hence the position of the proposed building. During the review process, staff asked the applicant to provide an alternative layout that rotated the building 90 degrees, which moved it 250 feet into the property to the north. This would have forced trailer parking along the Germann Road frontage and eliminated the outdoor storage area, causing an inefficient site design. The applicant has provided conceptual plans to fold the residential property into the site if it becomes available in the future. The rear (west) elevation, containing dock doors, is concealed

from Germann Road through the increased landscaping and an eight-foot high wall. Storefront windows and canopies were added to the south side of the building and wrap around the southwest and southeast corners of the building to enhance the street view along Germann Road.

The City's Transportation Engineer reviewed the proposal and determined that, in the long term, the easternmost access point needs to be a full-access shared driveway between the property immediately east of the project and the subject site to minimize the amount of driveways along Germann Road. The developer has agreed to a shared drive between the properties, with half of the driveway on the subject site. A Salt River Project irrigation box will be relocated in order to install the half driveway, which will only be used as an emergency access for the Fire Department until the eastern property develops. Once the eastern property develops, the driveway will be finalized, allowing full movement to the subject site. Both Traffic Engineering and Planning staff approve of the interim solution. A traffic statement was submitted to the City's Transportation Engineer stating no issues with the request.

Staff finds the proposal to be consistent with the goals of the General Plan and CAAP. Planning and Zoning Commission recommends approval.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on December 3, 2019. Four attendees, comprised of one resident and three members representing the adjacent property owner, attended the meeting as well as Planning staff and the developer's team. The development team presented the request and no concerns arose from attendees.

As of the writing of this memo, Planning staff has been contacted by the eastern property owner requesting the shared drive be relocated so that it is situated on both properties. The developer has agreed and plans have been modified to reflect the change. Planning staff is unaware of any concerns or opposition to the request.

#### Airport Commission Conflict Evaluation

Airport Commission meeting of December 11, 2019.

Motion to find no conflict with existing or planned airport uses.

In Favor: 5    Opposed: 0    Absent: 1 (Symonds)

The Airport Commission reviewed the request in accordance with the Airport Conflict Evaluation process. The Airport Manager has issued a conflict evaluation report indicating that the Airport Commission determined that the proposed development does not constitute a conflict with existing or planned airport uses. A copy of the Airport Manager's report detailing the Airport Commission's findings is attached to this memo.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 18, 2020.

Motion to Recommend Approval.

In Favor: 7      Opposed: 0

During Study Session, Commission requested a portion of the perimeter wall along the southwest be increased from six (6) feet to eight (8) feet. Additionally a PDP stipulation was added changing the thorn-less mesquite trees within the front yard to red push pistache trees and that all trees along the frontage shall comply with the commercial design standards in terms of tree sizing at the time of planting.

#### Recommendation Actions

##### Rezoning

Planning staff find the request is in compliance with the General Plan and the CAAP. Planning and Zoning Commission recommend the City Council approve the rezoning from AG-1 to PAD for I-1 uses with ancillary office and retail, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "800 E Germann" and kept on file in the City of Chandler Planning Division, in File No. PHL19-0052, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Future median openings shall be located and designed in compliance with City-adopted design standards (Technical Design Manual #4).
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. The use of a data center as the primary use shall be prohibited.
7. A cross access easement shall be recorded with the Maricopa County Recorder's Office on the subject site for the eastern access depicted on the approved site plan prior to the issuance of Certificate of Occupancy.

##### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan and CAAP. Planning and Zoning Commission recommend the City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "800 E Germann" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0052, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
  4. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
  5. Thorn-less mesquite trees within the front yard shall be replaced with red push pistache and all trees shall comply with commercial design standards regarding planting size.
9. RESOLUTION NO. 5364, approving an Intergovernmental Agreement with Maricopa Association of Governments to develop preliminary design concepts for Price and Ocotillo roads shared use paths, in an amount not to exceed \$4,559.69.

BACKGROUND FROM COUNCIL MEMO:

During the Transportation Master Plan (TMP) 2019 Update public outreach process, Chandler residents expressed the desire for more bike facilities separated from arterial roadway traffic. The majority of participants expressed an interest in bicycling as a mode of transportation, but are concerned about riding bicycles immediately next to high-speed traffic. Separated bicycle paths on Price and Ocotillo Road alignments are two important projects recommended by the TMP 2019 Update that responds to this feedback. The study funded through this agreement will analyze the feasibility of constructing these paths, and develop preliminary design elements, including:

- Right-of-Way Constraints,
- Traffic Analysis,
- Utility Mapping,
- Recommended Path Alignment,
- Conceptual Wayfinding and Landscaping Plan,
- Itemized Cost Estimate

FINANCIAL INFORMATION: Chandler was awarded a \$75,434.87 grant for this study. A 5.7% (\$4,559.69) local match is required. This study will help to develop a more detailed cost estimate, but initial planning level cost estimates for these projects total \$20 Million. Federal and/or regional funding would be pursued before advancing these projects.

10. ON ACTION.
11. RESOLUTION NO. 5369, amending the 2019 - 2020 Annual Action plan and citizen participation plan and submitting the substantial amendment to the United States Department of Housing and Urban Development (HUD) for its consideration in order to receive funding under the coronavirus aid, relief and economic security act (Cares Act); and approving and authorizing the City Manager or her designee to submit the substantial amendment to HUD, allocate Community Development Block Grant Coronavirus (CDBG-CV) funds to prevent, prepare for, and respond to the coronavirus (covid-19), and execute all subrecipient contracts.

BACKGROUND FROM COUNCIL MEMO:

On March 27, 2020, Congress passed the CARES Act, which made available \$5 billion in CDBG-CV to prevent, prepare for, and respond to the Coronavirus. Of this amount, HUD allocated \$2 billion, to include an award of \$849,415, to the City of Chandler. In addition, HUD lifted the fifteen percent regulatory cap on CDBG funded public services for Fiscal Years 2019-2020 and 2020-2021 to allow grantees to increase support for direct services to eligible persons impacted by the pandemic.

On April 23, 2020, staff received direction from City Council to proceed with steps necessary to make CDBG and CDBG-CV funds available to the community for public services to assist Chandler residents with low and moderate income, including persons experiencing homelessness, impacted by Coronavirus, as quickly as possible. Some essential services, such as direct services to persons experiencing unsheltered homelessness can be provided by the City of Chandler directly. Other services, are best delivered by community-based non-profit organizations.

On April 24, 2020, the Neighborhood Resources Department released a Notice of Funding Availability (NOFA) requesting proposals from non-profit organizations serving Chandler residents for the services of Food Assistance and Rent and Utility Assistance. Representatives from sixteen local non-profit organizations attended a pre-proposal webinar. Seven applications were received, one was deemed ineligible. A five member evaluation panel, including a member of the Housing and Human Services Commission (HHSC), reviewed the applications and forwarded recommendations to the HHSC for their May 13, 2020 meeting. It is recommended that City Council submit a Substantial Amendment to HUD to revise the Citizen Participation Plan and allocate the \$849,415 CDBG-CV funds as follows:

Organization	Service	Amount
AZCEND	Food Assistance	\$ 50,000.00
AZCEND	Rent and Utility Assistance	\$ 250,564.96*
City of Chandler	Homeless Navigation and Operations Year 1	\$ 258,580.00
City of Chandler	Homeless Navigation and Operations Year 2	\$ 120,387.04
City of Chandler	Federal Grant Administration and Program Oversight	\$ 169,883.00
TOTAL		\$ 849,415.00

\*A total of \$545,056.03 is recommended to be allocated to AZCEND for Rent and Utility Assistance through the NOFA released on April 24, 2020. \$294,491.07 will be recommended for allocation in the Fiscal Year 2020-2021 Annual Action Plan.

#### FINANCIAL IMPLICATIONS:

The City of Chandler will utilize CDBG and CDBG-CV funds. No match is required.

12. PRELIMINARY DEVELOPMENT PLAN (PDP) PLH20-0009, IMPROV MANIA MARQUEE SIGN for one changeable copy sign on a 7,500 square foot site located on the front of the west side of Arizona Avenue, 200 feet south of Chicago Street.

#### BACKGROUND FROM COUNCIL MEMO:



Site is approximately 7,500 sq. ft. Improv MANIA currently operates from the existing building on-site. Site is zoned C-2 with a PAD overlay that allows a reduction in onsite parking due to its proximity to public parking across Arizona Avenue.

Surrounding Land Use Data

North	Surface parking spaces	South	Commercial
East	Municipal offices, public parking, and fueling station	West	Commercial

Proposed Project Data

Quantity	One sign
Sign Type	Changeable copy
Location	Wall-mounted to the north façade of existing building
Size	2' 1" tall x 8' wide 16.66 sq. ft. of sign area

Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. The applicant mailed a notification letter to property owners within 600 feet and Registered Neighborhood Organizations within ¼ mile of the site, and posted a notification sign on-site. At this time, staff has not received any questions or complaints regarding the request.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting May 6, 2020.

Motion to Recommend Approval.

In Favor: 7    Opposed: 0

Review and Recommendation

No structural changes or expansions to the existing building or land use are proposed as part of this request. This request is for one changeable copy sign to be mounted on the north façade of the existing building to advertise the rotating events hosted by Improv Mania. The Sign Code limits where changeable copy signs are allowed by right to quasi-public uses, institutional uses, churches, and fraternal or civic organizations. Commercial properties must receive PDP approval for changeable copy signs.

Per the Sign Code, Improv Mania may have a maximum of 130 sq. ft. of signage. There are 95.12 sq. ft. of signage existing on the site. With the proposed 16.66 sq. ft. of signage, the total proposed signage of 111.78 sq. ft. will still comply with the maximum allowable sign area.

The changeable nature of the sign will naturally activate and thus increase the interest of the streetscape within the vicinity of the site, as called for by the South Arizona Avenue Corridor Area Plan (SAZACAP). As such, Planning and Zoning Commission and Planning staff find the proposal to be consistent with the goals of the General Plan and SAZACAP and recommend approval, subject to conditions.

## Recommended Action

## Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan and SAZACAP. Planning and Zoning Commission recommend the City Council approve the Preliminary Development Plan for one changeable copy sign, subject to the following conditions:

9. The sign shall be in substantial conformance with the exhibit entitled "Signage Concepts" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0009, modified by such conditions included at the time the exhibit was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
10. The sign shall be permitted on the subject site only for the duration of time that the building continues to be occupied by the comedy club or other similar theater-type use as determined by the Planning Administrator.

## 13. BOARD AND COMMISSION APPOINTMENTS.

## BACKGROUND FROM COUNCIL MEMO:

Airport Commission

Appoint Charles Mccorkle

Domestic Violence Commission

Reappoint Samantha Hinchey

Reappoint Nicole Bruno

Reappoint Torey Gannon

Reappoint Ruth Tan Lim

Appoint Nicole Jastrab

Economic Development Advisory Board

Appoint Ryan Smith

Merit Board

Reappoint Chris Love

Reappoint Micki Schroeder

Reappoint Dan Hull (Alternate)

Reappoint Daniel Pote (Alternate)

Reappoint Bill Dahlberg (Alternate)

Appoint Breck Cook

Public Safety Personnel Retirement System Board: Fire

Appoint Steven Turner

Public Safety Personnel Retirement System Board: Police

Appoint Steven Turner

Transportation Commission

Appoint Dean Brennand

Appoint Donald Smith  
Appoint Samuel Enoch

14. AGREEMENT NO. MS8-946-3910, AMENDMENT NO. 2, with Heinfeld, Meech & Co., P.C., for audit services, in an amount not to exceed \$130,080, for the period of June 1, 2020, through May 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City is required by City Charter and State statute to issue an annual audited financial report, and federal law requires the City undergo an annual single audit (A-133) of federal financial assistance. The scope of services includes audit work for the City including financials, supplemental schedules, Uniform Expenditure Limitation Compliance Report, Government Finance Officers Association (GFOA) Achievement for Excellence in Financial Reporting program checklist review and internal controls, Chandler Health Care Benefits Trust, Chandler Worker's Compensation and Employer Liability Trust, Chandler Cultural Foundation (CCF), Arizona Department of Environmental Quality (ADEQ) Landfill Assurance Report, Financial Data Schedule (SF SAC) to Housing and Urban Development's (HUD's) Real Estate Assessment Center (REAC), the Highway User Revenue Fund (HURF) Report, Impact Fee audit performed every other year and Purchasing Card review performed every other year. The next Impact Fee audit will be performed in FY 2020-2021. The next Purchasing Card review will be performed in FY 2021-2022.

15. PROJECT AGREEMENT NO. PD1603.402 with SDB, Inc., pursuant to Job Order Contract No. JOC1912.401 for Building Renovations, for Family Advocacy Center Acoustics, in an amount not to exceed \$146,594.

BACKGROUND FROM COUNCIL MEMO:

Construction of the Family Advocacy Center was approved in the 2018-2027 Capital Improvement Program. The nature of cases handled by Victim Services and Family Crimes Units requires a level of privacy and sound insulation between spaces that did not previously exist. The space was designed to provide victims of interpersonal crimes short term services, such as forensic exams and consultation with victim advocates and law enforcement in a private, safe and secure environment. This helps expedite and consolidate the services provided to victims, which in turn aids the investigative process, reduces the victims' trauma and stress, and aids in their recovery.

Original design included soundproofing to meet the required level of proficiency and sound insulation for victim privacy and evidence integrity, but due to unexpected complications during construction, the finished product did not produce the intended acoustical outcome in three of the rooms. High volume of the facility dictated immediately that the fourth room along the corridor was needed to be repurposed to include functionality that required soundproofing as well and was included in the acoustic review. This project is to modify the acoustics in four rooms at the Family Advocacy Center to the necessary level to accommodate additional spaces for victims of interpersonal crimes.

16. AGREEMENT NO. PM6-967-3647, Amendment No. 4, with Nutrien Ag Solutions, Inc.; SiteOne Landscape Supply, Inc.; and Rentokil North America, Inc., dba Target Specialty Products; for fertilizer, herbicides and pesticides, in an amount not to exceed \$301,800, including all companion agreements, for a one-year period of May 1, 2020, through April 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler park system currently has over 1,200 acres of developed parkland. The Park Operations Division needs to purchase fertilizer, herbicide and pesticide materials for use in City parks. Certified park staff will apply these materials.

In FY 2018-2019, Council approved funding to fertilize park turf areas three times per year during the active growing period (April - October) and apply pre-emergent for weed control twice per year. Previously, fertilization only occurred one time per year and no pre-emergent was applied. The additional fertilizer and pre-emergent applications have resulted in healthier turf grass in the City parks. Herbicides are used in the control of weed germination and establishment within the landscaped areas. Pre-emergent herbicides are applied twice per year, with post-emergent spot spraying applied twice per month. Pesticides are used to control mosquitoes and ants within the parks. A total of \$265,000 will provide control for one year in City parks.

In addition to the Parks Division, the Streets Division will require an additional \$36,800 for herbicide and pesticide materials used in right-of-way areas throughout the city.

17. NO ITEM.
18. NO ITEM.
19. CONSTRUCTION CONTRACT NO. ST1602.401, CHANGE ORDER NO. 2, with Standard Construction Company, Inc., ratify approval of Construction Contract No. ST1602.401, Change Order No. 2, with Standard Construction Company, Inc., for the Ocotillo Road Improvements (Cooper Road to Gilbert Road), increasing the contract limit by \$56,355.49, for a revised contract amount of \$2,153,424.59.

BACKGROUND FROM COUNCIL MEMO:

This construction contract is for the Ocotillo Road Improvements between Redwood Drive and Norman Way, which is the half-mile segment between Cooper and Gilbert roads. The project was completed in May 2018 and included roadway widening to complete half-street improvements on the south side of Ocotillo Road by adding one eastbound lane of traffic. Improvements to westbound Ocotillo Road in the same segment were previously completed as part of private development projects. Project improvements under this contract included raised medians, bike and turn lanes, street lighting, traffic signal interconnect, signing, striping, storm drainage, utility relocations, landscape and irrigation, and Americans with Disabilities Act ramp upgrades.

Currently, there is a balance of \$444,274.67 encumbered and available under this contract. Change Order No. 2 provides for Full Satisfaction of Judgment in Maricopa County Superior Court Case No. CV2020-001985, with acquired post-judgment interest. Staff made payment in order to avoid acquiring additional post-judgment interest of \$78.77 per calendar day.

ST1602.401 Original Contract Amount approved by Council:	\$2,097,069.10
Amount previously paid to Standard Construction Company, Inc.:	\$1,652,794.43
Remaining Balance on approved Contract Amount:	\$ 444,274.67

Remaining Balance on approved Contract Amount:	\$ 444,274.67
Requested Change Order No. 2:	\$ 56,355.49
Judgment Amount Paid:	\$ 500,630.16

20. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License for Trevor Allen Kyte, Agent, Mesa Breakfast Club LLC, dba Bisbee Breakfast Club, located at 940 N. 54th Street, Suite 100.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on May 14, 2020:

New License, Series 12, Restaurant Liquor License, for Trevor Allen Kyte, Agent, Mesa Breakfast Club LLC, dba Bisbee Breakfast Club, located at 940 N. 54th Street, Suite 100.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

21. ON ACTION.

PUBLIC HEARINGS

- PH1. ANNEXATION of 75.0 acres, located at the northeast corner of Gilbert and Brooks Farm roads.

BACKGROUND FROM COUNCIL MEMO:

Located at the northeast corner of Gilbert and Brooks Farm roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 75.0 acres, including three Chandler Unified School District (CUSD) owned parcels and Roosevelt Water Conservation District (RWCD) land. Upon annexation, initial City zoning will be Agricultural (AG-1) district. A new CUSD high school (No. 7) is proposed for the site

Surrounding Land Use Data

North	Commercial and single-family residential	South	Brooks Farm road, then single-family residential
East	Single-family residential	West	Gilbert road, then commercial and unincorporated Maricopa County land

General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan	Traditional Suburban Character
Brooks Ranch Area Plan	School and Park, Single-family residential, and Low-Medium Density residential

#### Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in Gilbert Road. Existing municipal water service is available in Brooks Farm Road and Mustang Drive.

#### Staff Comments

Staff circulated this request among City departments and received no negative comments relative to the property's annexation. On December 12, 2019, the City Council approved an Intergovernmental Agreement between the City, CUSD and Maricopa County giving the City the authority to issue construction permits and conduct inspections while the property is within Maricopa County jurisdiction.

#### 1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

#### 2. Staff Presentation

SUSAN FIALA, City Planner, introduced the public hearing item. This property encompasses 75 acres and the current owner is the Chandler Unified School District and a portion owned by Roosevelt Water Conservation District. There is an easement that is for SRP that comes from Brooks Farm Road to the former house that was on the property. This land in the County is zoned RU-43 and upon annexation the City would zone the land as AG-1 which would allow for schools. On the east side of Gilbert Road there is residential, commercial, and an elementary school and park to the southeast. On the west side of Gilbert there are still parcels that are within the County. Ms. Fiala said this is the last remaining County property on the east side which is enlarging the City limits. There are City utility services available to this property. There are several services within Gilbert Road including water, wastewater, and reclaimed water. This request has been circulated to multiple City divisions and have not received any negative feedback. In December of 2019, an Intergovernmental Agreement was signed between the City, the School District, and the County giving the City authorization to give construction permits. There has been some construction started. Ms. Fiala said the public hearing must be held to gather input.

#### 3. Council Discussion

MAYOR HARTKE said there have been multiple discussion regarding this and asked if there was any discussion regarding the annexation.

COUNCILMEMBER STEWART asked if the traffic flow would be presented at a later date.

MS. FIALA said that is not part of the annexation and would be discussed at a later point. Ms. Fiala said this is just regarding the annexation which would come before Council again as an ordinance.

COUNCILMEMBER STEWART said there is a diagram of where the sports field and buildings would be and asked if the layout was approved.

MS. FIALA said it is the most recent illustration of what they are proposing.

COUNCILMEMBER ROE asked if Staff could show the site plan.

MAYOR HARTKE said this was just regarding the annexation.

KELLY SCHWAB, City Attorney, said this is a site plan and is more for demonstrative purposes because they are still working out the final details of the plan.

COUNCILMEMBER STEWART said he would be getting a handful of calls when the announcement of the school is made.

MARSHA REED, City Manager, asked for the site plan to be displayed on the screen.

#### 4. Discussion from the Audience

MAYOR HARTKE asked if any comments were received regarding the Public Hearing.

DANA DeLONG, City Clerk, said no comments for the Public Hearing were received.

#### 5. Close Public Hearing

MAYOR HARTKE closed the Public Hearing.

### PH2. DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT ASSESSMENT for Fiscal Year 2020-21.

#### 1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

#### 2. Staff Presentation

KIM MOYERS, Cultural Development Director, introduced the Public Hearing item.

JOHN OWENS, Downtown Redevelopment Specialist, said the Enhanced Municipal Services District (EMSD) was created in 2005 and is in its 15 year. It covers 61.4 acres and over 1 million square feet of commercial space. The EMSD is formed to provide public services over and above typical public services elsewhere within the City. This includes safety, beautification, marketing and promotion, professional management, and communications. Services are provided by the Downtown Chandler Community Partnership (DCCP) through an annual contract with the City, which comes to the Council next month for potential approval.

MR. OWENS said the DCCP executed several events to draw people to the downtown area such as Sippin' Santas, Farmers Market, and Friday Night Live concert series. Mr. Owens said they partner with the Downtown Bike Team on special events and weekend nightlife activity to help ensure downtown is safe for the community especially in the later hours. The DCCP contracted with Block By Block to provide 56 extra hours a week to provide street cleaning. Two Clean Team members pick up trash, clean trashcan

lids, and many other responsibilities. The DCCP is the day-to-day Staff that works closely with the City to ensure the downtown runs smoothly and to put on events and marketing. The DCCP has responded quickly to the COVID-19 situation and they have a specific webpage addressing the issue and providing updates.

MR. OWENS said property owners authorized the EMSD assessment and 100% of assessment proceeds are paid to the District. The City Council officially enables the District and it must be renewed each year. The rate is set by the Council and has remained the same since 2005. On March 26, Council tentatively approved the assessment and set the public hearing. Staff has published the notice of hearing for five consecutive days before the hearing. The DCCP mailed notice to all property owners in the district to notify them of their right to object. No objections have been received as of this date. In June, the potential approval of the contract would be brought before Council, which includes the City's voluntary contribution of \$118,804.

### 3. Council Discussion

MAYOR HARTKE asked about the resolution brought before Council.

MR. OWENS said the resolution before Council would approve the assessment and next month would be the contract with DCCP.

COUNCILMEMBER ORLANDO asked what was added from last year's assessment.

MR. OWENS said the district boundaries did not change but there are increased property values and Overstreet has been completed. With these combined there has been an additional 45,000 dollars added to the assessment.

COUNCILMEMBER STEWART asked if a report could be given to see the organizations that benefit from having events in the downtown area. They have been looking to find way to fund some of the events and utilize non-profits to enhance the area further.

MS. MOYERS said they would be able to provide that to Council.

### 4. Discussion from the Audience

MAYOR HARTKE asked if any comments were received regarding the Public Hearing.

MS. DeLONG said no comments for the Public Hearing were received.

### 5. Close Public Hearing

MAYOR HARTKE closed the Public Hearing.

### ACTION AGENDA ITEM NO. 10 DISCUSSION

MAYOR HARTKE introduced the Action Agenda Item No. 10.



10. RESOLUTION NO. 5365 approving the 2020-2021 Annual Assessment for City of Chandler, Arizona, Downtown Chandler Enhanced Municipal Services District.

ACTION AGENDA ITEM NO. 10 MOTION AND VOTE

COUNCILMEMBER McCLYMONDS TO APPROVE ACTION AGENDA ITEM NO. 10 OF THE MAY 14, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER HUANG.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

ACTION AGENDA

10. RESOLUTION NO. 5365 approving the 2020-2021 Annual Assessment for City of Chandler, Arizona, Downtown Chandler Enhanced Municipal Services District.

BACKGROUND FROM COUNCIL MEMO:

On March 26, 2020, City Council approved Resolution No. 5350, which authorized modification of the Assessment Diagram, making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District, completing the assessment, and setting the date for the Public Hearing on the assessments for the May 14, 2020, City Council meeting.

Prior to the May meeting, staff published notice of the date of the Public Hearing for five consecutive days in the Arizona Republic as required by Arizona Revised Statute. Downtown Chandler Community Partnership staff also sent a notice of the Public Hearing to all property owners in the District. The letter advised the property owners that they could file an objection with the City Clerk, should they desire to do so. To date, no objections have been received in the City Clerk's Office.

Upon completion of the Public Hearing and authorization of this item, staff will forward the calculated Assessment Roll to the Maricopa County Assessor's Office. The first assessments for the District will be mailed to property owners with their tax bill in July 2020.

FINANCIAL IMPLICATIONS:

Assessments in the District are based on three factors, including assessed value (one-third of the assessment), building square footage (one-third of the assessment), and land square footage (one-third of the assessment). All properties are assessed at the same rate with the exception of buildings along the Historic Square, which are assessed double the building square footage rate.

The total of all assessments is \$297,690, of which privately-owned property in the District contributes \$178,886 (60%). In addition, the voluntary contribution for City-owned property is \$118,804, which represents 40% of the total District's assessment for FY 2020-21. Funds to provide for the City's contribution have been requested in the Downtown Redevelopment's operating budget for FY 2020-21.

21. DISAPPROVAL LIQUOR LICENSE, Series 6, Bar Liquor License, for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue. (STAFF REQUESTS WITHDRAWAL.)

BACKGROUND FROM COUNCIL MEMO:

This application reflects a change in ownership. This will be a continuation of the location's previous use as Emanuela Watt, dba El Coyote Sports Bar.

The following application for a liquor license was posted for hearing on March 26, 2020, at which time it was continued until April 23, 2020, when it was then continued to May 14, 2020:

License, Series 6, Bar Liquor License for Shawn Eric Hoover, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

This application was heard at the April 23, 2020, Council meeting, additional questions were raised, and Council continued to May 14, 2020, to provide staff opportunity to gather additional information. Staff had a conference call with Assistant Attorney General, Michael Raine, with the Arizona Department of Liquor Licenses and Control (DLLC) on the liquor license questions, and his responses follow with the exception of number two:

1. Are there any stipulations the City can request with the liquor license application recommendation?  
No, the City cannot make stipulations, nor will the Board. They do take into account the minutes from the Council meeting making the motion to recommend approval or denial.
2. Can we hold the business accountable through the Chandler Business Registration?  
There is no provision to revoke a Business Registration in the code. Ref.: Chandler Code Chapter 61, Business Registration Section 61-2.1 and 61-6
3. What is the no recommendation process?  
If there is no recommendation from the City, the Arizona Liquor Board would move forward without any City input or participation. The City is not required to send a letter stating this; however, staff would provide a letter as a courtesy to clarify that the Council has no position in order for the Arizona Liquor Board to move forward. Ref.: A.R.S. Title 4-201(E). Licensing; application procedure in city, town or county; burden of proof
4. How soon would the hearing be scheduled once the City provides the recommendation?  
After the City acts and provides the recommendation, there will be a 15 day waiting period in order to receive any protests from the public or the DLLC. After the 15 day waiting period, the Arizona Liquor Board would hear the license at the next available meeting in June or July 2020, depending on cases. Ref.: A.R.S. Title 4-201(E). Licensing; application procedure in city, town or county; burden of proof
5. What is the renewal and revocation processes?  
At the yearly renewal period, the DLLC can review for discipline issues, complaints, or pending investigations. The Arizona Liquor Board can issue a fine or suspension of the liquor license. It

is very rare that a liquor license is not renewed or revoked. Ref.: A.R.S. Title 4-210 Grounds for revocation, suspension and refusal to renew; notice; complaints; hearings; defense

6. Is training provided to the applicant prior to approval of a liquor license?

Proof of training is required to be submitted prior to approval of a liquor license, however, there is no proof of training required prior to issuance of an Interim Permit. Both owners have indicated 'Yes' on the Questionnaire attachment to the liquor license application that they have attended an approved Basic & Management Liquor Law Training Course in the past 5 years. Ref.: Arizona Revised Statutes Title 4 R19-1-103 Training Course Minimum Standards

7. Can the interim permit be reinstated?

The cancellation of an interim permit can be appealed to the Superior Court. This applicant has not appealed the cancellation of the interim permit. Ref.: A.R.S. Title 4-203.01(E). Interim permit; fee; rules

8. Has this applicant owned a bar previously?

According to the Questionnaire attachment to the liquor license application, neither owner has indicated owning a bar establishment. Employment indicated prior experience in a hotel environment.

Consideration may be given only to the applicant's personal qualifications and not to the location.

The Police Department has recommended denial of this application, citing objection to the issuance of this license based on the qualifications of the applicant. The liquor license evaluation process places emphasis on the initial issuance. The applicant bears the responsibility to prove they are capable, qualified, and reliable to operate a liquor establishment. The Police Department reported violations, calls for service, and deceptiveness of this applicant during the interim permit period as the basis for their recommendation for denial. Police calls for service and timeline for the interim liquor license are listed below:

	1/24/2020	Interim liquor license issued by DLLC
Day	Date	Police Call for Service
Saturday	2/1/2020	Trespass/Subject Refusing to Leave
Sunday	2/2/2020	Trespass/Subject Refusing to Leave
Monday	2/10/2020	Theft of Shoplifting
Sunday	2/16/2020	Disorderly Conduct
Sunday	2/16/2020	Fight/Assault
Saturday	3/7/2020	Disorderly Conduct
Sunday	3/8/2020	Disorderly Conduct
Saturday	3/14/2020	Fight/Assault
Sunday	3/15/2020	Suspicious Person/Vehicle/Activity
Saturday	3/21/2020	Unknown Problem
	3/26/2020	Interim liquor license cancelled by DLLC

No written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

## INFORMATIONAL

1. Regular Meeting Minutes of the March 18, 2020, Planning and Zoning Commission meeting.
2. Study Session Minutes of the March 18, 2020, Planning and Zoning Commission meeting.

UNSCHEDULED PUBLIC APPEARANCES

Fred Borns, 6 S. Stellar Parkway, Chandler, AZ 85226:

I have lived at 6 So. Stellar Parkway, Chandler since Nov. 6, 1976. Over these many years the neighborhood has changed dramatically; in particular the amount and nature of the auto traffic on Stellar Parkway has become a real problem for residents facing this residential street. At least three measurements of traffic count and speed have been conducted over the past 10 or 15 years which have revealed as many as 800 vehicles per day of which more than 50% exceed the posted speed limit of 25 mph. Recently the Fixed-Base Operator, platted for providing aircraft storage on his property, has converted to storage of recreational vehicles with the consequence being much more use of Stellar Parkway for the transport of motor homes and fifth wheels using large diesel powered trucks. There is much more to this issue than can be explained here but I am reaching out to the Mayor and Council to begin a process for enabling the use of surveillance cameras For the purpose of documenting violations. These units would be installed on City street light poles but purchased and maintained by private neighborhood funds.

MAYOR HARTKE asked for Staff to respond to these inquiries.

CURRENT EVENTS

## A. Mayor's Announcements

MAYOR HARTKE said the Council has announced the implementation of Chandler's Phase 2 Return to Service Plan. Mayor Hartke said he is excited to continue to open the City safely with CDC Guidelines and direction from the Arizona Department of Health. Mayor Hartke encouraged everyone to visit the City's website to learn more.

MAYOR HARTKE said he has heard from several businessmen that businesses and the Chandler mall would be reopening and encouraged everyone to following social distancing. Mayor Hartke said he encouraged small businesses to open to safely.

MAYOR HARTKE thanked Council and Staff and their diligent work to ensure that the community would reopen safely. Mayor Hartke said they are not out of this yet and other measures would be with us for a long time. Their goal continues to be the mitigation of this virus so that health professionals would be able to treat those who need it. Mayor Hartke said some of these measures would not necessarily prevent people from getting the virus but would allow the health professionals time to treat the virus.

Mayor Hartke encouraged those who have underlying medical conditions to continue to social distance and stay home to ensure they are protected.

MAYOR HARTKE announced it was National Police Week and thanked all law enforcement officers and those who have lost their lives. This has been a unique time and there have been additional community concerns. Mayor Hartke said the Chandler Police Department works tirelessly to keep Chandler safe and beautiful for residents, visitors, and businesses. There has been more unusual activities as people have been locked down and is thankful the Police Department has stepped up to keep the City safe.

#### B. Councilmembers' Announcements

COUNCILMEMBER STEWART thanked the Police and Fire Departments for all they do. Councilmember Stewart thanked the Mayor and Council and Staff for all they have done through this process. Councilmember Stewart thanked the Mayor for including Council in every decision as they navigate the COVID-19 situation and not every City has done that. Councilmember Stewart thanked Staff for getting amenities open as soon as possible. It is a sign of where Chandler is headed and move the City forward.

COUNCILMEMBER STEWART said it is exciting they are building a brand new high school and that is something that does not happen every day.

COUNCILMEMBER STEWART said Staff has been working with those who are vulnerable and experiencing homelessness during the COVID-19 situation. Councilmember Stewart said some of programs included providing cell phones for increased communication, daily well checks, continued progress towards housing and service goals. Free portable hand washing stations and restrooms were placed in strategic locations in partnership with local organizations to ensure those living without shelter have their essential services. Through the partnership with Maricopa County, Tempe, Mesa, and Community Bridges the most vulnerable people experiencing homelessness were put up in east valley hotels. Through partnership with Protect AZ, Haitian Disaster Relief Arizona, and the Salvation Army 100 COVID-19 tests were provided at no cost to persons experiencing homelessness. Councilmember Stewart thanked Staff for their work in keeping the community safe and healthy.

MAYOR HARTKE thanked For Our City as well for their contributions.

COUNCILMEMBER McClymonds thanked the Mayor for including Council including them in decisions as they navigate the pandemic. Councilmember McClymonds thanked Staff and Council for looking for innovative ways to breathe life into the business community. Councilmember McClymonds said working together with the community stakeholders would revitalize the economy. The City is ramping up but it is important to maintain social distancing and stay safe.

COUNCILMEMBER McClymonds said the Love Chandler Challenge for May would provide participants the opportunity to thank the healthcare workers and first responders as they work to keep the community safe during the pandemic. To participate make a sign thanking the workers and first responders and take a video or photo with you or your family to share the sign on the City of Chandler Facebook or Instagram. All that submit photos or videos would be added to the final video to be posted on social media to thank the first responders and healthcare workers. Councilmember McClymonds said the challenge ends May 27 and one submission would be chosen for a special edition State48 t-shirt.

VICE MAYOR LOPEZ thanked the first responders on the front lines dealing with the crisis and the aftermath. Vice Mayor Lopez thanked the Staff for their out of the box thinking and seeing where a difference could be made to help the community and businesses. Vice Mayor Lopez thanked the Council for their robust discussions and approaching the situation pragmatically.

VICE MAYOR LOPEZ said as the parks are opening up and there is a new strategic parks master plan. Vice Mayor Lopez said the goal is to ensure the parks are accessible, sustainable, and innovative for the future generations to come. Vice Mayor Lopez invited the community to learn more at the project and share feedback. The public meetings have been shut down but those would be rescheduled for a future date to provide suggestions and insight.

COUNCILMEMBER HUANG thanked everyone who is working together during this time. Councilmember Huang said four City of Chandler employees were honored in the Chandler Lifestyle Magazine Women of Chandler. Councilmember Huang said those recognized were Kim Moyers, Cultural Development Director; Michelle MacLennon, General Manager for Chandler Center for the Arts; Mellissa Deanda, Police Lieutenant. and Jessica Westmiller, Crisis Intervention Coordinator. Councilmember Huang said they are grateful for their contribution and dedication for the community.

COUNCILMEMBER ROE thanked the City Manager and Staff for collaborating and finding ways to show the community that we are with them. Councilmember Roe said the hot weather is approaching and encouraged everyone to be safe and to take time to remember what Memorial Day is all about. Councilmember Roe reminded everyone to be safe around water and to watch the kids.

COUNCILMEMBER ORLANDO asked everyone to remember those who have served and given their lives for our Country. Councilmember Orlando said the City Diversity Office and Chandler Museum in partnership with the Salvation Army are documenting the community's history of military service. The information gathered would be used by the Chandler Museum to compile a veterans database and use the Foundation for future initiatives to honor those who have served and share their stories for years to come. Councilmember Orlando said those who have served or families of those who have served may complete a form and upload photos online. Veterans and families may also donate photographs, uniforms, and other items that help document veterans history.

COUNCILMEMBER ORLANDO thanked the Council for their work with the pandemic and there would be many more discussions.

### C. City Manager's Announcements

MS. REED said in response to COVID-19 bars have closed and restaurants have suspended dine in services due to the Governor's order on March 19, 2020. This week restaurants and bars could reopen following the CDC Guidelines. Ms. Reed said due to the extraordinary economic circumstances the past two months and Council direction to look at what could be done as a City to help the local businesses, we have determined that measures could be taken to reduce the financial burden for those who hold a liquor license. Under normal circumstances, the 2020 liquor license renewals would be due June 30. The fees range from 300 to 1,000 annually depending on the series of liquor license to be renewed. Ms. Reed said she would be signing an Emergency Declaration to reduce the renewal fee for all 2020 liquor license renewals by 50%. The payment due date would also be extended to September 30, 2020 and no penalty

would be assessed for late payment. This Declaration would take effect immediately and is subject to the ratification of the Council at the May 28, 2020 meeting. If approved this would assist 438 Chandler businesses. Ms. Reed thanked the Council for their consideration to support local businesses.

MAYOR HARTKE said the hospitality industry has been hit the hardest most of all and this is an easy way to help a lot of people.

ADJOURNMENT: The meeting was adjourned at 6:43 p.m.

ATTEST: *Dana R. DeLong* *Kevin Hartke*  
City Clerk Mayor

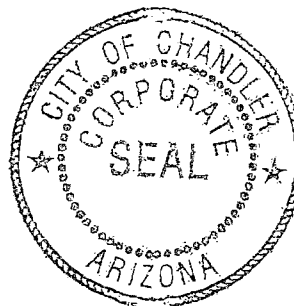
Approval Date of Minutes: May 28, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 14<sup>th</sup> day of May, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 28 day of May, 2020.

*Dana R. DeLong*  
City Clerk





## CHANDLER CITY COUNCIL

### WORK SESSION MEETING MINUTES

Tuesday, June 2, 2020

MINUTES OF THE WORK SESSION OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Tuesday, June 2, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:00 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Matt Burdick, Communications and Public Affairs Director; Tom Dwiggin, Fire Chief; Andy Bass, Community Services Director; Kim Moyers, Cultural Development Director; Sean Duggan, Police Chief.

1. Discussion and Council Direction regarding Chandler's Return to Service Plan and the Reopening of City Facilities and Programs.

MAYOR HARTKE introduced the discussion item. He said there were conversations regarding opening some of the ball fields. He said there were some divergent views and thought it was his goal to give staff clear direction in order for staff to move forward and be able to address the public. Mayor Hartke said the Governor had issued new orders that further opened the State to allow the use of fields for play. Mayor Hartke said Chandler had been working with the users for practice and there was still some concern a few weeks ago. The Governor's latest direction seems to have opened things up more and we may be at the end of the phasing due to the onset of direction from the Governor. Mayor Hartke said as the Governor opens things up, Mayor Hartke would like Chandler to follow.



VICE MAYOR LOPEZ asked what is open and what is closed currently.

ANDY BASS, Community Services Director, said they are in a good place in terms of opening. All of the library branches are open with limited hours. Recreation centers including Tumbleweed are open as well as the Community Center. The Educational Environmental Center is open. All of the parks and amenities are open including the splash pads and restrooms. The only restrooms that are not open are at Folley Park, Navarrete, and Apache due to vandalism at those sites. They have been running limited offerings for aquatics at Desert Oasis, Nozomi, and Mesquite Groves for lap swimming and aqua fit. For the last two weekends, there has been open swim at Folley pool and Mesquite Groves, which have been sold out. This coming Saturday all pools will open and all services will be starting as normal.

MR. BASS said the recreation classes including summer camps have started this week. The athletic fields are all open for practice only. There are currently 10 tournaments that would like to be held in June. Mr. Bass said a point of discussion today is whether or not to allow those to take place.

VICE MAYOR LOPEZ said for libraries the only decision is whether or not to expand hours.

MR. BASS said that was correct.

VICE MAYOR LOPEZ said starting this weekend pools are back to normal. Vice Mayor Lopez said it sounds as though the last thing to decide is league play.

MR. BASS said yes, they are working to open all of the pools. In terms of park usage, it would be allowing games at this point.

COUNCILMEMBER STEWART asked when the Governor had opened the fields for game play.

MR. BASS said the Governor announced that youth sports could begin, but did not specifically say games versus practice. Mr. Bass said that happened last week.

MARSHA REED, City Manager, said it was May 28.

COUNCILMEMBER STEWART asked what authority the City had to keep the fields closed if the Governor said they were open.

KELLY SCHWAB, City Attorney, said the Governor does not have the authority to open a facility, but rather it is guidance to open the fields. Ms. Schwab said the City could regulate the fields as Council sees fit.

MS. REED said the May 11 Work Session was when Council discussed being only open for practice. Ms. Reeds said staff is following Council direction.

COUNCILMEMBER STEWART said that was a general discussion and there are were no minutes or vote.

MS. REED said there was a discussion and a powerpoint presentation. Mayor Hartke led the discussion point by point and it did say for practices only.

COUNCILMEMBER STEWART said the presentation said practice only and asked if the direction from Council was for practice only.

MAYOR HARTKE said yes, that was correct.

COUNCILMEMBER STEWART asked if there was a vote or if it was a general conversation.

MAYOR HARTKE said it was a Work Session so there was no vote, just direction.

COUNCILMEMBER ORLANDO said he would like to get an update from the Fire Chief regarding what the numbers are, including hospitalizations.

TOM DWIGGINS, Fire Chief, said they have seen an uptick in the number of cases not only in the State but also in Chandler in the last five days. Chief Dwiggins said there was a meeting with Public Health this morning and they have confirmed that they have also seen that uptick in community spread. The numbers are increasing as well as the testing, but they have seen statewide, the number of ED visits for COVID-19 patients is up. The number of ICU beds for COVID-19 is up. Chief Dwiggins said they did dig deeper into the Chandler numbers over the last five days there have been 118 new cases. The majority of those are in zip code 85225. The nursing homes have tapered off and it was a lot better than before. Chief Dwiggins said they are working with Chandler Regional and Mercy Gilbert and received their hospital census. They are significantly down with patients and they have given a month-to-month comparison between 2019 and 2020. Chandler Regional has 100 patients less than last year and Mercy Gilbert had 25 less patients. They do have 50% capacity in the ICUs at this moment.

COUNCILMEMBER ORLANDO asked if they are seeing an increase in COVID-19 patients in the ICU.

CHIEF DWIGGINS said they are seeing an increase across the State with COVID-19 patients.

COUNCILMEMBER ORLANDO asked if that included Chandler Regional and Mercy Gilbert.

CHIEF DWIGGINS said yes, although they do still have capacity.

COUNCILMEMBER ORLANDO said he understood, but wanted to look at the trend line. They have been discussing the trend line over the past few weeks. Councilmember Orlando said on May 15<sup>th</sup> everything was supposed to open and they are three weeks past that and they are starting

to see an uptick. Councilmember Orlando asked if the Police were still able to continue the robust activities for COVID-19 now that there is surged demand for other areas.

SEAN DUGGAN, Police Chief, said their focus since Saturday has been focused on keeping the community safe in light of what is happening nationally and locally. That has been the primary focus of the personnel the last few days. Chief Duggan said they are still aware of the issue with COVID-19 and it has not gone away. Their current focus has been laser tight on what is happening in the Valley and keeping people safe.

COUNCILMEMBER ORLANDO said on behalf of the residents that contacted him, Councilmember Orlando thanked the Police Department for all that they do.

CHIEF DUGGAN said they keep in constant communication and share resources with neighboring agencies. Chief Duggan said they are in constant contact with our federal partners and this is very much a Valley wide issue. Chief Duggan said they are receiving support as well from the National Guard.

COUNCILMEMBER ORLANDO said he is involved in a youth organization and they are discussing protocols to keep everyone safe. Councilmember Orlando said the organizations are doing their due diligence, but one of the things that they are hearing over and over again is that they are asking for COVID-19 waivers. Councilmember Orlando asked if the liability waivers are being demanded from the organizations as well.

MS. SCHWAB said we do have waivers and if it is a tournament, those organizations provide certificates of insurance for use of the facilities. By providing a space for another entity to conduct the event by itself does not impose liability on the City.

COUNCILMEMBER ORLANDO said he was still uncomfortable opening things up and asked if they wanted to make a requirement to look at their safety protocols. Many leagues have protocols and it comes back to also being a consumer confidence issue as well. Councilmember Orlando said if the leagues open they may not get any players. Either the parents are currently out of work and could not afford it or they do not want to expose the child. Councilmember Orlando asked how they could help with the consumer confidence to ensure the City is doing everything we can to keep people safe.

MAYOR HARTKE said the Chief had given a presentation before discussing the viability of the virus in the heat and outdoors.

CHIEF DWIGGINS said they have been putting out a memo every Wednesday and there have been studies over the past few weeks. There are reports that the virus does not live as long on surfaces. This is still a novel virus and they are still studying and understanding it. It remains viable on metal for 48 hours, plastic 72 hours, and cardboard 24 hours. As far as the temperature, that is something that is still up in the air. There are two sources that he could site

that are saying opposite things. The studies are being taken from reputable sites and they do feel comfortable with this information.

COUNCILMEMBER ORLANDO asked if organizations could provide copies of their safety protocol and if they would be asked to get a waiver of liability.

MAYOR HARTKE asked how other cities are handling the situation.

MR. BASS said he has not heard of additional waivers. Mr. Bass said there is typically a tournament producer and the City just hosts the event. In terms of getting waivers from individual players that is something the City would not do and that would be up to the promoter. The City only works with the promoters. Mr. Bass said he was not aware if other cities have a special waiver as he had not reached out and asked specifically.

VICE MAYOR LOPEZ said he was not as concerned with case numbers because it could be just like the cold. If there are more cases and more hospitalizations and death numbers are what they need to look at. Vice Mayor Lopez said when there is an uptick are they seeing it floating up or a spike. Vice Mayor Lopez said they were hovering low and asked what the trend line looks like.

CHIEF DWIGGINS said it was up and down for a couple months. Chief Dwiggins said as of yesterday there were 1,009 in-patients specific to COVID-19. If you go back five days, there was 911, if you go back ten days there were 796. These are not ones and twos these are pretty significant increases. Those are inpatients. When we get to the ICUs, yesterday there were 380, but when we go six days it was 375 and ten days 298. It was not as big of a jump, but that is expected because those are the most critical patients. The trend line is going up, not at a rapid pace but enough to take notice. Public Health did say there is an uptick in community spread.

COUNCILMEMBER STEWART asked if there was data related to age for the ICU cases.

CHIEF DWIGGINS said he only had the ICU admits and did not have the age or underlying condition specifics of the patients. So far, there are not any anomalies where they are seeing younger people admitted to the ICU. It has pretty much followed the same over the last few months.

COUNCILMEMBER STEWART said the cases are not in the children or age of children that play sports. It is more of the upper age range.

CHIEF DWIGGINS asked if he was referring to cases in the ICU.

COUNCILMEMBER STEWART said yes.

CHIEF DWIGGINS said he did not have that information. It is well known that over 50 and over 65 is the majority of the ICU patients.

MAYOR HARTKE asked what Council would like to do regarding the reopening and direction to staff.

COUNCILMEMBER ROE said in May when they were talking about opening Council felt differently about COVID-19 than they do today. Councilmember Roe said if they are opening swimming pools and tennis courts and allowing people to come and go then it would make sense for the teams to use the facilities. Councilmember Roe said they are not sponsoring the event, but there are fields that are open to the public and did not think the City should try to certify someone who wants to participate. We are not the perfect judge and research is still happening regarding the virus.

MAYOR HARTKE said he paid attention to the numbers. A few weeks ago 85224 was the number one zip code and did not think Chandler was in the top 10 today. There is nothing unique to Chandler and nothing unique in terms of a metropolitan area. There are no walls that they are going to be able to put around the City. Yuma is seeing a massive spike and there are a lot of resources dedicated to that. The virus is expanding across the State and the nation. Mayor Hartke said zip code 85224 still has a high number and many cases are no longer cases because it was early on. It is difficult to know true numbers unless their numbers are currently increasing and you can see the delta from one week to another.

COUNCILMEMBER ORLANDO said they spoke about tracing and asked if it was been robust. We have opened up a lot earlier than other folks did and there were visitors from other cities such as at the library. Councilmember Orlando said other cities are not opening as many things as Chandler. Councilmember Orlando asked if there were reports regarding tracing being done.

CHIEF DWIGGINS said that was a function of Public Health to create their tracing program. As they have increased tests, they have talked about increased tracing. Chief Dwiggins said he did not know how they were facilitating that or the depth of it. It is an important factor in understating the virus and how and where it is moving.

COUNCILMEMBER ORLANDO asked if the data was available or if it is confidential.

CHIEF DWIGGINS said it is not available. There is no metric that would show about the tracing. Chief Dwiggins said the State has talked about it at a high level, but as far as getting into the details of how they do it, he did not know.

COUNCILMEMBER ORLANDO asked if that was something he could take back and see if they could come up with a way it could be reporting.

CHIEF DWIGGINS said yes.

MAYOR HARTKE asked if Council had additional comments.

COUNCILMEMBER STEWART said he is pretty immersed in the youth sports community. Some kids have been distraught because they have not been able to play. There is a mental distress going on because of COVID-19 and what had happened with Mr. Floyd. There is a mental impact on the kids. Councilmember Stewart said they need to open the fields and let the kids play again. The parents need to be able to watch their kids play and enjoy the community that comes with that. That is what Chandler is known for and thought it was a tragedy it was taken away. Based on the knowledge they have today about the virus it makes sense to let the kids play again. Councilmember Stewart said the community pays taxes to use the services of the City. We have removed their ability to use those services and Councilmember Stewart said he would like to end fees or significantly reduce fees on the fields for 90 days.

MAYOR HARTKE said this was not the forum for a vote.

MS. SCHWAB said if they are looking at fees then she would like the public to have more notice that it is going to be discussed.

MAYOR HARTKE said the discussion was around opening fields not fees.

COUNCILMEMBER HUANG said if they lower the fee then they send the message to encourage more people to participate. Councilmember Huang said he has been consistent with saying they do not need to close it as long as precautions are taken and education. Councilmember Huang asked if there would be COVID-19 waivers or just let the organizer do their own. Councilmember Huang said he felt there was some liability issues.

MAYOR HARTKE said that was addressed by the City Attorney and we do not have liability on that.

COUNCILMEMBER HUANG said legally they may not, but morally he felt they might. Councilmember Huang said Councilmember Orlando might feel that way as well and is maybe hesitant to open further.

MAYOR HARTKE said he wanted consensus for opening before talking about the conditions.

COUNCILMEMBER McClymonds said May 13 is when the private sector gyms could open following CDC Guidelines. Councilmember McClymonds said he felt these activities aligned with that. Councilmember McClymonds said the fields are taxpayer funded and said the community should be able to use the fields.

VICE MAYOR LOPEZ said both sides make good arguments. Vice Mayor Lopez said he has gone by the data of hospitalizations and deaths and if they are trending up there is a concern they would continue to trend up and more things open. Vice Mayor Lopez said he did not think they would be back to where they were in the beginning, but would hate for things to open, see a spike, and have to close things back down. Vice Mayor Lopez said that is his concern. Vice Mayor

Lopez said kids need to get out and understood that those that are older are at risk. Vice Mayor Lopez said he was not able to make a decision yet.

MAYOR HARTKE said there are four in favor of opening and asked where Councilmember Orlando was at.

COUNCILMEMBER ORLANDO said he was concerned about opening and the trend is increasing. Councilmember Orlando said that the non-profit organizations are struggling to open or not open. For business organizations they want to open as soon as possible because they are trying to make money. Councilmember Orlando said he has discussed this with several lawyers and they are saying the same thing as the City Attorney and how would someone prove they got it in Chandler or at a game. Councilmember Orlando said he did not want to be the first person to get sued because we did not do their due diligence.

MS. SCHWAB said it is a tough issue and there are not clear answers. There are going to be lawsuits. The safest thing the City could do is to continue the cleaning protocols. When we allow our facilities to be used by a different organization the responsibility from a legal perspective shifts to that organization. Ms. Schwab said she did not want the City to dictate what their safety protocol should be. The organizations have obligations to follow and a direct obligation to the participants in the event. The organization is responsible for the safety of the players during their game. The City provides a field that has been maintained appropriately.

COUNCILMEMBER ORLANDO asked if it helped our case or not if we ask the organizations to provide a copy of the safety protocol.

MS. SCHWAB said it is a good question and would like to work with the rest of the legal staff to see what they should require to protect the City.

COUNCILMEMBER HUANG said in that case, there needs to be something in writing for the organization to sign.

MS. SCHWAB said legal would look further into the topic and provide advice to the Community Services Director so that we protect the liability for the City. The organizations are using the facility and they have an obligation to keep their players safe.

MAYOR HARTKE said by consensus there is a go ahead to use the fields. Mayor Hartke said for Legal Staff to follow up with Community Services Staff. Mayor Hartke asked if there were any other comments related to this.

VICE MAYOR LOPEZ said he wanted to restate he was not necessarily in favor of opening and would like to wait a week, but if we open then we open by majority.

MAYOR HARTKE asked if there was anything else regarding this particular subject.

MS. REED said she does appreciate all of the thought that goes into this. Chandler was the first with the reopening plan and at the time of the reopen plan, there was no guidance from the Governor's office. Since the beginning of the conversation things have changed. Our plan does not align per se with anything the Governor has done up to date. Ms. Reed said she has gone back through the plan and staff needs direction when it comes to facilities. It is the responsibility of the individual to ensure the guidelines are followed. The only facilities that are remaining are the Center for the Arts and the Chandler Senior Center. Ms. Reed said she suggested holding the Senior Center until everyone is more comfortable with the numbers as seniors are the most impacted. Ms. Reed said everything else is open or running. Ms. Reed said if they are looking at extending hours at the library staff will need time to work on staffing issues. There may or may not be things that we would be able to open because of that.

COUNCILMEMBER ROE said there might be ways to find what other cities are doing.

MAYOR HARTKE asked if the Governor has relaxed any other guidelines.

MS. REED said there has not been a change from the CDC Guidelines in regards to groups of 10. Ms. Reed said she had a conversation with Chief Dwiggins earlier today and there seems to be some differences in things coming out at the federal level. Ms. Reed said CDC Guidelines remain at 10.

MAYOR HARTKE said the Center for the Arts said their programming is going to start and have plans for smaller gatherings with social distancing and increasing as appropriate.

MS. REED said CCA has four shows scheduled for August and suggested Council not make a decision today until we are closer for ticket sales to begin. Ms. Reed said the big question is about meeting spaces and if Council is ok with renting those out.

MAYOR HARTKE asked for details about the spaces.

MS. REED said the spaces are all over the City. These would be places like the Cotton Room Tumbleweed, the Community Room at the Police Department; there are meeting spaces in almost every building that could be rented as requested.

COUNCILMEMBER ORLANDO asked if these were opened would they be for 10 people or less.

MS. REED said they would be looking for Council direction as the CDC guidelines are just guidelines. Many of the spaces hold way more than 10.

COUNCILMEMBER ORLANDO said he is in favor of keeping it at 10 people or less. Councilmember Orlando said he would want them to maintain the CDC guidelines.

VICE MAYOR LOPEZ said until they are in the next phase to expand to 50, he would recommend they stay closed. Vice Mayor Lopez said that he would want to follow the State and CDC



guidelines. Vice Mayor Lopez said he would like to wait to make a decision on CCA. Vice Mayor Lopez agreed that the Senior Center should stay closed and only continue the meals until they see the numbers zeroing out.

MAYOR HARTKE said if tomorrow the Governor were to say they could move into 50 or unlimited to a room would that be the trigger to open.

VICE MAYOR LOPEZ said yes.

COUNCILMEMBER McCLYMONDS said he agreed.

COUNCILMEMBER ORLANDO agreed.

COUNCILMEMBER ROE said he agreed in following the CDC guidelines. Councilmember Roe said the conference rooms could open if there is a lot of square footage.

COUNCILMEMBER HUANG said many organizations have put up the plastic dividers and the airports are using thermometers. Councilmember Huang said his position is to still open everything as soon as possible. There is no need to set limitations as long as the CDC Guidelines are followed. Councilmember Huang said it cannot be required, but they can recommend it and it is up to the people.

COUNCILMEMBER STEWART said he wanted consistency. Councilmember Stewart said it is an incredible time we are living in. Councilmember Stewart said people can still go into major stores and they are not required to sign waivers. Councilmember Stewart said are they even supposed to be in the business of renting meeting rooms if they cannot manage something like this. Councilmember Stewart said these are deeper philosophical questions. This is troubling that they are micromanaging whether or not to use a meeting room and if it is the responsibility of the City to provide those rooms to the taxpayer. Maybe it is and maybe it is not.

COUNCILMEMBER STEWART said he supports opening everything, supports self-governance, supports getting information and making decisions for themselves and their family. Councilmember Stewart said they cannot do that and there is a lot of unrest. People are frustrated and parents cannot play with their children on fields because they decided. Councilmember Stewart said they were elected to serve the public and do things to enhance their quality of life in Chandler not to protect them from themselves. Councilmember Stewart said he would like to see information be put out so people can make decisions as the City opens. Councilmember Stewart said if the City is worried about being sued then have them sign a waiver. Councilmember Stewart said he wanted to stay consistent and open the meeting rooms.

MAYOR HARTKE said the other consistent thought is following the Governor's guidelines. It has been a battle of what consistency means across the community. Mayor Hartke said they have followed the Governor's guidelines and has not been more onerous or going against the guidelines. Mayor Hartke said to him that has been the consistency. What happens in Chandler is

not different from what happens in neighboring cities. That is why Mayor Hartke has been petitioning the Governor for greater direction for the metropolitan area. Mayor Hartke said he thought they should continue to follow the Governor and reinforce that. Mayor Hartke said it is important that they are part of that greater message.

MAYOR HARTKE said there was majority consensus of Council to not open the meetings rooms for more than 10 people until the direction comes from others.

COUNCILMEMBER STEWART said he appreciated the City serves at the leisure of the State and Councilmember Stewart said he serves Chandler not the Governor. Councilmember Stewart said that when they could have 50 people then there needs to be an administrative opportunity to flip the switch. There was a situation where the Governor said the fields could open the City did not react. They would have been able to react if the meeting was held and hopefully everyone could be on the same page. Councilmember Stewart asked if when the number of people allowed goes to 50 if staff could then open the spaces.

MAYOR HARTKE said yes, that is what the majority consensus of Council has said so that they do not have to meet again when it happens. Mayor Hartke said he did not know if there would be a time where it is going to go another direction. As things are opening he would like to follow the Governor's direction.

COUNCILMEMBER HUANG clarified they are talking about indoor spaces only right now.

MAYOR HARTKE said yes.

MS. REED said she wanted to clarify Council's direction. Ms. Reed asked if the consensus of Council for 10 or less to open the spaces or not. Ms. Reed said she heard no and wanted to verify that was correct.

MAYOR HARTKE said if the Governor's direction is to open at 10 then they would open if it makes sense. Mayor Hartke said it would be hard for people to do a reception or meeting with 10 people.

MS. REED said she would begin leasing anything 10 or less and when the governor changes to 50 through CDC guidelines then they would open.

COUNCILMEMBER HUANG said he disagreed with the 10 people limitations because if the size of space can allow for social distancing then it does not matter how many people are there. Councilmember Huang said there are more than 10 people at the Council meeting and so they are already violating that but the space is big so they are successful.

COUNCILMEMBER STEWART said could they take the cubic feet, divide by 6, and allow that many people could be in there.

MAYOR HARTKE said that might not be necessary.

COUNCILMEMBER ORLANDO said they went from keeping with the Governor's guidelines and not to open them.

MAYOR HARTKE said right now the Governor's guidelines are at 10 and Council said they do not want to do that.

COUNCILMEMBER STEWART asked if they are going by the Governor's guidelines or CDC guidelines and if one takes precedence.

MAYOR HARTKE said he does not mind asking for clarification from the Governor then they have been consistent in following that. The Governor has been consistent with following CDC guidelines and has given clarification for what that means locally.

COUNCILMEMBER HUANG said they could not enforce that here then why would they enforce that with the citizens. Councilmember Huang said to make a recommendation and let the people make their own decisions.

MAYOR HARTKE said that has been decided tonight. If users want to pack as many people as they can into the meeting space there has been an overlay of that. It is not the group size that is counting right now.

COUNCILMEMBER HUANG said they can reduce the size into half or a third of how many people are allowed in the space.

COUNCILMEMBER ORLANDO said they have had the discussion between outdoor and indoor before. Councilmember Orlando said they have been more scrutinizing of the indoor spaces. If someone wants to use the space for 9 people and they show up with 30 then what do they do. Councilmember Orlando asked if they then bring an officer to enforce the policy. Councilmember Orlando said he understands the philosophy, but they have to be practical. Council is implementing that. When it comes to implementing these guidelines from the President or the Governor, it is up to Council. Councilmember Orlando said they have been consistently following the guidelines, but now they are seeing a trend upwards. Councilmember Orlando said he suggested keeping it closed for a few more weeks. If the Governor changes tomorrow then they have already given staff direction to open.

COUNCILMEMBER HUANG said it is very difficult to enforce the guidelines and they do not want to bother the police for something like this. Councilmember Huang said these are recommendations and staff could say something but just to let it be.

MAYOR HARTKE said they have come to a majority consensus today.

COUNCILMEMBER ROE said when it comes to the rooms it is not that important and is not sure they should be renting facilities. They have the facilities, but not opening them would not have a huge community impact. There are people with very pressing issues and this is not it.

MS. REED clarified they would remain closed until such time that the CDC guidelines or Governor change to 50 people and when that happens she could do it administratively.

MAYOR HARTKE said yes.

ADJOURNMENT: The Work Session was adjourned at approximately 5:09 p.m.

ATTEST: *Dana R. DeKey*  
City Clerk

*Kevin Hartke*  
Mayor

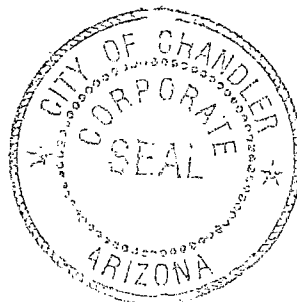
Approval Date of Minutes: June 25, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Briefing of the City Council of Chandler, Arizona, held on the 2nd day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 25 day of June, 2020.

*Dana R. DeKey*  
City Clerk





## CHANDLER CITY COUNCIL

### WORK SESSION #1 MINUTES

Monday, June 8, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, June 8, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:32 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
*Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Huang arrived at 4:37 p.m.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Micah Miranda, Economic Development Director; Matt Burdick, Communications and Public Affairs Director; Ryan Peters, Governmental Relations and Policy Manager; Derek Horn, Development Services Director; Jenny Winkler, Assistant City Attorney; Leah Powell, Neighborhood Resources Director; Dawn Lang, Management Services Director; Danielle Wells, Revenue and Tax Manager; Thomas Allen, Assistant City Attorney.

1. Presentation and discussion of a draft city code amendment to adopt regulations for short term rentals in accordance with State law.

MAYOR HARTKE introduced the discussion item and called for a Staff presentation.

MARSHA REED, City Manager, said in 2019 state legislature passed laws that gave the cities more opportunity if they want to pursue code changes for short-term rentals. A committee was formed to look at this across departments.

RYAN PETERS, Governmental Relations and Policy Manager, presented the following Power Point presentation.

- 2016 Legislation SB1350
  - Established transient lodging tax collection
  - Provided limited health and safety oversight
  - Prohibited from regulating vacation rentals based on classification, use or occupancy
  - Preempted from banning STRs
- Unintended Consequence: Party Houses
  - Expanded protections for STRs
  - Increase in special event reservations party houses
  - Municipalities and neighborhoods unable to regulate due to protections
  - Public attention brought desire for additional legislation
- 2019 Legislation HB 2672
  - Established penalties for STR violations
  - Allowed collection of owner contact information by a local government
  - Prohibited operation and advertising without a TPT license
  - Prohibited special events that would require a permit
- STR Working Group
  - City Manager's Office – Ryan Peters
  - Development Services – Derek Horn
  - Law Department – Jenny Winkler
  - Management Services – Danielle Wells
  - Neighborhood Resources – Stephen Erno
  - Police Department – Lieutenant Zac Cumnard
- Ongoing Discussions: 2020 Legislative Session
  - Party houses and lack of local control still a concern in some communities
  - Multiple bills introduced this session to address different aspects of the issue
  - Legislature recessed for 2 months
  - Legislature adjourned without passing short term rental bill
- STRs in Chandler: By the Numbers
  - 591 STRs listed on VRBO and Airbnb
  - 100 STRs licensed and \$150,000 in taxes collected from 2018-2020 during an enforcement project

VICE MAYOR LOPEZ said those that did register, did so on their own.

MR. PETERS said in consultation with tax and license this is part of a special enforcement effort, but there may be more registered.

MR. PETERS continued the presentation.

- Proposed Code Change: Adding Chapter 22 – Short Term Rentals
  - 22-3 Requires STRs to obtain TPT license and register with the City of Chandler

- STR address
  - Owner mailing address
  - Owner or agent phone number and email address
- 22-4 Prohibits STRs from nonresidential use
  - Prohibits STRs from being advertised for uses or occupancies that violate code or State statute
  - Applies neighborhood preservation and residential parking requirements to STRs
  - Requires notice to be placed in STR outlining prohibited uses
  - Requires owner or authorized agent to appear on premises within 60 minutes upon request of Police Officer or Code Inspector
- Proposed Code Change: Adding Chapter 22 – Short Term Rentals
  - 22-5 First offense: \$500
  - Second offense: \$1,000
  - Third and subsequent offenses: \$1,500
  - Owner or agent who commits 3 or more offenses in 24 month period is guilty of Class 1 Misdemeanor
  - 22-6 Requires Management Services Director to report verified violations to Department of Revenue and STR owner within 30 days

COUNCILMEMBER ROE asked at what point is someone considered a short-term rental. Councilmember Roe asked if there was a system where someone could challenge the fines.

MR. PETERS said it has to do with the tax treatment of the property. It really comes down to the laws that the legislature contemplated in 2020. Some of the complexities of that was trying to figure out what is a short term rental someone is not living in that goes by the number of days within a month it is rented, or is it a bedroom in someone's property. Those were some of the nuances that were not able to be hammered out before legislature adjourned.

COUNCILMEMBER ROE clarified it is still being determined.

MR. PETERS said yes.

DANIELLE WELLS, Revenue and Tax Manager, said anyone that is renting their property for less than 30 days is considered a short term rental.

COUNCILMEMBER ROE said if someone is renting for 10 days only once are they pursuing a TPT license.

MS. WELLS said technically yes, they should be getting a license with the Department of Revenue.

MAYOR HARTKE asked if it was common for someone to rent their house for 10 days and go through this process. Mayor Hartke asked what the frequency was.

MS. WELLS said they typically see people who are advertising on an online marketplace and are conducting it as a business. Ms. Wells said most of the time they do not see the one off situations.

COUNCILMEMBER ROE asked about the process for challenging the fine.

MR. PETERS said the State passed a verified violation process where it has made the connection between the property owner and the renters. The existing flaw which was illuminated was it is hard to regulate health and safety if the property owner is never around. The renter could always be someone different and the violations that occurred followed that specific person. Since the property itself is separate, it became an issue to find a way to ensure the property owner was responsible for that behavior. Once there is a violation, it works through the court system and if the court makes a determination of guilt then the Department of Revenue is notified.

VICE MAYOR LOPEZ asked if they do multiple violations within 24 months is there an option to remove their ability for them to do short term rentals.

MR. PETERS said this was to make it uncomfortable with the fines so that people would take an active approach on the properties. As long as they have the license, they could continue to operate, but they would continue to be fined. Mr. Peters said there are many ideas where cities were trying to get more control. There was some momentum at the legislature to talk about this and make the neighborhoods more comfortable but it was controversial.

MR. PETERS continued the presentation.

- Short- Term Rental Staff Workflow
  - Resident Contacts City
    - Concern Transferred to Police Non-Emergency
  - Officer Dispatched
  - Officer Observes and Takes Appropriate Action
    - Non-enforcement calls documented
    - Enforcement calls results in civil or criminal complaints forwarded to City Prosecutor
  - Case Tracked by PD Through Final Court Disposition
  - Tax and License Division Submits "Verified Violation" to Arizona Department of Revenue
- Next Steps
  - July/August – Public Comment
  - Early Fall – Council Action

COUNCILMEMBER ORLANDO said they are trying to align with the State law.

MR. PETERS said that was correct. The opponents of additional reform have cited cities that have not implemented any code from the 2019 reforms as reason not to do anything new.



COUNCILMEMBER ORLANDO said 24 months seems like a good time frame for a property owner. Councilmember Orlando said he has a short-term rental near his home and some of the neighbors have had issues with it. This is not to penalize the good actors, but rather penalize those who are really driving problems and not consider the neighborhood. Councilmember Orlando said it seems fair and compliance should not be a problem. Councilmember Orlando said he did not want to put the officers into more predicaments and seems this is a modest proposal.

ADJOURNMENT: The Work Session was adjourned at approximately 4:52 p.m.

ATTEST:  City Clerk  
 Mayor

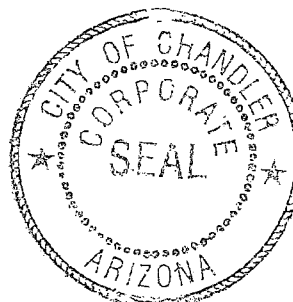
Approval Date of Minutes: June 25, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special - Work Session Meeting of the City Council of Chandler, Arizona, held on the 8th day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 25 day of June, 2020.

  
City Clerk





## CHANDLER CITY COUNCIL

### WORK SESSION #2 MINUTES

Monday, June 8, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, June 8, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 5:00 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Micah Miranda, Economic Development Director; Matt Burdick, Communications and Public Affairs Director; Ryan Peters, Governmental Relations and Policy Manager; Derek Horn, Development Services Director; Kevin Mayo, Planning Administrator; Jenny Winkler, Assistant City Attorney.

1. Presentation and discussion of a draft amendment to the zoning code creating a Historic Preservation Commission and establishing a process for identifying and preserving historic properties in the City of Chandler.

MAYOR HARTKE called for a staff presentation.

MARSHA REED, City Manager, said over the past few months staff has been working with one of the local neighborhoods, Silk Stocking District, because of their desire to preserve their community and neighborhood for historic purposes even though they are already a historic national landmark. There have been a host of discussions and staff has been involved in putting together a proposed addition to the code. Ms. Reed said if Council is in agreement staff would work on drafting the ordinance and beginning public involvement.

DEREK HORN, Development Services Director, presented the following Power Point presentation.

- Historic Preservation Opportunities
- Purpose of Meeting: to review and discuss a proposed historic preservation ordinance
- Purpose of Historic Preservation:
  - Preserve the City's architectural resources
  - Celebrate Chandler's past
  - Neighborhood preservation
  - Discourage demolition of historic resources
- Scope
  - Enabling Ordinance for individual HP zoning overlay and other HP type districts
  - Allowed under state statute
  - Initiated by individuals and/or neighborhoods
    - Must have 100% of ownership support (contributing structures)
  - Public review process with City Council making finance decision
  - HP still allows entitlements of underlying zoning
- Classification of historic properties
  - Landmark
  - Conservation District
  - Historic Preservation District/Zoning Overlay
  - Heritage site
- Classification of historic properties (examples)
  - Landmark
- Classification of historic properties (examples)
  - Conservation District

COUNCILMEMBER ORLANDO asked if the canal was still there.

MR. HORN said the canal and old hospital is still there. The layout of the street is the same as well.

MAYOR HARTKE said they had put aside to purchase that.

MR. HORN continued the presentation.

- Classification of historic properties (examples)
  - Historic Preservation District/Zoning Overlay
- Classification of historic properties (examples)
  - Heritage Site
- How it Works
  - Establish Historic Preservation Commission
    - Reconstitute Architectural Review Committee into HP Commission
    - Members should be qualified
    - Review applications and make recommendations to P&Z and/or City Council

- How it Works
  - Establish Historic Preservation Officer
    - Reviews applications and makes recommendations to City Manager, HP Commission, P&Z, and City Council
- How it Works
  - Designation Criteria
    - Property or District:
      - Is listed on the Arizona or national Register of Historic Places
      - Is associated with events and/or persons significant to Chandler's history
      - Is at least 50 years old
      - Retains sufficient integrity of location, design, workmanship, etc.
- Process to Establish a Historic Preservation District Overlay
  - Step 1 Property owners initiate process
  - Step 2 Property owners get support
  - Step 3 Review request with HPO
  - Step 4 File application
  - Step 5 Citizen review process
  - Step 6 HP Commission
  - Step 7 Planning and Zoning Commission
  - Step 8 City Council
- Process to Establish a historic Preservation District Overlay
  - Step 1 Owners determine they want a Historic Preservation District Overlay Zoning
- Process to Establish a historic Preservation District Overlay
  - Step 2 Support secured from all affected property owners
- Process to Establish a historic Preservation District Overlay
  - Step 3 Owners review their request with the Historic Preservation Officer
- Process to Establish a historic Preservation District Overlay
  - Step 4 If properties are deemed eligible, an application for the overlay is filed
- Process to Establish a historic Preservation District Overlay
  - Step 5 Citizen review process occurs
- Process to Establish a historic Preservation District Overlay
  - Step 6 Application is heard by the Historic Preservation Commission
- Process to Establish a historic Preservation District Overlay
  - Step 7 The application is heard by the Planning and Zoning Commission
- Process to Establish a historic Preservation District Overlay
  - Step 8 The application is heard by the City Council which can adopt the overlay zoning

MAYOR HARTKE asked if Step 2 was unanimous.

MR. HORN said he would recommend it be 100% of the property owners affected. If it were a district that included historic and non-historic they would not count the non-historic because they would not be affected.

MR. HORN continued the presentation.

- How it Works
  - Process for Alterations of designated structures
    - Owner submits application
    - Application is reviewed by HPO
- How it Works
  - Process for Alterations of designated structures
    - HPO can:
      - Approve application
        - Certificate of No Effect
        - Certificate of Appropriateness
      - Deny application
        - Applicant can appeal

COUNCILMEMBER ORLANDO said this process is dependent of the owner of the property and not all of the neighbors.

MR. HORN said yes. However, the way the ordinance is structured if it is a hearing for a Certificate of Appropriateness then the neighbors could show up at the hearing and weigh in.

MR. HORN continued the presentation.

- How it Works
  - Process for Demolition of designated structures
    - Owner submits application
    - Application is reviewed by HPO
    - HPO can approve or deny
    - If denied – 1 year stay of demolition

COUNCILMEMBER ORLANDO asked if this is a normal process other cities have adopted.

MR. HORN said yes. Owners can still exercise their property rights and slow down the process.

Mr. Horn continued the presentation.

- How it Works
  - Economic Hardship
    - Property
      - Has no beneficial use
      - Cannot be rehabilitated
      - Is in such a dilapidated condition that cost to restore is unreasonable
- How it Works
  - Economic Hardship
    - Will not be based on:
      - Willful or negligent acts

- Purchase of property for substantially more than market value
  - Failure to perform regular maintenance and repairs
  - Failure to diligently solicit and retain tenant
- Schedule
  - June 2020
    - Council Work Session
    - Outreach Activities
    - P&Z Briefing
    - Planning and Zoning Commission
    - City Council
  - Fall 2020
- Silk Stocking Neighborhood

MAYOR HARTKE said the demolition aspect and conditions that would not qualify, if someone owned a historic house and sold it someone else and they did not maintain it. If something has a historic designation are there insurances to the neighborhood that it would not become an eyesore. It would not qualify for demolition, but it would not be a welcomed sight.

MR. HORN said in the draft ordinance there are provisions that require owners to maintain properties or if would become a code enforcement issue for that address.

MAYOR HARTKE asked if those code violations are any more onerous than other code violations.

MR. HORN said yes, it would be a property maintenance issue.

VICE MAYOR LOPEZ asked if only a property owner could request that it be designed as a landmark.

MR. HORN said it would be the owner, but the City could encourage owners of historic properties to designate.

VICE MAYOR LOPEZ asked if someone else could designate a historical property as a landmark if their family had prior ties to it.

MR. HORN said they would need to get the owners' consent.

VICE MAYOR LOPEZ asked what the difference is in designating a landmark if there is no overlying requirements to maintain and upkeep the property as a historic landmark.

MR. HORN said they would strongly encourage anyone designating a landmark also designate a historic preservation district over the landmark so it gets zoning protection.

VICE MAYOR LOPEZ said there is no additional requirement to maintain the property at a higher level than a traditional neighborhood.

MR. HORN said the historic preservation district overlay provides protection to the structure from demolition, certain alterations, and panache for the neighborhood. There is a level of recognition for what happened there.

VICE MAYOR LOPEZ said he had heard with conservation districts that when they do get designated that way they end up putting in a fund for the neighbors to contribute to and keep the maintenance up. Vice Mayor Lopez asked if this ordinance had any of that.

MR. HORN said there are no requirements for owners to establish their own fund, but it is something they could do on their own.

COUNCILMEMBER ORLANDO asked if there is a tax advantage for those properties.

MR. HORN said no. Those properties that are on the national register could register for tax advantages, but each property owner would need to do that individually. With the national register if the property loses its integrity then it could lose its designation.

COUNCILMEMBER ORLANDO asked if someone would get the Chandler designation and then try for the national designation.

MR. HORN said we have the opportunity to develop our own program in our own way. If we were later to become a certified local government then that ties us into State and Federal program.

COUNCILMEMBER ORLANDO thanked staff for all of the work Mr. Horn has done on this effort. Councilmember Orlando said as you look back you can see the innovation that was done back then. That innovation philosophy was built way back then and it is important to preserve that. Councilmember Orlando said he was in support of this.

COUNCILMEMBER HUANG said if a property owner wants to sell and the new owner does not want to keep the designation then could the City stop it.

MR. HORN said if it is an individual property that is designated with historic preservation district overlay then an owner can choose to initiate to revert back and it would have to go back through the process. If it were a viable and historic asset then they would recommend against that application. If a property owner in a historic district wanted to de-annex then they would recommend against it, as it would not be in accordance with the overall good of the district.

COUNCILMEMBER HUANG asked if they could only recommend and not enforce.

MR. HORN said that Council would vote on it.

COUNCILMEMBER STEWART said this is a great plan and it protects the area. This overlay would come to Planning and Zoning and Council and it would have a lot of backstops to preserve the history. Councilmember Stewart asked if this would enhance the ability for these neighborhoods to get federal dollars to help maintain the neighborhood.

MR. HORN said yes, but they would need to apply by a case-by-case basis. If they have a program in place, it enhances their ability to facilitate the grants.

COUNCILMEMBER STEWART asked if Council would receive a full list of opportunities.

MR. HORN said staff could provide some areas that would be good possibilities. There are some opportunism for districts and individual designations and there may be some to learn about.

MAYOR HARTKE said this is initiated by the owners of the property, but the City could not mitigate an overlay on them.

MR. HORN said they could not, but the property owner may wish to do that and staff could encourage it.

COUNCILMEMBER HUANG said that the property owners were very enthusiastic and wanted the designation, but that may change in the future as the properties are bought and sold. Councilmember Huang asked if the properties deteriorate, does that become a burden on the City.

MR. HORN said that neighborhoods that are designated as historic stabilize and property values generally grow. Properties that have historic preservation the properties values increase faster than surrounding areas without designation. In times of down turn, they tend to not lose as much value. Many people want to live in historic districts.

COUNCILMEMBER HUANG said people may not buy the property because they could not alter much from the original property.

MR. HORN said it is a possibility, but did not believe it was a probability.

COUNCILMEMBER McCLYMONDS said staff has done a great job on this and looks forward to the program.

COUNCILMEMBER ROE said he agreed and liked that this was not heavy handed, but rather is an opportunity for people.

MAYOR HARTKE thanked the staff, Council, and residents for making this happen and looked forward to seeing this move forward.

COUNCILMEMBER HUANG thanked everyone for their work on this.







## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, June 11, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, June 11, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:07 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
*René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

VICE MAYOR LOPEZ attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Sean Eddy, Chandler Bible Church.

PLEDGE OF ALLEGIANCE: Councilmember Huang led the Pledge of Allegiance.

### SCHEDULED PUBLIC APPEARANCES

MAYOR HARTKE invited Councilmember Roe to join him for the recognitions.

#### 1. Services Recognitions

#### Cultural Development

William Lorentz – 20 years

CONSENT AGENDA – DISCUSSION

MAYOR HARTKE said there were comments on Consent Agenda Item No. 4.

4. FINAL ADOPTION OF ORDINANCE NO. 4922, PLH19-0064, TREELAND rezoning from Agricultural (AG-1) district to Planned Area Development (PAD) for single-family residential located on the southwest corner of Chandler Heights Road and 124<sup>th</sup> Street.

MAYOR HARTKE read a comment card that was received:

ELIZABETH MONJE, 12412 E. Via de Palmas, Chandler, AZ, wrote the following in support of Consent Agenda Item No. 4:

Support of burying the irrigation ditch along 124<sup>th</sup> street from Chandler Heights to Via de Palmas.

MAYOR HARKE invited citizens to speak.

MARK MONJE, 12412 E. Via de Palmas, Chandler, AZ, said he understood there was a deferral for the road being developed, but would like to see the irrigation ditch be buried because there are certain liabilities. There is nothing that should oppose that ditch to be buried and the piping underground. Mr. Monje said he understood it is a private matter and he would be addressing it with Maracay, but he wanted it to be known that he and other neighbors are in favor of that.

MAYOR HARTKE confirmed this was a private property issue.

KELLY SCHWAB, City Attorney, said yes it is a private matter but the City does encourage undergrounding if everyone is in agreement.

COUNCILMEMBER ORLANDO asked what the final discussion was with the applicant and the residents.

KEVIN MAYO, Planning Administrator, said for 124<sup>th</sup> the question was asked about the deferral of the development of 124<sup>th</sup> after internal conversations with the City's Traffic Engineer. The deferment included the road and the undergrounding of the ditch. Mr. Mayo said if there is a desire to work with Maracay to underground it requires the consent of all parties that receive water from the ditch. If they could get the unanimous consent then staff would work with Maracay to get it done.

COUNCILMEMBER ORLANDO said they are working on that approval and if they get it then staff would facilitate it.

MR. MAYO said yes, but it entirely hinges on all parties being on board.

COUNCILMEMBER ORLANDO said when they spoke last time the CC&R's state that the community would be taking care of the maintenance of that facility. Councilmember Orlando said he wanted to ensure it was very clear the residents understand they are responsible of the maintenance of that ditch.

MR. MAYO said yes, it is in the CC&R's whether it stays in its current form or not the HOA will maintain it.

COUNCILMEMBER STEWART pointed out Consent Agenda Item No. 3 and how remarkable it is they are adding a high school. This is a great story and wanted to mention it was happening.

MAYOR HARTKE said there were School Board Members in the audience and thanked them for attending.

#### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER McCLYMONDS MOVED TO APPROVE THE CONSENT AGENDA OF THE JUNE 11, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER STEWART.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### CONSENT AGENDA ITEMS

- 1a. MINUTES of the City Council Special Budget Briefing of April 24, 2020.
- 1b. MINUTES of the City Council Regular Meeting of May 28, 2020.
2. FINAL ADOPTION OF ORDINANCE NO. 4917, annexation and Initial City Zoning of approximately 27.47 acres located on the southwest corner of Chandler Heights Road and 124th Street.

#### BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile east of the southeast corner of Chandler Heights and McQueen roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 27.47 gross acres. Upon annexation, initial City zoning will be Agricultural (AG-1) district

#### Surrounding Land Use Data

North	Chandler Heights Road, then single-family residential	South	Unincorporated, single-family residential
East	Unincorporated, single-family residential	West	122 <sup>nd</sup> Street, then single-family residential (Orchard Heights - under construction)

#### General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

#### Utility Services

Existing municipal water and wastewater service are available in both Chandler Heights Road and 122<sup>nd</sup> Street. Existing municipal water is also available in 124<sup>th</sup> Street.

#### Staff Comments

A City Council public hearing was held March 26, 2020. Staff circulated this request among City departments and received no negative comments relative to the property's annexation. As of writing this memo, Planning staff is unaware of any opposition to or concerns with the request.

In accordance with Arizona Revised Statutes, the subject site, upon annexation, will be zoned AG-1 within the City of Chandler, which provides for land uses no greater in intensity than those permitted within the RU-43 zoning district of Maricopa County.

#### Recommendation

Planning staff find the request is in compliance with Arizona Revised Statutes and the General Plan and recommends the City Council approve the annexation and initial city zoning.

Ordinance was introduced and tentatively adopted on May 28, 2020.

3. FINAL ADOPTION OF ORDINANCE NO. 4920, annexation and Initial City Zoning of approximately 75 acres located on the northeast corner of Gilbert and Brooks Farm roads.

#### BACKGROUND FROM COUNCIL MEMO:

Located at the northeast corner of Gilbert and Brooks Farm roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 75.0 acres, including three Chandler Unified School District (CUSD) owned parcels and Roosevelt Water Conservation District (RWCD) land. A new CUSD high school (No. 7) is proposed for the site. Annexation public hearing held May 14, 2020

#### Surrounding Land Use Data

North	Commercial and single-family residential	South	Brooks Farm road, then single-family residential
East	Single-family residential	West	Gilbert road, then commercial and unincorporated Maricopa County land

#### General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan	Traditional Suburban Character
Brooks Ranch Area Plan	School and Park, Single-family residential, and Low-Medium Density residential

#### Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in Gilbert Road. Existing municipal water service is also available in Brooks Farm Road and Mustang Drive.

#### Staff Comments

A City Council public hearing was held May 14, 2020. Staff circulated this request among City departments and received no negative comments relative to the property's annexation. As of writing this memo, Planning staff is unaware of any opposition to or concerns with the request.

On December 12, 2019, the City Council approved an Intergovernmental Agreement among the City, CUSD and Maricopa County giving the City the authority to issue construction permits and conduct inspections while the property is within Maricopa County jurisdiction. The new high school is currently under construction.

In accordance with Arizona Revised Statutes, the subject site, upon annexation, will be zoned AG-1 within the City of Chandler, which provides for land uses no greater in intensity than those permitted within the RU-43 zoning district of Maricopa County. No further zoning action is required per Arizona State law, which indicates that public schools are exempt from zoning ordinance standards.

#### Recommended Action

Planning staff find the request is in compliance with Arizona Revised Statutes and the General Plan and recommends the City Council approve the annexation and initial city zoning.

Ordinance was introduced and tentatively adopted on May 28, 2020.

4. FINAL ADOPTION OF ORDINANCE NO. 4922, PLH19-0064, TREELAND rezoning from Agricultural (AG-1) district to Planned Area Development (PAD) for single-family residential located on the southwest corner of Chandler Heights Road and 124th Street.

#### BACKGROUND FROM COUNCIL MEMO:

Located approximately ¼ mile east of the southeast corner of McQueen and Chandler Heights roads. Approximately 25.1 acres. Subject site zoned Rural Residential (RU-43) within Maricopa County. A commercial plant nursery has operated for over two decades at subject site. This item follows a request for annexation and initial city zoning of AG-1 on the same City Council agenda

#### Surrounding Land Use Data

North	Chandler Heights Road, then single-family residential (Chandler Heights Estates III)	South	Unincorporated, large-lot single-family residential
East	Unimproved 124th Street, then unincorporated, large-lot single-family residential	West	122 <sup>nd</sup> Street, then single-family residential (Orchard Heights – under construction)

#### General Plan and Area Plan Designations

General Plan	Neighborhoods
Southeast Chandler Area Plan (SECAP)	Rural/Agrarian Character

#### Proposed Project Data

# of Lots	86 single-family lots
Density	3.43 du/ac
Lot Sizes	70' x 130' (9,100 sq. ft.) 65' x 130' (8,450 sq. ft.) 60' x 125' (7,500 sq. ft.) 60' x 120' (7,200 sq. ft.)
Front yard setbacks	<ul style="list-style-type: none"><li>• Min. 20 ft. from back of sidewalk to forward-facing garage door</li><li>• Min. 15 ft. to livable area component</li></ul>

	<ul style="list-style-type: none"><li>• Min. 10 ft. to porch or side-entry garage</li></ul>
Rear yard setbacks	<ul style="list-style-type: none"><li>• Single story min. 15 ft., increased setback lots along Chandler Heights Road 20 ft.</li><li>• Two story min. 25 ft., increased setback lots along Chandler Heights Road 30 ft.</li></ul>
Side yard setbacks	<ul style="list-style-type: none"><li>• Min. 5 ft. and 10 ft.</li></ul>
Accessory structures	<ul style="list-style-type: none"><li>• Min. 10 ft. rear property line</li><li>• Must comply with side yard setbacks and maximum lot coverage</li><li>• Must be located behind the front façade of the principal building</li></ul>
Maximum Lot Coverage	<ul style="list-style-type: none"><li>• Maximum 60%</li></ul>
Building Height	<ul style="list-style-type: none"><li>• One and two stories are permitted</li><li>• Lots 18-35 are limited to 1 story (all southern lots and four lots along the southeast portion of the property)</li></ul>

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code.

A virtual neighborhood meeting was held April 6, 2020. Approximately four households attended as well as Planning staff and the applicant's team. A majority of comments were directed toward future plans and design of 124<sup>th</sup> Street, which is an unimproved street located east of the proposed development. The existing condition of 124<sup>th</sup> Street includes a mix of gravel and paved portions with large, wooden SRP poles located on the east side and an open irrigation ditch along the west. 124<sup>th</sup> and 122<sup>nd</sup> streets are currently private recorded easements across each property and not right-of-way within Maricopa County or the City of Chandler. The City of Chandler requires half-street dedication and improvements adjacent to roads when development occurs. In order to comply with City standards for street improvements, the ditch would be undergrounded to allow for paving of two-way traffic as well as curbing, sidewalk, and landscaping, all within the subject site. Many households within the area expressed concern with the transition from the future improved 124<sup>th</sup> Street to the unimproved section to the south in unincorporated Maricopa County. The applicant responded by pointing to 122<sup>nd</sup> Street, which is west of the proposed development, where a new subdivision (Orchard Heights) built half-street improvements and transitioned the road back to unimproved as it entered the unincorporated area.

After the neighborhood meeting, an on-site meeting occurred with approximately six concerned households, City staff from the Planning and Civil Engineering divisions, and the applicant's team. Approximate locations of the improvements were shown, and a resident who did not attend the Neighborhood Meeting raised concerns about the irrigation ditch. After the meeting, the neighbors proposed the improvement of 124<sup>th</sup> Street be deferred until the east side of 124<sup>th</sup> Street

develops. The City's Engineer has agreed to defer the half-street improvements on 124<sup>th</sup> Street until deemed necessary. The developer has contacted the resident to convey that the irrigation ditch will be addressed in accordance with Arizona law and/or any agreement reached between the affected parties, and the future maintenance of the ditch will be provided by the Treeland subdivision.

As of writing this memo, Planning staff has received a comment at the neighborhood meeting, on-site visit, and conversations from adjacent resident requesting restrictions for only single-story homes adjacent to their property. The applicant has agreed to limit four additional lots as requested by the adjacent eastern resident. Additional concerns from surrounding neighbors were received and are attached, including traffic, street conditions of 122<sup>nd</sup> Street south of the proposed development, and the design of 124<sup>th</sup> Street.

#### Review and Recommendation

Planning staff has reviewed the request and supports the proposal, citing consistency with the General Plan and the Southeast Chandler Area Plan (SECAP). The proposal is consistent with policies of the General Plan that call for a variety of housing choices and a compatible mix of housing types within the Neighborhood designation. The subject site is designated as Rural/Agrarian Character within SECAP and permits 2.5 units per acre. Densities of up to 3.5 du/ac can be considered, however, if optional amenities are included. The proposal has achieved these additional points through increased open space and providing community amenities with passive and active recreational areas, including a community garden and gathering area. Through naming and design, the development pays homage to the prior use as a plant nursery by providing large landscaped areas and trees throughout the development. The proposal is consistent with the SECAP designation and design standards as outlined in the development booklet.

The developer proposes four lot sizes, with the largest lots adjacent to existing large-lot residential properties within an unincorporated area to the south, and has restricted one-story houses for these lots as well. Lot sizes and building setbacks are compatible with adjacent Chandler single-family subdivisions to the north and west. During the review process, the applicant provided an exhibit showing how the outparcel located at the northwest corner of the proposal could be tied into the subdivision if the opportunity became available.

Planning staff finds the proposal to be consistent with the goals of the General Plan and SECAP. Planning and Zoning Commission recommends City Council approval subject to conditions.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of May 6, 2020.

Motion to Recommend Approval.

In Favor: 7    Opposed: 0

The case was heard as an action item for full presentation at the Planning and Zoning Commission meeting, as requested by surrounding neighbors. Neighbors voiced concerns about the design of 124<sup>th</sup> Street, potential additional traffic along 122<sup>nd</sup> Street, improvements to the unincorporated portion of 122<sup>nd</sup> Street south of the proposed development to mitigate dust and speeding vehicles, and future plans for the irrigation ditch along 124<sup>th</sup> Street. The applicant responded that



there will be a minimal increase in traffic along 122<sup>nd</sup> Street, as the unimproved conditions south of the development discourage general traffic heading south towards Riggs Road.

In response to residents' concerns, City staff recommend deferring street improvements for 124<sup>th</sup> Street until the east side is developed. The roadway improvements are not essential at this time as the proposed development will not have direct access to 124<sup>th</sup> Street and there are currently no parcels within the City's jurisdiction that would benefit from such improvements. City staff will work with the applicant to determine which improvements may be necessary at this time (i.e., water, sewer, landscaping), and which improvements may be deferred (i.e., paving, curb, gutter, sidewalks). Deferral requires the applicant to make a payment to the City to cover the cost of making those improvements in the future through a separate agreement, which does not require City Council action.

#### Recommendation Action

##### Rezoning

Planning staff find the request is in compliance with the General Plan and the SECAP. Planning and Zoning Commission recommend the City Council approve the rezoning from AG-1 to PAD for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Treeland" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0064, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
3. Developer shall provide all required right-of-way dedications as determined by the Development Services Director at the time of construction plan review.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals. The Developer shall enter into an agreement for the lump sum payment of costs for off-site improvements to 124<sup>th</sup> Street that will be deferred to a later date at the discretion of the City Engineer.
5. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

6. Lots 18 through 35, that is all lots located along the southern boundary and the four most southern lots located along the eastern boundary, shall be constructed with single-story homes only.
7. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:

Front yard setbacks	<ul style="list-style-type: none"> <li>• Min. 20 ft. from back of sidewalk to forward facing garage door</li> <li>• Min. 15 ft. to livable area component</li> <li>• Min. 10 ft. to porch or side-entry garage</li> </ul>
Rear yard setbacks	<ul style="list-style-type: none"> <li>• Single story min. 15 ft., increased setback lots along Chandler Heights Road 20 ft.</li> <li>• Two story min. 25 ft. increased setback lots along Chandler Heights Road 30 ft.</li> </ul>
Side yard setbacks	<ul style="list-style-type: none"> <li>• Min. 5 ft. and 10 ft.</li> </ul>
Accessory structures	<ul style="list-style-type: none"> <li>• Min. 10 ft. rear property line</li> <li>• Must comply with side yard setbacks and maximum lot coverage</li> <li>• Must be located behind the front façade of the principal building</li> </ul>

8. This rezoning request does not include a specified timing stipulation. This relieves the 1-year timing condition from the effective date of the ordinance as specified in the Chandler City Code, Section 35-2603(b).
9. A separate Preliminary Development Plan application shall be reviewed and approved for the housing product.

Ordinance was introduced and tentatively adopted on May 28, 2020.

5. RESOLUTION NO. 5377, authorizing the City Manager or designee to execute an intergovernmental agreement between the City of Chandler and the City of Phoenix for the provision of firefighter health services.

#### BACKGROUND FROM COUNCIL MEMO:

In 2002, the City of Chandler entered into an IGA with the City of Phoenix for the provision of annual firefighter medical examinations for sworn personnel, as required by federal, State, and national fire service regulations. Since that time, the Phoenix Fire Department Health Center has been the provider of annual and new hire physicals for all Chandler firefighters. The proposed Resolution updates the IGA Services Menu with new pricing and revised tuberculosis testing standards. This agreement extends services with the City of Phoenix for five years.

#### FINANCIAL IMPLICATIONS:

The financial implication for the City of Chandler is based on the number of sworn personnel in the Department at approximately \$185,416 per year. Due to a decrease in cost per TB test, the

Department anticipates a lower cost per firefighter than in previous years. Funds are appropriated in the Fire Operating Budget, Line Item 101.2210.5211.

6. RESOLUTION NO. 5379, to enter into an Intergovernmental Agreement between the City of Chandler and Maricopa County to provide temporary housing for at risk individuals and families due to the COVID-19 pandemic at County leased hotel rooms in Mesa; and authorizing the City Manager or designee to sign the agreement and all related documents on behalf of the City of Chandler.

BACKGROUND FROM COUNCIL MEMO:

On March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared a State of Emergency in Arizona due to the novel Coronavirus and determined that the COVID-19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city, or town, and which requires the combined efforts of the State of Arizona and its political subdivisions.

On March 19, 2020, Chandler Mayor Kevin Hartke issued a proclamation declaring the existence of an emergency as a result of the COVID-19 outbreak, placing the City of Chandler, County of Maricopa, and State of Arizona, in a condition of extreme peril to life and property. Pursuant to the emergency powers vested in the Mayor under Arizona Revised Statutes §26—311 and Chandler City Code §6-3.2, Mayor Hartke determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property.

In April 2020, the Maricopa County Human Services Department approached the cities of Mesa, Tempe and Chandler with a proposal to work cooperatively to assist persons experiencing homelessness by providing temporary housing to prevent exposure to the COVID-19 health pandemic. Maricopa County would enter into a lease agreement with the hotel and provide 24/7 on site security, while the partnering cities would provide the clientele and wrap—around services to support them during their stay and assist them in their transition to permanent housing. The initial term of the IGA is three months, with the ability to extend for six additional one month terms. The IGA requires mutual indemnification and acceptance of responsibility for any damages made by clients placed at the hotel by the City of Chandler.

FINANCIAL IMPLICATIONS:

The City of Chandler will provide client services through City staff and an existing contract with Community Bridges, Inc. for navigation services, at no additional cost to the City. The City of Chandler is looking to purchase an insurance agreement to cover damages caused by clients placed at the hotel by the City of Chandler. If a policy can be purchased, it will be paid for by Community Development Block Grant- Coronavirus (CDBG-CV) funds received by the City through the CARES Act. If a policy cannot be purchased, damages will be paid for by CDBG-CV or Neighborhood Resources Department operational funding.

7. AGREEMENT NO. MS4-946-3357, AMENDMENT NO. 3, with Piper Sandler & Co., for financial advisor services, for the period July 1, 2020, through June 30, 2022.

BACKGROUND FROM COUNCIL MEMO:

The City uses a financial advisor for their expertise on all items of financing necessary to the City's operations or capital needs, which include General Obligation Bonds, Street and Highway User Revenue Bonds, Water and Sewer Revenue Bonds, Municipal Property Corporation and Improvement District Bonds, Excise Tax Revenue Obligations, Refunding Bonds, and other related financial services. In addition, a financial advisor assists the City in developing a bond issuance strategy, preparing bond documents, marketing bonds to investors, arranging and preparing materials for rating agency presentations, monitoring the market for refunding opportunities to reduce the City's overall debt service costs when possible, post issuance compliance and outstanding debt tracking.

The finance professional is relied on to proactively identify creative solutions to meet the City's financing needs and goals and understand innovative debt financing methods which can reduce costs, always focusing on the City's best interest. Piper Sandler & Co. (formerly Piper Jaffray & Co.) has filled this role for over 18 years.

8. PROFESSIONAL SERVICES AGREEMENT NO. WW2001.101, with Hazen and Sawyer, P.C., for the Ocotillo Brine Reduction Facility Administration Building Expansion Programming, in an amount not to exceed \$57,692.

BACKGROUND FROM COUNCIL MEMO:

Intel Corporation currently operates two manufacturing sites within Chandler and employs over 11,000 people. The Ocotillo Brine Reduction Facility (OBRF) is located at 3737 S. Old Price Road. OBRF is owned and operated by the City and supports Intel by treating and delivering reclaimed wastewater back to Intel for reuse in its facility.

Arizona Revised Statute (A.R.S.) § 42-5032.02 provides for distribution of revenues for City infrastructure improvements related to manufacturing facilities. On May 23, 2019, City Council approved an intergovernmental agreement with the Arizona Department of Revenue (ADOR) for distribution of revenues under A.R.S. § 42-5032.02, as well as a Public Infrastructure Master Agreement with Intel Corporation for funding and construction of public improvements necessary to support Intel's qualifying capital investment at its Ocotillo plant, located at 4500 S. Dobson Road.

The project scope of work consists of a Basis of Design report for the development of an expanded administration building to provide for more office and warehouse space, laundry facilities, document storage, and an enhanced computer server room. The programming effort will include conceptual design for related landscape, grading and drainage, structural, mechanical and electrical improvements. The contract completion time is 180 calendar days following Notice to Proceed.

The project will be fully funded by ADOR and Intel. A related Project Agreement with Intel Corporation, as required by the Public Infrastructure Master Agreement, is also scheduled for this City Council meeting.

9. PROFESSIONAL SERVICES AGREEMENT NO. WW2001.201, with Hazen and Sawyer, P.C., for the Ocotillo Brine Reduction Facility Polymer Storage Buildings, in an amount not to exceed \$167,810.80.

BACKGROUND FROM COUNCIL MEMO:

Intel Corporation currently operates two manufacturing sites within Chandler and employs over 11,000 people. The Ocotillo Brine Reduction Facility (OBRF) is located at 3737 S. Old Price Road. OBRF is owned and operated by the City and supports Intel by treating and delivering reclaimed wastewater back to Intel for reuse in its facility.

Arizona Revised Statute (A.R.S.) § 42-5032.02 provides for distribution of revenues for City infrastructure improvements related to manufacturing facilities. On May 23, 2019, City Council approved an intergovernmental agreement with the Arizona Department of Revenue (ADOR) for distribution of revenues under A.R.S. § 42-5032.02, as well as a Public Infrastructure Master Agreement with Intel Corporation for funding and construction of public improvements necessary to support Intel's qualifying capital investment at its Ocotillo plant, located at 4500 S. Dobson Road.

The City and Intel are proposing under A.R.S. § 42-5032.02 to provide environment-controlled buildings to house polymers necessary for the industrial water treatment process. The project scope of work consists of design, permitting, and development of construction documents for the development of two polymer storage buildings. The contract completion time is 180 calendar days following Notice to Proceed.

The project will be fully funded by ADOR and Intel. A related Project Agreement with Intel Corporation, as required by the Public Infrastructure Master Agreement, is also scheduled for this City Council meeting.

10. PROFESSIONAL SERVICES AGREEMENT NO. ST2009.201, to Premier Engineering Corporation, for Dobson Road Improvements at Intel Driveways 1 and 4, in an amount not to exceed \$166,822.

BACKGROUND FROM COUNCIL MEMO:

Intel Corporation currently operates two manufacturing sites within Chandler and employs over 11,000 people. Arizona Revised Statute (A.R.S.) § 42-5032.02 provides for distribution of revenues for City infrastructure improvements related to manufacturing facilities.

On May 23, 2019, City Council approved an intergovernmental agreement with the Arizona Department of Revenue (ADOR) for distribution of revenues under A.R.S. § 42-5032.02, as well as a Public Infrastructure Master Agreement with Intel Corporation for funding and construction of public improvements necessary to support Intel's qualifying capital investment at its Ocotillo plant, located at 4500 S. Dobson Road.

The City and Intel are proposing under A.R.S. § 42-5032.02 to increase capacity and access on Dobson Road at Intel Driveway #1 and Driveway #4. This project is for improvements on Dobson Road to connect with onsite improvements at Intel Driveway #1 and #4. Driveway #1 is the northernmost Intel driveway onto Dobson Road with an existing traffic signal, two northbound left

turn lanes, and southbound right turning movements from Intel onto Dobson Road. Driveway #4 is at Dobson Road and Chaparral Way, a signalized intersection for two northbound left turn lanes from Intel onto Dobson Road only, with no southbound right turn movement on Dobson Road or straight/through movement on Chaparral Way.

The project scope of work consists of project management and meetings stakeholder coordination, data gathering, survey, utility coordination, design, plans, drainage report, geotechnical evaluation and report, as well as providing a final cost estimate. The contract completion time is 450 calendar days following Notice to Proceed.

The project will be fully funded by Intel and ADOR. A related Project Agreement with Intel Corporation, as required by the Public Infrastructure Master Agreement, is also scheduled for this City Council meeting.

11. PROJECT AGREEMENT NO. ST2009 NO. 2, with Intel Corporation, for Dobson Road Improvements at Intel Driveways 1 and 4, and  
AUTHORIZE a transfer of funds from the General Fund, Non-Departmental, Contingency Reserve to General Government Capital Projects Fund, Streets Capital, Other Street Improvements, Dobson Rd Intel Driveways 1 and 4, in the amount of \$2,500,000, to be reimbursed through a combination of transaction privilege tax revenues set aside under A.R.S. § 42-5032.02 (80%) and Intel private funds (20%).

BACKGROUND FROM COUNCIL MEMO:

Intel Corporation currently operates two manufacturing sites within Chandler and employs over 11,000 people. Arizona Revised Statute (A.R.S.) § 42-5032.02 provides for distribution of revenues for City infrastructure improvements related to manufacturing facilities. On May 23, 2019, City Council approved a Public Infrastructure Master Agreement between the City and Intel under A.R.S. § 42-5032.02 for funding and construction of public improvements necessary to support Intel's qualifying capital investment at its Ocotillo Plant, located at 4500 South Dobson Road in Chandler. The Master Agreement contemplates that Intel and the City will enter into specific project agreements for funding and construction of public improvements that will be reimbursed through a combination of transaction privilege tax revenues set aside under A.R.S. § 42-5032.02 (80%) and Intel private funds (20%).

This second Project Agreement under the Master Agreement will provide for improvements on Dobson Road to connect with onsite improvements at Intel Driveway #1 and #4. Driveway #1 is the northernmost Intel driveway onto Dobson Road with an existing traffic signal, two northbound left turn lanes, and southbound right turning movements from Intel onto Dobson Road. Driveway #4 is at Dobson Road and Chaparral Way, a signalized intersection for two northbound left turn lanes from Intel onto Dobson Road only, with no southbound right turn movement on Dobson Road or straight/through movement on Chaparral Way.

The project will be fully funded by the Arizona Department of Revenue (ADOR) and Intel. A related Professional Services Agreement with Premier Engineering Corporation, for the Dobson Road Improvements at Intel Driveways #1 and #4, is also scheduled for this City Council meeting.

12. PROJECT AGREEMENT NO. WW2001 NO. 3, with Intel Corporation, for the Ocotillo Brine Reduction Facility Improvements, and  
AUTHORIZE a transfer of funds from the General Fund, Non-Departmental, Contingency Reserve to Wastewater Industrial Process Treatment Fund, Wastewater Capital, Plant Additions and Improvements, Intel Ocotillo Brine Reduction Facility Improvements Capital Program, in the amount of \$2,500,000, to be reimbursed through a combination of transaction privilege tax revenues set aside under A.R.S. § 42-5032.02 (80%) and Intel private funds (20%).

BACKGROUND FROM COUNCIL MEMO:

Intel Corporation currently operates two manufacturing sites within Chandler and employs over 11,000 people. The Ocotillo Brine Reduction Facility (OBRF) is located at 3737 S. Old Price Road. OBRF is owned and operated by the City and supports Intel by treating and delivering reclaimed wastewater back to Intel for reuse in its facility.

Arizona Revised Statute (A.R.S.) § 42-5032.02 provides for distribution of revenues for City infrastructure improvements related to manufacturing facilities. On May 23, 2019, City Council approved a Public Infrastructure Master Agreement between the City and Intel under A.R.S. § 42-5032.02 for funding and construction of public improvements necessary to support Intel's capital investment at its Ocotillo Plant located at 4500 South Dobson Road in Chandler. The Master Agreement contemplates that Intel and the City will enter into specific project agreements for funding and construction of public improvements that will be reimbursed through a combination of transaction privilege tax revenues set aside under A.R.S. § 42-5032.02 (80%) and Intel private funds (20%).

This third Project Agreement under the Master Agreement will provide for improvements at OBRF. OBRF Improvements include enhancements for environment-controlled buildings to house polymers necessary for the industrial water treatment process and for expansion of the administration building to provide more office and warehouse space, potential laundry facilities, new document storage, and an enhanced computer server room.

This project will be fully funded by the Arizona Department of Revenue (ADOR) and Intel. Two related Professional Service Agreements with Hazen and Sawyer, P.C., for the Ocotillo Brine Reduction Facility Improvements, are also scheduled for this City Council meeting.

13. PRE-CONSTRUCTION SERVICES CONSTRUCTION MANAGER AT RISK CONTRACT NO. WW1901.251, with McCarthy Building Companies, Inc., for Water Reclamation Facility Improvements, in an amount not to exceed \$433,336.

BACKGROUND FROM COUNCIL MEMO:

The City provides wastewater services to over 260,000 residents. This number is projected to increase to 300,000 by the year 2040. Wastewater is delivered to reclamation facilities where it is treated to produce A+ quality reclaimed water for delivery to the City's reclaimed water system. Two of the City's water reclamation facilities, the Ocotillo Water Reclamation Facility, located at 3333 S. Old Price Road and commissioned in 1985, and the Airport Water Reclamation Facility, located at 905 E. Queen Creek Road and commissioned in 1998, work together to process

wastewater and deliver reclaimed water for the City. Both facilities are in need of rehabilitation due to aging infrastructure.

Recent assessments of both facilities identified the need to rehabilitate a number of aged and outdated treatment processes. Reuse water filtration, air piping systems, and water clarification basins are all in need of repair or replacement in order to ensure compliance with regulatory requirements.

This project will be completed using the Construction Manager at Risk (CMAR) delivery process. The CMAR process was selected to ensure that the facilities will maintain full operation and meet all regulatory requirements during the construction process. City staff will team with the selected contractor and consultants for optimizing the design and the construction of the facilities.

Major components of the project will include the replacement of sand media filters with updated cloth media technologies, rehabilitation of secondary clarifiers, replacement of large diameter blower piping, and related instrumentation and electrical upgrades.

The project scope of work consists of constructability studies and review, value engineering, project planning and scheduling, assistance in the coordination of contract documents, and preparation of Guaranteed Maximum Price packages. The contract completion time is 360 calendar days following Notice to Proceed. Construction-related contracts for the Water Reclamation Facility Improvements will be awarded separately.

14. PURCHASE of IBM Notes annual support and maintenance services, from SHI International Corp., utilizing the Omnia Partners Contract No. 2018011-02, in an amount not to exceed \$91,407.

**BACKGROUND FROM COUNCIL MEMO:**

The City currently uses HCL Notes software for Citywide email and calendaring. The Notes environment includes email, calendaring licenses, application and database. Notes support provides access to technical assistance resources to resolve software application issues as well as provides software fixes. The maintenance includes support, maintenance services and application upgrades necessary to keep the systems current.

The City began a multi-year project in FY 17-18 to replace IBM Notes with Microsoft Exchange for email and calendaring. Once the conversion project is complete, this maintenance will not be renewed and the budgeted amount will be redirected for annual Microsoft licensing costs. This renewal covers the City's ongoing use of the IBM Notes system for a one year period of July 1, 2020, through June 30, 2021.

15. PURCHASE of Proofpoint network security software, from SHI International Corp., utilizing the Omnia Partners Contract No. 2018011-02, in an amount not to exceed \$88,412.

**BACKGROUND FROM COUNCIL MEMO:**

The City of Chandler's data security roadmap includes prevention of confidential data loss and potential prevention of data security breaches. Detection, prevention and encryption technologies help to ensure information is not disclosed via e-mail messages that could lead to



identity theft or data breaches. Staff is requesting approval to continue the use of this technology with the City's current e-mail system to prevent data loss, unintentional exposures as well as the ability to send messages via specific security policies utilizing data encryption. These e-mail security appliances and services have been in use since 2005.

Securing the City's electronic messaging systems meets liability, risk management and regulatory compliance objectives. This renewal covers the City's ongoing use of the Proofpoint system for a one year period of August 12, 2020, through August 11, 2021.

Staff recommends that the City approve the licensing support and maintenance for the continued use of this software.

16. PURCHASE of Oracle annual support and maintenance services, from Mythics, Inc., utilizing the Omnia Partners Contract No. 180233-002, in the amount of \$328,024, for a one-year term of August 1, 2020 through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City utilizes Oracle database products to store data for the following major systems: Permits and Inspections, Utility Billing, Geographic Information Systems, Tax & License and numerous other departmental systems. The City utilizes E-Business Suite Applications, which include Self-Service Human Resources, Financials, Project Billing, iExpense, User Productivity Kit Developer and iProcurement application modules.

Oracle support provides access to technical assistance resources needed to resolve system issues, maintenance support, including application upgrades necessary to operate and keep the systems current.

The City purchases maintenance and support based on the number of servers and processors on which the software is running on an annual basis.

17. PURCHASE of Ivanti IT service desk software upgrade and annual support, from SHI International Corp., utilizing the Omnia Partners Contract No. 2018011-02, in an amount not to exceed \$123,298.

BACKGROUND FROM COUNCIL MEMO:

Ivanti, previously LANDesk, provides the Information Technology (IT) Department the toolset to deploy applications, deploy Microsoft Windows security patches and provides the ability to manage and remote control all the desktops and laptops in use by City staff. Ivanti includes the IT Service Portal which enables City staff to create incidents or tickets for IT assistance. These tickets allows for the tracking of work orders and provides the current status of each ticket. An upgrade to Ivanti Service Manager is necessary in order to stay up to date and ensure continued vendor support.

This renewal covers the City's ongoing use of the Ivanti IT service desk system for a one year period of July 1, 2020 through June 30, 2021.

Staff recommends that the City approve the licensing upgrade and annual support for the continued use of this software.

18. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for for Andrea Dahlman Lewkowitz, Agent, Chandler Operations LLC, Clarendale of Chandler, located at 5900 S. Gilbert Road.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on June 11, 2020:

New License, Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, Chandler Operations LLC, Clarendale of Chandler, located at 5900 S. Gilbert Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

19. RESOLUTION NO. 5384, adopting language for the November 3, 2020, election ballot on the question of whether or not a gas franchise shall be granted to Southwest Gas Corporation.

BACKGROUND FROM COUNCIL MEMO:

On May 14, 2020, Council adopted Resolution No. 5372 which ordered a special franchise election to be held for the City on November 3, 2020, for the purpose of submitting to the vote of the qualified electors of the municipality the question as to whether to grant a franchise to Southwest Gas Corporation.

Adoption of Resolution No. 5384 provides for the ballot language for the special election to read as follows.

*Shall a franchise be granted to Southwest Gas Corporation, a California corporation, its successors and permitted assigns, for the purpose to construct, maintain, and operate its gas system and gas system facilities upon, over, across, and under present and future City of Chandler public rights-of-way in accordance with Ordinance No. 4924 submitted by the Mayor and City Council of the City of Chandler, Arizona to the qualified electors of said City?*

FOR THE FRANCHISE \_\_\_\_\_

AGAINST THE FRANCHISE \_\_\_\_\_

PUBLIC HEARING

- PH1. COMMUNITY DEVELOPMENT BLOCK GRANT FIVE-YEAR CONSOLIDATED PLAN, ANNUAL ACTION PLAN FOR FISCAL YEAR 2020 – 2021, AND CITIZEN PARTICIPATION PLAN

1. Open Public Hearing

MAYOR HARTKE opened the public hearing and called for a staff presentation.

## 2. Staff Presentation

RIANN BALCH, Community Resources Manager, introduced the public hearing item. Every five years as a prerequisite for receiving CDBG funds, the City is required to prepare and adopt a consolidated plan to establish goals and priorities for housing opportunities. The five year consolidate plan also includes an action plan describing how funds would be spend in year one. An annual action plan is submitted each year for the same purpose. The City is the direct recipient of CDBG funds and receives HOME funds from the Maricopa HOME Consortium. The City's goals and priorities are submitted through the Consortium in their consolidated plan.

MS. BALCH said the planning process provides an opportunity to explain the needs of Chandler residents and how we plan to meet those needs, communicate goals and priorities, and determine how funds will be spent in year one. Ms. Balch said the goals and priorities presented are a reflection of the information collected from the Comprehensive Community Needs Assessment conducted in 2019. That process included consultation with community leaders, service providers, students, and residents.

MS. BALCH said the first goal is creating and preserving housing for all incomes by adding units of housing through acquisition and rehabilitation. The next goal is to maintain owner occupied housing which means assisting low and moderate income households with home repairs or improvements to allow them to remain in the homes. This includes emergency, minor, and exterior home repairs, and modifications for owners with physical disabilities. The third goal is to provide public services and fair housing. This is done by supporting services that are critical to the general health and welfare of residents. Some of these services include navigation for those experiencing homelessness, rent and utility assistance, case management, fair housing training, and mentorship opportunities.

MS. BALCH said the next goal is to improve public infrastructure and facilities such as park improvements, nonprofit facility improvements, and nonprofit expansions. The last goal is to revitalize neighborhoods, which is achieved through code enforcement and alley maintenance. The Annual Action Plan said last October they imitated a competitive grant process, which resulted in funding recommendations to organizations. They allocated \$1.4 million in CDBG funds and \$410,000 in HOME funding. The Consolidated Plan Process is very public and does require a 30 day public comment period and public hearings. The public can also submit comments through the website, email, and Webex opportunities. The process began May 26 and would end June 24. On June 25, 2020, the Plan would go to Council for approval.

## 3. Council Discussion

COUNCILMEMBER ORLANDO asked what is different in this five-year plan compared to the last one.

MS. BALCH said in 2019 there was a Communitywide Needs Assessment that had not been done since 2007. This Plan is based on the feedback received from that process. The highest need is for housing and for those experiencing homelessness which is reflected in this plan.

COUNCILMEMBER ORLANDO asked what the status was in the review of getting new properties to replace the old properties that they have.

MS. BALCH said that is included in goal one and would take place through their redevelopment efforts. There are not any specific activities in year one but would be more in years two through five.

LEAH POWELL, Neighborhood Resources Director, said they are hoping to have a work session with Council in July where they would be bringing back more information as a follow-up to the work session in October.

COUNCILMEMBER STEWART asked about the support received from the CARES Act funding.

MS. POWELL asked if Councilmember Stewart was referring to CDBG-CV money that was brought forward or funds for vulnerable populations moving forward.

COUNCILMEMBER STEWART said both and asked if they are receiving support.

MS. POWELL said they received almost \$850,000 for CDBG-CV funds and staff is in the process of getting the agreements out for the allocations that were brought before Council. A lot of the funds were centered on homelessness, rent and utility assistance, and senior meals. In addition, they have taken a look at general fund allocations and would be coming to Council for approval. Ms. Powell said they were looking to see where there was a deficit and what agencies did not receive full funding. They are specifically looking at what ways they could help with PPE as agencies have an increased in spending that was not anticipated. Ms. Powell said they would bring things to Council based on their direction of what they would like to see in the future.

#### 4. Discussion from the Audience

MAYOR HARTKE asked if there were any comments from the audience, there were none.

#### 5. Close Public Hearing

MAYOR HARTKE closed the public hearing.

#### BACKGROUND FROM COUNCIL MEMO:

Each year, the City of Chandler receives federal CDBG funding, administered by HUD, to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for persons with low- and moderate-income. Funds support a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

As a prerequisite for receiving CDBG funding, the City of Chandler is required every five (5) years, to prepare and adopt a Five-Year Consolidated Plan that includes an Annual Action Plan, to be sent to HUD to establish priorities for future funding decisions.

Included in the Five-Year Consolidated Plan is the City's FY 2020-2021 Annual Action Plan that serves as the formal application for the use of entitlement funds that are received by the City of

Chandler. The Action Plan defines the one-year activities in relationship to the five-year goals and objectives of the Consolidated Plan covering Fiscal Years 2020-2025.

In compliance with HUD regulations and the Citizen Participation Plan, the City held a 30-day public comment period regarding the draft 2020-2025 Five-Year Consolidated Plan and Annual Action Plan, which included the HHSC's funding recommendations based on formula funding expected in FY 2020-2021. The public comment period began Tuesday, May 26, 2020, and ended Wednesday, June 24, 2020. In addition, two public hearings were held on June 10, 2020, and on June 11, 2020, to ensure multiple opportunities for input from the community regarding the draft 2020-2025 Five-Year Consolidated Plan and Annual Action Plan. Public comments received during the public comment period will be included in the finalized report submitted to HUD. A copy of the Five-Year Consolidated Plan and Annual Action Plan Executive Summary is attached.

As a member of the Maricopa HOME Consortium, the City of Chandler will comply with the citizen participation plan prepared by the Maricopa County Human Services Department on behalf of all HOME consortium members. The Maricopa HOME Consortium Citizen Participation Plan for 2020-2025 is attached.

HUD released FY 2020-2021 annual allocation on February 14, 2020. The total available for allocation for FY 2020-2021 is \$1,443,928.00, an increase of \$74,661.00 from last fiscal year. However, this funding increase does not fully restore funding levels that the City of Chandler received in FY 2018-2019 totaling \$1,452,896.00. Funds available for allocation include the \$1,443,928.00 in formula funding expected for FY 2020-2021 and an additional \$149,055.94 in recaptured or unallocated funds from FY 2019-2020. The City will utilize \$288,786.00 for program administration, \$558,717.94 for Public Services and Fair Housing, and \$745,480.00 for Neighborhood Revitalization. The City's FY 2020-2021 CDBG Program Descriptions and Funding Recommendations are also attached.

## PH2. 2020-21 FINAL BUDGET, 2021-2030 CAPITAL IMPROVEMENT PROGRAM

### 1. Open Public Hearing

MAYOR HARTKE opened the public hearing and called for a staff presentation.

### 2. Staff Presentation

MATT DUNBAR, Budget Manager, introduced the public hearing item. The budget process is a nine-month process with multiple opportunities for public comment. The budget theme is "The Future's in Sight" which reflects our past and current leader's vision for the community making it the innovation and technology hub of the southwest. This is demonstrated by Council's strategic goals, strong fiscal policy, and AAA bond rating. The total budget for fiscal year 20-21 is \$931,336,929, which includes all funds including reserves. This includes the contingency appropriation for funds received from the AZ CARES grant. Prior to grant appropriation the budget was down 26 million or 2.8%. A lot of discussion was held regarding what the COVID-19 impacts would be to the revenue.

MR. DUNBAR said the anticipated revenue loss was \$7.5 million in revenue by May. In those areas there has been an actual impact of \$3.8 million in lost revenue. This has shown that the projections were on the conservative side. While the situation is not yet over, the ongoing impacts would continue to be monitored. Mr. Dunbar said State law and sound financial policy requires the City to have a balanced budget and there must be total revenues to support expenditures. Revenue categories include the fund balance, grants, local taxes and license fees, state shared revenue, property taxes, system development fees, other service charges, and utility charges. The expenditure categories include general government, community services, cultural development, development services, fire, information technology, management services, neighborhood resources, non-departmental, police, public works and utilities, equipment and vehicle replacement, contingency reserves, debt service, and major capital.

MR. DUNBAR said they have added \$29.9 million in contingency appropriate for the AZ CARES grant. There is a slight reduction in property tax, no change to transaction privilege tax, and maintains strong reserves. MR. DUNBAR said the ongoing revenues must support ongoing expenditures and the five-year forecast reflects a balanced budget. Based on numerous impacts outside of the City's control, managing expenditures is vital. There is a \$10 million budget stabilization reserve that could be used for a short period of time. The current onetime general fund balance is projected to end the current year at \$195 million, which includes the grant funding from the AZ CARES grant. The decline to \$101 million in fiscal year 20/21 assumes full spending of all appropriated projects. Typically, there are many projects in progress that carry over to the next year, which slows spending. Mr. Dunbar said there is a projection for enterprise funds for water, wastewater, reclaimed, and solid waste. COVID-19 impacts have been calculated. There are no planned rate increases to these services and would provide these services at the lowest cost compared to other Valley cities.

MR. DUNBAR said to continue to provide a high quality of life they must continue to provide well maintained infrastructure and amenities. The CIP continues Council's priorities such as minimizing increases to property taxes, maintaining infrastructure, finished planned construction of parks and streets, and addressing public needs. The 2021-2030 CIP is \$1.164 billion, which is \$227 million more than the 2020-2029 CIP. No bond sales are planned for fiscal year 20/21. About 70% of the increase is maintenance of existing infrastructure. The plan also includes technology and communication updates and well as Council requested projects. The Plan does not increase the secondary tax rate, but does capitalize on appreciation and new property growth. There is \$150.9 million in new funding, \$194.4 million in capital carryforward, and \$0.5 million in contingency and reserves. This totals \$345.8 total CIP appropriation.

MR. DUNBAR said Chandler uses a primary tax levy to help support the day-to-day operations of the City. The secondary property tax levy is used to pay the debt service on bonds issued in prior years as part of the CIP. Both rates are based on limited property value as established by the Maricopa County Assessor's Office. The limited property values for fiscal year 20/21 are \$3.243 billion where \$4.5% is new property and \$3.2% appreciation. There is a tax reduction from 1.1281 to 1.1201 to reduce the impact of LPV increase due to appreciation of property. The average owner would see an annual increase of \$10.86. The Chandler portion of the property tax bill is about 10% depending on which school district to be about 9.9 cents designated for the City. The average annual cost of service study for Valley cities shows Chandler as the second lowest for an average of \$1,664 per year. Each year there are challenges and this year added new complexities. The economy had its longest period of economic growth in history prior to

COVID-19. The budget is a spending plan and additional evaluations will take place during the year should the estimated revenues not come in as planned.

### 3. Council Discussion

COUNCILMEMBER ORLANDO asked about the June receipts and if that was just sales receipts.

MR. DUNBAR said those are the most impacted funds that we have and included TPT, State shared taxes, vehicle license tax, building fees, parks and recreation fees, court fines, and franchise fees. There are other revenue streams that are less impacted.

COUNCILMEMBER ORLANDO said in June they are \$2.4 million off from the projections and asked if that was from the original or the downward projection because of COVID-19.

MR. DUNBAR said the current projections for the last quarter of the current fiscal year had estimated \$10.5 million in impact to revenues. Mr. Dunbar said they had an anticipated impact by month. Mr. Dunbar said they are still waiting to receive June numbers, but should be getting them in the next month. They estimated to be \$7.5 million in total revenue decreases, but are currently only at \$3.8 million dollars. Mr. Dunbar said certain sectors are profiting better and those are likely to start coming down. Mr. Dunbar said other sectors are beginning to reopen. Mr. Dunbar said they anticipate the total amount through the end of June will be less than the anticipated 10.5 million.

COUNCILMEMBER ORLANDO asked if the \$10.5 was the original amount or the adjusted amount for COVID-19.

MR. DUNBAR said it was the adjusted for COVID-19.

COUNCILMEMBER ORLANDO asked what it was originally.

MR. DUNBAR said it was the current budget revenues for fiscal year 19/20.

### 4. Discussion from the Audience

SUHAN KACHOLIA, 3656 E. Sagittarius Place, Chandler 85249, said he is a high school student at Basis Chandler. Mr. Kacholia said he wanted to address the funding being given to police. There have been police shootings of unarmed black individuals and have called into question the ways we approach law enforcement. A way that Chandler could help be a leader in the movement that instead of using law enforcement as a first approach to many societal problems including mental health Chandler could invest into more services for those things. The school he attends does not have a counselor and many of his friends in public schools have a really high ratio of students to each counselor. There are not a lot of mental health services that are available to citizens. Mr. Kacholia said he does not think it is right that we do not invest in those services and then expect the police to be first responders when there is a mental health crisis. Instead of using law enforcement as a first approach we can invest in those other services that would ultimately make Chandler a safer and stronger place.

### 5. Close Public Hearing

MAYOR HARTKE closed the public hearing.

BACKGROUND FROM COUNCIL MEMO:

On, May 28, 2020, Council adopted Resolution No. 5370 which approved the FY 2020—21 Tentative Budget in the amount of \$931,336,929 and set June 11, 2020, as the date for a public hearing to allow taxpayers to comment and provide input on the Budget, CIP and Property Tax Levy. The approved Tentative Budget included an increase in contingency appropriation to allow for the AZ CARES grant funding announced by the Governor to be utilized. By adding in the additional \$29,983,456 in contingency, the flexibility of the budget was preserved and those grant funds will be able to be utilized as needed. A Notice of Public Hearing for "Adoption of the FY 2020-21 Annual Budget and 2021-2030 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since June 3, 2020, and published in the Arizona Republic on June 3 and June 10, 2020, as required by State statute. The notice includes a summary of the Tentative Budget, with State Auditor General schedules (Budget forms) attached, and provides a general description of the Ten-Year CIP. Council action on the Budget and CIP is scheduled immediately following the Public Hearing on the Budget, CIP and Property Tax Levy. Action on the Property Tax Levy is scheduled for June 25, 2020.

The FY 2020-21 Budget incorporates strategic reductions to address estimated revenue reductions through September due to the COVID-19 pandemic, while maintaining flexibility to adjust as additional data becomes available. In an effort to minimize the anticipated impacts, additional expenditure measures have also been put in place to strategically hold positions, hold travel and related training, defer fleet replacements, increase scrutiny of all purchases and strategically prioritize capital projects that use General Fund dollars. In addition to these measures, there will also be additional monitoring and reporting of revenues, and meeting with Mayor and Council to discuss any need for additional mid-year reductions at least quarterly.

Discussion - FY 2020-21 Budget and Property Tax Levy: Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The Tentative Budget in the amount of \$931,336,929 includes funding for departmental operating budgets of \$386,692,293; funding for debt service of \$59,719,660; budget for equipment, technology, and vehicle replacements of \$7,056,551; and contingencies and reserves in the amount of \$132,263,210 in various funds. The capital budget includes \$150,927,190 in new appropriation, \$194,428,025 in capital carryforward, and \$250,000 in contingency and reserve funding.

Included in the projected operating revenues of \$475,648,117 is a property tax levy of \$35,856,856 based on a rate of \$1.1201 per \$100 of assessed property valuation (reduced from \$1.1281 in the current year), plus \$472,873 for Salt River Project's payment to the City in lieu of property tax, for a total of \$36,329,729. Arizona Revised Statutes Truth in Taxation requirements do not apply for FY 2020—21 as the Primary Property Tax Rate of \$0.2501 per \$100 of assessed valuation (reduced from \$0.2581), does not exceed the Truth in Taxation maximum rate of \$0.2501 per \$100 of assessed valuation and resultant levy, as determined by the Property Tax Oversight Commission.

Discussion - 2021-2030 Capital Improvement Program:



City Charter requires the City Manager to present a (minimum) Five—Year GP for the City of Chandler to the City Council before June 15 of the current fiscal year. The Proposed 2021-2030 CIP is a Ten-Year Program totaling \$1,164,226,378. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were distributed in the proposed budget, which is posted on—line and discussed at the Budget Briefing on April 24, 2020.

Following the close of the public hearing, Council is asked to make a motion to adopt the Final FY 2020—21 Budget and 2021—2030 CIP.

INFORMATIONAL:

1. MINUTES of the May 6, 2020, Planning and Zoning Commission Study Session meeting.
2. MINUTES of the May 6, 2020, Planning and Zoning Commission Regular meeting.

ADJOURNMENT: The meeting was adjourned at 6:57 p.m.

ATTEST: Dana R. DeLong Kevin Hanth  
City Clerk Mayor

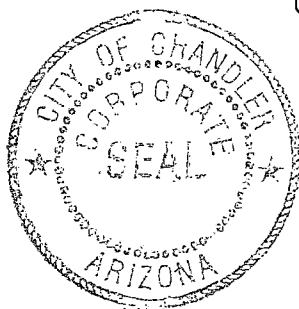
Approval Date of Minutes: June 25, 2020

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 11<sup>th</sup> day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 25 day of June, 2020.

Donna R. Wiley  
City Clerk





## CHANDLER CITY COUNCIL

### SPECIAL MEETING MINUTES

Monday, June 11, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, June 11, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:57 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
*René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Vice Mayor Lopez attended the meeting telephonically and departed at 7:40 p.m.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager

1. RESOLUTION NO 5371 adopting the Annual Budget in the amount of \$931,336,929; setting forth the receipts and expenditures; and the amounts proposed to be raised by direct property taxation for the various purposes for Fiscal Year (FY) 2020-21, and adopting the 2021-2030 Capital Improvement Program (CIP) in the amount of \$1,164,226,378, as presented or amended after the close of the public hearing.

#### ACTION AGENDA - DISCUSSION

MAYOR HARTKE introduced the Action Item.

COUNCILMEMBER ROE thanked staff for their work on the budget. Councilmember Roe said they have talked about having a conservative budget. Currently Los Angeles County has 58,000 homeless people and it could be expected in the future that some of those people would be coming here. There are millions of people that are unemployed due to COVID-19. Hopefully the economy recovers quickly and those people get their jobs back. Millions of people are expected

to be out of work if they are displaced by technology and that is happening now as people are fighting for higher minimum wages. Currently we are over \$22 trillion in debt and it is an unfathomable number. The Federal Reserve and federal government has printed money for COVID-19. It is our responsibly and our money and it is wrecking the wealth of this country. Wall Street and Main Street do not have to line up anymore as the Federal Reserve is buying some of those positions and maintain the stock market. People are buying stocks irrationally. Hertz is out of business and bankrupt and people are spending millions to buy their stock. Time and time again the federal government has shown that it has lost its way. It cannot manage our money. Councilmember Roe said he does not remember a time when any municipality has sent a resolution telling the federal government to get their act together. We have a conservative budget, but we cannot insulate ourselves from what is happening in the world. Councilmember Roe said he came to City Council and in 2010 because of this. Councilmember Roe said he is proud of what Chandler does with the finances and believed they need to look further down the road. Councilmember Roe said he believes that really hard times are out there for the future for the Country and community. If we do not correct our finances then we are in trouble.

COUNCILMEMBER McCLYMONDS said they deliver some of the lowest cost services in the Valley and they are able to do that because we have the best staff. We run a lean City with 6.4 employees per 1,000 population. This budget does that and it includes merit because it is important to take care of staff during this crisis. This is a City known for its fiscal responsibility and the tax rate has been lowered again. We have made cuts where we could and the budget is flexible as staff will be looking at ways to keep expenditures to a minimum each month. Quarterly the budget will be coming back to Council to monitor. Councilmember McClymonds said he trusts City staff and Council to make those critical decisions. This budget allows for us to thrive or survive whatever the COVID-19 crisis throws at us. Councilmember McClymonds said he supports the budget.

COUNCILMEMBER STEWART said he agreed with Councilmember Roe and there are somethings at the federal level that are shocking. It is unfortunate. Councilmember Stewart said they have lost their way, but is grateful that Chandler has not. Councilmember Stewart said he appreciates the Management Services Director's briefings. This was taken seriously. Looking at what is happening globally and what has happened locally, we were ready for this storm. The fiscal responsibility and prudence that has been maintained in Chandler would save jobs, allow kids go to school, help us recover faster, provide stability in the marketplace to attract businesses and grow, and maintain public safety. Councilmember Stewart said he had voted no on the budget a few weeks ago because he did not have the data. Recently, Councilmember Stewart was briefed on revenues from the State and it is not nearly as dire as expected. Councilmember Stewart said they were projecting at \$10.5 million decrease for the fourth quarter of 2020, but they are coming in at a \$3.8 million with two of three months in. Things are starting to tick back up. This was a crisis that severely hit high school and under high school educated employees and it is devastating. In Chandler because of the type of community it did not impact us as much. Expenses were stripped in the fourth quarter. The hotel room rental rates are up and the economy is picking up again. Councilmember Stewart said he would be voting yes because of the

data and conversations from staff and believes this is a beacon of how healthy the community is. This recovery would start on Main Street and Chandler would continue to be fiscally prudent.

COUNCILMEMBER ORLANDO said he understood the frustrations happening here. Councilmember Orlando said he has been on Council on and off since the 1990's and has done 19 budgets. Councilmember Orlando said he weathered the 2008,2009, and 2010 which was the worst recession since the 1930's. Councilmember Orlando said he implemented a lot of the policies that we are talking about today. Councilmember Orlando said he has a much more positive outlook on this budget, and the American will to succeed and with a positive attitude we will get through this stronger and better. What happens with the federal government is not something he can control, but he can control this. This budget is for the 265,000 residents for this City and the 1700 employees. This is what Councilmember Orlando said he can control and this budget is one of the best budgets we have had in a long time. This budget allows us to be flexible, has CIP programs which believes this would be the key, and is optimistic. Councilmember Orlando said he supports this budget.

#### ACTION AGENDA – MOTION AND VOTE

COUNCILMEMBER ROE MOVED TO APPROVE THE ACTION AGENDA ITEM NO.1 OF THE JUNE 11, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION TO APPROVE ACTION AGENDA ITEM NO. 1 CARRIED UNANIMOUSLY (7-0).

#### BRIEFING ITEM

2. Briefing by the Police Chief Sean Duggan regarding City of Chandler community policing and public safety response.

MAYOR HARTKE introduced the briefing item.

SEAN DUGGAN, Police Chief, said it has been a busy and challenging couple of weeks. Following the horrific and tragic death of George Floyd on May 25 while in Police custody, Chief Duggan shared his thoughts with the entire organization. Chief Duggan said he talked about how the Department values the sanctity of all life. Chief Duggan said he talked about their training and tactics, and their success over the years had been predicated from the level of trust, support, and respect that we have earned from the community. Chief Duggan said each staff member are key components to earning trust in the community. The community relies on them every day to keep them safe.

CHIEF DUGGAN said on Friday May 29 after watching some communities across the country ignite in protest in violence including right here in the Valley, they placed personnel on call for the weekend so they would be prepared to respond to an emergency if need be. On Saturday

evening May 30, Scottsdale put out an emergency call for assistance because they were experiencing looting and rioting in their downtown area. The Chandler Police Department sent over 40 officers from the SWAT team and patrol to assist the Scottsdale Police. They returned safely to the City just after 5 a.m. the next morning. Additional personnel were sent to secure our own mall not knowing the intentions of the looters and where they may strike next. On Sunday afternoon for the first time in the history of the Chandler Police Department they were fully mobilized with hundreds of officers in uniform on duty standing guard at the mall and other key locations throughout the City. The emergency operations center was activated and they coordinated with the Fire Department and worked with other local federal and state law enforcement partners to ensure Chandler was prepared to provide or request assistance.

CHIEF DUGGAN said later that day the Governor issued a State of Emergency mobilizing the National Guard and implementing a curfew from 8 p.m. to 5 a.m. That evening they received the National Guard units, who for the proceeding nine nights worked alongside our officers helping to keep the City safe. This is the first time in 34 years of policing Chief Duggan has seen the National Guard mobilize in the community. Chief Duggan thanked the Guards who worked alongside the officers. From June 1 through June 9, they continued the enhanced presence at the mall and managed four protests in the downtown area as well as other smaller protests throughout the City. Chief Duggan said they were committed to ensuring people could safely practice their constitutional right. During the course of the week, Chief Duggan was able to meet with many of the protesters outside of the main station and expressed how proud he was of them for peacefully exercising their right to protest. Chief Duggan said their voices were being heard and the police were there to keep them safe.

CHIEF DUGGAN said overall it was a very positive and respectful event. Once the group influencers would talk with them, Chief Duggan and a few officers walked with them and they had opportunities to engage in meaningful conversation and listen to the concerns of the demonstrators many of whom attended or were attending Chandler High School. Chief Duggan said they heard a lot of support for the Police Department. Chief Duggan said over the course of the 11-day deployment no arrests were made in connection with protests or demonstrations. Chief Duggan said he was proud how the community came together and how so many took to the street to have their voices heard in a peaceful way. Chief Duggan said he was proud of the Police Department and their actions have made an impression inside and outside the community. From the initial response and navigating protests, they have provided endless reasons for Chandler to be proud of their Police.

CHIEF DUGGAN said the national crisis has highlighted a number of issues and concerns. We must continue the dialogue and ensure people are heard and seek out ways to do things better. We must continue to treat people with dignity and respect. There has been a lot of talk recently about reform. Chandler Police Department has been in a constant state of reform for many years. We continue to seek ways to update and improve procedures based on evidence-based practices. For example following the riots in Ferguson in 2014, President Obama created a task force to identify best policing practices. In 2015, the President's Task Force on 21<sup>st</sup> Century Policing Final Report was released. Chandler reviewed the recommendations to see where

improvements could be made to help strengthen our partnership and trust within the community and hold ourselves to the highest standards. A vast majority of the recommendations were already practiced in the Chandler Police Department for many years.

CHIEF DUGGAN said they were committed to implementing other practices to enhance the community such as revising the use of force policy and added de-escalation and the duty to render aide. If there is a violent confrontation even if the person was assaulting the officer, once the confrontation is over the officer have a duty to transition and render aide. Chief Duggan said they added the duty to intervene so that if any officer is on scene and observes outside of policy or law they have an obligation and take corrective action. A life statement was added to the policy stating that they recognize the value and sanctity of all human life.

CHIEF DUGGAN said they have also trained 33% of the Department on crisis intervention. The policies and procedures were posted online for the public to view to promote transparency and understanding. Chief Duggan said they joined the Police Open Data Initiative where they post use of force statistics, arrests, and calls for service on the website. Another recommendation was to embrace the Department's history. Chief Duggan said they developed a curriculum for newly hired officers examining the history of the Police Department, specifically lessons learned from the 1997 immigration roundup and the impact it had on community trust. The overwhelming majority of officers today were not present in 1997, but the overwhelming majority of families are still here. We want to make sure that our officers have an understanding of the history.

CHIEF DUGGAN said we were already practicing many of the recommendations including the implementation of a civilian review committee. This panel has been in place for the last 20 years and those members are appointed by the Mayor and approved by Council. Chief Duggan said in 2016 they were invited to go to the White House as an example of a model agency where representatives then spoke on how we reviewed and implemented many of the task force recommendations. In 2018, policy was added that anytime an officer points their gun at another person it is documented. This year the body worn camera program was expanded. In addition, they are an accredited agency since 1996 and we were the first Department in Arizona to receive the Gold Standard Accreditation with Excellence. Chief Duggan said they are assessed every three years to ensure the standards are followed. This is to ensure that we hold each other accountable.

CHIEF DUGGAN said over the last six years, there have been officers who have made mistakes and many were correctable through training and coaching. Some of those mistakes were not and they have issued termination proceedings on 16 officers including supervisors over the last six years. The majority of complaints are from within the organization. Last year, they conducted 32 internal investigations on the employees. Of those, five were complaints generated from citizens and 27 complaints were generated internally by employees. Employees holding each other accountable is the culture of the Chandler Police Department. We are deeply committed to serve the community at a fair, just, and equitable manner and have spent decades earning the community's support. Despite all of the challenges this year, they are only half way through the year. There has been the COVID-19 pandemic, three officers shot, 10 other officers shot at, and

now the recent crisis. Regardless of everything happening, you will see Chandler Police embedded everywhere in this community working alongside all residents and working to keep the community safe.

MAYOR HARTKE said he and Council have answered well over 300 emails related to police use of force and is proud of the Chandler Police Department. Mayor Hartke has been asked multiple times the defund police question and believes there is merit to address the issues being asked to be addressed such as mental health or economic opportunity. Mayor Hartke said we run a lean police force and is extremely proud. There are areas to grow because we are all part of this human experience, but we have the relationships and accountability to address ongoing issues. Mayor Hartke said some issues are being addressed with COVID-19 funds and an ongoing effort to address other issues to ensure that community services are out there to address community needs. Mayor Hartke said he is completely supportive and proud of the Police Department.

COUNCILMEMBER ROE thanked the Chief and officers that are out there working 24 hours a day and said the same for the Fire Department. This year has been an incredible year and they have done a great job.

COUNCILMEMBER ORLANDO said he was in the military, they do not brag about the job and just get the job done and that is what he is hearing tonight. Councilmember Orlando said conversations over the last few weeks have been broad brushing all police activities. However, really they do the job, ensure they are trained properly, and have the right policy and procedures. Councilmember Orlando asked the officers if they are tagging each other out to take a break or there is an issue with an officer. Councilmember Orlando said the officers said yes they do that because they are trained to do that and are chastised if they do not. Councilmember Orlando said he was here during the time of the round up and it was a huge black mark on Chandler's history. Councilmember Orlando said he sat in this seat and felt terrible. They were arresting citizens of the United States because their color was different. Councilmember Orlando said they did a report of what went right and what went wrong. There was a lot that went wrong. The Police Chief then took that report and subsequent reports after and made it into a culture. Councilmember Orlando thanked them for all they do.

COUNCILMEMBER ORLANDO said hopefully the citizens are receiving a lot of good education about the Police Department and that it should not be broad brushed. Councilmember Orlando said he had some concerns about the SRO's and asked for more information.

CHIEF DUGGAN said they are Chandler Police officers and they reflect the same education, training, and accountability. They have a higher level because they are dealing with the youth. Chief Duggan said they have a great partnership with the school district and would not be there unless they were invited to be there. Chief Duggan said having kids who have gone through the school system said the SRO's have the opportunity to model that level of professionalism and that compassion and empathy. Chief Duggan said they are onsite if they need to respond to some type of emergency, but they wear many hats. They are coaches and chair clubs, they are part of the institution of the school and model what it is like to be a good civic citizen. Any

opportunity to have dialogue with an officer where it is just communication and is not a threat, it is something that is every important.

COUNCILMEMBER ORLANDO said if that SRO was not fulfilling that high standard would that officer be replaced.

CHIEF DUGGAN said without a doubt and it has happened in prior times.

COUNCILMEMBER HUANG said he heard Chief Duggan was the Chief of the Year. Over the past few weeks there have been terrible things that have happened, but they have also see the police with peaceful protestors. Councilmember Huang said he was worried about what would happen in Chandler, but had confidence everything would be ok. Councilmember Huang said the Police Department has done a great job and was impressed by what Chief Duggan had said. Councilmember Huang said the death of George Floyd was horrible, but that could have been prevented if any of those officers had intervened. Councilmember Huang said when Chief Duggan talked about the intervention policy, he was very grateful. Having the spirit of reform is important and that is something they want to continue and thanked them for what they do.

COUNCILMEMBER McCLYMONDS said Chandler has the best Police Department in Arizona and said it is important to use these events to learn and grow and if we do not it is a wasted opportunity. Councilmember McClymonds said Police Departments across the country are run differently. Councilmember McClymonds said he did not know what nuances or areas of change are because we do have a special Police Department. Councilmember McClymonds asked what the citizens' panel's name was.

CHIEF DUGGAN said Citizens' Panel for Review of Police Complaints and Use of Force.

COUNCILMEMBER McCLYMONDS asked how many other boards exist like that in Arizona.

CHIEF DUGGAN said he was not aware of any board that exists like ours but expected to see more.

COUNCILMEMBER McCLYMONDS said it is special and thanked them for their service.

COUNCILMEMBER STEWART thanked Chief Duggan for the list he went through. Many people were asking what was going to happen in Chandler when the riots were happening in Scottsdale. Councilmember Stewart said he was confident the Police would protect the community. Councilmember Stewart said he was confident and they have a culture of accountability and this shows through the things that we have done. There are a lot of discussions that need to happen and feels confident in the Police Department.



DISCUSSION ITEM

3. Discussion and direction to preserve the City Council's policy making authority to open and close City facilities, while directing the City Manager to implement remaining portions of the return to work plan consistent with state and federal guidelines. (Councilmember Stewart)

MAYOR HARTKE introduced the discussion item. Mayor Hartke said they have made some policy decisions through the pandemic. In March, they closed some City facilities to help slow the spread of COVID-19. In April, Council reviewed the City's return to service plans, gave direction to the City Manager, and opened certain parks and recreation amenities. The first two phases of the plan have been implemented and have followed state and federal guidelines in the process. Mayor Hartke said they would have more decisions to come regarding the Chandler Center for the Arts and the Senior Center. Mayor Hartke said they have made the decision to open the fields and when the State issued guidance to resume youth sports, another work session was held. Mayor Hartke said once Council has made decisions they want to give staff direction so they could be nimble with a response.

COUNCILMEMBER STEWART asked for a staff briefing regarding COVID-19 and opening. The City had put together a really good return to service plan back in April. Councilmember Stewart said they need to act nimbly and said if things get worse then the City Manager should be able to implement changes. Councilmember Stewart said things have changed rapidly over the last five days and asked for a staff presentation.

TOM DWIGGINS, Fire Chief, said things have changed. Maricopa Public Health had a press conference yesterday and said 27% of all COVID-19 cases in Maricopa County have occurred in the last seven days. There has been a dramatic spike in the numbers. At the National level, they have stabilized and they have seen the weekly averages come down. From the State and Counties perspective the Chandler zip codes have seen increases over the last two weeks. Two weeks ago we saw an increase of 30% and we are on track for 27% this week. There is a lot of information and people that think the increases are due to the testing. Chief Dwiggins said they did look at the testing. The week of May 10, there were 45,249 PCR tests and a positive rate of 5%. The week of May 24 there were 42,649 PCR tests and went to 9%. Last week we had 43,764 PCR tests and are at 12% and right now, we are tracking at 13%. We have increased testing and the blitz testing has been extended. However, we have seen a stable amount of test numbers, but our numbers are increasing. Specifically to Chandler, 85224 was the zip code where they were seeing the most cases. As of this morning at 9 a.m. there are 254 cases in 85224, 85225 has been the most rapidly growing at 304. The rest of the zip codes have been relatively stable. Chief Dwiggins said on the national and local news we have seen a dramatic increase in numbers of the last few weeks.

COUNCILMEMBER STEWART said we are seeing numbers and percentages increase. Councilmember Stewart said he worried about being closed for a long time for all the things happening behind the scenes such as mental health and crime. Councilmember Stewart said

they wanted to find a balance between going back to work and being safe. People have gone back to work and out to eat and we are now seeing a spike in the number of cases. Councilmember Stewart said it is important for us to have a conversation about this. We have a duty to be as responsible as we can on this day.

MAYOR HARTKE asked what Chief Dwiggins has been hearing from the hospitals.

CHIEF DWIGGINS said they have been focused on the hospital infrastructure as that is the goal for flattening the curve. Chief Dwiggins said he had conversations today with all three hospitals. At Chandler Regional, they do a census count every night at midnight. Last night they did a count of their licensed beds within the hospital and they were at full capacity, 18% capacity was available in the ICU. Gilbert had 5% capacity left of licensed beds within the hospital and 33% capacity in the ICU. Banner Desert had 15% overall and 25% capacity in the ICU. Chief Dwiggins said they split the ICU for COVID-19 and non-COVID-19. Within the COVID-19 ICU, they have 25%. It is important to know that although they are at capacity or little capacity that this is the normal operations the hospitals run at. Chief Dwiggins asked if it was COVID-19 numbers, they are seeing in the hospital and he said they have COVID-19 patients, but these are very sick people. That would have an impact on the health care infrastructure as they see the numbers rise. Chief Dwiggins asked if they would be enacting their emergency operations and they were content where they were. They do have procedures in house where they could create more bed space but were not doing that at this moment.

MAYOR HARTKE said there was conversation about enacting St. Luke's.

CHIEF DWIGGINS said that conversation is taking place and are looking at the ramp up time to take a couple of days so they are ready.

COUNCILMEMBER ROE said this could be a complex discussion and it is more than just cases and how many end up in critical or dying. Councilmember Roe asked how much better the treatments are. Hospitals are trying to stay in business and they like to keep the rooms full.

CHIEF DWIGGINS said it is complex. Treatment modalities to vulnerable populations there are so many aspects to where we are at as a community. The Medical Director for AZDHS said we have sustained widespread and would continue and did not see it stopping. Chief Dwiggins said it is an issue of how they would live through this and what is the comfort level.

COUNCILMEMBER ROE said there is a range how many people end up critical and if they have it do they show signs. It is a serious thing, but it is complex.

COUNCILMEMBER McCLYMONDS said 27% of all cases have occurred in the last week.

CHIEF DWIGGINS said that was correct.

COUNCILMEMBER McCLYMONDS asked if the same percentage has jumped for hospitalizations.

CHIEF DWIGGINS said they have seen an increase, but there are still sick people with cardiac events. There was discussion because people were scared to go to the hospital for fear of being infected so they stayed home. This exacerbates underlying conditions and now they are showing up very sick. There is a graph that the Governor uses where they show the percentage of COVID-19 cases in the hospital versus non COVID-19 and the non-COVID-19 is the majority of what they are seeing.

COUNCILMEMBER STEWART said he would like the City Manager to move quickly as it relates to the Governor's direction. Councilmember Stewart said they were forced to shut down and then there were other things to open and close on our own. Councilmember Stewart said he would like the City to use the State data to allow the City Manager to move quicker. This even means for opening as well.

MAYOR HARTKE said there were only two things left to open and would see if there was to be direction going the other way. Mayor Hartke confirmed Councilmember Stewart would like to see more alignment with the Governor and not lag in either direction.

COUNCILMEMBER STEWART said yes.

COUNCILMEMBER McCLYMONDS said they were as nimble as they could get and trusted the City Manager to make decisions. However, this would be a blanket statement for the unknown and was not sure what was next.

MAYOR HARTKE said the City Manager would align with the Governor.

COUNCILMEMBER McCLYMONDS said there was not much left to open and he would get on board with Councilmember Stewart.

COUNCILMEMBER STEWART said the fact that we had to wait five days to open something the Governor said could be open was concerning to him.

MAYOR HARTKE said the Governor said they could open up not that they had to open up.

MARSHA REED, City Manager, said she has had a number of conversations with Councilmember Stewart. Council has full authority to open and close buildings and said once Council has said to open up the Library, she needs some flexibility to address the details. The last two buildings to open would have to come back to Council because that is Council's role, but once it is open then there could be flexibility such as operational or administrative.

COUNCILMEMBER STEWART said yes. Families had to wait because Council had to meet and said they need to be ready to quickly align with the Governor.

COUNCILMEMBER HUANG said he has been a strong proponent to open everything as long as social distancing is practiced. Councilmember Huang said for the past month our situation has

not improved and have become worse. In Arizona, there used to be 200 new cases a day now there are 600, 800, 1,000. Councilmember Huang said he has lost his confidence with the President and the Governor as they are the leaders. Councilmember Huang said if they are not going to do anything differently than he does not intend to open anything further. Councilmember Huang said they need to see the data and they are not improving. Arizona has become worse than the rest of the States. Councilmember Huang said we could only influence one City. It is difficult to say open or not because his stance has been to open but now was not sure. Councilmember Huang said everyday he is worried and does not have that confidence.

COUNCILMEMBER ROE said there is a myriad of opinions and thoughts about COVID-19. Councilmember Roe said he was comfortable with trusting the City Manager to make a decision and believed she would be on the side of caution.

COUNCILMEMBER ORLANDO said he appreciated this being brought forward. Councilmember Orlando said he agreed with Council meetings to open things. Councilmember Orlando said he trusted the Mayor and City Manager if things are going worse and if there is an issue to take drastic measures to begin the due diligence to shut down. It is ok to open something up with a meeting of Council, but if we are going to close something then it needs to be done immediately.

MAYOR HARTKE said there was majority consensus for the City Manager to keep Council informed, but had authority to handle the nuances administratively. If they need to move a different direction then they could. This has been a disheartening week, but they would continue to lead and do what they need to do.

MS. REED said she was comfortable either way and said they would be back when it comes to reopening. Right now, they would continue to watch the numbers and would keep Council updated.

COUNCILMEMBER ORLANDO asked if the EOC was still operational.

MS. REED said the EOC has been up for other reasons in the last few weeks, but it is still staffed minimally for the pandemic.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS

A. Mayor's Announcements

MAYOR HARTKE said over the past week the community has come together to listen and learn from one another in the name of equality. Mayor Hartke said he was appreciative of all who have peacefully protested and thanked the Police Department for all they do to keep the community

safe. Police have been on heightened awareness and Council has been concerned of someone hijacking what would have been a peaceful demonstration. Mayor Hartke said they would continue to have meaningful conversations to ensure Chandler continues to be a community of equal opportunity and equity.

MAYOR HARTKE wished happy birthday to Vice Mayor Lopez and Cori Garcia.

MAYOR HARTKE said June 23 to July 10 would be the Chandler Virtual Hiring Event. Where people could engage with recruiters and engage with Chandler's top employers. Participants would benefit from instant access. They currently are looking to fill 500 jobs and a career coach would match them to employers.

#### B. Councilmember's Announcements

COUNCILMEMBER STEWART said he trusts the Council, the Police Department, and said people can trust him to do everything he could to honor the people in the community and do the right thing.


COUNCILMEMBER HUANG said a mask should have three layers. A waterproof layer should be on the outside. In the middle is a special fabric that cannot be burned and the inside would absorb the moisture. The COVID-19 virus is very small and would recommend using a medical mask if possible.

#### C. City Manager's Announcements

MS. REED thanked the Council for all of the support they have given staff as it has been an interesting start to 2020 and hopefully the rest of the year would be much better.

ADJOURNMENT: The Special Meeting was adjourned at approximately 8:08 p.m.

ATTEST:   
City Clerk

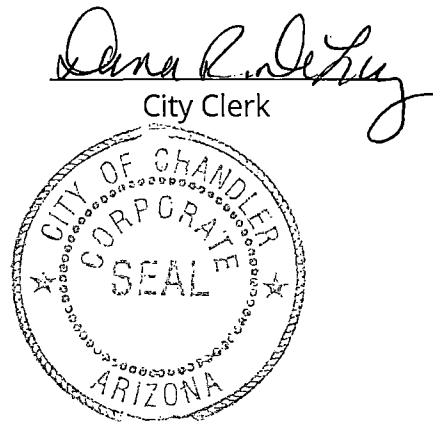
  
Mayor

Approval Date of Minutes: June 25, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 11th day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 25 day of June, 2020.





## CHANDLER CITY COUNCIL

### SPECIAL MEETING – WORK SESSION MINUTES

Monday, June 11, 2020

MINUTES OF THE SPECIAL MEETING – WORK SESSION OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, June 11, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:45 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
*René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Vice Mayor Lopez attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Micah Miranda, Economic Development Director; Matt Burdick, Communications and Public Affairs Director; Dawn Lang, Management Services Director; Kim Moyers, Cultural Development Director; Ryan Peters, Governmental Relations and Policy Manager; Rae Lynn Nielsen, Human Resources Director; Sandip Dholakia, Chief Information Officer; Leah Powell, Neighborhood Resources Manager; David Fuller, Presiding City Magistrate.

1. Discussion regarding CARES Act funding and economic development activities relating to COVID19 impacts.

MAYOR HARTKE introduced the item to be discussed and asked for a staff presentation.

MARSHA REED, City Manager, said they wanted to begin discussion with Council regarding the CARES Act funding and gave an outline for the meeting presentations. Ms. Reed said she hoped by the end of the meeting Council would be able to give staff direction.

MICAH MIRANDA, Economic Development Director, presented the following Power Point presentation.

- How the City has Assisted Businesses During COVID-19
  - Chandler Police Business Watch Program
  - No utility service disconnects
  - 30-minutes Downtown parking
  - Designation of Dr. AJ Chandler Park as Public Recreation Area (Dine in the Park)
  - Liquor License renewal fees reduced; deadline extended (438 businesses assisted)
- How the City has Assisted Businesses During COVID-19
  - Scammer awareness
  - Mental health resource support
  - Business outreach calls, 400 unique
  - Outreach calls with 28 landlords and developers
  - Coordinating with partners to avoid duplication of efforts
- How the City has Assisted Businesses During COVID-19
  - Temporary relaxation of sign code rules
  - Development Services – permit extensions (June 25 Agenda)
  - New Online Appointment Scheduling Tool
  - Chandler IDA Collateral Assistance Program, no applicants
  - I Choose Chandler: making campaign, business webmap, and IDA PPE Grant Program
- Video – iChooseChandler
- IDA PPE Grant Program
  - \$200,000 in Chandler IDA funding
  - Administered without a fee by the City of Chandler
  - Individual grants between \$100 and \$500
  - Covers purchases of items to protect against COVID-19
  - Small businesses submit expenses for reimbursement

COUNCILMEMBER ORLANDO asked when the program would start, more details on the reimbursement, and how would people be notified.

MR. MIRANDA said once they receive guidance from Council staff would begin marketing the program. Management Services and Economic Development staff have put together standard operating procedures for the marketing and administering of funds. The minimum is \$100 and they could collect up to \$500 in receipts as one package and the City would work to reimburse them in 10 business days.

MAYOR HARTKE said this program would help between 400 to 2000 individuals and asked if that would be on a first come first served basis.

MR. MIRANDA said that was correct. If every grant was \$500 reimbursement then it would be capped at 400.



COUNCILMEMBER ROE asked for examples of what could be reimbursed. If restaurant owners had to print menus on paper to comply with guidelines would that be something they could submit receipts for.

MR. MIRANDA said yes. Disposable menus, face masks, cleaning materials, partitions, anything that has been said by government agencies to help stop the spread of COVID-19 is reimbursable opportunities.

MS. REED asked what the comfort level of Council was to move this program forward.

COUNCILMEMBER STEWART said he was okay with it and said it would be used to support expenses that were extenuating, it makes sense. Councilmember Stewart said they hoped it would be more, but perhaps that is something that could be done in the future.

COUNCILMEMBER McCLYMONDS said he was okay with it as well. When they had sent the letter to the Governor, they had stated that they could care for the safety of citizens and have businesses open. This program is in-line with the safety aspect as COVID-19 is still very real.

COUNCILMEMBER HUANG said this is a very small amount of money. To process those applications would take some workforce and asked if it was worth it and asked if the business owners really need that money.

MR. MIRANDA said that is true, they have requested a modest amount from the IDA. They do not have a huge pool of money, but they do feel it is beneficial and could help with cash flow for smaller businesses. Mr. Miranda said they are comfortable with staffing as well and they believe the process is streamlined.

COUNCILMEMBER HUANG said this should be limited to small businesses as there may be large businesses that also apply.

MR. MIRANDA said one of the program requirements is that they have to have less than 100 employees across Chandler. This is targeting small businesses.

MAYOR HARTKE asked Councilmember Huang if he was in support of the program.

COUNCILMEMBER HUANG said yes.

COUNCILMEMBER ROE said it is not a great deal of money, but it is something. The benefit is for the general public and if a business owner has to put extra measures in place it protects the citizens. Councilmember Roe said he supported it.

COUNCILMEMBER ORLANDO said it seems equitable. This may be strain on staff as they normally do not do this, but they can see how it goes. Councilmember Orlando said he wanted to ensure it was fair and did not have the appearance of political favors which is his concern

regarding these types of programs. Councilmember Orlando said he was in favor of this program and it is an issue businesses are having regarding the cleaning supplies.

VICE MAYOR LOPEZ said he thought it was a good opportunity to help and was in support.

MAYOR HARTKE said he was in support and is a good use of funds. Mayor Hartke said this would be a broad program and it would be up to the people to apply.

COUNCILMEMBER ROE asked if nonprofits would be included.

MR. MIRANDA said the way it is structured right now is for private for profit businesses only. That is where they are seeing substantial challenges in getting cleaning supplies and necessary PPE so that is why it was structured that way.

COUNCILMEMBER ORLANDO asked if this is only for Chandler owned businesses.

MR. MIRANDA said it was just for locations in Chandler and if there were other locations outside of Chandler, they would not be eligible.

MS. REED continued the Power Point presentation.

- Federal Funding History
  - CARES Act passed on March 27<sup>th</sup>
  - \$746 billion allocated for small businesses through CARES Act, and Paycheck Protection Program (PPP) and Health Care Enhancement (HCE) Act
  - AZ businesses received 74,409 loans totaling \$8.4 billion

MAYOR HARTKE asked if there was a deadline people could apply for funds or is it until they are gone.

MR. MIRANDA said the funding is available through June 30.

MAYOR HARTKE asked if people can apply by that date or if it has to be done by that date.

MR. MIRANDA said they are looking to fund by that date so they should work on getting their applications in now.

MS. REED continued the presentation.

- Federal Funding History
  - CARES Act also allocated \$150 billion for State and local governments over 500,000 population for expenditures incurred due to COVID-19
  - Phoenix, Mesa, and Tucson, Maricopa and Pima counties, and State of Arizona received direct funding

- Treasury guidance for federal funding requirements updated frequently
- Direct Federal Funding Recipients

MAYOR HARTKE asked if the grants to business would come out of the community investment businesses.

MS. REED said yes.

COUNCILMEMBER ORLANDO said this gives a good baseline. Councilmember Orlando asked what the parameters were.

MS. REED asked if Councilmember Orlando was referring to AZ CARES dollars or federal dollars.

COUNCILMEMBER ORLANDO said the dollars that went directly to cities.

MS. REED said the dollars that went directly to cities had to meet the federal guidelines, which was generally any expenditures related to COVID-19. Ms. Reed said she would be able to share a further breakdown of each City.

COUNCILMEMBER ORLANDO said each City is doing something different, but the reserves are interesting between Tucson and Phoenix. Councilmember Orlando asked what they were looking for and asked if that was to supplement budgets down the road or is it there for future allocation.

MS. REED said she has not looked specifically at Tucson, but did look at Phoenix. Ms. Reed said Phoenix did reserve a lot for the future in case there was a need to supplement the budget in the event of economic downturn or if there was another shut down. Ms. Reed said they saved almost half and these reserves would help fill the gaps as needed in those areas.

COUNCILMEMBER ORLANDO asked if they were leveraging their IDA as well.

MS. REED said yes.

MAYOR HARTKE asked if there was a timeline for these Cities. Mayor Hartke asked if they had to spend the money down or could they continue the reserves into the 21/22 budget.

MS. REED said she was not aware of any guidelines regarding that.

MS. REED continued the presentation.

- State Funding History
  - State of Arizona received \$1.86 billion in CARES Act funds
  - On May 27<sup>th</sup>, State announced \$441 million for municipalities that did not receive direct allocation

- Chandler's allocation: \$29,983,456

COUNCILMEMBER ORLANDO asked if the money given to the County would eventually be shared with the Cities as well.

MS. REED said there has been a lot of discussion with Maricopa County. Ms. Reed said she sent an email to the Maricopa County Manager for her thoughts on this. They have a huge amount of costs because they have a county health department. The other day they did discuss sharing dollars with businesses, but they did not outline what it would look like. Ms. Reed said she has not heard of any direct allocation to cities.

COUNCILMEMBER ORLANDO asked if they are required to share with other entities.

MS. REED said no, they are not required to and neither was the State.

MAYOR HARTKE said he has had multiple conversations and there was nothing coming to the City. Mayor Hartke said there was a collaboration for funds for those experiencing homelessness that would be coming from the County. Mayor Hartke said they have committed themselves to looking at health and vulnerable populations. Mayor Hartke said they would also be engaged in contact tracing, which would enter in Chandler. Mayor Hartke said money would be entered into Chandler through those programs, but the City would not administer the funds.

COUNCILMEMBER ORLANDO said they are taking a regional approach and he agreed with that.

MS. REED continued the presentation.

- AZ CARES Requirements
  - Per Treasury and State guidance, funding for public safety payroll expenses from March 1, 2020 – December 30, 2020
  - Releases funds to municipalities quickly
  - Provides flexibility with municipal General funds
  - May be subject to single audit and sub-recipient monitoring provisions
- City Budget Implications
  - Funds to be received through the reimbursement of public safety payroll expenses
  - Replaces General Fund expenditures, thereby freeing up General Fund dollars
  - \$29,983,456 of appropriation was added to Contingency in FY 2020-21 Budget
  - Requires Council approval to spend from Contingency
- Challenges with using General Fund Dollars
  - Arizona Constitution – Gift Clause
  - State laws – procurement regulations
  - Guidance from U.S. Department of the Treasury continues to change

COUNCILMEMBER ORLANDO asked if the \$200,000 is under the gift clause and that is because it is under the IDA fund. Councilmember Orlando asked for clarification.

MS. REED said that was correct. Those funds were from the interest of the IDA bonds and these dollars are from the general fund and that is the issue.

COUNCILMEMBER ORLANDO said if something was done similar to this to give small grants for health and safety, would that be a gift.

KELLY SCHWAB, City Attorney, said they are still bound by the constitutional requirements for the gift clause. The court cases that have interpreted the gift clause have strictly interpreted it and have heightened the regulations. There has to be a direct benefit and a lot of hoops to be able to provide general funds to the community like that.

COUNCILMEMBER ORLANDO asked even if it is for the health and safety of individuals.

MS. SCHWAB said the Supreme Court of Arizona specifically said that indirect benefit such as general health and safety is insufficient to overcome the gift clause.

COUNCILMEMBER STEWART said in the direct federal funding recipients there was a breakdown of community investment to businesses and continuing services. Councilmember Stewart said it sounds like funds were issued directly to businesses and asked if that was the case.

MS. REED said those came like a grant from the federal government and was not tied to the public safety piece from the Governor that would free up general fund dollars. Ms. Reed said it came as a grant and the only requirements were from the federal government.

COUNCILMEMBER STEWART asked for examples of what Mesa has done with those funds. Councilmember Stewart asked if they are at a competitive disadvantage being in a smaller City now.

MS. REED said she had a detailed breakout of what Mesa is looking at doing. Ms. Reed said she could read it or provide a copy.

COUNCILMEMBER STEWART said he would like to hear it. Councilmember Stewart said the community needs to recover, but it seems like we are tied to what they can do. Councilmember Stewart said they were given the funds and then had to allocate them in a quick turn-around. Now it seems that funds could not be used where they were intended to go, which was to stimulate the economy through the businesses.

MS. REED said she would be talking later in the presentation about some ideas where they could get around the gift clause. Ms. Reed said she would be able to talk about what Mesa has done.

COUNCILMEMBER STEWART said that would be great.

MS. REED said they received \$90 million in direct allocation. The Mesa CARES outreach is \$150,000 food distribution, \$10 million utility assistance, \$1 million homeless assistance, \$500,000 small business assistance; \$20 million broke down to \$1.5 million for tech assistance, \$250,000 for local marketing, \$181,000 for tourism marketing including a \$150 voucher for people who book a two night hotel stay, \$500,000 into community health, and everything else went into City needed expenses. Ms. Reed said she would be able to provide their full breakdown.

MAYOR HARTKE said yes, they would like to be able to read that and would like Phoenix and Tucson's.

MS. REED said she had all three.

COUNCILMEMBER STEWART asked if Chandler could do the same thing.

MS. SCHWAB said because of the way funds were distributed to Cities that were smaller than 500,000 in population they have replaced general funds. Ms. Schwab said they have the same restraints as general funds. Mesa, Phoenix, and Tucson do not have those same restraints because the funds were directly from the federal government and those restrictions do not include the gift clause.

COUNCILMEMBER STEWART asked what could be done to change the policy and if it was too late.

MS. SCHWAB said it is the Arizona Constitution and they could go into greater discussion in an appropriate forum.

MAYOR HARTKE said he looked forward to an executive session where legal counsel could provide guidance. Mayor Hartke said it is not a question of asking the Governor how to distribute the money in a different fashion because he is bound by the same constitution. Mayor Hartke said the funds have supplemented the police and fire salaries to then free up other general fund dollars. Mayor Hartke said they did not have other options where they would have additional freedoms.

MS. REED said that was correct.

COUNCILMEMBER ORLANDO said we were recommended to put this into the budget and asked if it would make a difference if it were kept separately. Councilmember Orlando asked if there would be a difference if they had done that.

MS. REED said no, it would not have. She said that the night that question was asked she said she thought they would be able to, but found the following Monday it would be restricted to general fund restrictions. Ms. Reed said information changed over the weekend and Chandler is in the same situation and all the other cities who received funds from the State. The League of Arizona Cities and Towns is very involved because it was thought they would be able to use the funds the

same way as cities who received direct funds. Ms. Reed said legally they would not be able to do that, but did have some ideas of how they could be used.

MS. REED continued the presentation.

- Seeking Resolution
  - Staff team has been assembled to work on this issue
  - Draft business needs survey has been created
  - Working with the League of Arizona Cities and Towns to clarify allowable uses of General Fund and AZ CARES dollars
  - Attorney General opinion has been requested
  - Researching what other cities are doing
- Funding Opportunities
  - Operational Continuity
  - Capital Investment
  - Vulnerable Populations
  - Financial Reserves
  - Business Assistance
- Operational Continuity
  - Technology enhancements for workforce mobility
  - Technology virtual connectivity and security enhancements
  - Software solutions that foster ease of access to City applications and citizen facing online services
- Capital Investment
  - Technology infrastructure (i.e. Fiber)
  - City Building security enhancements
  - City Facility renovations to improve health and safety of customers and employees
  - Public Safety capital equipment needs
  - Long term Economic Development opportunities

MAYOR HARTKE said one of the items mentioned were barriers and asked if that could come from FEMA or the Governor's \$150 million expenses that are specifically materials and items related to PPE. Mayor Hartke asked if there were other possible buckets to find money to fund some of these.

MS. REED said yes, for a number of those things they would have to seek reimbursement so they would have to expend the cost. Ms. Reed said from those discussions with FEMA they are tightening down the reimbursements, but the City would seek reimbursement through the federal government for anything they expend on the pandemic.

MAYOR HARTKE said the Governor did refer to \$150 million coming from State dollars, but did not know the parameters and was not sure it was a possibility. Mayor Hartke asked if that has been looked into as well.

MS. REED said they continue to explore every avenue to find reimbursement any possible way they could.

COUNCILMEMBER STEWART mentioned the \$10 million on the continuity plan for technology and asked what the number was for the capital investment.

MS. REED said it was summarized, but there are a number of things they have not looked at putting cost to yet and they are still early in the process.

COUNCILMEMBER ORLANDO asked if these projects were in the CIP now.

MS. REED said no, they were not currently in the CIP.

COUNCILMEMBER ORLANDO asked why they would leapfrog the CIP.

MS. REED said there are needs in technology that were in the proposed budget that had to be pulled out in order to meet the economic demands of the pandemic. This is to provide a summary of the needs of the organization if the pandemic continues and having staff work remotely. There have been 700 employees working remotely and these are issues that need to be addressed.

COUNCILMEMBER ORLANDO said the funds had to be used for public safety and then we could use this for other aspects like small business loans.

MS. REED said they are using the public safety salaries to justify the \$29.9 million. Ms. Reed said once the money is moved over it is up to Council to decide how to spend it under the guidance and rules of the general fund.

MS. REED continued the presentation.

- Vulnerable Populations
  - Nonprofit increased service/operational support including PPE
  - Increased homeless navigation, shelter support, and heat relief
  - Case management for housing stability and self-sufficiency
  - Community Outreach Coordinator to connect residents to resources
  - Affordable housing
  - Mental health resources
- Financial Reserves
  - To address unknown future COVID-19 impacts
  - To retain as guidance changes on possible uses
  - For future capital investment

MR. MIRANDA continued the presentation.



- Small Business Assistance
  - Additional business marketing
  - Utility relief grants
  - Job hiring agreements
  - Job training grants

MS. REED continued the presentation.

- Recommendations
  - Issue business needs survey
  - Clarify legal parameters
  - Programmatic evaluation
  - Return to City Council

COUNCILMEMBER ORLANDO asked how long before an answer would be received by the Attorney General.

MS. SCHWAB said they do not have an answer. Ms. Schwab said she has tried to reach out for information, but they are pretty tight lipped right now. Ms. Schwab said it would be hard for them to give direction other than what the courts have given in regards to the gift clause. Ms. Schwab is working with other City Attorneys in the area to work on solutions.

COUNCILMEMBER ORLANDO asked if the gift clause applied to nonprofits.

MS. SCHWAB said it does apply to nonprofits, but there are certain statutory authorities that cover a lot of things such as addressing the needs of the homeless and the public housing authority. Ms. Schwab said in order to meet those needs they utilize outside services because they are authorized to do so. Ms. Schwab said they are able to do that within the confines of the gift clause and statutory authority.

COUNCILMEMBER ORLANDO said he had a concern about leapfrogging the CIP. Councilmember Orlando said they have done their due diligence to put together a 10-year program. There are IT needs in there. Councilmember Orlando said it seems they want to do other things with the money. Councilmember Orlando said he would like to keep some type of reserve and how they could support small businesses is still to be determined. Councilmember Orlando said he would like to focus on vulnerable populations and there is a safety need and to help people until they could go back to work. Councilmember Orlando said he would like to keep a balance that could help the population until the crisis is over. Councilmember Orlando said he would like to really look at for the continuity and what the priorities are.

COUNCILMEMBER ROE said he was concerned that this money came with the idea of helping the community. It would seem like there is a shopping list going on. Councilmember Roe said he supported financial reserves and would like to learn more about the small business assistance. Councilmember Roe said the money came to help the community and that is what he would like.

COUNCILMEMBER HUANG said staff has laid out a good plan. If you want to please everyone then you end up pleasing no one. Councilmember Huang said it is not a large amount of money, but they can certainly do some things. Councilmember Huang said he would like to set the priorities. Councilmember Huang said he believed staff would do a good job.

COUNCILMEMBER McCLYMONDS said he would like to see some set aside for reserves. Councilmember McClymonds asked when we engage with a company to provide a service that benefits the City, that would not be considered a gift.

MS. SCHWAB said in a general sense it is not.

COUNCILMEMBER McCLYMONDS said he would like to engage in a business services with a grant mentality where they could still provide a service to the City that benefits the City at large and try to help the community. Councilmember McClymonds said the Chamber of Commerce does benefit the businesses and if they help the businesses at large would be an option. Councilmember McClymonds said he thought maybe a short-term sales tax holiday. When they work on projects it's typically during the day and suggested paying the premium to work at night if they are in an area that impact businesses in the area. Councilmember McClymonds said if they are engaged in CIP projects then perhaps there is preference given to Chandler based businesses who bid on the projects. Councilmember McClymonds said there are some gift card programs in other cities and maybe they can get creative in the tourism aspect.

MS. REED said they do have a program that benefits Chandler businesses if they submit for procurement bidding.

COUNCILMEMBER McCLYMONDS asked if it could be amplified.

MS. REED said they would take a look at it.

COUNCILMEMBER STEWART said he was not a fan of the reserve idea. Councilmember Stewart said during the economic crisis in 2008 those that saved did not get the economic spoils of government support. Councilmember Stewart said they should spend this money when they get it. If we hold it, we would not be given money when the Governor issues the remaining amount. Councilmember Stewart said there are incredible services in the City and would like to see a program that would allow that group to help support the small and medium businesses. They are connected to the community and the industry. Councilmember Stewart said he is concerned with their speed to market. Councilmember Stewart said they are talking about these different things but Mesa is already off to the races and the money has hit the streets. Now they are at a competitive advantage.

COUNCILMEMBER STEWART said they are spending money that is not real but if they do not spend it, it is a disservice to the community. The money needs to get to market as quickly as possible. Councilmember Stewart said they thought this was going to be a stimulus to the market, but the gift clause has tied their hands and would like to see more work from the League

of Arizona Cities and Towns to see what could be done to get some relief. Councilmember Stewart said he would like more information regarding a tax holiday and what that would look like. If we are at a competitive disadvantage and if we offer a tax holiday people may come to buy things in Chandler instead. If we could keep the money in Chandler that would be preferred.

VICE MAYOR LOPEZ said investing in IT would help us to continue to provide services to our citizens. We have to ensure we need to have the connectivity and there is not a disruption in service. Vice Mayor Lopez said the \$10 million does seem like a large amount and they have to have a balance. Vice Mayor Lopez said it is important to help small businesses as quick as possible. Vice Mayor Lopez said they need to fast track the survey and everything all around to move quickly as possible to get the money out.

MAYOR HARTKE said that because of Chandler's fiscal policies they would weather this better than other cities. Mayor Hartke said he would like to see a significant amount of money be put towards the businesses community, but was unsure what defines a significant amount. At the same time, there have been more questions than answers related to this and would like to see if there is pressure from the League or Attorney General to find solutions to better serve the business community. Mayor Hartke said he wants to ensure they have explored their options and they are not through this yet. Reserves are important because if there is a second round as numbers have spiked. It is prudent to have reserves to be able to support this.

MAYOR HARTKE said staff has received direction from all over the place. Mayor Hartke said he heard some support for the survey and whatever the City is able to do with the Chamber would be unique. Needs have been documented, but how we can meet those needs is what we need to pursue. Mayor Hartke said he would like to get the money out and have some reserves. Mayor Hartke said with the IT options, if there is something that would help the greater business community then that is something they may be able to do. Mayor Hartke said he was not opposed to the options. Mayor Hartke said this is not over. Mayor Hartke asked if this was enough to work with.

MS. REED said everyone thought we would be able to treat the dollars the way the other cities were able to. Ms. Reed said she is supportive of getting the money out to the community. It hit everyone blind that this would be tied to the general fund dollars. Ms. Reed said they would continue to work on the issue and would be able to work on specific program to give Council some options.

COUNCILMEMBER ORLANDO said there is a speed to market here and would like staff to work with the Chamber. They have a lot of data that could save the City some time.


COUNCILMEMBER HUANG said he wanted to focus on specific goals and priorities.

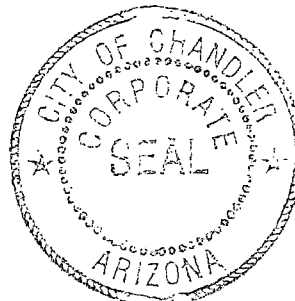
COUNCILMEMBER STEWART said it is about speed to market and would like something back from staff quickly within the next 10 days.

ADJOURNMENT: The Work Session was adjourned at approximately 6:01 p.m.

Approval Date of Minutes: June 25, 2020

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special - Work Session Meeting of the City Council of Chandler, Arizona, held on the 11th day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

  
City Clerk





## CHANDLER CITY COUNCIL

### SPECIAL MEETING

Thursday, June 18, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, June 18, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:00 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Councilmember McClymonds was absent and excused.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager; Tom Dwiggins, Fire Chief; Sean Duggan, Police Chief; Ryan Peters, Governmental Relations and Policy Manager.

1. Discussion and action regarding directives for residents entering City facilities, relating to reducing the spread of COVID-19 including wearing of face masks and social distancing.

MAYOR HARTKE introduced the discussion item and said he was considering issuing a proclamation and would like to have input from the Council. Mayor Hartke said that yesterday the Governor provided local governments the ability to adopt policies regarding wearing masks in public to mitigate the spread of COVID-19. Since that announcement, Council has heard from hundreds of community stakeholders on both sides of the issue. The goal from the beginning has been to protect public health and economic vitality. The number of cases continues to rise dramatically and it is not equal to medical resources. The recent spike is not matched by an equal spike of morbidity. The purpose of the CDC guidelines is to slow the spread of infection. Taking these steps to restore consumer confidence people are more apt to support local businesses and protect their loved ones.

MAYOR HARTKE said he was not interested in layering on top of what the Governor is already doing concerning the latest order. He was not interested in anything that would further shut down the community. Mayor Hartke wanted to ensure the health of the community and ensuring the businesses are able to continue. He has been in communication with multiple East Valley Mayors and would like to stay in line with what the neighboring cities are doing. Many are concerned about what would happen to schools and the schools are governed by their own elected officials, school boards, and Arizona Department of Health. They have their own safety instructions and it is their decision to make not the Council's.

MAYOR HARTKE said the Council does have decisions to make regarding guidelines for City facilities and direction for the general community regarding masks. Mayor Hartke said he would like to work with Council and staff on a proclamation that would be issued tomorrow. This would add on to the previous proclamation and would align the timeline and language with the Governor's executive order and revisit the issue in two weeks. Mayor Hartke called for a staff presentation.

MARSH REED, City Manager, said this is an extremely complicated issue and the health of the community is at the forefront as well as the health of the City employees. Ms. Reed sent an email Tuesday to all City employees requesting they wear masks. Ms. Reed said staff is available to discuss what other cities are doing and would be able to provide information regarding current statistics and enforcement. Ms. Reed called for a presentation regarding the health statistics.

TOM DWIGGINS, Fire Chief, said there has been a dramatic increase with COVID-19 cases not only within the State, but also within the County and City. Chief Dwigkins said it does take a while for the numbers to populate. They saw a 31% increase in the weekly total over the previous week for the State and 35% increase for the county of Maricopa, and a 27% increase for Chandler. Chief Dwigkins said they pulled the numbers again that morning and compared them to the first five days of that week, then projected the rest of the week would be based on that average. We are looking at an increase of 36% in the weekly total from last week, 47% for Maricopa County and then 33% for Chandler. Chandler zip codes have been pretty stable, but we are seeing some increases.

CHIEF DWIGGINS said zip code 85225 right now is still Chandler's fastest growing zip code, and they have started to notice 85249 and 85286 are starting to see some cases. Chief Dwigkins said there is a lot of confusion with the tests and the test results are still coming in from last week. Right now, they were at 67,000 tests for last week as of this morning, and had a 15% positive rate. The previous week before that was 12%, the week before was 9% and before that was 6%. Chief Dwigkins said that over the last four to six weeks they have seen an increase in the actual percentage of positives within the total tests. This week there are 9,070 tests complete and we are right at a 15% positive PCR rate. Serology testing is occurring and we have seen that go from 3.7 at its high to a 3.4 so there is not too much movement with that.

CHIEF DWIGGINS said they are looking at the hospital data every day. Chief Dwigkins said they had an opportunity this morning to reach out to Banner Desert, both Dignity Hospitals and

Chandler Regional hospital. Chandler Regional is close to being full capacity for licensed beds. Chief Dwiggins said during this time of year the hospitals run at full capacity and they have surge capacity where they can create additional space within the hospitals. Even if it says full, they still have room in the hospital. Right now, Chandler Regional ICU is about 18% capacity. Gilbert is at 95% in their licensed beds with 26% capacity in their ICU. Banner Desert Hospital is at about 14% capacity in their licensed beds. They have divided their ICU into a COVID ICU and a non COVID ICU. Their COVID ICU has 27% capacity and their non COVID ICU at 18% capacity.

CHIEF DWIGGINS said he heard the Mayor say the rise in cases does not match the amount of deaths that we are seeing and that is true. Chief Dwiggins said they conducted a lot of research on that issue today. The current outbreak over the last few weeks has really hit our 24 to 44 year old population. The 0 to 19 and the 20 to 44 population are the fastest growing as far as total percentage for positives. On April 29th 20 to 44 accounted for 37% of all positive tests in Arizona. It has been growing and now accounts for 49 percent. The 65 and older, on April 29, was at 27%, which is one of our most vulnerable populations. It is now down to 14%.

CHIEF DWIGGINS said they have seen the 45 to 64 and the 65+ populations have an overall decrease in their percentage of overall positive tests. The 0 to 19 and the 20 to 44 have had an increase. That is important to know because we know that 0 to 19 is zero there are 0% deaths. The 20 to 44 is at 2% and the 65+ is at 84%. At 84% of total deaths have occurred at that 65+ and those truly are our vulnerable population. Chief Dwiggins said they looked at a breakdown to the weekly increase of positive cases to deaths over the last four weeks. This week it is a 37% increase in positive cases with only a 7% increase in deaths. Last week was 35% of an increase in positive cases with a 14% increase in deaths. We have seen that number start to drop a little bit. Chief Dwiggins said he believed that was specific to the fact that those age groups 0 to 19 and 20 to 44 are the ones that do very well with this. Chief Dwiggins said that they believe that the older population is still doing some form of social isolation and are not out as much. Chief Dwiggins said they continue to watch this every day.

COUNCILMEMBER ROE asked about the 20 to 44 age group and asked if their numbers are increased because they had not been tested as much previously. Councilmember Roe asked if the information is still about percentages and if the positive percentages are increasing.

CHIEF DWIGGINS said that in the beginning four to six weeks of the virus they were only testing symptomatic people. Many of the symptomatic people were elderly or people with some type of underlying condition. About six weeks ago when the Governor enacted the testing blitz. That is where it changed from requiring someone to have a specific symptom that matches a COVID like illness to someone who has possibly been exposed could get a test. Chief Dwiggins said they are seeing more people that are not necessarily sick and are asymptomatic, but are getting these tests.

VICE MAYOR LOPEZ said the importance for him is the hospital capacity and to minimize the curve to ensure they had the resources to do everything they could to save someone's life. Vice Mayor Lopez said the capacity is still there and understood that we have a massive uptick in our

cases, but many are asymptomatic. Vice Mayor Lopez said more people are in the hospitals, but the death rate seems to be going down as a percentage of total cases. Vice Mayor Lopez asked for clarification that he heard the information correctly.

CHIEF DWIGGINS said that was correct. Chief Dwiggins said they look at the line of positive cases per day over the last month and a half versus the line of deaths per day. It is relatively flat as far as the death goes whereas the cases are going up pretty high.

VICE MAYOR LOPEZ said there is a lot of data that people are creating and said it is important for citizens to look at accurate and full information. Vice Mayor Lopez asked if they know what percentage of ICU beds are dedicated to COVID-19 cases versus non COVID-19. Vice Mayor Lopez wanted know if there is capacity available if the trend continues and the percentages jump. Vice Mayor Lopez asked what type of effect it would have.

CHIEF DWIGGINS said he did meet with the hospitals and discussed the current census of the hospital and how much is attributed to COVID-19. Chief Dwiggins said it is not a large amount. Right now, many people are very sick such as cardiac, respiratory, and strokes. There is a thought that during the isolation phase people were concerned going to the doctor and they were waiting. When they would normally go to the hospital, they did not go and potentially exposed to COVID-19. Now they believe they are coming to the hospital and they are very sick. The hospitals are seeing an increase in very sick people. As the numbers continue that will exacerbate the capacity issue. From a regional public safety perspective, the cardiac arrests they have seen over the last few months has gone up. This is attributed to people not getting the help they needed and the longer they wait the worse it got. Chief Dwiggins said he did not have the specific number, but the hospitals said they had very sick people that are not COVID-19 positive.

VICE MAYOR asked if the COVID-19 positive patients in the ICU and in the hospital seems to be a minor consumer of the hospital beds right now.

CHIEF DWIGGINS said he could not say minor, but they are not the majority of the ICU patients and did not have the exact numbers.

COUNCILEMEMBER ORLANDO asked if the cases were increasing and asked where the statistics were from.

CHIEF DWIGGINS said the only data that staff would utilize is through Arizona Department of Health Services, which is updated at 9:00 a.m. each morning, or the Department of Public Health through Maricopa County. Those are the two data sources. Chief Dwiggins said that for the hospital data they have a relationship with Dignity as they are our base hospital and our paramedics work underneath them. Chief Dwiggins said that they call them and get the current census on the hospitals.

COUNCILEMEBER ORLANDO asked if Chief Dwiggins considers that to be reliable.



CHIEF DWIGGINS said it is 100% backed and double-checked that it is coming from one of those two sites only.

COUNCILEMEMBER ORLANDO asked if Chief Dwiggins would consider them successful if they responded to a house fire that was already burned down.

CHIEF DWIGGINS said they never want to respond to house fire and if they do respond to a house fire we would want to put the fire out, but the real goal would to be to never have the house fire.

COUNCILEMEMBER ORLANDO said that was his point. Councilmember Orlando said we spend a lot of time upfront to ensure that we prevent potential house fires. It has been frustrating as they look at capacity, ICUs, and ventilators, but the bottom line is prevention. If it could be prevented up front then they do not have to worry about the number of ventilators, ICU beds or the number of capacities. Councilmember Orlando said they would not have to worry about burials or at least try to mitigate that.

CHIEF DWIGGINS said that was correct. Chief Dwiggins said they have robust prevention in firefighting, drowning, and burns. Chief Dwiggins say their best investment is to prevent an emergency from ever happening.

COUNCILEMEMBER ORLANDO said he wanted to look at prevention and how to mitigate. Councilmember Orlando said they cannot prevent everything, but asked how do we slow this down until there is some kind of vaccine later on.

MS.REED asked staff to present regarding the Governors executive order and what other cities are doing.

RYAN PETERS, Governmental Relations and Policy Manager, said the Governor did a press conference to outline the COVID-19 plan. The Governor provided local governments with the ability to adopt policies regarding masks for the purpose of mitigating the spread of COVID-19. The Governor also reinforced that the business community needs to enforce CDC guidelines. Prior to yesterday there were recommendations put out and is now stating that businesses need to enforce the guidelines. The executive order stated that there needs to be a focus on education and compliance effort before a City could move towards enforcement actions. This has been left to local jurisdictions on how to best accomplish that. Cities, towns, and counties across Arizona are determining how to comply with the Governor's order.

MR. PETERS said Phoenix is meeting tomorrow to discuss requiring masks throughout the City in various public places. Mesa is meeting tomorrow to discuss the content of a proclamation that would likely be similar to Phoenix's. Tempe has issued a proclamation requiring masks in places of public accommodation. Scottsdale is discussing a proclamation requiring masks and enforcing against businesses that do not comply. There have been many news stories about businesses in their downtown area that have not been complying. Gilbert will be meeting tomorrow to discuss

an emergency order requiring masks. Maricopa County is having discussion regarding a countywide mandate that makes all of the cities in Maricopa county have the same mask policy. The cities in the west valley are having similar conversations.

MAYOR HARTKE asked if the County supersedes the cities.

MR. PETERS said the County would supersede if they chose and overlay the entire county. They could also have it only apply to county residents and let the cities have jurisdiction by jurisdiction.

MAYOR HARTKE said he has spent time talking to the Mayors in the area and they are all looking at a mask initiative and some have their own caveats to add, but did not know for sure until they release their proclamations.

MR. PETERS said yes, every City is contemplating this and are trying to broadly apply so it is similar to other cities but sometimes the wording varies based on each City charter and code. So far, it seems there are number of cities in Maricopa County that would be enforcing masks.

MAYOR HARTKE said the borders are so porous that he is in support of a regional approach as it is difficult to differentiate the borders between the neighboring cities.

VICE MAYOR LOPEZ thanked staff for the information and said it was helpful to know what the neighbors are doing. Vice Mayor Lopez said there are different resources available and different prioritization and different budgets. There are a lot of differences between each of the cities. Just because a neighbor may take one action it should not necessary dictate what we do. Vice Mayor Lopez asked if the County overlays a requirement similar to the State could a City be stricter or more liberal with the policies and how must they be abided by. If the County does recommend a mask could a City within a County then establish fines or citations for not wearing a mask or another City say no one has to wear masks.

KELLY SCHWAB, City Attorney, said they would have to see what is actually issued and there is no indication at this point what they are looking at.

VICE MAYOR LOPEZ said the Governor issued his executive order and asked if he did preempt the cities saying that they must.

MS. SCHWAB said yes, he gave specific direction what they could and could not do.

VICE MAYOR LOPEZ said then it is depending on legality wording if the City must or if it is an option.

MS. SCHWAB said yes.

VICE MAYOR LOPEZ said Tempe had issued a requirement and there is an enforcement behind it. Vice Mayor Lopez asked what that enforcement was.

MR. PETERS said they are focused on education first and then compliance. After that, it would escalate and would follow what is laid out in Title 26 for the Mayor's proclamation of emergency authority which leads to a class one misdemeanor.

VICE MAYOR LOPEZ said it would be a misdemeanor after an attempt was made for someone to comply.

MR. PETERS said this is an education first soft touch, helping people comply, and looking for ways to provide people with masks if they could not procure one themselves. That is the approach they are looking to take, but Title 26 specially calls out penalties for violating those proclamations. While the enforcement is not something they want to do, it does fall within Title 26 and they are following the escalation that is in state statute.

VICE MAYOR LOPEZ asked if there were specifics regarding indoor or outdoor and if someone could maintain social distancing.

MR. PETERS said for places of public accommodation there is a mask requirement.

COUNCILMEMBER HUANG said for the enforcement part, the beginning is education and compliance, and asked what someone would do if they cannot get a mask.

MR. PETERS said we do not have a policy so he could not speak for how we would comply but for the cities that do they would like to help people get into compliance where possible.

COUNCILMEMBER HUANG asked if the police officers do not have a mask to provide them how would someone be able to comply.

MR. PETERS said it would be at their discretion and judgement to evaluate the situation, but would defer to the Police on how they would enforce compliance.

COUNCILMEMBER ORLANDO asked if the proclamation has a mandatory punitive class one misdemeanor.

MR. PETERS said proclamations conducted under Title 26, violations can lead up to a class one misdemeanor.

MS. SCHWAB said under Title 26 is where the State has stepped in and preempted the cities and have said if there are violations and we are going to enforce them it is a class one misdemeanor. Enforcement is a broad spectrum.

COUNCILMEMBER ORLANDO said the Mayor has always been a champion of working with other communities on many things. Councilmember Orlando said the virus does not discriminate where it is at and will spread across the borders. People cross the cities each day and said they need to prevent the virus consistently.

COUNCILMEMBER STEWART asked if hospitals were voluntarily shutting down elective surgeries to handle the increase if there is one.

CHIEF DWIGGINS said it is an option they have and each hospital has set a threshold of what that is and reduce surgeries to create capacity.

COUNCILMEMBER STEWART asked if any hospital has done that yet.

CHIEF DWIGGINS said they feel confident that Dignity is watching it every day and they understand they have that option. They have said they are not going to do that right now, but they know they have that opportunity to create capacity.

COUNCILMEMBER STEWART said that is a great example of local control. Councilmember Stewart asked if the positive cases come off of the total number. A few weeks ago we were at 0.17% of the population and smaller percentages were hospitalized, in the ICU, or succumbed to the virus. Councilmember Stewart asked if the positive numbers fall off or if they keep going up. CHIEF DWIGGINS said it is a running total.

COUNCILMEMBER STEWART said when he looks at the numbers for Chandler there are 1,070 cases. If they go back to May 20 there were 462. Councilmember Stewart asked how long the sickness lasts.

CHIEF DWIGGINS said the virus can last quite a few weeks and someone is contagious up to 14 days. The virus has about a 5.1 incubation period. Most people start showing signs at the 11<sup>th</sup> day. After 14 days someone is generally no longer shedding the virus, but they may still be positive. Being positive for the virus and shedding the virus are two different things. There is a lot of research and numbers out there, but these numbers are based on AZDHS.

COUNCILMEMBER STEWART said they have done a great job at providing the data. Councilmember Stewart said the 400 cases from a month ago could be healed and have antibodies.

CHIEF DWIGGINS said yes. Recoveries are not currently tracked and they can only report the increase of total positive cases.

COUNCILMEMBER STEWART said he wanted to ensure they could make great decisions based on the data for the community.

MAYOR HARTKE said he looked at weekly totals and did not look at the running number. This week there were 244 new cases and the week before 100 and before that 99 and before that 33. This week is going to be well over last week and he is concerned about the current weeks and what they are seeing today. The change is the most significant that they are addressing and have the capacity to do. Mayor Hartke said whatever they could do to impact tomorrow is based on what is happening now.

MS. REED asked for the Police Chief to present regarding enforcement issues.

SEAN DUGGAN, Police Chief, said their enforcement strategy, based on Council's direction, would be similar to March and April. Their emphasis would be based on education and compliance. It could be an officer calling a business that was identified as having possible violations or an officer making a visit in person. Collectively among the chiefs in the valley, their concern is any type of encounter would increase the risk of exposure to the officers. Any encounter when they are enforcing the law is potential for escalation and conflict. The emphasis and efforts would be placed on the front end through education and compliance.

MAYOR HARTKE said one of the issues on the Public Transportation Authority that was referred from another state was regarding police being called in to arrest someone who was not wearing a mask. Mayor Hartke said he had no interest in putting something in place that would cause escalating situations for the officers. Mayor Hartke said he appreciated the education piece.

COUNCILMEMBER ORLANDO asked if he had been called out to any business because someone has not been wearing a mask.

CHIEF DUGGAN said he could not recall them being called for that and there have been no citations issued. Chief Duggan said it could be more inclusive depending on what happens regarding the proclamation. Chief Duggan said the community does have great common sense and discretion and they want to keep the City safe. Chief Duggan said he could not see that scenario that was just described here in Chandler.

COUNCILMEMBER ORLANDO said over the last few weeks they have been talking about education and have had little issues with enforcement. Councilmember Orlando asked if there were any thoughts on how to handle the education piece.

MS. REED said they have the hotline number and the Code Enforcement department could help with that if someone calls during normal business hours. For afterhours, the calls would go to the Police Department and would be able to handle that depending on priority calls.

COUNCILMEMBER ROE said his recommendation is that if they do not want people arrested then we do not start there. The Police could enforce petty offenses that are not criminal. If the City does not have the choice then Councilmember Roe hoped they would not go down that road. Councilmember Roe said it is important to protect the senior, ask for social distancing, support the use of masks in public places, and need to use grant money to educate. There needs to be

online PSA's and possibly political signs out to remind people to protect themselves and each other. If people need to be contacted then perhaps they are given a card with the recommendations of CDC guidelines. Councilmember Roe asked if a proclamation has been prepared.

MS. REED said for the cities that have landed on a final document they have been actively pursuing copies of those. Staff has begun work on a draft if Council would like to go down the path of a proclamation.

MS. SCHWAB said the Mayor did issue a proclamation in March declaring an emergency. If it is the desire of the Mayor, we could add on to the proclamation. That proclamation was not aimed at enforcement and was aimed at strongly encouraging, recommending, and education. The Governor's executive order said the intent of the executive order was to ensure that Arizona continues to mitigate the spread of COVID-19 to the greatest extent possible. All law enforcement and regulatory agencies that have enforcement authority should focus first on education and promoting best practices. Ms. Schwab said any proclamation after this executive order should really focus on education and information instead of the enforcement piece. Ms. Schwab said they could write language reflecting that.

COUNCILMEMBER ROE said he clearly heard the piece regarding the education. Councilmember Roe said the public safety staff were caught in the middle.

MS. REED said they are getting information by the minute and the County has posted a meeting tomorrow regarding a countywide mitigation effort concerning COVID-19. The could be put into play as well.

MAYOR HARTKE said it is his intention of revising the proclamation to include language that the community should wear a mask when unable to social distance either outside or inside. There could be language that minimizes police participation. Mayor Hartke said depending on what the County does could supersede his plans and would wait until he heard from them. There is no value in issuing a proclamation for the sake of it and would prefer to wait until more is heard from the County. Mayor Hartke said the goal of this meeting was to listen to staff and receive Council input. The proclamation is the easiest way to get the community to mask up and keep everyone safe. The goal is to ensure that people are being protected. Mayor Hartke said he has read hundreds of emails and articles that question the efficacy of a mask. However, Mayor Hartke would be going by CDC guidelines and those regarded as the experts in the field. If masks help to flatten the curve and to a point where no further action is required. Mayor Hartke said it is an easy action that has potential value.

VICE MAYOR LOPEZ asked if there was a public comment period.

MAYOR HARTKE said no.

VICE MAYOR LOPEZ said felt there were a lot of emails and comments regarding the issue. Vice Mayor Lopez thanked the community for engaging. They may not be able to read every email immediately and wanted to ensure their voice is listened to and heard. There are a wide range of asks similar to previous weeks and it is Council's job to walk that line. Vice Mayor Lopez said COVID-19 has not gone away. Everyone has family members that are at risk and we look to others to help keep them safe. Vice Mayor Lopez said there are little things that we could do to keep ourselves safe and our families safe. As part of that, there are lot of demands that Council receives are emotional and some violate our constructional rights. Vice Mayor Lopez said he appreciates the emotion behind it, but they may not be able to do exactly what they want. Vice Mayor Lopez said everyone needs to be responsible and those who are concerned should try to stay home and wear masks. If someone does not have those concerns, someone is able to go out but be courteous of others and wear a mask if requested.

VICE MAYOR LOPEZ said their goal was education. If someone does not want to patronize a store because they are not requiring masks then do not go. If you want to go to a store that requires a mask then go to that store. We are able to take our dollars to the business we like what they are doing and it is up to each individual. Vice Mayor Lopez said he hoped everyone could be kind to each other.

COUNCILMEMBER HUANG asked if it was the role of government to mandate what citizens could do and if so how do they enforce it. Councilmember Huang said if someone goes to a restaurant they cannot eat and keep a mask on. It is the responsibility of the individual. At the same time for City facilities that is something they could mandate. If someone enters a library or community center then the City could enforce that and it is a compromise. Stating that everyone must wear a mask in all businesses is not something the government should do.

COUNCILMEMBER ORLANDO said as of 3:30 they had received 525 emails plus phone calls. Of those, 35 residents said no mask and 467 have said yes. Many asked for masks in public places and they are not all over the board. The community is asking for help. The Chamber of Commerce surveyed almost 3,000 businesses of those 2,020 said yes to mandatory masks and 919 said no. Councilmember Orlando said it seems they are hesitant to say what the residents are asking them to do. There was great discussion about how things are not only growing but accelerating. Councilmember Orlando said when this is over the residents would look at them and would ask what Council had done to protect them and their families. The primary goal is public safety.

COUNCILMEMBER ORLANDO said he has spoken to many business owners who want people to come back and consumer confidence. The goal is to protect customers and employees. The businesses that do not get it then no one would go to them. Councilmember Orlando said they should not pick winners and losers and make it easy for everyone and protect the public. In November and December, we do not want to see a second shut down and some are talking about a third shut down. Councilmember Orlando said he wanted to follow the other cities in the valley and make this mandatory and compliant.

COUNCILMEMBER ORLANDO said he would like to use some of the grant money to help businesses buy PPE. Councilmember Orlando said he has been consistent over the last few months by saying they need to protect the public and they are asking for help. Councilmember Orlando said 4,000 medical professionals have sent a letter to the Governor asking him to do something and he did. Councilmember Orlando said we need to take bold action and be with the other cities and get this under control.

COUNCILMEMBER HUANG said he liked what Councilmember Orlando said; but thought about the enforcement problem. If they mandate people in restaurants to wear a mask, it is easier to mandate the workers to wear a mask. If the customers need to wear a mask and there are a few people that do not comply how would they enforce that. If someone is eating they need to take off the mask and does not believe it is practical. However, if they are talking about the serving staff are going to wear it then that would be a good compromise.

MAYOR HARTKE said he did not want to get into the details of one business versus another. Mayor Hartke thanked Council for their input. If the County issues a proclamation that supersedes this then we could look at that further.

VICE MAYOR LOPEZ said he appreciates Councilmember Orlando's comments. As this body, they do not run policy by the whims and the emails they get. They are there to protect the rights of the citizenry. If the number of emails tell us they need to rezone a site and kick someone out because they do not like it Council does not do that. They make rulings based on the law and appreciates the concern. Vice Mayor Lopez said he appreciated the emails and they are all responsible for their own safety. Wearing masks would help and agreed with that. But to tell people they would be putting people in prison because the government mandates they wear something that is a slippery slope. There are other items then that Council would have to enforce if they receive 1,000 emails to do something. Vice Mayor Lopez said they have to make rulings based on the whole public that is consistent with the constitution.

MAYOR HARTKE said there is no path they are talking about that is looking at citations or putting people in jail.

COUNCILMEMBER STEWART said they are a republic and not a democracy. Councilmember Stewart said they need to find a place where everyone could get along and do the right thing. Councilmember Stewart said he would be wearing a mask and social distancing because it is the right thing to do. Councilmember Stewart said he did not want to criminalize neighbors and create a situation where people are calling the police reporting people. Councilmember Stewart said he received an email where someone took a picture of a three year old on a slide and asked him what he was going to do about it.

COUNCILMEMBER STEWART said this ordinance would make those situations happen. The proclamation is already done. The Mayor has the authority because we are in an emergency. Because there is not going to be an enforcement piece, the police would continue to educate and not issue citations. If they need anything right now, it is self-governance, more responsibility, and



less fighting on social media. People do not want to pay for tickets and may have trouble doing that and do not want to be put in jail. It is a slippery slope.

COUNCILMEMBER STEWART said they have to push back when authoritarians want to take our liberties and we have to be mindful that people are going to be scared and we need to wear a mask. We do not have to have draconian laws and we need to do the right thing. Councilmember Stewart said he could not imagine for someone who has a medical issue and cannot wear a mask and then be forced into it. Councilmember Stewart said he believes in the constitution and doing the right thing.

COUNCILMEMBER HUANG said the culture is changing. Two months ago, if you wear a mask people would look at you strange and now if you do not wear a mask you are seen as irresponsible. If you want to please everybody, you will not please anybody. Both sides have their point. Councilmember Huang said at the beginning he was talking about the proper role of government similar to Councilmember Stewart and Vice Mayor Lopez. Councilmember Huang said he did not want anybody to be seen as a criminal. At the same time Councilmember Orlando's point is well taken and what do we do to protect people. The feeling of uncertainty is real and Councilmember Huang said he worries about himself and the community. The threat is real.

COUNCILMEMBER HUANG said they could compromise. They are not treating people who do not wear a mask as a criminal, but those who enter a City facility people must wear a mask. In the private sector, it is up to the businesses and Council could ask the companies to provide education and signs to support masks and social distancing. Perhaps they could use some of the grant money to help with that. Councilmember Huang said they should try to wear masks and see what happens and if the situation improves. Councilmember Huang said if there needs to be more extreme measure they could do that at that time but thought it would not come to that.

COUNCILMEMBER STEWART said the proclamation is mandating or strongly recommending mask wearing and asked if it would be outdoor or indoor. Councilmember Stewart said it seems they are going towards mandatory masking but would not be enforced.

MAYOR HARTKE said his intention is to wait to see what the county does. The preliminary language was to have residents wear a mask when they are unable to social distance whether they are outside or inside. He said part of that was it would be reviewed in a few weeks, depending on the Governor, and they would have people follow the Governor's order and CDC guidelines. This would put us in line with other cities. There might be other nuances between the cities. It would be recommended for businesses and citizens to wear a mask, but that is the extent. Mayor Hartke thanked Council for their comments and tomorrow they would be waiting to hear what the County says. Mayor Hartke said the Governor just issued the order and other cities are looking at their options. Mayor Hartke said that he would be available for comments after the meeting.

ADJOURNMENT: The Work Session was adjourned at approximately 5:31 p.m.

ATTEST: *Dana R. DeLong*  
City Clerk

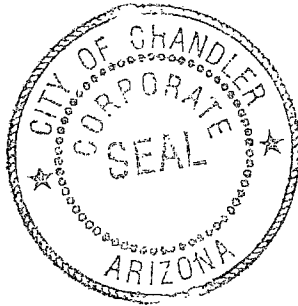
*Kevin Hanthe*  
Mayor

Approval Date of Minutes: July 13th, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 18th day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of July, 2020.



*Dana R. DeLong*  
City Clerk



## **CHANDLER CITY COUNCIL**

### **WORK SESSION AND SPECIAL MEETING MINUTES**

Thursday, June 25, 2020

MINUTES OF THE WORK SESSION AND SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, June 25, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:30 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
*Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Stewart attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; and Josh Wright, Assistant City Manager.

#### **WORK SESSION DISCUSSION ITEM**

##### **1. Update on City Council Strategic Framework**

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said Council had approved the City Council Strategic Framework in June of 2019. Ms. Reed reported the first six-month accomplishments in December of 2019 and today would provide another six-month update. The past few months have been busy for all of Team Chandler. Chandler was the only City that did not officially close their doors and we have continued to provide the fantastic services the community has come to expect. Ms. Reed said she would show Council new projects that are currently being worked on regarding performance measures and tools that were developed in house.

MS. REED presented the following Power Point presentation.

- Infill and Redevelopment
  - Recruited Clarivate Analytics (150 jobs), Root Insurance (480 jobs), and CVS (500 jobs) to Chandler
  - Assisted in retention/expansion of existing employers that will be adding more than 450 jobs in Chandler
  - Projects secured in 2020 are anticipated to make a combined capital investment of more than \$22 million over the next three years
  - New Square Phase 1 opened
  - Hilton Garden Inn opened
  - 6 new restaurants opened/reopened
  - \$14 million dollar renovations in The Alexander and The Jonathan began
  - Initiated first round of ordinance amendments as a result of the August 2019 joint City Council/Planning & Zoning meeting
  - Initiated Airpark Area Plan Update
- Innovation and Technology
  - Economic Development
    - Launched a GIS-based, interactive web map to help businesses notify residents about specials, services, and job opportunities
    - Launched "I Choose Chandler" campaign to encourage residents to shop local
    - Partnered with Chandler IDA to launch PPE grant program for local businesses
    - Worked with partner organizations to host the Chandler Virtual Job Fair
  - Communications & Public Affairs
    - Launched COVID-19 website which had more than 55,000 page views
    - Produced the 2020 State of the City event videos
    - Promoted participation in the 2020 Census through various platforms and languages
    - Produced 30 minute video for the virtual Memorial Day event
    - Established online comment forms for City Council and Boards and Commissions
- Innovation and Technology
  - Public Safety
    - Worked with City Manager and Executive Team to develop COVID-19 Pandemic Plan and Return to Work Plan
    - Created, in partnership with Central Supply staff, disinfection and PPE kits for staff
    - Worked with Human Resources to develop COVID-19 testing process for public safety employees
    - Creation of the Chandler Care Facility Collaboration
    - Completion of Phase 2 of the Public Safety Training Center
    - Firearms Training Unit moved into Public Safety Training Center

- Forensic Services Section achieved reaccreditation status through the ANSI National Accreditation Board
  - Upgrade 9-1-1 system to Viper 7
- Public Works and Utilities
  - Implemented new water management tool for HOA's & large commercial landscapes
  - New online scheduling program for residential solid waste & recycling bulk pick-up
  - Recycle Solid Waste Collection Center adjusted operations during COVID-19. Tonnage serviced at the RSWCC increased by more than 300 tons per month for March and April
- Innovation and Technology
  - Community Services
    - Library offered many innovative programs to stay connected with residents
      - Tapped: A Conversation with Chandler's Craft Brew Pubs
      - Library Card Social Media Campaign with Local Celebrities
      - State 48 partnership
    - Launched construction of "The Makery" in the Downtown Library
    - Created fitness videos to encourage the community to keep active during the stay at home order
    - Implemented AquaTone and AquaBoxing classes at Nozomi Aquatic Center
    - Provided virtual personal training sessions
    - Recreation Division hosted the first E-sports Tournament on May 13
    - Launched virtual walking tour of Downtown Chandler
    - Provided digital content during COVID-19 including live music and performances, digital historic tours, on line family movie nights, etc.
    - Launched "Dine in the Park" to support local restaurants during COVID-19
- Innovation and Technology
  - Other External Improvements
    - Implementation of Invoice Cloud Inc. to accommodate recurring and one-time payments online, including Apple Pay and Google Pay
    - Implemented text message scheduling for construction inspections
    - Launched the COVID-19 hotline and call center to manage increased call load and stay connected with our residents
    - Created online appointment scheduling system to help transition back to work during COVID-19
- Innovation and Technology
  - Internal
    - Implemented a new electronic city-wide performance management tool
    - Increased bandwidth in time to support more than 700 employees working remotely during COVID-19.
    - Launched WebEx to provide virtual meeting spaces while employees worked remotely

- Completion of WiFi project at Central Supply warehouse
- Mapped, acquired, and in process of implementing an eAgenda software to streamline agenda collection process.
- Strategic Framework Performance Measures Dashboard

MS. REED explained and demonstrated how to utilize the Performance Measures Dashboard.

COUNCILMEMBER ORLANDO asked what the timeframe was for it to be available online.

MS. REED stated that the Performance Measures Dashboards would be added to the website a few at a time likely within the next quarter.

MS. REED continued the presentation.

- Mobility
  - Completion and adoption of the Master Transportation Plan
  - City Manager Participation in MAG Regional Transportation Plan Process
  - Transitioned high-cost non-ADA paratransit trips to a more affordable RideChoice program
  - Installation of eight ride share pickup and drop off locations throughout the Downtown area
  - Construction began on McClintock/Kyrene bike lanes and Price/Ocotillo separated bike lanes
  - Began design on Alma School Road project (Pecos Road to Germann Road)
  - Projects completed
    - Chandler Heights road improvements
    - Queen Creek road improvements
    - Price Road utility relocation
    - Price Road reclaimed water line
- Mobility
  - Completed Phase 1 of the Terminal Apron Rehabilitation project and started Taxiway C Rehabilitation project
  - 160 grant funded traffic detection cameras with upgraded capabilities, including bicycle detection, installed
  - Received \$5.8 million in grants and federal closeout funding to construct Frye Road protected bike lanes and six other transportation projects
- Neighborhoods
  - Initiated Historic Preservation ordinance
  - Presented potential ordinance changes for short term rental properties
  - Partnered with neighboring agencies to provide temporary shelters for vulnerable individuals and families experience homelessness during COVID-19
  - Amendment to the Annual Action Plan to allocate CDBG-CV funds awarded through the CARES Act
  - Received 6,460 pre-applications for the Housing Choice Voucher online waitlist

- Partnership with Chandler Unified School District and Public Housing Youth program delivered 5,583 lunches from March 25 to May 29
  - Implemented Wellness Wednesdays in partnership with mental health partners
  - 45 volunteers installed 91 alarms during the Smoke Alarm Walk
  - Working to launch "Envision" neighborhood program
- Quality of Life
  - Hosted ninth annual Chandler Science Spectacular event
  - Completed phase 1 of the Uptown Chandler utility box art project
  - Held virtual Chandler Family Bike Ride during COVID-19
  - Hosted several events to celebrate 100th year of incorporation
  - Completed two mural projects downtown
  - Formation of Chandler Museum Foundation
  - Multigenerational Recreation Center Feasibility Study
- Quality of Life
  - Implemented Live at Lunch concert series in Downtown Chandler
  - Construction of four multi-use fields at Tumbleweed Park
  - Parks Strategic Master Plan commenced
  - Improvements to Chuparosa Park adding two new sand volleyball courts
  - Completed Summit Point Park renovation
  - More than 6,000 acre feet of the Colorado River water supply stored underground for future needs
  - Fire provided guidance to care home facilities for COVID-19
  - Police presence at peaceful protests
- Additional Information
  - Completed successful General Obligation Bond (\$33 Million) and Excise Tax Revenue Obligation (\$15 Million) sales
  - Recovered over \$1.2 million in City sales tax through DOR compliance partnership programs
  - Revenue forecast was updated and the FY 2021 budget was redeveloped due to COVID-19
  - Tracking COVID-19 data for potential FEMA/DEMA reimbursements and other grant opportunities
  - Provided kids camp for employees from March 24 - May 29
  - Completed Telework Admin Regulation to help prepare the City for the future workforce
- Quick Highlights
  - 151 Development Academy Classes Conducted
  - 88 City Mentor Program Graduates
  - 90 ADA Bus Stop Improvements
  - 14,890 Sq. ft. of Graffiti Abated
  - 22 Neighborhood Grants Awarded
  - 143 Service Hours through the Let's Pull Together Volunteer Program
  - 1,029 Books Distributed by Book Rich Environment

- 11+ Billion Gallons of A+ Wastewater Treated
- 2000+ Volunteer Hours for Park Maintenance
- 1,600+ Building Permits
- 9,500+ Inspections in 2020
- 182 Trees Planted for Arbor Day 2020
- Accolades
  - Ranked 9th place in the National Digital Cities Survey for the population category of 250,000-500,000
  - Received an A+ rating for HTTPS/SSL Certificate Encryption from Qualys SSL Laboratory
  - 14th Achievement of Excellence in Procurement Award from the National Procurement Institute
  - Outstanding Agency Accreditation Achievement Award from NIGP
  - CAFR 37th Award
  - Nozomi Aquatic Center was awarded "Best in Aquatics" by Aquatics International
  - HUD designation as Chandler PHA as a High Performing Public Housing Authority
  - Wild West Magazine: Best Chuck Wagon Event
  - American Institute of Architecture-Arizona Chapter-Building of Distinction
  - The Center for the Arts was nominated for a Governors Arts Award for the organization and administrator category
  - Vision Gallery recognized as a top ten art gallery in Phoenix Metro
  - American Heart Association's 2019 Mission: Lifeline EMS Silver Award

MS. REED said staff had risen to the occasion in every area including the pandemic, protest, budget and any situation that was encountered in addition to normal City service deliveries. Ms. Reed thanked staff for all they do.

MAYOR HARTKE stated that a strategic plan was put in place about a year and a half ago and asked from the City Manager to provide six-month updates. Mayor Hartke said there were many good reports and projects, which have furthered the plan.

COUNCILMEMBER ROE said that the presentation was quick and it was a good reminder of all that has happened over the past six months.

COUNCILMEMBER ORLANDO said the presentation was great and thanked staff for the exceptional work. Councilmember Orlando asked how many action projects were open and the status of completing all of the original objectives that were set back a year and a half ago.

MS. REED responded that she did not have the specific details, but there are many that were complete and underway.

COUNCILMEMBER ORLANDO asked if these projects were on target to complete in a reasonable amount of time amid COVID-19.



MS. REED said there were specific items that came from the Council retreat and considering what has happened in the last few months, staff has been doing a good job in delivering specific request. Some projects take longer than others do, a few are on hold for lack of budget, but primarily things have been progressing well.

SPECIAL MEETING - EXECUTIVE SESSION

Set an Executive Session

1. Personnel Matters

a. Personnel Matters, A.R.S. §38-431.03(A)(1) Annual Performance Review of City Manager.

VICE MAYOR LOPEZ MOVED TO HOLD AN EXECUTIVE SESSION MEETING IMMEDIATELY FOLLOWING THE SPECIAL MEETING; SECONDED BY COUNCILMEMBER MCCLYMONDS.

MOTION CARRIED UNANIMOUSLY (7-0).

ADJOURNMENT: The Work Session and Special Meeting was adjourned at approximately 4:56 p.m.

ATTEST: *Dana R. deLy* *Kevin Hartke*  
City Clerk Mayor

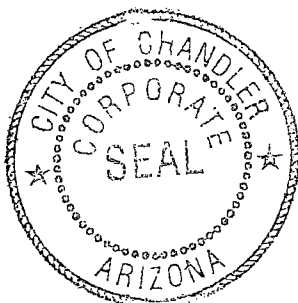
Approval Date of Minutes: July 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session and Special Meeting of the City Council of Chandler, Arizona, held on the 25th day of June 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of July, 2020.

*Dana R. deLy*  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, June 25, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, June 25, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:01 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
*Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

COUNCILMEMBER STEWART attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Susan Stevens-Clark, Chandler Baha'i Community.

PLEDGE OF ALLEGIANCE: Councilmember McClymonds led the Pledge of Allegiance.

### CONSENT AGENDA - MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE JUNE 25, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

### CONSENT AGENDA ITEMS

1a. MINUTES of the City Council Work Session of June 2, 2020.

- 1b. MINUTES of the City Council Work Session #1 of June 8, 2020.
  - 1c. MINUTES of the City Council Work Session #2 of June 8, 2020.
  - 1d. MINUTES of the City Council Study Session of June 8, 2020
  - 1e. MINUTES of the City Council Work Session of June 11, 2020.
  - 1f. MINUTES of the City Council Regular Meeting of June 11, 2020.
  - 1g. MINUTES of the City Council Special Meeting of June 11, 2020.
2. ORDINANCE NO. 4923, 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, 2021.

BACKGROUND FROM COUNCIL MEMO:

State law requires that the tax levy necessary for funding the adopted budget be established by ordinance and be adopted fourteen (14) days following the public hearing and the final adoption of the budget and not later than the third Monday in August (August 17, 2020). As this tax levy ordinance is an administrative method of setting apart funds necessary for use and maintenance, it does not require an extraordinary (3/4) vote to make it effective immediately. This determination is based on a Supreme Court decision and is fully explained in the Municipal Budget and Financial Manual provided by the Arizona League of Cities and Towns.

The City received notification of Chandler's 2020 tax values from the Maricopa County Assessor on February 8, 2020, as required by State law. The City's Total Assessed Value is \$3,243,434,243, which is a 7.71% increase from the 2019 Total Assessed Valuation, and includes valuation changes to existing property as well as the value of new growth. Based on a legislative change implemented July 1, 2015, property owners are now assessed on the Limited Assessed Value versus Full Cash Value, and residential property values cannot increase more than 5% in a given year. City Council has approved a 0.0080 cent reduction in the combined property tax rate from \$1.1281 to \$1.1201 per \$100 of Assessed Valuation.

As part of the tax levy process, the County Assessor also establishes the maximum allowable primary tax rate, which allows a 2% increase in the maximum tax levy each year. Chandler's maximum primary tax rate for Tax Year 2020 is \$0.6201 per \$100 of assessed value. The Fiscal Year (FY) 2020-21 Adopted Budget sets the rate at \$0.2501 per \$100 of Assessed Valuation, which is significantly less than the maximum. In addition, the State Property Tax Oversight Commission establishes a maximum primary rate that would require a Truth in Taxation notice, which requires special notice to citizens and a roll call vote to levy the increased property taxes. The rate calculated for FY 2020-21 is \$0.2501 per \$100 of assessed valuation. Since the City of Chandler rate for the FY 2020-21 Budget of \$0.2501 per \$100 of Assessed Valuation does not exceed the maximum primary rate that would require a Truth in Taxation notice, the City is not subject to the Truth in Taxation provisions this year.

Ordinance No. 4923 follows the prescribed form recommended for adoption, and establishes a tax levy of an estimated \$36,329,729, as set forth in the FY 2020-21 Budget. In this ordinance, the

Chandler City Council directs the County of Maricopa to levy the amount allowed by law. The total tax rate will be \$1.1201 per \$100 of assessed valuation. The property value estimates received from the County Assessor's office are available for public inspection on the City's web site at [www.chandleraz.gov/budget](http://www.chandleraz.gov/budget) or by calling the Budget Division at (480)-782-2254.

3. INTRODUCTION OF ORDINANCE NO. 4926, PLH20-0002, EVERLASTING SERVICES rezoning from Planned Area Development (PAD) to amended (PAD) for a long-term rehabilitative care facility. PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building design, located on the northwest of the northwest corner of Chandler Boulevard and McClintock Drive. (APPLICANT REQUESTS WITHDRAWAL).

BACKGROUND FROM COUNCIL MEMO:

This request was previously continued from the May 28, 2020, City Council meeting to the June 25, 2020, City Council meeting. Due to strong community opposition to the proposal, the applicant has requested to withdraw their application. Accordingly, Planning staff recommend the City Council approve the request to withdraw the application.

4. No item.
5. INTRODUCTION OF ORDINANCE NO. 4928, granting three no-cost power distribution easements to Salt River Project (SRP) within a portion of City-owned property on the east side of Old Price Road, south of Queen Creek Road to accommodate the improvement of Old Price Road.

BACKGROUND FROM COUNCIL MEMO:

The City is improving Old Price Road, south of Queen Creek Road, through Capital Improvement Project No. ST1911. In order to complete the improvements to Old Price Road, it is necessary to relocate various SRP power distribution facilities in the area and grant SRP three new easements for the relocated facilities. Because the improvement of Old Price Road will benefit the citizens of Chandler, the easements are being granted to SRP at no cost.

Staff has reviewed and approved the easements and legal descriptions. A related Construction Manager At Risk Contract with DCS Contracting, Inc., for the Old Price Road Improvements, also appears on this City Council agenda.

6. RESOLUTION NO. 5368, authorizing a grant application to the Land and Water Conservation Fund for Homestead North Park development.

BACKGROUND FROM COUNCIL MEMO:

The Land Water and Conservation Fund (LWCF) is a federal program providing matching grants for the acquisition or development of outdoor recreation areas and facilities. The LWCF program was established by the LWCF Act of 1965 to stimulate a nationwide action program to assist in preserving and developing public outdoor recreation facilities. The program is administered at the federal level by the National Park Service and at the state level by the Arizona State Parks Board (ASPB).

As part of the 2021-30 Capital Improvement Program, funding was allocated for development of Homestead North Park. The Homestead North Park site is 7.6 acres in size, located on the southwest corner of Frye and Cooper Roads, just south of the Chief Hill Learning Academy. Originally, this park was to be designed and constructed with amenities found in similar neighborhood parks. Because of its location, the park will function more as a destination park serving more than just the square mile in which it is located. Funding in the amount of \$750,000 will be sought through the LWCF program to help decrease the amount of City funds needed for the project.

FINANCIAL IMPLICATIONS:

LWCF grants are awarded as a 50/50 match where the participant provides at least 50% of the project cost and the grant provides the other 50%. Each successful LWCF grant recipient is required to pay a surcharge of 10% of the grant award to the Arizona State Parks Board. Funding for this project has been allocated in the 2021-30 Capital Improvement Program.

7. RESOLUTION NO. 5382, authorizing and approving Public Safety Training Facility Use Agreements with Central Arizona Community College (CACC) for 2021 Advanced Officer Training (AOT).

BACKGROUND FROM COUNCIL MEMO:

The four contracts authorize the Chandler Police Department to utilize the Central Arizona Community College (CACC) Public Safety Training Facility for its 2021 Advanced Officer Training (AOT). Each contract covers a one-week training block. All training will occur in February 2021. This site includes driving track training facilities which will allow onsite training of sworn police personnel to conduct emergency response driving training. The Chandler Police Department currently has no facility to accommodate such training and has previously used the CACC facility.

FINANCIAL IMPLICATIONS:

None.

8. RESOLUTION NO. 5376, authorizing the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2020-21, 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 \$118,804.

BACKGROUND FROM COUNCIL MEMO:

At the City Council meetings of March 26, 2020, and May 14, 2020, the Mayor and City Council took all actions necessary to renew the EMSD. Staff is requesting approval of an EMSD Agreement with the Downtown Chandler Community Partnership (DCCP). Through this action, the DCCP is designated as the entity to manage and operate programs in the EMSD.

The DCCP's primary responsibilities include representing EMSD rate payers, preparing an annual EMSD budget, and developing a work plan outlined from the goals in Exhibit B.

The agreement also details the City's participation in the EMSD. Financially, the City of Chandler voluntarily contributes \$118,804 to the EMSD. The agreement also identifies how payments will be made from the City to the DCCP, both for City funds and for funds obtained through the

assessment of private property owners through the Maricopa County Assessor's Office. Finally, the agreement outlines the baseline of City-provided services that will be delivered during the term of the agreement.

The DCCP participated in the development of the agreement, including providing a budget and work plan for the upcoming year. The DCCP Executive Board has officially approved the content of this agreement and looks forward to continuing as the administrator of the EMSD.

Should Mayor and Council pass and adopt Resolution No. 5376, staff will proceed to process a check to the DCCP in order to provide them with the first City voluntary payment prior to July 15, 2020, as specified by the agreement.

#### FINANCIAL IMPLICATIONS:

Assessments for privately-owned property in the District total \$178,886. Staff has forwarded the Assessment Roll to Maricopa County for inclusion in the fall property tax bills. The City's voluntary contribution of \$118,804 has been included in the Downtown Redevelopment budget for Fiscal Year 2020-2021. The total amount of the EMSD budget for Fiscal Year 2020-2021 is \$297,690.

9. RESOLUTION NO. 5380, approving and authorizing the City Manager or designee to allocate FY 2020-2021 HOME funds from the Cranston-Gonzalez National Affordable Housing Act through the Maricopa HOME Consortium and execute all subrecipient contracts.

#### BACKGROUND FROM COUNCIL MEMO:

Each year, the City of Chandler receives federal HOME funding, administered by the United States Department of Housing and Urban Development (HUD), through the Maricopa HOME Consortium. Eligible HOME activities include building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to people with low- and moderate-income.

In compliance with HUD regulations and the Citizen Participation Plan, the City held a 30-day public comment period regarding the draft Annual Action Plan, which included the Housing and Human Services Commission's (HHSC) funding recommendations based on formula funding expected in FY 2020-2021. The public comment period began Tuesday, May 26, 2020, and ended Wednesday, June 24, 2020. In addition, two public hearings were held on June 10, 2020, and on June 11, 2020, to ensure multiple opportunities for input from the community regarding the draft Annual Action Plan. Public comments received during the public comment period will be included in the finalized report submitted to HUD.

HUD released FY 2020-2021 annual allocation information on February 14, 2020, and Maricopa County released its HOME allocations, of which \$410,705 is allocated to the City of Chandler, an increase of \$39,829 from last fiscal year. However, this funding increase does not fully restore funding levels that the City of Chandler received in FY 2018-2019 totaling \$421,957. Of the \$410,705 available, the City will utilize \$25,669 for program administration, and \$385,036 for allocation to affordable housing program providers. The City's FY 2020-2021 HOME Program Descriptions and Funding Recommendations are also attached.

10. RESOLUTION NO. 5381, approving and authorizing the City Manager or designee to execute and submit the Community Development Block Grant 2020–2025 Five–Year Consolidated Plan and FY 2020–2021 Annual Action Plan to HUD and execute all subrecipient contracts.

BACKGROUND FROM COUNCIL MEMO:

Each year, the City of Chandler receives federal CDBG funding, administered by HUD, to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for persons with low- and moderate-income. Funds support a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services.

As a prerequisite for receiving CDBG funding, the City of Chandler is required every five (5) years, to prepare and adopt a Five–Year Consolidated Plan that includes an Annual Action Plan, to be sent to HUD to establish priorities for future funding decisions.

Included in the Five–Year Consolidated Plan is the City's FY 2020-2021 Annual Action Plan that serves as the formal application for the use of entitlement funds that are received by the City of Chandler. The Action Plan defines the one-year activities in relationship to the five-year goals and objectives of the Consolidated Plan covering Fiscal Years 2020-2025.

In compliance with HUD regulations and the Citizen Participation Plan, the City held a 30-day public comment period regarding the draft 2020–2025 Five–Year Consolidated Plan and Annual Action Plan, which included the HHSC's funding recommendations based on formula funding expected in FY 2020–2021. The public comment period began Tuesday, May 26, 2020, and ended Wednesday, June 24, 2020. In addition, two public hearings were held on June 10, 2020, and on June 11, 2020, to ensure multiple opportunities for input from the community regarding the draft 2020–2025 Five–Year Consolidated Plan and Annual Action Plan. Public comments received during the public comment period will be included in the finalized report submitted to HUD. A copy of the Five–Year Consolidated Plan and Annual Action Plan Executive Summary is attached.

As a member of the Maricopa HOME Consortium, the City of Chandler will comply with the citizen participation plan prepared by the Maricopa County Human Services Department on behalf of all HOME consortium members. The Maricopa HOME Consortium Citizen Participation Plan for 2020–2025 is attached.

HUD released FY 2020-2021 annual allocation on February 14, 2020. The total available for allocation for FY 2020-2021 is \$1,443,928.00, an increase of \$74,661.00 from last fiscal year. However, this funding increase does not fully restore funding levels that the City of Chandler received in FY 2018-2019 totaling \$1,452,896.00. Funds available for allocation include the \$1,443,928.00 in formula funding expected for FY 2020-2021 and an additional \$149,055.94 in recaptured or unallocated funds from FY 2019-2020. The City will utilize \$288,786.00 for program administration, \$558,717.94 for Public Services and Fair Housing, and \$745,480.00 for Neighborhood Revitalization. The City's FY 2020-2021 CDBG Program Descriptions and Funding Recommendations are also attached.

11. RESOLUTION NO. 5383, authorizing the allocation of FY 2020-2021 General Fund dollars in the amount of \$1,182,294 in accordance with the recommendations of the Chandler Housing and Human Services Commission and staff.

**BACKGROUND FROM COUNCIL MEMO:**

The City of Chandler annually allocates General Fund dollars from the Social Services Fund (SSF) and the Youth Enhancement Program (YEP). In addition, funds from utility bill donations are allocated from the Acts of Kindness (A-OK) program. These, along with funds designated by Council for homeless navigation and Veteran transportation are granted to qualifying non-profit agencies and programs for the purpose of providing human services to Chandler residents.

The following funds are available for allocation in FY 2020-2021:

PROGRAM	TOTAL FUNDS AVAILABLE	ADMINISTRATIVE ALLOCATION	AVAILABLE FOR ALLOCATION
SSF	\$432,275	\$12,968	\$419,307
YEP	\$648,413	\$19,453	\$628,960
A-OK + Carryforward	\$66,027.00	\$0	\$66,027
Homeless Navigation	\$58,000	\$0	\$58,000
Veterans Transportation	\$10,000	\$0	\$10,000
<b>TOTAL</b>	<b>\$1,214,715</b>	<b>\$32,421</b>	<b>\$1,182,294</b>

For FY 2020-2021, General Fund allocations are prioritized for three population groups: Basic Needs, Special Populations, and Youth.

The City received 52 applications totaling \$1,955,319 for the FY 2020-2021 General Fund allocations. Each application was assigned to a subcommittee of the HHSC for review. Each subcommittee met at least twice to review and discuss the applications. Comments captured during review sessions will be shared with applicant agencies upon request.

Initial allocations for each population group were developed, along with contingency recommendations to account for an increase or decrease in funds. Applicant organizations were notified of initial recommendations on June 5, 2020. Recommendations were finalized by the HHSC on June 10, 2020, following a Public Hearing.

Please find attached a listing of recommendations for the FY 2020-2021 General Fund Allocations (Attachment A) and a brief description of the programs (Attachment B) for which funding is recommended. The HHSC and staff believe these funding recommendations will grant financial support to organizations that provide valuable services to Chandler residents and are responsive to the current needs of the Chandler community.

**FINANCIAL IMPLICATIONS:**

All costs associated with the FY 2020-2021 General Fund allocations will be paid by the City of Chandler General Fund as part of the FY 2020-2021 Operating Budget and the City Manager or her designee is authorized to enter into the agreements pursuant to this resolution.



12. RESOLUTION NO. 5385, authorizing submittal of an application for an Indian Gaming Revenue Sharing Grant to the Ak-Chin Indian Community on behalf of the Dignity Health Foundation – East Valley in the amount of \$1,000,000.

BACKGROUND FROM COUNCIL MEMO:

In 2002, a coalition of Arizona Indian tribes successfully obtained passage of Proposition 202, whereby the State was authorized to enter into gaming compacts with individual tribes. The compacts allowed for expanded tribal use of games and gaming devices as well as pari-mutuel wagering. In exchange, tribes agreed to share a portion of gaming revenues with the State and its counties, cities and towns. The law provides that 12 percent of tribal contributions pursuant to the compacts shall be contributed by Indian tribes to cities, towns and counties for government services that benefit the general public, including public safety, mitigation of gaming impacts and promotion of commerce and economic development. The Indian tribes have some discretion over how these contributions will be made and each tribe has different application procedures that need to be observed to obtain funding. Additionally, it has become a common practice for cities to submit applications for such contributions on behalf of 501 (c)(3) nonprofit organizations that are deemed to be providing government services that benefit the general public.

The City of Chandler for many years has submitted pass-through grant applications for numerous nonprofit organizations based on the interests of the City and its residents. The pass-through Grant Applicant must be a 501 (c)(3) nonprofit organization with some nexus with the City and its residents.

The Dignity Health Foundation - East Valley is the fundraising arm of Chandler Regional Medical Center. It is seeking support from the Ak-Chin Indian Community for the construction of Tower D at Chandler Regional Medical Center, which will add significantly more space for surgical procedures, specialized care and key outpatient services such as wound care, rehabilitation, cardiac rehabilitation and ambulatory treatment. Funds from the Ak-Chin Indian Community will help Chandler Regional Medical Center advance service lines such as Neurosurgery, Thoracic Care and Surgery, General Surgery and Oncology, Cardiology and the Trauma Center.

FINANCIAL IMPLICATIONS:

None

13. RESOLUTION NO. 5386, AREA PLAN AMENDMENT, PLH20-0021, TOWN FRYE to approve the San Tan Area Plan Amendment from proposed mixed-use, commercial, office, specialty retail, to multi-family, mixed-used, commercial, office and specialty retail.  
INTRODUCTION OF ORDINANCE NO. 4930, PLH20-0020, TOWN FRYE, rezoning from Planned Area Development (PAD) to amended PAD for multi-family, mixed use, commercial, office and specialty retail as well as mid-rise overlay for building height up to 54 ft.  
PRELIMINARY DEVELOPMENT PLAN (PDP), PLH20-0020, TOWN FRYE for site layout and building design located on the southeast corner of Frye Road and Ellis Street.

BACKGROUND FROM COUNCIL MEMO:

Site is 17.96 acres in area and located south of Frye Road between Ellis Street and 94<sup>th</sup> Street. In 2000, the site was part of 38-acre rezoning to PAD Conceptual for Commercial, Office, Retail and

Multi-family; the frontage along Frye Road was reserved for non-multi-family uses. In 2006, a PDP was approved for the subject site to be developed with commercial, office, hotel and specialty retail.

#### Surrounding Land Use Data

North	Chandler Fire Station #3 and vacant property	South	Multi-family
East	Multi-family	West	Business park, office and flex industrial

#### General Plan and Area Plan Designations

Plan	Recommended Land Use	Proposed Amendment
General Plan	Medical/Regional Retail Growth Area	N/A
San Tan Area Plan	Proposed Mixed Use Commercial Office Specialty Retail	Mixed Use, Commercial, Office, Specialty Retail, and Multi-Family

Planning staff finds that the proposal is consistent with the General Plan, which allows for the consideration of a mixture of land uses including a variety of residential densities within the growth area. The proposed amendment to the San Tan Area Plan to add multi-family to the list of recommended uses aligns with the General Plan, as well as existing, permitted, and recommended land uses within the vicinity, including The District, a multi-family development currently under construction on the north side of Frye Road.

#### Proposed Project Data

Proposed Land Uses	<ul style="list-style-type: none"> <li>Multi-family dwelling units</li> <li>Maintain land uses permitted by the original 2000 PAD zoning ordinance (Ordinance No. 3197)</li> </ul>
Proposed Multi-Family	<ul style="list-style-type: none"> <li>420 units proposed</li> <li>Density of 23.39 units per acre</li> </ul>
Mid-Rise Overlay	<ul style="list-style-type: none"> <li>Up to 54 feet</li> <li>Maximum building height shown as 53' 4" to top of parapet</li> </ul>
Site Development	<ul style="list-style-type: none"> <li>16 buildings total</li> <li>1 two-story club house</li> <li>11 three-story apartment buildings</li> <li>4 four-story apartment buildings</li> <li>Shorter buildings along site perimeter</li> <li>Direct pedestrian connections to street</li> </ul>
Building Design	<ul style="list-style-type: none"> <li>Façade materials include simulated wood planking, breeze block, stone veneer, four tones of stucco</li> <li>A variety of building heights, between two and four stories</li> <li>Deep eaves, accented soffits, projecting accent walls, and varying façade planes and parapet heights</li> </ul>

Parking	<ul style="list-style-type: none"><li>• 733 parking spaces required</li><li>• 823 parking spaces provided</li></ul>
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#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. Following CDC guidelines, the applicant held two digital neighborhood meetings on April 29<sup>th</sup> and April 30<sup>th</sup>, 2020. As of writing this memo, Planning staff has not received any concerns about the proposed land use.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of June 3, 2020.

Motion to Recommend Approval.

In Favor: 7    Opposed: 0    Absent: 0

Planning and Zoning Commission offered many compliments regarding the proposed architectural design and recommends adding stipulation 4(c) to the Preliminary Development Plan to clarify the size of landscaping to be planted along the Ellis Street and Frye Road frontages.

#### Review and Recommendation

In 2000, the subject site was part of a larger rezoning to commercial, office, retail and multi-family. In 2006, a PDP was approved for the subject site showing commercial, office, hotel, and specialty retail. As part of the rezoning and the PDP, only non-multi-family uses were approved on the subject site. The applicant is now seeking the ability to develop the site with multi-family as well as maintain the ability to develop the site with commercial, office, hotel and specialty retail, as previously approved.

The proposed development will include a variety of programmed open spaces, including two pools, fire pits, game event lawns, hammocks, a climbing area, outdoor kitchens, and an entertainment pavilion. The proposed two-to-four-story design will provide an aesthetic transition between the two-story apartments to the south and east, the three-story office buildings to the west, and the four-story apartments under construction to the north. A variety of direct and controlled access points are provided between the buildings and the public sidewalk to promote walking or biking to commercial uses located within ¾ of a mile to the west. The proposal exceeds the parking requirements and provides loading spaces for residents who are moving in/out. A number of parking spaces are further provided outside of the privacy gates for guests, ride sharing, and the delivery of goods.

#### Traffic Analysis

Beyond exceeding the parking requirements, per the submitted traffic statement prepared by the applicant's engineer, the proposed multi-family development will generate 48% fewer vehicle trips per day than if the site is developed with the mixed commercial uses for which it is currently zoned. As required by City of Chandler Traffic Engineering, the developer will be improving Ellis Street, 94<sup>th</sup> Street, and Frye Road to meet full build-out conditions. This will include full intersection improvements such as crosswalks and pedestrian signal indications at Frye Road and Ellis Street. To accommodate the multi-family units, a right turn lane will also be provided for the proposed Frye Road entrance. For these reasons, it is expected that the traffic flow and the safety

for drivers as well as pedestrians will be improved by the time the proposed multi-family development is completed.

Staff finds that both the existing and proposed PDPs and land uses align with the goals of the General Plan. Planning and Zoning Commission recommends approval subject to the stipulations below.

#### Recommended Actions

##### Area Plan Amendment

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve amending the San Tan Area Plan from "proposed mixed-use, commercial, office, specialty retail," to "multi-family, mixed-use, commercial, office, and specialty retail."

##### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from PAD to Amended PAD for multi-family, mixed-use, commercial, office, specialty, and retail, subject to the following conditions:

1. Except as modified by the following stipulations, commercial, office, hotel and specialty retail uses as permitted by Ordinance No. 3197 and as stipulated in the Preliminary Development Plan approved by Council as part of Case No. PDP06-0002 Chandler Piazza shall remain permitted on the subject site.
2. Multi-family dwelling units shall be permitted on the subject 17.96-acre site and developed in substantial conformance with the Development Booklet entitled "Town Frye" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0020, as modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.
3. The following setbacks shall apply:

Front (North)	10'
Side (East)	20'
Side (West)	20'
Rear (South)	10'

4. Building heights shall be limited to a maximum of 55 feet in height.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
7. The site shall be maintained in a clean and orderly manner.
8. Landscaping plans (including for open spaces, retention, rights-of-way, and street medians) shall be approved by the Planning Administrator.

9. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
10. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
11. This rezoning request does not include a specified timing stipulation. This condition relieves the 1-year timing condition from the effective date of the ordinance as specified in the Chandler City Code, Section 35-2603(b).

#### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the site layout and building design for the Town Frye multi-family units, subject to the following conditions:

1. Multi-family development shall be in substantial conformance with the Development Booklet entitled "Town Frye" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0020, as modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Unless otherwise determined by the Planning Administrator, site and architectural exhibits shall be submitted for Administrative Design Review prior to the development of commercial, office, hotel or specialty retail uses on the subject site. Said review shall be to ensure the exhibits approved by Council as part of Case No. PDP06-0002 Chandler Piazza are substantially adhered to and appropriately updated to be aesthetically and functionally consistent with surrounding development and applicable City of Chandler criteria.
3. Landscaping plans (including for open spaces, retention, rights-of-way, and street medians) shall be approved by the Planning Administrator.
4. The following enhanced landscape standards shall apply to the common open space and retention areas along each street frontage:
  - a. 100% of required trees shall have a minimum planting size of a 24-inch box.
  - b. A minimum of one (1) trees and six (6) shrubs per twenty-five (25) lineal feet of frontage on arterial or collector street rights-of-way.
  - c. Along Frye Road and Ellis Street frontages, 50% of the trees shall have a minimum planting size of a 24" box, 25% of the trees shall have a minimum planting size of a 36" box, and 25% of the trees shall have a minimum planting size of 48" box.
5. All mechanical equipment, including HVAC, utility meters, etc., shall be screened from view by material(s) that are architecturally integrated and consistent with the proposed buildings.
6. Raceway and cabinet signage shall be prohibited within the development. Signage shall substantially be as shown within the submitted Development Booklet and shall follow all applicable criteria of the City of Chandler Sign Code.
7. The parking space canopies shall incorporate building materials, forms, and colors to match the development.
8. Where direct access is provided between ground floor units and the public sidewalk, said units shall be accessible and securable by the resident from the interior and exterior of the unit.

9. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
14. RESOLUTION NO. 5387, pertaining to the Award of the Bureau of Justice Assistance FY 20 Coronavirus Emergency Supplemental Funding Program in the amount of \$134,282; 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 grant.

BACKGROUND FROM COUNCIL MEMO:

The BJA released the Coronavirus Emergency Supplemental Funding (CESF) Program as a result of the CARES Act. The CESF Program provides funding to assist eligible state, local units of government, and tribes in preventing, preparing for, and responding to the Coronavirus. The City was eligible for a \$134,282 award. The Police Department applied for the funds to purchase video conferencing equipment to be installed in four conference rooms in various Police Department building locations throughout the City of Chandler. This equipment will tie in to the City of Chandler's Emergency Operations Center (EOC), which is located in Chandler's Fire Department Headquarters building. It will facilitate communications and response planning for the Covid-19 pandemic between and within the Chandler Police Department and other City of Chandler Departments.

FINANCIAL IMPLICATIONS:

There are no matching dollars required for these programs.

15. RESOLUTION NO. 5388, authorizing the Development Services Director to extend construction or building permit related deadlines during the COVID-19 coronavirus pandemic.

BACKGROUND FROM COUNCIL MEMO:

The City's construction codes and the City Code provide defined timeframes for the validity of construction permits, reviews and approvals. During the COVID-19 coronavirus pandemic and its short-term and long term impacts to the economy, some projects may need additional time for the completion of permit approval and construction. The reasons for this additional time include:

- Supply chain disruptions
- Workforce availability
- Businesses postponing new construction and tenant improvements
- Difficulty in obtaining construction capital
- Homebuyers deferring purchases

While the City's building codes allow some extensions with limited time frames, greater flexibility may be needed for some projects to be completed successfully.

Resolution No. 5388 authorizes the Development Services Director to reasonably extend construction or building permit related deadlines on a case-by-case basis for projects that need additional time to complete a permit approval process or construction. This resolution applies to full building permits and will expire at 12:00 AM January 1, 2021, or earlier by formal action of the City Council.

16. AUTHORIZATION and payment of FY 2020-21 annual dues to the League of Arizona Cities and Towns in the amount of \$85,000.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler is an active member of the League of Arizona Cities and Towns. Each year we are assessed annual dues that are based on per capita formula and minimum base fee.

At their May 29, 2020, meeting, the League of Arizona Cities and Towns Executive Committee voted to reduce the FY21 dues by 15% in response to the economic impact of the COVID-19 pandemic. The City of Chandler's amount due was reduced from \$100,800 to \$85,680.

The League works closely with the City's Government Relations and Policy Manager in providing legislative and lobbyist assistance. When the issue is of statewide concern, the League will take the lead position, freeing up the time of the City's Government Relations and Policy Manager to focus on issues of concern to our citizenry. As has been evidenced, this assistance is critical during the legislative session and allows for cities to work together on issues of regional and municipal interest.

FINANCIAL IMPLICATIONS:

Funding for the annual dues payment is available in FY 2020-21 General Fund, Non-Departmental, Subscriptions and Memberships Account.

17. On action.
18. TRANSFER of General Obligation Debt Service Fund, Non-Department cost center, Contingency account funds, to the General Obligation Debt Service Fund, Debt Service cost center, General Obligation Bonds (GOBS) Interest account in the amount of \$607,559 to fund the debt service payment resulting from the November 2019, General Obligation Bond Sale.

BACKGROUND FROM COUNCIL MEMO:

The City sold \$30.4 million in General Obligation Bonds on November 13, 2019, receiving a low 2.023985% True Interest Cost due to our AAA bond rating. The General Obligation Bonds, Series 2019, are scheduled for an interest payment on July 1, 2020, but must be paid June 30, 2020. The interest on this bond series is to be paid by the General Obligation Debt Service Fund using planned secondary property tax levy.

Historically, the City has structured the initial payment in such a way that the first debt service payment is not incurred in the fiscal year in which the bonds are issued; however, the amortization schedule did include the first payment in the current fiscal year. In order to have the appropriation needed to make the initial interest payment, a transfer within the General Obligation Debt Service Fund, from the Non-Department cost center, Contingency account (310.1290.5911) to the Debt Service cost center, General GOBS Interest account (310.7500.7213) is necessary. This transfer requires Council approval based on the City's Budget Resolution.

19. RENEWAL of commercial insurance and services for FY 2020-21, and authorize the City Attorney and Human Resources Director to sign any and all documents related to obtaining commercial insurance and services in the amount of \$1,695,014.

**BACKGROUND FROM COUNCIL MEMO:**

On March 23, 2017, City Council approved Agreement No. LW7-953-3735 with Arthur J. Gallagher Risk Management Services, Inc., for insurance broker services. Arthur J. Gallagher Risk Management Services, Inc., acts as the Insurance Broker of Record for the City of Chandler's workers' compensation, casualty/liability, property, and automobile insurance coverage. They also advise and coordinate with the City's Risk Services Coordinator and City Attorney to obtain bids from insurers and negotiate the best terms and coverage for the various exposure areas.

The City self-insures and carries excess coverage in the areas and at the levels indicated below. The total premium cost of recommended coverage through commercial carriers for FY 2020-21 is estimated at \$1,695,014 compared to FY 2019-20 which was \$1,400,045. The estimated increase in rate premium is due to the instability in the marketplace. The City's Insurance Broker is still in the process of securing quotes for excess liability layers.

<b>Excess Workers' Compensation</b>	<b>2019 Expiring</b>	<b>2020 Renewal</b>	<b>% Change</b>
<b>Carrier</b>	Safety National	Safety National	
<b>SIR - Police &amp; Fire</b>	\$ 1,250,000	\$ 2,250,000	
<b>SIR - All Other</b>	\$ 600,000	\$ 750,000	
<b>Estimated Payroll</b>	\$ 138,020,000	\$ 136,853,788	-1%
<b>Rate Per \$100 of Payroll</b>	0.25320	0.25320	0%
<b>Premium</b>	\$ 349,467	\$ 346,514	-1%

**Excess Workers' Compensation:**

Excess Workers' Compensation Insurance is carried through Safety National. In FY 19-20 the City was self-insured for the first \$1,250,000 for Police and Fire, and \$600,000 for the remainder of the City employees. For the 2020 renewal, the City's insurance broker submitted our account to Safety National, Arch, US Specialty, and Midwest Employers. We received declinations from all carriers except Safety National (current carrier). The reasons cited for the declinations are the City's loss history, the presumptive cancer law and PTSD legislation, as well as the COVID-19 development.

Safety National provided a renewal quote with a flat rate and 1 % decrease in premium. This decrease relates directly to the 1 % decrease in payroll. After attempts to negotiate, Safety National increased the police and fire retention from \$1,250,000 to \$2,250,000 and for the remainder of the City employees increased retention from \$600,000 to \$750,000.

Additionally, Safety National has removed the Communicable Disease Single Retention Endorsement which means that any COVID-19 claims are subject to individual self-retention limits vs. a "one occurrence SIR" for communicable diseases as was in the past.



Coverage Type	2019 Expiring Carrier	2020 Renewal Carrier	2019 Expiring Premium	Terrorism	2020 Renewal Premium	Terrorism	% Change	Notes
Property	Travelers Indemnity	Travelers Indemnity	\$ 432,250	Included	\$ 479,008	Included	11%	
Public Entity Liability	Argonaut	Argonaut	\$ 302,279	Rejected	\$ 317,788	Rejected	5%	
Excess Liability - \$10Mxs \$10M	Allied World	Allied World	\$ 63,320	Rejected	\$ 69,846	\$ 1,179	10%	
Excess Liability - \$10Mxs \$20M	Great American	Great American	\$ 40,000	Rejected	\$ 50,000	\$ -	25%	
Excess Liability - \$10Mxs \$30M	Arch	TBD	\$ 36,099	Rejected	TBD			
Excess Liability - \$10Mxs \$40M	National Casualty	TBD	\$ 27,512	Rejected	TBD			
Crime	National Union Fire	National Union Fire	\$ 10,450	N/A	\$ 13,992	N/A	34%	
Network Security & Privacy Liability	Ace American	Ace American	\$ 88,275	N/A	\$ 101,908	N/A	15%	
Storage Tank (pollution)	Ace American	Mid Continent	\$ 3,088	Included	\$ 1,568	Excluded	-49%	
Airport Liability	Ace Property & Casualty	Ace Property & Casualty	\$ 11,485	Rejected	\$ 11,485	Rejected	0%	Three year Term; Annual installments
Fine Arts	AXIS Ins. Company	AXIS Ins. Company	\$ 8,820	Included	\$ 8,820	Included	0%	
TOTAL			\$ 1,023,578		\$ 1,054,415		10%	
Fiduciary	Travelers Casualty		\$ 16,530		\$ -			Three Year Term; prepaid
AIG Broker Fee			\$ 27,000		\$ 27,000			

#### Property Insurance:

Property Insurance is carried through The Travelers Indemnity Company which provides broad coverage for buildings, business personal property, fine arts, Electronic Data Processing (EDP), mobile equipment, as well as boilers and machinery. This policy has various deductibles including \$50,000 per occurrence for most losses, \$100,000 for earth movement, and \$50,000 for flood. Premium for FY 2020-21 is \$479,008. Premium for FY 2019-20 was \$432,250.

Due to the catastrophic losses that have happened in the U.S. as well as internationally, the property market has hardened. As a result of the hard market, Travelers Insurance Company, who has written the City's property and Auto Physical Damage (ADP) policy for the past eight years, will no longer write the City's ADP and equipment. The City has been unable to find a carrier that will write over the road coverage for ADP and equipment that is licensed for road use. The City has decided to self-insure all City owned autos and equipment until a carrier willing to write over the road coverage is located.

#### Excess Liability Coverage:

Excess Liability coverage will be covered through Argonaut, Allied World, Great American, in \$1 0 million increments for FY 2020-21 for a total of \$30 million. We have not yet received quotes for an additional \$20 million in excess coverage which would allow the City to have comparable coverage as that of FY 2019-20. We have included an estimate for the premiums for the additional \$20 million of excess liability coverage. In FY 2019-20 the City had excess liability coverage through Argonaut, Allied World, Great American, Arch, and National Casualty in \$10 million increments for a total of \$50 million excess liability coverage.

#### Crime Insurance:

Crime Insurance is carried through National Union Fire Insurance Co. of Pittsburgh, PA. Coverage includes state required bonds for the City's Management Services Director and Accounting Manager. This policy also provides coverage for members of the City's boards and commissions. Premium for FY 2020-21 is \$13,992. Premium for FY 2019-20 was \$10,450.

**Privacy/Security Liability Insurance (Cyber Insurance):**

Privacy/Security Liability Insurance also known as Cyber Insurance is carried through Ace Group - Illinois Union Insurance Co. Privacy and Network Liability policy provides \$10 million aggregate for Privacy, Network Security, Internet Media, and Network Extortion coverage plus \$10 million for Cyber Incident Response. Premium for FY 2020-21 is \$101,908. Premium for FY 2019-20 was \$88,275.

**Storage Tank Liability Insurance:**

Storage Tank Liability Insurance is carried through Mid-Continent. Policy limits remain at \$1,000,000 per tank, with a \$25,000 per incident deductible. Coverage complies with the financial responsibility mandates of the Environmental Protection Agency. Premium for FY 2020-21 is \$1,568. Premium for FY 2019-20 was \$3,088.

**Airport Liability Insurance:**

Airport Liability Insurance is carried through ACE Property & Casualty. Airport Owners and Operators Liability policy provides \$50 million in coverage per occurrence. Premium for FY 2020-21 is \$11,485. Premium for FY 2019-20 was \$11,485.

**Fine Arts Insurance:**

Fine Arts Insurance is carried through Axis Insurance Company. This is purchased to cover the City's museum collection and temporary loans. Deductible per occurrence is \$1,000.00. Premium for FY 2020-21 is \$8,820.00. Premium for FY 2019-20 was \$8,820.00.

**FINANCIAL IMPLICATIONS:**

Funds for premiums are budgeted for payment from the following accounts:

<u>Account Number</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>CIP Funded:</u>	<u>Proposed Renewal Premiums FY 2020-21</u>	<u>Premiums FY 2019-20</u>
736.1250.0000.5620	Workers' Compensation	Excess Insurance	n/a	\$ 346,514	\$ 349,467
737.1310.0000.5610	Insured Liability	Fire Insurance	n/a	\$ 479,008	\$ 432,250
737.1310.0000.5614	Insured Liability	Public Liability	n/a	\$ 704,719*	\$ 469,210
737.1310.0000.5618	Insured Liability	Crime Insurance	n/a	\$ 13,992	\$ 10,450
737.1310.0000.5618	Privacy/Security Liability	Network Liability	n/a	\$ 101,908	\$ 88,275
737.1310.0000.5618	Insured Liability	Storage Tanks Ins.	n/a	\$ 1,568	\$ 3,088
635.4100.0000.5614	Airport Operating	Public Liability	n/a	\$ 11,485	\$ 11,485
737.1310.0000.5610	Fine Arts	Fire Insurance	n/a	\$ 8,820	\$ 8,820
737.1310.0000.5219	Other Professional Services	Broker Fee	n/a	\$ 27,000	\$ 27,000
<b>Total:</b>				<b>\$1,695,014</b>	<b>\$1,400,045</b>

\*This amount includes estimated amounts for the \$20 million additional Excess Liability coverage (\$267,085). We anticipate premiums being less than the estimated but we do not have the final premium amounts as of the date of this memorandum.

20. AGREEMENT NO. FS8-928-3920, AMENDMENT NO. 2, with Allard Collision, LLC, Arizona Truck and Coach, LLC, and LHM Ford dba Larry H Miller Ford Mesa, for auto body repair service, in a combined amount not to exceed \$250,000, for the period of July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

Body work and painting services are important facets of automotive repair and maintenance. These services repair collision damage caused by third parties and employee drivers, as well as maintain safe operation and appearance of the City's fleet. The hi-tech materials, components, and fabrication that go into modern vehicle bodies require advanced shop equipment and specialized technical skills.

21. No item.

22. AGREEMENT NO. MU6-962-3654, AMENDMENT NO. 2, with Cleanview Sewer Inspection, LLC, for video inspection of sewer lines, in an amount not to exceed \$380,000, for a two-year period, September 1, 2020, through August 31, 2022.

BACKGROUND FROM COUNCIL MEMO:

The City has approximately 953 miles of sewer lines. Video inspection services provided by this agreement will be used for inspection of sewer lines as part of routine assessments to investigate for blockages and damage or collapse related to aging infrastructure. New sanitary sewer lines installed in the City are also videotaped, as required by the Maricopa County Environmental Services Department, before they are put into service.

23. AGREEMENT NO. PD6-680-3619, AMENDMENT NO. 4, with Universal Police Supply Company., for police supplies, in an amount not to exceed \$80,000, for the period of July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

This agreement provides for the Police Department's annual needs for supplies and duty gear for all patrol officers (including reserves), motor officers, park rangers, cadets, motorist assist volunteers, detention officers, and civilians.

24. AGREEMENT NO. PD8-680-3892, AMENDMENT NO. 2, with Universal Police Supply, for outer vest carriers, in an amount not to exceed \$78,625, for the period of July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

This agreement provides for the Police Department's need to purchase outer vest carriers and provide sworn officers with the option to wear the carrier, which will include ballistic panels, as well as the ability to carry other required equipment when an officer is on duty.

25. AGREEMENT NO. PD9-200-4038, AMENDMENT NO. 2, with Skaggs Companies Inc., for police uniforms, in an amount not to exceed \$150,000, for the period of July 1, 2020 through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

This agreement provides for the Police Department's annual needs for uniforms for all patrol officers (including reserves), motor officers, park rangers, cadets, motorist assist volunteers, detention officers, civilians, as well as some uniform related accessories such as baseball caps and Class A hats. This agreement will also allow for replacement of worn or damaged uniforms, alterations, and related needs.

26. AGREEMENT NO. PM6-595-3675, AMENDMENT NO. 4, with Pioneer Landscaping Materials, Inc., for rock, granite and miscellaneous supplies, in an amount not to exceed \$715,000, for the period of July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Community Services and Public Works and Utilities departments require ornamental rock, granite, topsoil, river rock, rip rap, in-field mix, and engineered wood fiber for a wide variety of applications. These materials are used throughout the City's park system to refresh rock areas, top dress fields, level ballfields, and fill in playground areas with engineered wood fiber. The Public Works and Utilities Department uses rock for basins, erosion repair, and regrading.

27. AGREEMENT NO. PW0-918-4157, with Excergy Corporation, for the Advanced Metering Infrastructure system assessment, in the amount of \$79,644.

BACKGROUND FROM COUNCIL MEMO:

The City currently collects monthly water meter reads by hand or drive-by reading technology. Advanced Metering Infrastructure (AMI) is an integrated system of smart meters, communications networks, and data management that enables two-way communication between the Utility Billing Division and the customer. The benefits of implementing an AMI system include improved meter reading and billing efficiencies, increased customer engagement, and value-added reports that facilitate water distribution analysis. This assessment will determine what resources would be needed to convert to an AMI system.

The scope of work includes review of the City's current and future business processes, software, and infrastructure; evaluation and recommendation of emerging AMI technologies that align with the City's objectives; and preparation of a detailed implementation strategy, budget projection, and timeline for the proposed project. The results of this assessment will allow the City to evaluate the costs, benefits, and challenges associated with installing an AMI system to help guide decisions for future metering advancement. Completion time is 175 calendar days following Notice to Proceed.

28. AGREEMENT NO. ST0-988-4175, with Reyes and Sons Landscaping, LLC, for landscape maintenance of areas 1 through 4, in an amount not to exceed \$1,454,632.40, for a one-year period, July 6, 2020, through July 5, 2021, with the option of four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division is responsible for landscape maintenance of over 400 acres of property within the City. Work under this agreement includes trash pickup; weed control; irrigation repair; fertilization; palm trimming; mowing; and pruning/trimming for arterial street rights-of-way, medians, City-owned lots, and retention basins. This agreement also includes

landscape maintenance for the Loop 101 Price Freeway frontage roads, Chandler Mall Transit Center, Chandler Airport terminal area, bus rapid transit stations, and a large portion of the McQueen Yard, located at 975 E. Armstrong Way. The areas described above are known as landscape areas 1 through 4.

29. AGREEMENT NO. ST0-988-4194, with Brightview Landscape Services, Inc., for revegetation, storm repair, and maintenance of City streets, in an amount not to exceed \$551,886, for a one-year period, August 1, 2020, through July 31, 2021, with the option of four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division is responsible for landscape maintenance of over 450 acres of property within the city. The maintained areas include rights-of-way, medians, City-owned lots, and retention basins, including the Chandler Mall Transit Center, the Park and Ride at Germann Road and Hamilton Street, the Airport terminal and surrounding areas, Bus Rapid Transit stations, a large portion of the McQueen Yard, and the Western Canal pathway. Maintenance work includes replacement of landscape material, irrigation system components, decomposed granite, header curbs, and the removal and replacement of damaged, hazardous, or diseased trees.

30. AGREEMENT NO. SW0-910-4176, with Allied Waste Transportation, Inc., dba Republic Services, Inc., for City Facilities Refuse Collection, in an amount not to exceed \$87,459.42, for a one-year period, August 1, 2020, through July 31, 2021, with the option of two additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO:

The City provides refuse collection services to City buildings and facilities, including parks, subsidized housing facilities, and office buildings. Under this agreement, Republic Services, Inc., will provide front-load collection of three, four, and six cubic yard containers. Due to the waste volume, space limitations with revetments or parking, and access to containers, front-load collection is required for City buildings and facilities when 300 gallon, side-load containers cannot feasibly be utilized under the City's other refuse collection contracts.

31. AGREEMENT NO. WA8-885-3868, AMENDMENT NO. 2, with Brenntag Pacific, Inc.; Charlie Pepper, Inc., dba Salt Works; DPC Enterprises, L.P.; Evoqua Water Technologies, LLC; Hill Brothers Chemical Company; Momar, Inc.; Polydyne, Inc.; Solenis, LLC; U.S. Peroxide, LLC, dba USP Technologies; and Waternuts Aquatic Ent., Inc., dba Commercial Pool Repair, for the purchase of water treatment chemicals, in a combined amount not to exceed \$8,550,000, for a one-year period, July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

These agreements will be used to purchase bulk and packaged water and wastewater treatment chemicals for use at the City's treatment facilities and swimming pools. The Public Works & Utilities Department will use this agreement for water, wastewater, reverse osmosis, and well systems treatment. The Community Services Department will also use this agreement for swimming pool chemicals. Chemicals used by the Ocotillo Brine Reduction Facility are paid for by Intel.

32. CONSTRUCTION MANAGER AT RISK CONTRACT NO. ST1911.401, with DCS Contracting, Inc., for the Old Price Road Improvements (Queen Creek Road to 3/4 mile south), in an amount not to exceed \$3,957,320.49.

BACKGROUND FROM COUNCIL MEMO:

Intel Corporation currently operates two manufacturing sites within Chandler and employs over 11,000 people. Arizona Revised Statute (A.R.S.) § 42-5032.02 provides for distribution of revenues for City infrastructure improvements related to manufacturing facilities.

On May 23, 2019, City Council approved an intergovernmental agreement with the Arizona Department of Revenue (ADOR) for distribution of revenues under A.R.S. § 42-5032.02, as well as a Public Infrastructure Master Agreement with Intel Corporation for funding and construction of public improvements necessary to support Intel's qualifying capital investment at its Ocotillo plant, located at 4500 S. Dobson Road.

The City and Intel are proposing under A.R.S. § 42-5032.02 to increase capacity on Old Price Road from Queen Creek Road to ¾ mile south, which is the first project under A.R.S. § 42-5032.02. This project will connect with improvements that Intel Corporation is building on its site. The west lane of Old Price Road will remain in the same location and a lane will be added along the east side, impacting the frontage of the City water reclamation facilities. Improvements include an additional northbound travel lane to help alleviate traffic of over 1,000 vehicles an hour leaving Intel Corporation at peak times.

The project scope of work consists of traffic control with flaggers and officers; construction survey; quality control testing; dust control and permitting; installation of curbing, gutters, drainage, retention, street lights, signing, and striping; coordination and relocation of major utilities; and restoration of gates, walls, fences, landscaping, and irrigation for the adjacent City water treatment facilities. The contract completion time is 300 calendar days following Notice to Proceed.

The project will be fully funded by ADOR and Intel. A related ordinance, granting three power distribution easements to Salt River Project for the Old Price Road Improvements, is also scheduled for this City Council meeting.

33. PROFESSIONAL SERVICES AGREEMENT NO. ST2004.451, with Ritoch Powell & Associates Consulting Engineers, Inc., for the Alma School Road Improvements (Pecos to Germann roads) Construction Management Services, in an amount not to exceed \$299,934.

BACKGROUND FROM COUNCIL MEMO:

This project is for improvements to Alma School Road from Pecos Road to Germann Road. The project will modify the northeast corner of Pecos and Alma School roads and widen Alma School Road to three through lanes in each direction from Maplewood Street to just south of Germann Road by modifying the current center median. From Pecos to Loop 202 Santan Freeway, all of the improvements will be part of the adjacent private development projects.

The Alma School Road Improvements include raised landscaped medians, curbing, gutters, sidewalks, Americans with Disabilities Act upgrades, traffic signal upgrades, streetlights, traffic signal interconnect, storm drainage, irrigation, and wet/dry utility improvements. The improvements may require the purchase of utility easements and/or temporary construction easements.

The project scope of work consists of construction management services, including pre-construction services assistance; project management; design and plan review; cost models and guaranteed maximum price proposal review; public outreach; inspection services; project close-out; utility coordination; material testing; and record drawings. The contract completion time is 270 calendar days following Notice to Proceed.

A related Professional Services Agreement Amendment with Wood Environmental & Infrastructure Solutions, Inc., for the Alma School Road Improvements, is also scheduled for this City Council meeting.

34. PROFESSIONAL SERVICES AGREEMENT NO. ST2004.201, AMENDMENT NO. 1, with Wood Environmental & Infrastructure Solutions, Inc., for the Alma School Road Improvements (Pecos to Germann roads), in the amount of \$114,000, for a revised contract amount not to exceed of \$334,653.

BACKGROUND FROM COUNCIL MEMO:

This project is for improvements to Alma School Road from Pecos Road to Germann Road. The project will modify the northeast corner of Pecos and Alma School roads and widen Alma School Road to three through lanes in each direction from Maplewood Street to just south of Germann Road by modifying the current center median. From Pecos to Loop 202 Santan Freeway, all of the improvements will be part of the adjacent private development projects.

On December 12, 2019, City Council approved a Professional Services Agreement No. ST2004.201 with Wood Environmental & Infrastructure Solutions, Inc., for design of the Alma School Road Improvements (Pecos Road to Germann Road), which is Phase 1 of a three-phase project.

The project scope of work consists of the design of turn lanes, raised landscaped median, curb, gutter, sidewalk, Americans with Disabilities Act (ADA) upgrades, traffic signal upgrades, streetlights, traffic signal interconnect, storm drainage, irrigation, and wet/dry utility improvements.

Amendment No. 1 includes design services for the northeast intersection improvements at Alma School and Pecos Roads. The additional design will include modifying the existing intersection corner to accommodate the future development of the southeast corner of the intersection. The project scope of work consists of adjusting the existing corner to an ultimate condition that will accommodate future development to the south, removing the existing ramp and replacing it with a new ADA compliant ramp to the east, and installing a new traffic signal. Modifications to roadway striping and medians will also be required to accommodate the relocated crosswalks. The contract completion time remains at the original 240 calendar days.

A related Professional Services Agreement with Ritoch Powell & Associates Consulting Engineers, Inc., for the Alma School Road Improvements, is also scheduled for this City Council meeting.

35. PROFESSIONAL SERVICES AGREEMENT NO. SW1901.451, with Kimley-Horn and Associates, Inc., for the Solid Waste Facility Improvements, in an amount not to exceed \$45,445.

BACKGROUND FROM COUNCIL MEMO:

The Recycling-Solid Waste Collection Center (RSWCC), located at 955 E. Queen Creek Road, is a residential drop-off facility for recycling, yard waste, trash, and household hazardous waste. In operation since 2006, the RSWCC serves approximately 20,000 Chandler households per year. A prior evaluation of the facility identified several areas within the RSWCC that have experienced drainage and erosion damage. Design has been completed for facility improvements that include repairs to three high-erosion areas, as well as a shade structure to be added over the check-in station that will provide overhead protection to customers and staff from sun and weather exposure.

The project scope of work consists of construction management, inspection services, materials testing, and project closeout. The contract completion time is 180 calendar days following Notice to Proceed.

A related Project Agreement with Foresite Construction, for the Solid Waste Facility Improvements, is also scheduled for this City Council meeting.

36. PROFESSIONAL SERVICES AGREEMENT NO. WA2012.101, with CH2M HILL Engineers, Inc., a wholly owned subsidiary of Jacobs Engineering Group, Inc., for the Total Trihalomethanes Study, in an amount not to exceed \$498,030.

BACKGROUND FROM COUNCIL MEMO:

The drinking water distributed by the City of Chandler to customers comes from three sources: the Pecos Surface Water Treatment Plant (SWTP), located at 1475 E. Pecos Road; 31 active groundwater wells from aquifers underneath the City; and the Santan Vista Water Treatment Plant, which is jointly owned by the City and the Town of Gilbert. The U.S. Environmental Protection Agency, Arizona Department of Environmental Quality, and Maricopa County enforce regulations for drinking water quality. The City's water continually meets or exceeds all health and safety standards set by these regulatory agencies. One of the many constituents monitored by the City is disinfection by-products, specifically the subgroup called Total Trihalomethanes (TTHM). The factors that affect TTHM concentration in drinking water vary depending on source water, treatment processes, water system operation, and customers' demand patterns.

The project scope of work includes review of the City's current TTHM sampling plan, development of strategies for reducing TTHM formation in the distribution system, development of strategies for reducing TTHM at the Pecos SWTP with current infrastructure, and any process upgrades or equipment replacements to eliminate the formation of TTHM. A water treatment process model will also be developed to assist operations staff in optimizing the treatment processes. The contract completion time is 390 calendar days following Notice to Proceed.



37. PROJECT AGREEMENT NO. SW1901.401, with Foresite Construction, pursuant to Job Order Contract No. JOC1905.401, for the Solid Waste Facility Improvements, in an amount not to exceed \$312,087.42.

BACKGROUND FROM COUNCIL MEMO:

The Recycling-Solid Waste Collection Center (RSWCC), located at 955 E. Queen Creek Road, is a residential drop-off facility for recycling, yard waste, trash, and household hazardous waste. In operation since 2006, the RSWCC serves approximately 20,000 Chandler households per year. A prior evaluation of the facility identified several areas within the RSWCC that have experienced drainage and erosion damage. Design has been completed for facility improvements that includes repair to three high-erosion areas, as well as a shade structure to be added over the check-in station that will provide overhead protection to customers and staff from sun and weather exposure.

The scope of work consists of curb and gutter installation, removal and replacement of asphalt concrete pavement, retention basin and slope, grading and compaction, rip-rap installation, and fabric shade installation. The contract completion time is 150 calendar days following Notice to Proceed.

A related Professional Services Agreement with Kimley-Horn and Associates, Inc., for the Solid Waste Facility Improvements, is also scheduled for this City Council meeting.

38. PROJECT AGREEMENT NO. WW2011.401, with Garney Companies, Inc., pursuant to Job Order Contract No. JOC1914.401, for the Lone Butte Filter Media Replacement, in an amount not to exceed \$172,514.74.

BACKGROUND FROM COUNCIL MEMO:

The Lone Butte Wastewater Treatment Plant (WWTP), located on the Gila River Indian Community (GRIC) approximately four miles west of the intersection of Interstate 10 and Queen Creek Road, was put into service in the 1960's. The WWTP treats flows from the City and GRIC and is operated by the City under a lease agreement with GRIC. The treatment process is composed of screens, two lagoons, chlorination, and sand filters. Staff has identified significant loss of sand media over the past several years. This filter media must be replaced in order to operate efficiently.

The project scope of work consists of furnishing, unloading, and installing 180 tons of filter media into existing filters. The facility is required to remain operational in order to meet system demands. The contract completion time is 120 calendar days following Notice to Proceed.

39. PURCHASE of traffic signs and related hardware from Interwest Safety Supply, LLC, utilizing the City of Peoria Contract No. P16-0065, for the term of June 24, 2020, through June 23, 2021, in an amount not to exceed \$130,000.

BACKGROUND FROM COUNCIL MEMO:

Traffic Engineering's preventive maintenance program replaces approximately 1,000 traffic signs and posts annually due to damage, age, and new requirements. The equipment will be stocked at

and distributed from Central Supply, in addition to purchases made directly by the Public Works and Utilities Department.

This contract is used primarily by the Public Works and Utilities Department. The requested amount of \$130,000 reflects the Public Works Department FY 20-21 budget for traffic sign replacement with additional provisions for other City department use. Items are purchased throughout the year only as needed and stock levels are maintained at the minimum levels necessary to support City operations.

40. PURCHASE of system annual support, from CentralSquare Technologies, LLC, for EAM (Lucity), in the amount of \$96,366, for one year, July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

Lucity is the EAM system that manages the City's service and work requests, coordinates preventative maintenance programs, and tracks City asset maintenance throughout the asset's life cycle. The City continues to expand the use of the application for other City work management functions. This system also handles citizen service requests with a web-based service request system..

The support provides access to technical assistance resources to resolve application issues, software fixes and includes application upgrades necessary to operate and keep the systems current.

41. SOLE SOURCE PURCHASE of chemicals, from SUEZ Water Technologies & Solutions, Inc., in an amount not to exceed \$125,000.

BACKGROUND FROM COUNCIL MEMO:

The Ocotillo Brine Reduction Facility (OBRF), located at 3737 S. Old Price Road, requires the use of specific chemicals for its lime softening process and brine concentrator. SUEZ Water Technologies & Solutions, Inc., has been supplying these proprietary chemicals the facility requires. These chemicals are required by Intel to maintain the equipment warranty.

The cost of chemicals used by the OBRF will be reimbursed by Intel.

42. SOLE SOURCE PURCHASE of Schwarze sweeper parts and service, from Balar Holding Corporation, dba Balar Equipment Corporation, in an amount not to exceed \$200,000, for the period of one year, August 1, 2020, through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City operates six street sweepers manufactured by Schwarze. Street sweepers are technically complex vehicles with specialized components. Maintenance requires replacing parts that wear out during normal operation. Most of these parts are proprietary and available through just one distributor. Occasionally there is a need for troubleshooting, or a service procedure that requires specialized diagnostic equipment to be used. In these rare cases a maintenance service provider must be used.

43. LIQUOR LICENSE, Series 6, Bar Liquor License, for Jeffrey Craig Miller, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue, until July 16, 2020. (APPLICANT REQUESTS CONTINUANCE.)

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was originally posted for hearing on March 26, 2020, at which time it was continued to April 23, 2020, when it was then continued to May 14, 2020, then ultimately withdrawn by staff due to the applicant's request to substantially change the liquor license application to allow for consideration of a new agent and manager. The amended application was posted for hearing on June 25, 2020:

Series 6, Bar Liquor License, for Jeffrey Craig Miller, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

A continuance has been requested by the applicant to allow additional time to assess business operations.

44. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Madhavi Mogusala, Agent, Zest Hospitality LLC, dba Choolha Indian Room, located at 3491 W. Frye Road, Suite 1, until August 13, 2020. (APPLICANT REQUESTS CONTINUANCE.)

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on June 25, 2020:

New License, Series 12, Restaurant Liquor License, for Madhavi Mogusala, Agent, Zest Hospitality LLC, dba Choolha Indian Room, located at 3491 W. Frye Road, Suite 1.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

This continuance is requested to allow the applicant time to complete the requirements for a new liquor license.

- \*45. CITY CLERK employment agreement with Dana DeLong for term of July 1, 2020, through June 30, 2021, with an annual salary of \$137,200.64.

BACKGROUND FROM COUNCIL MEMO:

On June 22, 2020, the Mayor and Council conducted the annual performance review for the City Clerk. As a result of the review, the Council directed staff to prepare an employment agreement to be entered into between the City and Dana DeLong.

- \*46. CITY ATTORNEY employment agreement with Kelly Schwab for term of July 1, 2020, through June 30, 2021, with an annual salary of \$196,950.61.

BACKGROUND FROM COUNCIL MEMO:

On June 22, 2020, the Mayor and Council conducted the annual performance review for the City Attorney. As a result of the review, the Council directed staff to prepare an employment agreement to be entered into between the City and Kelly Schwab.

ACTION AGENDA – DISCUSSION

17. TRANSFER of Councilmember McClymonds unspent General Fund Councilmember funds of \$4,940 in the Mayor and Council Office to Neighborhood Resources for distribution of \$2,440 to AZCEND for its food bank and \$2,500 to Chandler Men of Action for the Operation Back to School program.

MAYOR HARTKE introduced Action Agenda Item No. 17 and called on Councilmember McClymonds to speak.

COUNCILMEMBER McCLYMONDS said it is wonderful serving in Chandler because we have a fiscal discipline among the 1,700 employees along with Council. Every year each Councilmember receives a discretionary budget for memberships, educational trips, and other activities that support Chandler. This is one area that Councilmember McClymonds has control over and typically funds these activities using his own money. Councilmember McClymonds said he has thought how best to reallocate the money instead of it just going back to the General Fund. The City supports non-profits every year, but this year they are underfunded because of the COVID-19 situation by \$500,000. There are some services that are better delivered by nonprofits. Councilmember McClymonds said he wanted to ensure these services would be able to be delivered to individuals in need during these extraordinary times. The City already has contracts in place with the Chandler Men of Action and AZCEND. Councilmember McClymonds said he has worked with them and they do great work.

COUNCILMEMBER ORLANDO said he thought it was a great idea. Councilmember Orlando said there was a discussion regarding using the Council's discretionary funds and the City Attorney suggested Council direct staff to bring this back in July and add additional dollars.

ACTION AGENDA - MOTION AND VOTE

COUNCILMEMBER McCLYMONDS MOVED TO APPROVE ACTION AGENDA ITEM NO. 17 OF THE JUNE 25, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION TO APPROVE ACTION AGENDA ITEM NO. 17 CARRIED UNANIMOUSLY (7-0).

ACTION AGENDA

17. TRANSFER of Councilmember McClymonds unspent General Fund Councilmember funds of \$4,940 in the Mayor and Council Office to Neighborhood Resources for distribution of \$2,440 to AZCEND for its food bank and \$2,500 to Chandler Men of Action for the Operation Back to School program.

BACKGROUND FROM COUNCIL MEMO:

The Fiscal Year (FY) 2019-20 budget included a \$5,000 budget for each Councilmember to use for attending policy committees, conferences or functions that benefit the City, related travel, or other incidentals in relation to their position. Councilmember McClymonds has funded many of his expenses personally and would like to recommend his unspent General Funded account of \$4,940 be transferred from the Mayor and Council cost center, Other Expenses account, Jeremy McClymonds sub-account (101.1020.5818.7E17) to the Neighborhood Resources Department, General Funded, Community Development cost center, Social Services account (101.4700.5225). The funds are requested to be distributed as part of the General Fund non-profit allocation with \$2,440 going to AZCEND to support its food bank and \$2,500 to Chandler Men of Action to support the Operation Back to School program.

#### UNSCHEDULED PUBLIC APPEARANCES

The following comment card was received:

Marie LeMoine, 807 W. McNair, Chandler, AZ

I oppose any defunding of Chandler Police should it ever come under consideration. In fact I support all items that fund the Police Dept. on today's and future agendas.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE said this was the first week of Chandler's Virtual Hiring Event with over 500 jobs represented. Mayor Hartke thanked the Economic Development staff and our partners that worked to put the event together. There were people across the Country that participated in hopes of getting a job in the community. We are known as a Community of Innovation and for our quality of life and people across the nation have noticed.

MAYOR HARTKE said CVS Health announced 101,000 square foot office, which would add an additional 500 new jobs in the Price Corridor. Mayor Hartke thanked CVS for their continued investment in Chandler.

MAYOR HARTKE said July 6 is the deadline to register to vote in the August 4, 2020 primary. There are three open Council seats that residents would be voting on. Early voting begins July 8 and the last day to request an early ballot in the mail is July 24.

MAYOR HARTKE wished everyone a great holiday weekend and this is a time when we are called to come together in America. Mayor Hartke reminded everyone to practice social distancing and wear a face mask when social distancing is not possible.

##### B. Councilmember's Announcements

COUNCILMEMBER MCCLYMONDS said Chandler is hosting the annual July 4<sup>th</sup> Fireworks Spectacular. The event would look a little different this year. Attendees would be able to watch the fireworks show from designed parking areas from inside the car, truck bed, or folding chairs adjacent to your vehicle.

VICE MAYOR LOPEZ wished everyone a happy July 4<sup>th</sup> and encouraged everyone to have a safe holiday and to watch children around the pool.

VICE MAYOR LOPEZ encouraged people to submit feedback for the Chandler Airport Master Plan Update. Yesterday was the second virtual open house that residents are encouraged to watch before completing a short survey. Feedback would be accepted through Friday July 10. More than 200,000 operations occurred at the airport and it is one of the busiest general aviation airports in the nation. It is key to economic development and the growth of the community.

COUNCILMEMBER HUANG said the response rate for the 2020 census is 68% for Chandler. Councilmember Huang said we need to increase our response rate to ensure we receive the necessary funding for the community. The deadline for submission has been extended to October 31 and this can be done online, by mail, or by phone.

COUNCILMEMBER ROE thanked the public safety professionals for everything they do.

COUNCILMEMBER ROE said small business owners have had some expenses associated with the pandemic. The Chandler IDA and Economic Development Department have put together small grants up to \$500. Councilmember Roe encouraged them to apply.

COUNCILMEMBER ORLANDO said he read an email that was written in a way that he had not seen before in his time on Council. Councilmember Orlando said people may not always agree with Council or on certain issues and Council does what they think is best for their constituents. Councilmember Orlando said when he receives an email from a citizen that is derogatory in nature it is discouraging. Councilmember Orlando said he understands freedom of speech but asked people be civil and have a good discussion.

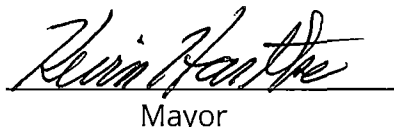
#### C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 6:18 p.m.

ATTEST:

  
City Clerk

  
Mayor

Approval Date of Minutes: July 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 25<sup>th</sup> day of June, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of July, 2020.



  
City Clerk



## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Monday, July 13, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, July 13, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:17 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Victor Hardy, Congregational Church of the Valley.

PLEDGE OF ALLEGIANCE: Councilmember Orlando led the Pledge of Allegiance.

### **CONSENT AGENDA – DISCUSSION**

MAYOR HARTKE said there was a comment on Consent Agenda Item No. 4.

4. EMPLOYMENT AGREEMENT with City Manager for period July 1, 2020 through June 30, 2021, in an amount of \$247,346.00.

MAYOR HARTKE thanked Marsha Reed, City Manager for all of the hard work she has done for the City. This item expresses Council's continued confidence in Ms. Reed and the direction the City is proceeding.



CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER McCLYMONDS MOVED TO APPROVE THE CONSENT AGENDA OF THE JULY 13, 2020, CITY COUNCIL MEETING; SECONDED BY VICE MAYOR LOPEZ.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

- 1a. MINUTES of the City Council Special Meeting of June 18, 2020.
  - 1b. MINUTES of the City Council Special Meeting of June 22, 2020.
  - 1c. MINUTES of the City Council Study Session of June 22, 2020.
  - 1d. MINUTES of the City Council Work Session and Special Meeting of June 25, 2020
  - 1e. MINUTES of the City Council Regular Meeting of June 25, 2020.
2. FINAL ADOPTION OF ORDINANCE NO. 4928, granting three no-cost power distribution easements to Salt River Project (SRP) within a portion of City-owned property on the east side of Old Price Road, south of Queen Creek Road to accommodate the improvement of Old Price Road.

BACKGROUND FROM COUNCIL MEMO:

The City is improving Old Price Road, south of Queen Creek Road, through Capital Improvement Project No. ST1911. In order to complete the improvements to Old Price Road, it is necessary to relocate various SRP power distribution facilities in the area and grant SRP three new easements for the relocated facilities. Because the improvement of Old Price Road will benefit the citizens of Chandler, the easements are being granted to SRP at no cost.

Staff has reviewed and approved the easements and legal descriptions. A related Construction Manager At Risk Contract with DCS Contracting, Inc., for the Old Price Road Improvements, also appears on this City Council agenda.

3. FINAL ADOPTION OF ORDINANCE NO. 4930, PLH20-0020, TOWN FRYE, approving the rezoning from Planned Area Development (PAD) to Amended Planned Area Development (PAD) with a mid-rise overlay, for multi-family, mixed-use, commercial, office, and specialty retail, located on the southeast corner of Frye Road and Ellis Street.

BACKGROUND FROM COUNCIL MEMO:

- Site is 17.96 acres in area and located south of Frye Road between Ellis Street and 94th Street
- In 2000, the site was part of 38-acre rezoning to PAD Conceptual for Commercial, Office, Retail and Multi-family; the frontage along Frye Road was reserved for non-multi-family uses.
- In 2006, a PDP was approved for the subject site to be developed with commercial, office, hotel and specialty retail.

Surrounding Land Use Data

North	Chandler Fire Station #3 and vacant property	South	Multi-family
East	Multi-family	West	Business park, office and flex industrial

#### General Plan and Area Plan Designations

Plan	Recommended Land Use	Proposed Amendment
General Plan	Medical/Regional Retail Growth Area	N/A
San Tan Area Plan	Proposed Mixed Use Commercial Office Specialty Retail	Mixed Use, Commercial, Office, Specialty Retail, and Multi-Family

Planning staff finds that the proposal is consistent with the General Plan, which allows for the consideration of a mixture of land uses including a variety of residential densities within the growth area. The proposed amendment to the San Tan Area Plan to add multi-family to the list of recommended uses aligns with the General Plan, as well as existing, permitted, and recommended land uses within the vicinity, including The District, a multi-family development currently under construction on the north side of Frye Road.

#### Proposed Project Data

Proposed Land Uses	<ul style="list-style-type: none"><li>• Multi-family dwelling units</li><li>• Maintain land uses permitted by the original 2000 PAD zoning ordinance (Ordinance No. 3197)</li></ul>
Proposed Multi-Family	<ul style="list-style-type: none"><li>• 420 units proposed</li><li>• Density of 23.39 units per acre</li></ul>
Mid-Rise Overlay	<ul style="list-style-type: none"><li>• Up to 54 feet</li><li>• Maximum building height shown as 53' 4" to top of parapet</li></ul>
Site Development	<ul style="list-style-type: none"><li>• 16 buildings total</li><li>• 1 two-story club house</li><li>• 11 three-story apartment buildings</li><li>• 4 four-story apartment buildings</li><li>• Shorter buildings along site perimeter</li><li>• Direct pedestrian connections to street</li></ul>
Building Design	<ul style="list-style-type: none"><li>• Façade materials include simulated wood planking, breeze block, stone veneer, four tones of stucco</li><li>• A variety of building heights, between two and four stories</li><li>• Deep eaves, accented soffits, projecting accent walls, and varying façade planes and parapet heights</li></ul>
Parking	<ul style="list-style-type: none"><li>• 733 parking spaces required</li><li>• 823 parking spaces provided</li></ul>

#### Public/Neighborhood Outreach

- This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code.
- Following CDC guidelines, the applicant held two digital neighborhood meetings on April 29<sup>th</sup> and April 30<sup>th</sup>, 2020.
- As of writing this memo, Planning staff has not received any concerns about the proposed land use.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of June 3, 2020.

Motion to Recommend Approval.

In Favor: 7    Opposed: 0    Absent: 0

Planning and Zoning Commission offered many compliments regarding the proposed architectural design and recommends adding stipulation 4(c) to the Preliminary Development Plan to clarify the size of landscaping to be planted along the Ellis Street and Frye Road frontages.

#### Review and Recommendation

In 2000, the subject site was part of a larger rezoning to commercial, office, retail and multi-family. Per the stipulations and approved development booklet associated with the rezoning only non-multi-family uses were approved on the subject site. The applicant is now seeking the ability to develop the site with multi-family as well as maintain the ability to develop the site with commercial, office, hotel and specialty retail, as previously approved.

The proposed development will include a variety of programmed open spaces, including two pools, fire pits, game event lawns, hammocks, a climbing area, outdoor kitchens, and an entertainment pavilion. The proposed two-to-four-story design will provide an aesthetic transition between the two-story apartments to the south and east, the three-story office buildings to the west, and the four-story apartments under construction to the north. A variety of direct and controlled access points are provided between the buildings and the public sidewalk to promote walking or biking to commercial uses located within  $\frac{3}{4}$  of a mile to the west. The proposal exceeds the parking requirements and provides loading spaces for residents who are moving in/out. A number of parking spaces are further provided outside of the privacy gates for guests, ride sharing, and the delivery of goods.

#### Traffic Analysis

Beyond exceeding the parking requirements, per the submitted traffic statement prepared by the applicant's engineer, the proposed multi-family development will generate 48% fewer vehicle trips per day than if the site is developed with the mixed commercial uses for which it is currently zoned. As required by City of Chandler Traffic Engineering, the developer will be improving Ellis Street, 94<sup>th</sup> Street, and Frye Road to meet full build-out conditions. This will include full intersection improvements such as crosswalks and pedestrian signal indications at Frye Road and Ellis Street. To accommodate the multi-family units, a right turn lane will also be provided for the proposed Frye Road entrance. For these reasons, it is expected that the traffic flow and the safety for drivers as well as pedestrians will be improved by the time the proposed multi-family development is completed.

Staff finds that both the existing and proposed PDPs and land uses align with the goals of the General Plan. Planning and Zoning Commission recommends approval subject to the stipulations below.

#### Recommended Action

Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from PAD to Amended PAD with a mid-rise overlay, for multi-family, mixed-use, commercial, office, specialty, and retail, subject to the following conditions:

1. Except as modified by the following stipulations, commercial, office, hotel and specialty retail uses as permitted by Ordinance No. 3197 and as stipulated in the Preliminary Development Plan approved by Council as part of Case No. PDP06-0002 Chandler Piazza shall remain permitted on the subject site.
2. Multi-family dwelling units shall be permitted on the subject 17.96-acre site and developed in substantial conformance with the Development Booklet entitled "Town Frye" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0020, as modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.
3. The following setbacks shall apply:

Front (North)	10'
Side (East)	20'
Side (West)	20'
Rear (South)	10'

4. Building heights shall be limited to a maximum of 55 feet in height.
5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
7. The site shall be maintained in a clean and orderly manner.
8. Landscaping plans (including for open spaces, retention, rights-of-way, and street medians) shall be approved by the Planning Administrator.
9. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
10. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
11. This rezoning request does not include a specified timing stipulation. This condition relieves the 1-year timing condition from the effective date of the ordinance as specified in the Chandler City Code, Section 35-2603(b).

Ordinance was introduced and tentatively adopted on June 25, 2020

4. EMPLOYMENT AGREEMENT with City Manager for period July 1, 2020 through June 30, 2021, in an amount of \$247,346.00.

BACKGROUND FROM COUNCIL MEMO:

On June 25, 2020, the Mayor and Council conducted the annual performance review for the City Manager. As a result of the review, the Council directed staff to prepare an employment agreement to be entered into between the City and Marsha Reed.

INFORMATIONAL:

1. Study Session Meeting Minutes of the June 3, 2020, Planning and Zoning Commission meeting.
2. Regular Meeting Minutes of the June 3, 2020, Planning and Zoning Commission meeting.

ADJOURNMENT: The meeting was adjourned at 6:22 p.m.

ATTEST: *Dana R. DeLy*  
City Clerk

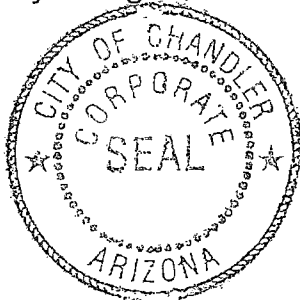
*Kevin Hawth*  
Mayor

Approval Date of Minutes: August 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 13<sup>th</sup> day of July, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of August, 2020.



*Dana R. DeLy*  
City Clerk



## **CHANDLER CITY COUNCIL**

### **WORK SESSION MEETING MINUTES**

Monday, July 13, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, July 13, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:32 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; and Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Jenny Winkler, Assistant City Attorney; Micah Miranda, Economic Development Director; Leah Powell, Neighborhood Resources Director; Sandip Dholakia, Chief Information Officer; Dawn Lang, Management Services Director.

### **DISCUSSION**

1. Discussion and recommendations regarding the City of Chandler's programming of the Arizona Coronavirus Aid Relief and Economic Security Funds (AZCARES).

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said on June 11 there was a high level broad discussion on the AZ Cares dollars and thoughts of where the funds could be spent. Council did provide recommendations and discussion and staff had taken the direction and come back with today's presentation.

MS. REED presented the following Power Point presentation.

- AZ Cares History
  - City allocation amount \$29,983,456
  - Federal Funding via Sate treated as General Fund Dollars
  - Held Council Briefing June 11
  - Staff legal and programmatic review
  - AZ Cares funds request in process, pending Council approval of Grant Agreement
- Funding Opportunities
  - Business Assistance
  - Vulnerable Populations
  - Operational Continuity
  - Capital Investment
  - Financial Reserves

MICAH MIRANDA, Economic Development Director, continued the presentation.

- Business Assistance
- Business Survey Results
  - Emailed to all registered businesses
  - 550 surveys were submitted
  - 98% of businesses have fewer than 100 employees
  - Nearly all anticipate staying in business; 2 closures
  - 70% have seen revenues decline due to COVID-19
  - Business needs are generally consistent
- Business Grant Programs in Other Cities
  - City of Mesa - \$90M/\$20M
    - Awarded \$4.8 million in small business grants to date
    - Grant covers up to 90 days of rent/mortgage and utilities
    - 520 applications funded (847 submitted)
    - Median funding amount of \$7,100
  - City of Phoenix - \$293M/\$15M
    - Awarded \$3.0 million in small business grants to date
    - Multiple business assistance grant programs
    - 527 applications funded
- Business PPE Support
  - Survey feedback and community business conversations detail toll of ongoing PPE Expenses
  - Contract with Chamber of Commerce or other local non-profit to coordinate dispersal of PPE to small business
  - Propose \$500,000 total allocation

MAYOR HARTKE asked how the PPE reimbursement program is going through the IDA.

MR. MIRANDA said as of Friday they had received 39 applications and had funded just under \$12,000 in grants.

COUNCILMEMBER ORLANDO asked if this money would be in addition to that program. Councilmember Orlando asked if someone has already received money from the IDA would they also be eligible for this program.

MR. MIRANDA said if someone submitted reimbursement from the IDA they would also be eligible for this program. The funds would stay separate because they are two separate pots of money. One is IDA dollars, and this was with general fund dollars. Mr. Miranda said they would work to get equipment out to businesses in need in an equitable manner.

COUNCILMEMBER ORLANDO asked if it would be up to the third party to determine equitable manner.

MR. MIRANDA said they would work with the vendor to layout the programmatic requirements. This seems like a really effective way to help the businesses.

COUNCILMEMBER ORLANDO asked about the nonprofits or if they are looking at purely for-profit.

MR. MIRANDA said he was focused on the for-profit businesses and Neighborhood Resources would discuss the nonprofits.

MAYOR HARTKE asked if we would be giving people reimbursement dollars or would we be purchasing product and providing that.

MR. MIRANDA said staff envisions that we would use our bulk purchasing to get better pricing and work with a distribution vendor to get it out to the small businesses in an equitable manner.

MAYOR HARTKE said this would be different to the IDA, which would be complementary.

MR. MIRANDA said yes, one is reimburse and one is product.

MAYOR HARTKE said there would be some sort of a warehouse to coordinate picking up material.

MR. MIRANDA said yes, it is a high level plan right now.

MR. MIRANDA continued the presentation.

- I Choose Chandler Business Hiring and Retention Program
  - Grant program for businesses impacted by COVID-19
  - Goal is to mitigate job losses and economic hardship
  - Funding would be based on job retention and hiring
  - Supports Chandler businesses that are keeping employees on payroll as they adjust to revenue losses and business disruptions



- Funding
  - Propose \$9.5 million total allocation
  - Would include administration costs
  - Individual grants capped at \$10,000/\$1,300 per FTE
  - Ability to support 900+ businesses if each received the maximum amount
- Eligibility
  - Program would initially be limited to businesses in industries most impacted, based on unemployment insurance claims reported by the State of Arizona
    - Accommodations and Food Services
    - Health Care and Social Assistance
    - Retail Trade
    - Administrative and Support and Waste Management and Remediation Services
    - Manufacturing
- Eligibility
  - Only small businesses would be eligible; those with fewer than 100 full-time equivalent employees City-wide
- Eligibility
  - Private, for-profit business;
  - Not affiliated with another business under common ownership/management that has applied for the grant;
  - Not a home-based business;
  - If leasing space, must verify intent to renew;
  - Businesses start date prior to 3/11/2020 (date of the Governor's Emergency Declaration); and
  - Registered Business with the City's Tax and License Division

COUNCILMEMBER STEWART said this is an economic crisis and asked if there was data for unemployment by industry.

MR. MIRANDA said he would provide the weekly unemployment claim report tomorrow which was the guiding document in selecting which industries would be targeted first.

COUNCILMEMBER STEWART said those industries, like restaurants and retail, was where the majority of these monies would go to.

MR. MIRANDA said yes, due to the job loss that occurred in those industries.

COUNCILMEMBER McCLYMONDS asked if gyms were under accommodations.

MR. MIRANDA said they are not treated under accommodations and would be a different industry class.

COUNCILMEMBER McCLYMONDS asked if gyms were included in one of these industries.

MR. MIRANDA said no, but he would have to double check.

COUNCILMEMBER McCLYMONDS said he would like them to be included.

COUNCILMEMBER STEWART agreed.

COUNCILMEMBER ORLANDO said some of the businesses probably received PPP money and asked if we were differentiating businesses by that.

MR. MIRANDA said we were treating them all the same and there was not a distinguishing characteristic at this time.

COUNCILMEMBER ORLANDO asked why.

MR. MIRANDA said those businesses that received PPP are still really challenged and this is another opportunity to provide assistance in another way to keep people on the payroll.

COUNCILMEMBER ORLANDO said the three person shop does not have the same luxury of 100 people to have the time to apply for things like this. Some of the businesses took advantage of this and had some staff available to take the time to complete the paperwork. Councilmember Orlando said that puts the smaller small businesses at a disadvantage and asked staff to think about it more. Councilmember Orlando did not want all the resources to go to places that could leverage staff compared to those that are unable to.

MR. MIRANDA said they are trying to build a program that is accessible to everyone. If someone is here in Chandler hiring and adding people then that is great. The PPP loans went fast and businesses are still struggling. This money will not carry them through, but it will keep people on payroll longer.

COUNCILMEMBER ORLANDO said it is important everyone has an equal opportunity. Councilmember Orlando said he often asks small businesses how it is going and if they know about PPE grant and often times they say no. Councilmember Orlando asked what else could be done to get the word out.

MR. MIRANDA said this is a problem they have seen and getting businesses to engage. Mr. Miranda said they are trying to keep the applications simple and cast a wide net. We are buying ads and pushing media and working with different organizations to get people engaged. Some people may not be as motivated on the PPE grant since it is just \$100 to \$500, but staff is hopeful if it is a larger sum people may be more motivated since it is on a first come first served basis. Mr. Miranda said they will continue to advertise.

MAYOR HARTKE said this money would be more appealing to a smaller shop because those with 100 employees the amount is less significant. By nature it does seem it will drive itself to the smaller shops. It could really make a difference in those businesses.

MR. MIRANDA said yes, that was correct. It goes a lot further than a major corporation.

COUNCILMEMBER ROE said they are trying to get it done rather quickly and asked if the tax staff could reach out to people.

MR. MIRANDA said they have been great and we have been using their distribution list to send emails and surveys to ensure they have all the information.

MR. MIRANDA continued the presentation.

- Business Grant Amounts
  - Economic and fiscal impact analysis conducted to determine the direct revenue benefit to the City per job
  - Industry average is -\$1,300 per employee annually
  - Businesses would receive \$1,300 per employee retained and hired up to maximum grant amount of \$10,000

COUNCILMEMBER ORLANDO asked if this is what staff normally uses for economic development processes.

MR. MIRANDA said yes, that staff runs these models on specific projects. He said through this modeling they had to do extensive research for average inputs to generate the output and FTE benefit to the City.

COUNCILMEMBER ORLANDO asked if this was consistent to go by FTE than a certain amount of money.

MR. MIRANDA said there are a lot of ways economic development agreements are structured. They look at the economic benefit that is usually structured around jobs so it is consistent.

MR. MIRANDA continued the presentation.

- Program Administration
  - City has issued a Request for Proposal (RFP) seeking a grant program administrator
  - The individual or firm selected would be tasked with marketing, processing applications, distributing grant funds, and providing weekly reports to the City
  - The RFP closes on July 14

COUNCILMEMBER HUANG clarified that we were using an outside company to help distribute the supplies.

MR. MIRANDA said that was correct.

COUNCILMEMBER HUANG asked if they already had guidelines.

MR. MIRANDA said their guidelines were set out in the briefing and they were pending City Council direction and authorization.

COUNCILMEMBER HUANG asked if it would be a committee or an individual.

MR. MIRANDA said they would set up eligibility guidelines and work with the selected vendor to follow all of the guidelines before funds are released to them. Everything that they would judge an application on would be set by Council.

VICE MAYOR LOPEZ asked if the RFP dips into the \$9.5 million that was set aside for distribution.

MR. MIRANDA said it does and it is part of the program administration costs.

COUNCILMEMBER STEWART said it looks like we are doing twice as much than some of the other cities in getting the funds into the market and it is going to other things like keeping employment up. Councilmember Stewart said that would stimulate the economy and felt this followed what Council had asked for. Councilmember Stewart asked if there was a plan for any of the residual money to be set aside in the event the money goes quick and we can continue to support specifically this.

MR. MIRANDA said the grants do not go directly to the employees, they go the employers who are keeping them employed to support the economy.

MS. REED said they would be proposing a reserve amount, but with that Council has the discretion at any time if that is the wish of the Council.

MR. MIRANDA said they are excited about this program and this would have a positive impact for businesses.

MAYOR HARTKE thanked staff for their work and like the program.

MS. REED thanked staff for working on this as it has been very complicated.

COUNCILMEMBER ORLANDO asked if there was an update on the Home Matters Fund and the CARES funding for rental assistance.

LEAH POWELL, Neighborhood Resources Director, said staff interacts through the Community Action Program and AZCEND is the CAP agency for Chandler. A lot of the dollars are trickling down through the County to those CAP offices. There is an infrastructure challenge with the fact

that all of a sudden they have to gear up to take millions of dollars and allocate it. Ms. Powell said in their proposal they would like to give some assistance to the CAP office when it comes to working with the public to help triage people that come into our office instead of just referring them to the CAP office. Ms. Powell said on the back end to also get people into a family self-sufficiency program similar to what is run in public housing. Ms. Powell said there would be funding for the CAP office to help with personnel.

COUNCILMEMBER ORLANDO said he understood the CAP office and said it seemed these programs are helping people with rent.

MS. POWELL said she did go onto the website for those programs and the website directed to the CAP office at least for the rental portion.

COUNCILMEMBER ORLANDO said if someone was out of work would it go directly to the CAP office regardless of income level.

MS. POWELL said there was an application on the website, but directed it to the CAP office for distribution. Ms. Powell said she would have staff look at it again to see if there have been any changes because they have had a challenge getting the funds out.

COUNCILMEMBER ORLANDO asked if they could do that as there may be a lot of people out of their homes in the upcoming months.

MS. POWELL continued the presentation.

- Vulnerable Populations
- Community Support
  - Communication with Nonprofit Agencies
    - Increased communications with agencies since March
    - Supplemental application to identify funding needs for agencies receiving funding beginning July 1, 2020
    - 32 out of 41 agencies responded
    - \$1,204,769 requested
    - Common challenges were identified
- Community Support
  - Challenges due to COVID
    - Up to 80% more residents requiring support for basic needs and an increase in services
    - Many families will be facing eviction in the fall due to job loss
    - The number of individuals and families experiencing homelessness is predicted to increase by 40%
    - There is a need to identify new resources in the community
    - Non-profit service providers have had to develop new service delivery models that result in increased costs

- Community Support
  - Challenges due to COVID
    - Up to a 70% reduction in volunteers
    - Service providers are incurring unexpected costs for PPE and cleaning services/supplies (\$273,000 requested)
    - Most agencies have had to cancel fundraisers and donations are down
    - Participation is down in fee-based programs therefore impacting the overall revenue for some non-profit agencies
- Community Support
  - Community Outreach - \$550,000
    - Identification and Solicitation of Resources
    - Creation of Partnerships
    - Constituent Assistance
    - Facility Improvements for Constituents
    - Tenant Retention
    - Landlord Recruitment
    - Vulnerable, Low-Income Population COVID Testing
    - Rental Mitigation Fund
- Community Support
  - Food and Basic Needs - \$68,000
    - Local Food Banks
    - Clothing Banks
    - Diaper Banks
    - Household Essentials Bank
- Community Support
  - Homeless and Housing - \$661,000
    - Community Navigation Services
    - Emergency Shelter for Homeless and Domestic Violence
    - Heat Relief Day Center
    - Eviction Prevention and Rehousing
    - Transitional and Employment Services

COUNCILMEMBER ORLANDO asked for more information about the navigation services.

MS. POWELL said this would pay for an additional two navigators in the community working with people. Right now there are two navigators. One is working with all of the individuals there were put in the hotels and working on their cases. The other one is working for the whole rest of the City. With some of the challenges that are occurring this would allow more staff to be able to get people into services as soon as possible.

COUNCILMEMBER ORLANDO asked if they would be fulltime for the year.

MS. POWELL said yes, it would be two navigators through at least the remainder of the fiscal year.

MS. POWELL continued the presentation.

- Community Support
  - Senior and Special Populations - \$77,000
    - Independent Living Support
    - Senior Meals
    - Veteran's Transportation
    - Crisis, Stabilization, and Medical Services
- Community Support
  - Youth and After School Services - \$93,500
    - Medical and Dental Clinic
    - Childcare
    - Intersession and Summer Programs
- Community Support
  - PPE and Cleaning Supplies - \$201,000
    - PPE for Staff and Participants
    - Disinfecting of Shelter and Child Care Sites
    - Increase in Cleaning Supplies

MAYOR HARTKE asked if funds with the IDA are restricted to businesses.

DAWN LANG, Management Services Director, said the IDA program can be extended to for-profit. It is to help businesses in the community and does not differentiate for-profit or non-profit. The IDA would be open to continuing it if it is successful.

MAYOR HARTKE said it is a great program and if it continues to be underutilized then perhaps it could reimburse nonprofits. Mayor Hartke said this proposal would not be for reimbursement.

MS. POWELL said the funds would be allocated and they would get the funding in advance.

MS. POWELL continued the presentation.

- Community Support
  - Community Outreach - \$550,000
  - Food and Clothing - \$68,000
  - Homeless and Housing - \$661,000
  - Senior and Special Populations - \$77,000
  - Youth and After School Services - \$93,500
  - PPE and Cleaning - \$201,000
  - Total \$1,650,500

COUNCILMEMBER STEWART said he was not sure if it was enough money because there may be challenges with school starting and it has really affected the service industry. Councilmember Stewart asked if there were ways to support the school district's efforts and was concerned for the kids who would need daycare.

MS. POWELL said it is an interesting time right now. Some of the numbers are down in those programs and that may be due to people still trying to figure out what to do. Once families reach a point where they cannot stay home with the kids anymore, that is when they will see the need. Ms. Powell said they would continue to monitor what is happening with the youth service providers as things may change over the next few months. Ms. Powell said they have the ability to go back out supplemental application and the annual applications would happen in October. Last year no one knew this would be happening, but through that process we would have the ability to do another questionnaire.

COUNCILMEMBER STEWART said he would like more to potentially be set aside in the future.

MAYOR HARTKE said he was happy to hear Councilmember Stewart come around to a contingency fund.

COUNCILMEMBER ORLANDO asked how the direct allocation from the federal government was coming along.

MS. POWELL said staff worked quickly to turn around the applications and get them sent to Council, but they ran into a time delay with HUD. The funds were released last week so staff is getting the contracts out this week. Ms. Powell said the agencies have the ability to bill back to March 1 and that is what they are working on now.

COUNCILMEMBER ORLANDO said the total would be about \$2.5 million between that money and this money.

MS. POWELL said yes.

COUNCILMEMBER ORLANDO asked what the program administration fees would be.

MS. POWELL said it depends on the program. The federal funded programs have a set of rates that are HUD approved. For the smaller programs they take no more than 20% for administration and that is written into the criteria when the City allocates general funds.

COUNCILMEMBER ORLANDO said then these would be capped at 20%.

MS. POWELL said yes. Many of the applications that came in focused on the program delivery and not as much on administration.



COUNCILMEMBER ORLANDO asked if the direct federal funding of \$800,000 programmatic fees were higher.

MS. POWELL said there was a piece the City takes for administration to run the programs. The rates that went out to the agencies were at the HUD rates, but they have to submit documentation.

COUNCILMEMBER ORLANDO asked what the City's program fee is.

MS. POWELL said the City takes 3% on the social service funding and youth enhancement program funding. Of the community outreach piece the City is looking at some of those positions being temporary staff that would be housed in our office. As far as all the other pots of money, those would all go out to the agencies and the City would not take any administration out of that.

COUNCILMEMBER ORLANDO said the fees are anywhere between 3% to 20%.

MS. POWELL said the 3% is only what the City keeps on those two pots of money and everyone else closer to the 20%.

SANDIP DHOLAKIA, Chief Information Officer, continued the presentation.

- Operational Continuity and Capital Investment
- Technology
  - Goals
  - Citizen Engagement – Make Chandler a leader in serving citizens through innovation
    - Many of the current solutions are not easily/securely accessible from mobile devices
    - Many services require in-person interaction
    - Outdated technology slows the ability to quickly launch virtual citizen engagement solutions
- Technology
  - Goals
  - Mobility – Enter into the New Workforce “norm” while ensuring continuity of City services
    - Currently lack appropriate mobile devices (primarily laptops)
    - Use of personal devices introduces significant security vulnerabilities
    - Bandwidth issues during peak times impacts productivity
    - Inability to effectively patch and manage devices
    - Inability to effectively hold large interactive virtual meetings
- Technology
  - Citizen Engagement \$600,000
  - Enhance mobile friendly applications
  - Improve how the City delivers services to Citizens

- Benchmarking solutions and analysis underway

COUNCILMEMBER ORLANDO asked for more specifics.

MR. DHOLAKIA they are not necessarily devices for City staff, but for solutions that are more accessible by the public to the City. These would be things like virtual chat to connect with staff or potentially have a chat bot answer a question so a citizen can get their question answered.

COUNCILMEMBER ORLANDO asked what the implementation timeframe was.

MR. DHOLAKIA said within the next 12 months and a couple of the efforts may extend to the next fiscal year. In terms of securing funding and making the commitments to solutions to target that would be within the next 12 months. Staff would report progress along the way and what solutions would be targeted.

MR. DHOLAKIA continued the presentation.

- Technology
  - Mobility \$7,100,000
  - Replace desktops with laptops and docking stations (@1,343)
  - Upgrade network infrastructure and security
  - Modernize capability for video and conferencing in various City facilities including the Council Chambers, the Courts and Public Safety
    - Laptops \$1,373,000
    - Infrastructure \$3,422,000
    - Peripheral Equipment \$500,000
    - Conference Rooms \$1,800,000

VICE MAYOR LOPEZ thanked the IT department for all of their support during this time and being able to adjust to the impacts. Vice Mayor Lopez said it looks like a lot of money, but with the infrastructure we have, Vice Mayor Lopez asked if we would be leapfrogging into future technology.

MR. DHOLAKIA said this puts us in a position to keep up with the trends of technology. In other areas, it would absolutely be a leapfrog.

VICE MAYOR LOPEZ asked if the laptops would be leased or purchased.

MR. DHOLAKIA said purchased.

COUNCILMEMBER McClymonds said we are a Community of Innovation and we are also a community that values fiscal discipline and technology does not always get the investment it deserves. Councilmember McClymonds said the pandemic shined some light on some of our

weaknesses, but it has also provided dollars to make a huge impact. Councilmember McClymonds asked if Mr. Dholakia has been with the City a year now.

MR. DHOLAKIA said yes on May 6.

COUNCILMEMBER McCLYMONDS said the work he has done is incredible and looked forward to what he would be able to do with this funding.

COUNCILMEMBER ORLANDO asked what the timeframe and priority would be.

MR. DHOLAKIA said they are looking at what is going to have the biggest impact even if we enter a pandemic scenario. Mr. Dholakia said IT staff would work with the customer facing services to prioritize what they would tackle first. Once we have the priority nailed down then they would look to identify solutions and set a schedule. The priority right now from all that has been presented would be the mobility component.

COUNCILMEMBER ORLANDO asked what the lead time on the laptops would be.

MR. DHOLAKIA said two to six weeks. Because of the supply chain there are a lot of other municipalities that are doing the same thing. From the time they place the order their goal is to be able to get the refresh completed within a 10 month period. Groups would be prioritized based on their roles and responsibilities.

COUNCILMEMBER ORLANDO asked if this would be a software refresh as well.

MR. DHOLAKIA said yes, when the refresh is done this would also include the most current version of Office. This would also keep us compatible when we make the leap into O365.

COUNCILMEMBER ORLANDO said he heard the mobility piece would be first and then work on everything else.

MR. DHOLAKIA said yes.

COUNCILMEMBER HUANG said he has been disappointed in their ability to teleconference especially during the pandemic. It is important to communicate virtually. Councilmember Huang asked for emphasis on this area.

- Technology
  - Summary
  - As the Community of Innovation, the City of Chandler strives to ensure business continuity in the wake of a pandemic through investments in:
    - Enhanced Virtual Citizen Engagement
    - Embracing the new norm for a more mobile workforce

- Sustainable, secured technology infrastructure
- Modernized video technology and conference rooms
- Infrastructure solutions to support Smart City solutions

MS. LANG continued the presentation.

- City Service PPE
  - Propose total Citywide allocation of \$500,000
  - Sustain PPE City service needs for Fire, Police and other Departments through FY 2020-21
  - Support facility disinfection needs
  - Will eventually get reimbursed through FEMA
- Financial Reserves
- Reserves – Future Needs
  - Unanticipated revenue shortfalls
  - Additional business grant opportunities
  - Housing Assistance
  - Non-profit Assistance
  - Needs from Fiber Master Plan
  - Workspace Reconfigurations
- Funding Opportunities

MS. REED continued the presentation.

- Next Steps
  - If Council is in agreement with proposal:
    - Actions for July 16, 2020 Council meeting
      - Approve of Grant Agreement with State
      - Move funds from contingency to appropriate Departments
      - Approve additional non-profit allocation of AZCares funding
      - Approve City Manager to execute all documents related to programs for initial AZCares Funding (i.e. grant administrator agreement)

MAYOR HARTKE said he liked the flexibility and that money could be set aside immediately and more funds would be available to be allocated for further community relief as needed. Mayor Hartke said this is a good first step by giving us the opportunity to be nimble and this would be helpful for us to move expeditiously and get the dollars out to the community.

COUNCILMEMBER ORLANDO asked if anything needed to be added for the nonprofits.

MS. POWELL said there were some agencies that did request for funding that we were unable to meet the full funding. Some were the youth programs that are continued to be monitored. More funds could be allocated and staff would hold the contracts until they are needed. Ms. Powell said one food bank was not fully funded as well as some medical and dental clinics.

COUNCILMEMBER ORLANDO asked what the dollar amount would be.

MS. POWELL for the additional service requests they are about \$130,000 short of being able to fund all of it. For the PPE portion there is about \$72,000 short to fund everything that was requested.

COUNCILMEMBER ORLANDO said that would be a good baseline to put that back in and ensure everyone is funded the best they could.

MAYOR HARTKE said it looked like Council was in agreement.

COUNCILMEMBER ROE said the reserve is significant and it may be very necessary in the upcoming months.

COUNCILMEMBER HUANG thanked staff for their work on this plan. Councilmember Huang said he had some concerns about the business hiring and retention plan. Councilmember Huang said if they have sufficient funds for all of the requests, but asked what if they do not and asked what criteria they would use to select the applications.

MR. MIRANDA said they are proposing to open up the first group to the most effected businesses along with the feedback that was received from Council around gyms and entertainment. Mr. Miranda said if funding is still available it would be open again for the next most impacted industries. It would be marketed for two weeks and then the applications would be opened for two weeks. The grants would be then completed and then the cycle would continue. Mr. Miranda said not every business would be eligible and they are trying to assist the most impacted small businesses by job losses. There is a chance not every business in Chandler would receive funding, but given the funds available they believe they have put forward a proposal that would really benefit the businesses that have seen a lot of distress.

COUNCILMEMBER HUANG said they need to pay attention to it and ensure it is fair. Councilmember Huang said for the distributors it is important it is fair and asked how the City would ensure the money was contributed fairly. Councilmember Huang said they need to have supervision over the distributor that is selected.

MR. MIRANDA said they are looking to negotiate weekly reporting to ensure the funds are going where they need to be. Mr. Miranda said they do anticipate there would be metrics and auditing language added to verify where the funds went.

COUNCILMEMBER HUANG said they need to have the ability to respond immediately if someone complains in a timely fashion.

MR. MIRANDA said that is something they would work with the grant administrator on and managing the conversation with the applicants. Mr. Miranda said that would be part of their responsibility.

COUNCILMEMBER HUANG said he hopes that teleconferencing is a priority and it would be done in quality manner.

MR. DHOLAKIA said they would definitely look into it.

VICE MAYOR LOPEZ said it was a good plan and covers what Council had directed. This gets money to the community quickly, assists vulnerable populations, and provides flexibility and mobility for staff. Vice Mayor Lopez said he was happy to see the 33% contingency which will provide flexibility and see what areas they need to put more funds at.

COUNCILMEMBER McCLYMONDS thanked staff for their work and this would make a big impact.

COUNCILMEMBER STEWART said this was a gift from the federal government and this is an economic and human crisis and commended staff for their work. Councilmember Stewart said he did not think they should use much for reserve and it should be put into the marketplace as it was intended to be used for. Councilmember Stewart said he would like to see the economic and social programs to be increased and would like staff to come back with different numbers. Councilmember Stewart said if the City Manager needs to make a call quickly, that is something that could be done. The funding that would be used for the economic portion would be used quickly and Councilmember Stewart did not want to come back to meet and wanted the City Manager to have authority to give additional funds. Councilmember Stewart said Chandler leads and comes with innovative ideas and the community would be better for it.

MAYOR HARTKE said on the agenda they would be voting on, they would be giving the City Manager the ability to make those decisions and if there is additional funding necessary the City Manager could move forward and not wait.

ADJOURNMENT: The Work Session was adjourned at approximately 6:08 p.m.

ATTEST:   
City Clerk

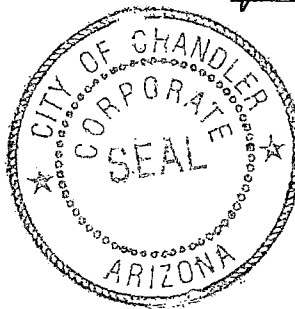
  
Mayor

Approval Date of Minutes: August 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 13th day of July 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of August, 2020.



  
City Clerk



## CHANDLER CITY COUNCIL

### WORK SESSION MEETING MINUTES

Thursday, July 16, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, July 16, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:31 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
*Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember Huang arrived at 4:33 p.m.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; and Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Micah Miranda, Economic Development Director; Dawn Lang, Management Services Director; Steven Turner, Assistant to the City Manager.

### DISCUSSION

1. Discussion and Council direction regarding the structure, policy direction and calendar for a Citizen's Exploratory Bond Committee.

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MS. REED presented the following Power Point presentation.

- Agenda
  - Bond overview
  - Current bond authorization



- Review of other funding sources
- Review of potential project impacts due to lack of bond authorization
- Citizen Bond Exploratory Committee structure
- Bond Committee process overview
- Direction from Mayor and Council
- Bond election calendar review
- Questions

DAWN LANG, Management Services Director, continued the presentation.

- Bond Overview
  - Issuing Bonds provides funds for capital projects
    - Funds land acquisitions, capital construction, equipment and other items with long lives
    - Allows a community need to be constructed immediately, planning tax/rate impacts
    - Typically financed over time (i.e. 7-20 years)
    - Repaid with secondary taxes or other dedicated revenue stream (i.e. user fees, HURF)
    - Higher bond rating; the lower the interest paid
    - Typically tax exempt; requires extra reporting

COUNCILMEMBER ORLANDO asked for more information about the AAA bond rating and what does that save the City and what it costs.

MS. LANG said the AAA bond rating is an independent rating of financial stability. It measures the level of risk and Chandler bonds are in high demand because it is a sure thing that the interest earnings would be paid. Folks closer to retirement or pension funds look for a stable investment of AAA bonds. They are very easy to sell on the open market. The delta between a AAA and AA rate on the market is quite a few basis points depending on the economy. It is hard to quantify but typically, there is a much lower rate of return than a AA when selling bonds.

COUNCILMEMBER ORLANDO said the ability to sell the bonds is important depending on the market and the risk.

MS. LANG said that is correct. Some cities hire underwriters that market their bonds to help garner buyers for the bonds. When Chandler bonds are put out on the market, they receive many bids and it is very competitive.

MS. LANG continued the presentation.

- Bond Overview – Voter Authorization
  - Required to issue certain types of bonds
  - Authorized with or without a tax increase

- Balance debt based on maturities, payment schedules, and new issuances, or
  - Significant need may require tax increase
- Bond authorization doesn't expire
- Number of years of projected authorization needs can vary
- General Voter Bond Authorization Remaining
  - Reflecting Nov. 2019 Issuance
  - Last Bond Election was 2007 (pre-recession) which projected no property tax increase for projects
  - Minimal bond authorization remains for Public Safety and none for Water or Wastewater
  - Bond Authorization generally cannot shift between categories
  - Authorization is not new debt nor does it raise the tax rate, it simply authorizes the City to sell bonds for projects in those categories

MAYOR HARTKE said there is a fair amount of money in parks and streets, but wanted more clarification regarding the balance and authorization.

MS. LANG said the parks and streets category are the largest areas of remaining authorization and they are areas with quite a bit of need in the community. Ms. Lang said knowing there are needs that were not built into the 10-year plan for parks and recreation, the current authorization would be used based on the current projects within the next 7½ years. In the streets area, the transportation plan was recently completed and there are still projects out there that need to be discussed around what might need to be incorporated, but this amount would get us through a portion of the 10-year plan. Those are very expensive infrastructure and the funds go quickly.

VICE MAYOR LOPEZ asked about the caliber that the 2007 bonds and said these funds are intended to cover many projects.

MS. LANG said she was not sure how much was remaining and some of the authorization on the list is still from prior bond elections before the 2007 authorization. Ms. Lang said they have used a significant portion, but during that when the projections were done it was being looked at for build out. There was a lot of projects contemplated, but it was a very long term projection and after that authorization that the recession hit. The assessed values went down so the focus turned to being able to pay the existing debt service rather than adding new debt. Large projects and a lot of analysis happened regarding what Chandler would need for buildout at that time.

VICE MAYOR LOPEZ asked if the new bond election would take us to build out or only to what we need to finish out the 10-year plan.

MS. REED said that question would go to the Bond Exploratory Committee. Ms. Reed said there are a lot of community needs that are not in the current CIP and costs have gone up

dramatically. There is a complete understanding that this may carry us seven years on the current CIP there are many needs out there that are not in that CIP.

MS. LANG continued the presentation.

- Property Valuation and Tax Rate History
- Funding Types as a Percentage of 10-Year CIP
  - Bonds 52%
  - Fund Balance (i.e. General/Enterprise Funds) 27%
  - Grants 9%
  - System Development Fee (SDF)/Impact Fees 6%
  - Highway User Revenue Fees (HURF) 5%
  - Local Transportation Assistance Fee (LTAF) 1%
- CIP Review – Total CIP Funding
  - Total CIP \$1,164,226,378

MS. REED continued the presentation.

- Review of Potential Project Impacts Due to Lack of Bond Authorization
  - Maintenance and Improvements of Streets
  - Regional Park Improvements
  - Multi-Gen and Aging Facility Needs
  - Technology Upgrades
  - Airport
  - Water Wastewater Facility Improvements
  - Public Safety Projects and Facilities

VICE MAYOR LOPEZ asked for clarification on the CIP abbreviation.

MS. REED said Capital Improvement Program.

VICE MAYOR LOPEZ asked if there are any restrictions and if we could utilize bond money for ongoing maintenance.

MS. LANG said they look at major maintenance that extends the useful life of an asset. Any of the items going into the capital plan that are using bond funds meet that criteria as well as match it to the language. The bond language will say new facilities and maintaining facilities and it is something they have to look at too.

VICE MAYOR LOPEZ said he wanted to ensure they are not having ongoing maintenance costs being paid out of the bond funds.

MS. LANG said if it is going in the bond fund it would be a larger onetime cost that extends the useful life. There are programs in the CIP that are not funded with bonds that are more of that ongoing upkeep of assets.

COUNCILMEMBER HUANG asked how much does the City owe right now from bond sales.

MS. LANG said it is less than \$300 million in outstanding bonds.

COUNCILMEMBER HUANG asked how much interest was being paid.

MS. LANG said she did not have that number today but would provide it.

COUNCILMEMBER HUANG said for personal finances if you do not have the money then you do not spend, but for the City that could be a different idea. Councilmember Huang said there are certain times where they need to sell bonds to maintain the function of the City. But since we have the AAA bond rating and the financial position of the City, Councilmember Huang asked the reason for selling bonds. Councilmember Huang said we need money for the CIP, but asked if some CIP items could be cut so we do not have to issue bonds. Everything has to be paid back and that adds a burden to the City.

MS. LANG said having some debt is healthy and it goes hand in hand with a strong debt management plan. The City has strong debt management policies and guidelines around the type of projects we sell bonds for. It is done wisely and it is necessary because it allows the City to be rated by external parties for credit worthiness. That goes a long way. When you need to build a wastewater treatment plant and it is a \$200 million plant, there is no amount of time to wait to get enough money to build a necessary piece of infrastructure like that. It is important to have the ability to sell bonds and be able to fund necessary infrastructure for the citizens. It would be difficult to save dollars, because we are a very lean City, fast enough to build infrastructure for our citizens. It is important to have the ability sell bonds, have some debt, and be rated and it is healthy to do that as long as we have the framework and policies in place.

COUNCILMEMBER HUANG said this is a sophisticated process and these are essential services the City should provide. Councilmember Huang said we need to ensure we can pay it back as we will always have a need. If we need to pay a lot of interest or owe a lot of money and the economy goes down then the City will have to make even more costs.

MAYOR HARTKE said the types of things that we are talking about building the people would use these items and continue to pay for them. It is different with a City than personal finances.

COUNCILMEMBER ORLANDO said during the recession, we sold about \$10 million worth of bonds because we needed them at that time. No one was laid off and they had a business as usual philosophy. Councilmember Orlando said we sell bonds all the time and it is nothing new. Councilmember Orlando said we have a robust fiscal policy and we save a lot of one time money. Councilmember Orlando said we have been fiscally prudent and use onetime dollars when we and have been diligent. Councilmember Orlando said we have also refinanced bonds, which saves the taxpayers millions of dollars. It is an investment in the community and investors are comfortable to buy Chandler's bonds so we can move forward. Councilmember Orlando said this

is time versus money and we can finance it now at a much lower rate than most cities can and if rates go down then we could refinance. We have done a lot of good things to the City and for the right reasons.

COUNCILMEMBER McCLYMONDS said we provide some of the best services in Arizona at a low cost and there are certain critical things we need to deliver to provide the best quality of life. If we do the save model it could take many years whereas with the bonds we could do it now. One of the important points is the interest rate environment we are in and we have an extraordinary opportunity.

MS. LANG said the rate is 1.96%.

COUNCILMEMBER McCLYMONDS said it is a good opportunity to be careful and calculated with what we need and what we borrow. This is a way to provide the best quality of life for residents.

MS. REED said we are always trying to move the City forward and there are a lot of companies that look to locate here. Ms. Reed said we always get questions regarding infrastructure and the quality of life. If we do not have it already built then we could miss out on future economic development because that is what companies look for and the companies provide the jobs that keep the community moving forward. It is a need to ensure we have good quality infrastructure and quality of life that continues to draw people to Chandler.

MS. REED continued the presentation.

- Citizen Exploratory Committee Structure
  - Bond Exploratory Committee
    - 1 Committee Chair
    - 6 Committee Member
  - Finance Subcommittee
    - 1 Committee Member
    - 6 Subcommittee Members
  - Parks Subcommittee
    - 1 Committee Member
    - 6 Subcommittee Members
  - Airport Subcommittee
    - 1 Committee Member
    - 6 Subcommittee Members
  - Public Works Subcommittee
    - 1 Committee Member
    - 6 Subcommittee Members
  - Information Technology Subcommittee
    - 1 Committee Member
    - 6 Subcommittee Members
  - Public Safety Subcommittee

- 1 Committee Member
- 6 Subcommittee Members

MAYOR HARTKE said that in the past they have just had a central bond committee. This structure allows 49 people instead of just a handful and each Councilmember has submitted suggestions and that is a good basis to take into consideration. Mayor Hartke said he also spoken with members of the community and there is a healthy list to choose from. Mayor Hartke said his first time serving was on a Charter Committee in the early 90's and it was a great experience. Mayor Hartke said this would be a way to get a good amount of people and opinions.

COUNCILMEMBER STEWART suggested getting younger residents involved so we could also listen to what the future thinks. Councilmember Stewart asked if the bond committee does not mean they are raising taxes it just means they are getting this on the ledger.

MAYOR HARTKE asked how much impact do we want to give the committee and his suggestion would be to let it grow organically. Mayor Hartke said there would be great voices in the community and it would ultimately come back to Council. Mayor Hartke said his goal is to keep the level of tax the same and see what the need is in Chandler. Mayor Hartke said the amount and timing that could impact the property tax. There are several variables that would determine what decisions would be made. We are just authorizing the possibilities and when they make sense, future Council's would be able to meet with staff to ensure it is the appropriate time.

COUNCILMEMBER ORLANDO said he was in agreement with the structure and wanted a mix to best represent the community. Councilmember Orlando said other committees are appointed and they come back to Council with recommendations and this is nothing different. Councilmember Orlando said this committee normally turns into the final bond committee and asked if it was the same.

MAYOR HARTKE said maybe not everybody, but yes. Mayor Hartke said there was a separate group that would be mobilizing this as opposed to those recommending this.

COUNCILMEMBER ORLANDO said they would have the knowledge to explain to the public what we are trying to do. It would be a disadvantage for someone to just come in.

VICE MAYOR LOPEZ said he agreed with the structure and asked if Council would also be assigning the subcommittee or if that would be decided within the main committee. Vice Mayor Lopez said he wanted to ensure there are people are of the subcommittees that are knowledgeable on that topic.

MAYOR HARTKE said yes.

VICE MAYOR LOPEZ said they need to have flexibility but the end goal he hoped they would not raise any taxes.

MAYOR HARTKE said future Council's will have the ability to do things that are essential and they would be wrestling with the same question.

COUNCILMEMBER McCLYMONDS said he agreed with the structure and thought they would get great feedback. Councilmember McClymonds said he would challenge the committee to balance the needs and wants and to not raise the taxes.

COUNCILMEMBER ORLANDO said usually the bond committee looks at the needs and priorities and they typically do not look at the taxes. Councilmember Orlando said they do not know what the assessed value is going to be two years from now and it would be hard to put that burden on them.

MAYOR HARTKE said he would not want to put that burden on them. Council is responsible that would be determining the secondary taxes and the need. Mayor Hartke shared the philosophy, but did not want to put that on them. Mayor Hartke said the rates might change whether it is lower, neutral, or raised but they have to trust future Council's to do the right thing.

COUNCILMEMBER ORLANDO said the Committee would justify the need for the bond amount. Councilmember Orlando said they would then go to the voters and then future Council would determine when things are built based on current economic conditions.

COUNCILMEMBER HUANG clarified the Committee would not be adding or removing items from the CIP.

MAYOR HARTKE said this year is the first year they have appropriated money and there are items in the past that may have been adjusted. There are different items that have been taken off or added through the years. Mayor Hartke asked if Councilmember Huang was in agreement with the structure.

COUNCILMEMBER HUANG said yes.

COUNCILMEMBER ROE said being tax neutral is what Council wants today and said future Council's will have to decide what they want. Councilmember Roe said that should be an important part of this discussion and hoped they would come back with reasonable items. Councilmember Roe said it should be thought of reasonably, as they have done in the past. Councilmember Roe said the debt service is 10 percent of the budget and was in favor of that. Councilmember Roe said he was in favor of this and wanted to see partnerships with other agencies to help with some of the cost and get it done for the citizens.

COUNCILMEMBER ORLANDO said in the past they relied on impact fees to build a lot of infrastructure in Chandler. Those impact fees are not coming in like they used to so we do not have that same revenue stream. Councilmember Orlando said this year's budget was revenue neutral and next year the assessed value may increase and a project may be added, but remain

revenue neutral. The year after the bond authorization and the taxation are two different discussions. Councilmember Orlando said for example if you go to the bank and get a credit line, it is up to the person to choose when they are going to spend that money and how much. Councilmember Orlando said they are looking for the authorization, but whether or not and how much Council chooses to use and when is a different discussion.

MAYOR HARTKE said they would have that discussion when the time comes. Mayor Hartke said he made the selection for the Chair of the Committee. He is one of the former Mayors who was Mayor during the last bond.

BOYD DUNN, Former Chandler Mayor, said he was listening very intently and took a lot of notes regarding Council's concerns. It is an honor to be asked to be the Chairman of the main Committee and even perhaps Chairman of the Finance Subcommittee. We have been through this effort before and Councilmember Orlando is correct that the impact fees have gone away. It was a significant revenue stream used in the past for infrastructure. We will focus on critical future needs and allow that authorization to be there for future Councils to use. The City has had a reputation for putting in infrastructure early and the citizens appreciate that. Mr. Dunn said he would work hard and listen to Council and appreciated their input and thought staff was excellent to work with. Mr. Dunn is looking forward to this and appreciated the honor.

MAYOR HARTKE said he looked forward to working with Former Mayor Dunn.

COUNCILMEMBER ORLANDO said Former Mayor Dunn championed impact fees many years ago and set the trend for the City.

FORMER MAYOR DUNN said the impact fees ruffled some feathers, but Chandler set the standard and other cities followed.

MAYOR HARTKE thanked Former Mayor Dunn for this work on the Corporation Commission and his assistance to the State and Chandler residents.

FORMER MAYOR DUNN said they have some significant items to decide this month, one of which is a new energy plant and hopefully a clean air energy policy. This would help with economic growth and jobs in the area.

MS. REED said it seemed everyone was in agreement with the structure.

MS. REED continued the presentation.

- Bond Election Process Overview
  - Phase 1 – Committee education and expectation setting
  - Phase 2 – Subcommittee meetings to discuss and cost project estimates, gauge public support for projects identified, and prioritize recommended projects
  - Phase 3 – Subcommittee presents and discusses findings with committee



- Phase 4 – Committee reviews, discusses, and obtains financial analysis of recommended projects
- Phase 5 – Committee prepares final recommendations including any alternative for Council consideration
- Phase 6 – Committee Chair presents final report and recommendations to Mayor and Council
- Mayor and Council Direction
  - Final direction of Bond Committee Structure
  - Does Council want to give any specific direction to Bond Committee?
  - Timeline for final report

MAYOR HARTKE said there would be an election and at least one new Councilmember who would be part of this Council. Mayor Hartke said it would be his recommendation to have the new Council be the final authorization since they would have to drive this forward. Mayor Hartke said it is important that we get strong buy in and participation from the new Council.

COUNCILMEMBER HUANG asked how long it took the last time this was done.

MAYOR HARTKE said pending Council approval there is a certain time in which a bond election could be done and that would be in November 2021, which would be about 16 months from now.

COUNCILMEMBER HUANG said Mayor Hartke's suggestion sounds reasonable.

COUNCILMEMBER ORLANDO asked as a charter city do we have the ability to call a different date in November.

KELLY SCHWAB, City Attorney, said the statute on general obligation bonds requires the election to be held in November on the consolidated election date. There has been case law interpreting the dictation of specific dates to charter cities and there is some autonomy with charter cities however, our charter is silent as to when we would hold a bond election. In consulting with bond counsel as well, it is believed we would be required to hold the bond election in November.

COUNCILMEMBER ORLANDO said as of right now it would be November, but it could be discussed at a later date.

MS. SCHWAB said yes.

COUNCILMEMBER ORLANDO said it would be important that the new Council be able to exercise that judgement.

VICE MAYOR LOPEZ said he would want the first time Council were to receive feedback from the bond committee would be with the new Council. Vice Mayor Lopez said they do want to have the Committee lingering either and be respectful of the volunteers' time.

COUNCILMEMBER HUANG said there is still five months until the next Council is sworn in. Councilmember Huang said he is in support of the early stage of the Committee. Councilmember Huang said next year there would not be any major elections and asked if there is any difficulty to put it into the August election.

MAYOR HARTKE said according to state statute it has to be in November.

COUNCILMEMBER HUANG asked if the City Attorney could look into it being held earlier.

MS. SCHWAB said they are speaking with bond counsel and would present Council their findings in a different format.

MAYOR HARTKE said Council is in agreement with the final report timeline. Mayor Hartke said he would be interested in hearing from the community in a less restricted format and without Council dictating too much since it would come back to Council at the end. This would allow creativity and more free flow of ideas.

VICE MAYOR LOPEZ said we want to ensure there is as much public input as possible. Depending on COVID-19, the use of online tools is really important. Vice Mayor Lopez said it is important the citizens drive this with their input.

MS. REED continued the presentation.

- Bond Election Estimated Calendar
- Bond Election Estimated Calendar (cont'd)

COUNCILMEMBER STEWART said there is \$42 million in bond authorization for parks and recreation and \$75 million for streets and asked why it has not been used.

MS. LANG said it has been used over time and it really has to do with the decisions on Council from year to year depending on assessed values and the desire to increase taxes or not. Typically, over the past few years as assessed values are increasing because of new property we have been able to capture additional capacity in our rate and complete more projects on an annual basis. If you were to use it sooner it would create a tax increase. It depends on the timing of projects and how fast the bond authorization would be used. When the recession happened, the City withheld selling bonds for a period of time because if they had increased the tax rate it would have resulted in a tax increase to property owners.

COUNCILMEMBER STEWART said in 2007 the Bond Committee went to the voters and said we are going to bond this much for these items. The Council said they would not raise taxes to build some of these items.

MS. LANG said when that bond election happened the projections were done on the basis assessed values were going to go up an average of 4-6% per year. After the recession the assessed values went down so it completely changed the timing of the projects. Had that not happened we would have used the authorization much faster and built into the CIP. Council has made the decision they did not want to put that burden on the taxpayers with the assessed values going down.

COUNCILMEMBER STEWART said if there is a robust committee and if they come back with projects then taxes would have to be raised to fulfill the bonds.

MS. LANG said that right now there are assessed value projections built into the 10-year plan. If there are priorities that come out of those discussions that differ from the 10-year plan then it may require us to move something else. The first year is adopted, but then years 2 through 10 it is a matter of timing and what the priorities are. It may be the committee finds projects that are higher priorities and recommend those projects be done first. Unless assessed values exceed our projections, it would limit the additional projects that could be added.

COUNCILMEMBER STEWART asked for more information on impact fees.

MS. LANG said the impact fees are an incredibly powerful plan and it allows the City to pay for projects that are growth related that we have to have infrastructure in place to support the growth. Over the years, all of those projects have been identified in the Land Use Assumption and Infrastructure Improvement Plan. All of those projects are almost completed. Many of the projects that were completed the impact fees had not come in yet so we had sold bonds early in order to have that infrastructure in place. We can continue to collect impact fees and pay for those projects since we have been paying the debt service through the secondary tax levy. We can continue to charge impact fees, but there are very few growth projects remaining that we can use those and pay directly towards growth projects but we can pay ourselves back now.

COUNCILMEMBER STEWART asked if the impact fees were higher, flat, or down.

MS. LANG said impact fees have been coming in higher. We still have the ability to collect impact fees and pay ourselves back.

COUNCILMEMBER STEWART said we are in a slowdown and we are potentially talking about raising taxes. We have fixed income folks that are seeing an increase in property tax because of the increase in assessed value. Councilmember Stewart said he wanted to balance this challenge, but still take advantage of the great interest rates. Councilmember Stewart said we want to have

the bond authority to get the citizens what they need. Councilmember Stewart said he wanted to ensure Council is mindful of the things citizens are expecting to be built such as parks.

COUNCILMEMBER McCLYMONDS said that he wanted to ensure the needs are balanced and prioritize the projects from a tax neutral perspective.

COUNCILMEMBER ORLANDO said the percentage of the budget of impact fees has dramatically dropped. There are no longer that many growth projects available and we have been scrutinized by the industry to reduce the amount of impact fees based on a percentage.

ADJOURNMENT: The Work Session was adjourned at approximately 5:55 p.m.

ATTEST: *Dana R. DeLy*  
City Clerk

*Kevin Hanthe*  
Mayor

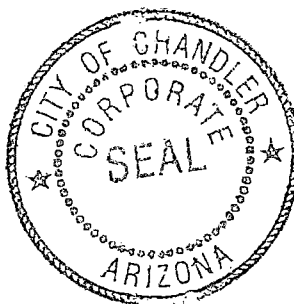
Approval Date of Minutes: August 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 16<sup>th</sup> day of July 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of August, 2020.

*Dana R. DeLy*  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, July 16, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, July 16, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:02 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Mark Rossington, Epiphany Lutheran Church of Chandler.

PLEDGE OF ALLEGIANCE: Vice Mayor Lopez led the Pledge of Allegiance.

### **CONSENT AGENDA – DISCUSSION**

MAYOR HARTKE said Consent Agenda Item No. 34 has to do with the RFP for the I Choose Chandler business employee hiring and retention program. The RFP was posted to the City's website and the State of Arizona procurement portal on June 29, 2020, and was closed for applications on July 14, 2020. This is a public document and a copy could be requested by contacting the City's purchasing division. The process, instructions, qualifications, criteria and other information are listed within the RFP document. This is not a contract for \$9.5 million, the RFP is a professional services agreement to administer the program established by the City. Council has had two public discussions on the AZ Cares funding and provided staff direction to move forward. Notification was provided to those registered in the State of Arizona procurement portal and staff has sent emails to local businesses that might be interested in responding.

MAYOR HARTKE said as part of solicitation process a virtual pre-proposal was held for anyone interested in the RFP to attend to ask staff questions. A City staff evaluation committee was made to evaluate the proposals and make recommendations to the City Manager. Related documents are available to the public. The Economic Development Department would oversee the contract with the vendor to ensure the scope of work and criteria are met. There is no deadline for the evaluation committee to make a recommendation and there is no recommendation at this time. Council would vote on an item that allows but does not compel the City Manager to execute an agreement with the applicant.

MAYOR HARTKE said there is also an item that is moving the AZ Cares funding from the Council contingency account to the appropriate economic development fund to allow for this program to get underway. A lot of this work was done before we had our meeting earlier this week, which would have rescinded this action if Council had gone another way. Council stressed the urgency to get the money into the community and be as responsible as possible for that. This gives us a jump that would get money to the community sooner. Regardless of who is chosen to administer the program it is important to get the word out to small businesses as soon as possible. There is a potential to help 900 businesses and if you know any small business owners to encourage them to apply. The criteria for this allows us to help the most people with minimal amount of paperwork.

MAYOR HARTKE read the following comment cards:

Tabitha Spivey, 2820 S. Alma School Rd 18-289, Chandler, AZ 85286, asked are there any funds going to the black/minority businesses? Why can the City not manage the dispersal of funds?

MAYOR HARTKE said as many of the funds would go out to as many small businesses as possible particularly the minority community. We would be reaching out to all businesses about the opportunity. Mayor Hartke said to give this to a company that specifically works with the business community acts as an impartial body instead of staff.

Keasha Beach, 603 E. Carla Vista Dr., Chandler, AZ., asked, was the decision to allocate funds fair? Not made easily accessible to the public business sectors. What happens to those left out? And why are no funds allocated to black and minority businesses specifically?

MAYOR HARTKE said no businesses have been chosen and it will be up to the businesses to apply. Up to 900 businesses will receive funds and we have a great opportunity to help those businesses impacted.

Duane Lidman, 2315 W. Palomino Dr., Chandler, AZ 85224 said he would be talking about agenda items 3 and 34. Mr. Lidman said his experience with respirators is to meet the OSHA regulations for the construction and general industries. Mr. Lidman said he is not an expert, but often consults with health safety and industrial hygienists before purchasing or using respirators. There are many types of respirators. N95 respirators are medical and industrial grade respirators and the medical grade should be used by the Chandler Fire Department paramedics. N95 respirators with an exhalation valve are for industrial applications. The valve is on the front of the respirator and aides in the exhalation of warm air making the respirator more comfortable to wear for long periods of time in hot work environments. The mask filters the inhalation air but not the exhalation air. The public works and utilities employees would use the valve mask. General use face covers would meet the Maricopa County face coverings requirement.

MR. LIDMAN said the Maricopa County face cover mandate is something we can all meet. Valve masks do not meet the face covering mandate and that medical grade masks should be reserved for healthcare workers. Please reference the County's face covering regulation when purchasing and distributing face coverings when using this grant funding. Small businesses like doctor's offices and dental offices may need both types of face coverings. Restaurants and retail stores should only need general use face coverings. Mr. Lidman said a local company is producing N95 masks and the State of Arizona has a contract that perhaps Chandler could use. Mr. Lidman encouraged Chandler to buy domestic face covering and supported these two items.

MAYOR HARTKE noted that Item No. 34 was the breakdown of the specific spending and said Neighborhood Resources would also be given funding to help with the non-profits.

COUNCILMEMBER ORLANDO said Consent Agenda Item No. 34 said he did reach out to the school district to see if there was anything that they need. Councilmember Orlando asked the City Manager to reach out to the school district as they are in need of PPE and WiFi spots, and perhaps we could assist them.

MAYOR HARTKE said there was a significant amount of funding from the Governor for schools.

MARSHA REED, City Manager, said she would be meeting with the school district on Monday.

COUNCILMEMBER ORLANDO said the RFP was a 16 day process which was a bit shorter than usual, but it is critical to get it out to the community quickly. Councilmember Orlando said for minority owned businesses, he encouraged them to speak with the procurement department because they are always looking for those businesses to apply for Chandler projects.

COUNCILMEMBER STEWART thanked staff for moving quickly on this. The amount that is being put into the business community is significantly more than what other cities are doing. Chandler would continue to work with staff to ensure everyone is funded with the grants that are being done based on industries. This is a good thing and it has been very public.

#### CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE JULY 16, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ROE.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### CONSENT AGENDA ITEMS

1. INTRODUCTION OF ORDINANCE NO. 4931, PLH19-0061 DEVELOPMENT SERVICES CODE AMENDMENTS, amending the Code of the City of Chandler, Chapter 35 - Land Use and Zoning; Chapter 39 - Sign Code; Chapter 43 - Public Works and Utilities Department; Chapter 51 - Wastewater Service; Chapter 52 - Water Services; Chapter 53 - Reclaimed Water Service; relating to zoning, signs, and civil engineering standards.

BACKGROUND FROM COUNCIL MEMO:

The proposed code amendments were prompted by a Special Joint Meeting of the City Council and the Planning and Zoning Commission held on August 15, 2019. The focus of the meeting was to address the Infill and Redevelopment element of the City Council Strategic Framework. At that meeting, City Council provided direction to staff on multiple areas of the City Code, including public notification, general code clean up, code amendments, area plans, residential and commercial guidelines, and annexations. Since August 2019, staff have worked on a phased approach to the code amendments and identified which of these aforementioned items are short term deliverables processed by staff and long term projects to be implemented by staff and consultants.

These recommended code amendments were presented to the Council's Airport, Development Services, Public Works and Utilities and Transportation Policy Subcommittee on February 18, 2020. The Subcommittee provided direction to proceed. Planning and Zoning Commission was briefed on June 3, 2020, and staff subsequently refined the proposed amendments based on comments and suggestions from the Council Subcommittee and Planning and Zoning Commission as well as from input received through the public outreach process outlined below.

The proposed amendments are categorized into "policy" and "housekeeping." Policy amendments focus on addressing several priorities of the Infill and Redevelopment element of the City Council Strategic Framework. Policy amendments include:

- Notification and Communication – enhance process requirements including a posting of a neighborhood meeting sign, utilize digital outreach on multiple platforms.
- Landscape and Rights-of-Way Landscape – increase tree box size from 15 gallon to 24 inch box.
- Conditional Zoning – remove section to align with Arizona State Statute (Prop. 207)
- Civil Engineering Design and Construction – allow City Engineer flexibility administratively.
- Annexation and Out of City Utility Service – maintain design standards for County Island properties needing City utilities along with annexation.

Housekeeping amendments provide clarifications, citation reconciliations and other minor adjustments to match current administrative practices. Additional information on each amendment is provided in the ordinance and attached code change matrix.

Input gathered from the June 3, 2020, Planning and Zoning Commission briefing was reviewed to revise the proposed amendments or maintain the proposed language. Comments and suggestions expressed at the briefing are noted below, along with staff's response and action, where applicable.

1. Notification and Communication

<u>Commissioner comment</u>	<u>Staff response or action</u>
a. Interactive Map is a useful tool, yet not found easily within website.	Interactive Map will be evaluated for additional links.



b. Staff should look at developing electronic links within the map that are specific to a property. Receiving notices on upcoming City events and developments needs to be further marketed to residents and encouraged to register for notices.	City email notices relate to departments and divisions within the City within the Subscription section. Staff will contact CAPA on ability to market subscriptions to residents.
c. Orange public hearing signs – QR Code inclusion on a sign is not feasible, as someone would need to park and go to sign to scan the Code. Hearing sign text to be simplified and easily read from a vehicle. The public hearing sign should provide the City of Chandler logo.	Public hearing signs guidelines will be updated to be user-friendly to the public (i.e. font size that is readable, City logo, simplified proposal text).
d. Notification buffer radius should increase for all zoning applications, could double the distances, for mid-rise go up to one-mile. Social media in Code should read as platforms, not platform.	<p>Staff analyzed the request to increase the buffer radius and does not recommend increasing the radius for notification. Staff finds that the mailing notices based on County assessor property owner records is often ineffective for providing project information to property owners because owners may view mailings as junk mail, tenants of the owners are not notified, and the staff time and mailing costs involved. Rather, staff suggests greater use of social media and technology to reach out to citizens both on their smart phones and through the City's website and social media platforms currently used for other public notifications of events and activities.</p> <p>Staff revised Code text to read as social media "platforms" instead of a single "platform."</p>

## 2. Landscape and Rights-of-Way Landscape

<u>Commissioner comment</u>	<u>Staff response or action</u>
Landscaping proposed in the preferred species list should be water conservation plant materials by the AMWUA.	Plant materials required by Code are currently required to adhere to the low-water usage plants outlined in the "Low-Water-Using Plant List" approved by the Arizona Department of Water Resources. Staff will provide further guidance with a preferred species list that addresses low water use plants and trees.

## 3. Conditional Zoning

<u>Commissioner comment</u>	<u>Staff response or action</u>
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The zoning timing condition should remain in Code to provide assurances that projects comply with the approved rezoning and/or to be able to revisit the applicability and compatibility of zoning cases that were approved many years ago, but never constructed.	Staff finds that the removal of this code requirement is in alignment with Arizona State Statutes as to prevent conflicts with Proposition 207. Staff also indicated that there is a handful of remaining properties with time extensions and historically only two properties have reverted zoning with the request by the property owner. No change proposed.
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4. Housekeeping amendments

a. Are open-air ramadas counted toward lot coverage? In Phoenix, trellises do not count toward lot coverage in the Arcadia neighborhood.	Staff researched this specific neighborhood, which appears to allow maximum lot coverage of 25%. Chandler allows 40% lot coverage for hard-zoned properties. Properties zoned as Planned Area Development may provide greater lot coverage.
b. The increase of height of the storage shed impacts properties where there may be a lower than 4 ft. wall/fence or no fence/wall. Commission stated this relates to Traditional Neighborhoods in the majority of cases. Suggestion to contact the Neighborhood Advisory Committee (NAC).	Staff contacted the Neighborhood Resources Administrator who shared the proposed Code amendments at the June 8, 2020, NAC meeting. No comments were voiced at the meeting.
c. Consider allowing accessory dwelling units (ADU) in lieu of guest quarters.	The intent of the code revision is to codify current administrative practice of having a bedroom, bath in the detached building, yet no full kitchen or separate utilities are permitted. Future policy amendments or new area plans related to infill may consider ADUs.

Public Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Notification of the proposed amendments, request for public input, and public hearing dates was sent electronically to the following stakeholders on May 22, 2020, and June 16, 2020: Chandler Chamber of Commerce, Valley Partnership, Arizona Multifamily Association, Home Builders Association of Central Arizona, and land use law attorneys that have been involved in developments in Chandler. Staff received comments from Jackson Moll, Vice President of Municipal Affairs, Home Builders Association of Central Arizona, which are attached together with staff's response. On May 22, 2020, the draft code amendments were posted on the City's website and social media platforms to gather initial public input. The public hearing schedule was posted on the City's website and advertised in the newspaper.

Planning and Zoning Commission Vote Report  
Planning and Zoning Commission meeting July 1, 2020.  
Motion to Recommend Approval.  
In Favor: 5    Opposed:    Absent: 2 (Eberle, Pekau)

Commissioner Heumann reiterated that increasing the buffer distances for notification of development projects should be further evaluated by staff. This may include a set of codified criteria based on the type of development proposed. It is the best interest to reach out to the most citizens who may be impacted by a proposed project. Staff responded that further evaluation of the buffer distance for mailing notifications will be part of the next phase of code amendments. The second concern is the removal of the time condition.

#### Recommended Action

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommend the City Council approve PLH19-0061 Development Services Code Amendments.

2. RESOLUTION NO. 5389, authorizing the Mayor to execute an amendment to an Intergovernmental Agreement (IGA) between the City of Chandler and the Arizona Fire and Medical Authority, to adjust fire and emergency medical training costs.

#### BACKGROUND FROM COUNCIL MEMO:

As automatic aid partners, CFD and AFMA collaborate to provide service to the residents of Chandler and Sun Lakes, respectively, during emergency incidents that require additional personnel, apparatus, or equipment. To ensure that Chandler residents receive care that is safe, effective, and evidence-based, CFD works alongside AFMA to provide education and training to its firefighters. Under the proposed agreement amendment, CFD would increase the pricing of the current AFMA training IGA to match the agreements CFD has with the Gila River Indian Community and the City of Maricopa for firefighter training.

#### FINANCIAL IMPLICATIONS:

The proposed amendment requires AFMA to pay for emergency medical and fire training at a rate of \$400 per firefighter. The proposed rate per firefighter is approximately 33% higher than the current rate of \$300 and is due, in full, within the fiscal year. The estimated payment for training 27 AFMA firefighters is \$10,800 for FY 20/21. Funds received from AFMA will cover the cost of training supplies and equipment.

3. RESOLUTION NO. 5392, approving and authorizing the City Manager, or her designee, to enter into and to take all necessary action related to the State of Arizona grant agreement for the AZCares Fund Program to address unforeseen financial needs and risks created by the COVID-19 public health emergency.

#### BACKGROUND FROM COUNCIL MEMO:

On, May 29, 2020, a letter was sent by Governor Doug Ducey indicating the award to Chandler of \$29,983,456 from the AZCares Fund to offer assistance in mitigating the impacts of COVID-19 on City operations. The funds are a distribution of the Coronavirus Aid, Relief, and Economic Security

(CARES) Act issued to the State of Arizona through the U.S. Department of Treasury. Under federal guidelines, the funds granted to the State must be used following certain requirements, one of which allows funds to be used to mitigate costs of responding to the COVID-19 public health emergency. As a matter of administrative convenience, in light of the emergency nature of the AZCares Fund program, the agreement stipulates that the City may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency. As the City is able to substantiate payroll costs for public safety personnel during the program period above the awarded amount, the full award can be requested to offset those costs in the General Fund. This will thereby free up General Fund dollars to be used for other efforts as directed by Council.

Through the completion of the application process, and providing the signed Grant Agreement Terms and Conditions, the State will remit the full award of \$29,983,456 to the City, which has established a separate ledger account for their receipt as outlined in the agreement. These funds will then be used to cover the General Fund payroll costs for public safety personnel during the March 1, 2020, to December 30, 2020, program period, among other costs authorized by the grant agreement. With the addition of these funds, General Fund dollars will then be available to use as Council directs for other programs, services, or purchases to assist in operations or COVID 19 response

4. BOARD AND COMMISSION APPOINTMENTS.

BACKGROUND FROM COUNCIL MEMO:

Housing and Human Services Commission

Appoint David Gonzalez

Mayor's Youth Commission

Appoint Layla Kader

Appoint Joshua Evans

Appoint Jahnvi Nair

Appoint Arman Patra

Appoint Layth Abdelkarim

Appoint Hiyun Lee

Neighborhood Advisory Committee

Appoint Jen Felker

5. CLAIMS REPORT for the quarter ending June 30, 2020.

BACKGROUND FROM COUNCIL MEMO:

The claims report for the Accounts Payable payments for the quarter ending June 30, 2020, is on file in the City Clerk's office (or is attached here if viewing the agenda online) per Section 3-6 of the City Code: The City Manager/designee shall advise the City Council of all claims and demands paid, together with the name of the vendors or payees, dates paid and amounts.

6. AGREEMENT NO. CM8-962-3970, with Lyft, Inc., for the first-mile, last-mile pilot program, in an amount not to exceed \$49,000, for one year, August 1, 2020 through July 31, 2021, with the option of up to four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO:

The First-Mile, Last-Mile program is a partnership with Lyft to provide discounted trips to and from bus stops. This partnership will provide an extension of the transit reach in South Chandler, where bus service is limited, while at the same time avoiding the high cost of adding multiple new bus routes.

In the program, the City will pay for a 50% discount on trips to and from bus stops south of Pecos Road (See attachment 2 for a service area map). The City's expected average cost per trip will be approximately \$5 - \$6. The City's total cost will not exceed \$49,000 for the one-year pilot program.

Although bus service works well in areas with higher population density and low and moderate-income areas, bus service is not as effective in lower-density and higher-income areas such as South Chandler. The cost to provide bus service throughout South Chandler would be approximately \$3,000,000 - \$6,000,000 per year and an estimated \$12 - \$15 per passenger boarding.

Chandler staff presented this proposed partnership to the Airport, Development Services, and Public Works and Utilities Council Subcommittee on July 24, 2019. At this meeting, staff received positive feedback from the subcommittee and was encouraged to proceed.

7. AGREEMENT NO. CS6-966-3671, Amendment No. 4, with Lithotech, Inc., for overflow photo copying and printing services, in an amount not to exceed \$95,000, for the period of August 1, 2020, through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

This agreement has been established for overflow printing services to ensure that printing and copying will be provided in a timely manner to meet schedules requested by City staff. Overflow printing is defined as any printing or bindery work that is beyond the capabilities, volume and/or turnaround time frame that the Print, Mail and Graphics Division can handle. Services include printing of business cards, letterhead, envelopes, door hangers, flyers, postcards, pamphlets, booklets, brochures, high-speed duplicating and binding, and other services normally provided by a full service printing company. The printing and folding of the City Scope and printing of the Phone Directory and Six Month Calendar are also included.

8. AGREEMENT NO. MS8-946-3817, Amendment No. 2, with JPMorgan Chase Bank, N.A., for lockbox services, in an amount not to exceed \$68,500, for the period of August 1, 2020, through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Public Works and Utilities Department provides water, wastewater, and solid waste services to more than 86,000 residential and business accounts in the City of Chandler. These customers receive a monthly combined bill for these services from the Management Services Department,

Utility Services Division. Customers have many payment options when it comes time to pay their bill, one of which is to send in a payment coupon with a check or money order. The Utility Services Division currently uses JPMorgan Chase Bank's lockbox services to process these payments and produce uploadable payment files, allowing for an automated and efficient process. The service is fast, reliable, and costs less than processing the payments internally. Additionally, their service has been consistent, with no issues in receiving the payments or payment files in a timely manner. An average of \$1.82 million was processed each month through the lockbox in fiscal year 2019.

9. AGREEMENT NO. MU5-910-3538, Amendment No. 5, with The Shannon S. Martin Company, for janitorial services, in an amount not to exceed \$326,997, for the period of August 1, 2020, through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department and Building/Facilities Department contract janitorial services for various buildings within their areas. The work performed under the contract will include daily floor care, restroom cleaning, trash removal, dusting and miscellaneous cleaning duties as detailed in the contract specifications. The buildings to be cleaned under this contract for Public Works & Utilities are: Administration, Water Distribution, Water Treatment Plant, Water Quality Laboratory, Water Systems Maintenance, Meter Services, Wastewater Collection, Ocotillo Brine Reduction Facility, Airport and Ocotillo Water Reclamation Facilities, and Solid Waste Services. The buildings to be cleaned for Building and Facilities are: Chandler City Hall, Chandler Boys and Girls Club, Parks and Facilities Service Center, Airport Terminal and Tower.

10. AGREEMENT NO. ST7-750-3808, AMENDMENT NO. 2, with Arizona Materials, LLC, for ready mix concrete materials, in an amount not to exceed \$70,000, for a one-year period, August 1, 2020, through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division maintains all city sidewalks and curb and gutter in the right-of-way, as well as many storm water related structures throughout the City. Ready mix concrete is used for sidewalk construction and repair, curb and gutter repair, and other miscellaneous concrete repairs. Aggregate slurry is used for sub-grade replacement. Staff estimates requiring approximately 940 cubic yards of concrete and 120 cubic yards of aggregate slurry for the new agreement term. The proposed agreement amount reflects anticipated usage and includes additional funding for unanticipated needs.

11. AGREEMENT NO. WW9-815-4055, AMENDMENT NO. 1, with Ferguson Enterprises dba Ferguson Waterworks, for composite manhole frames and covers, in an amount not to exceed \$200,000, for a one-year period, October 1, 2020, through September 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Wastewater Collections Division maintains over 19,000 sewer manholes in the City. Sewer manholes are exposed to hydrogen sulfide gas that subsequently converts to sulfuric acid which corrodes and deteriorates the manhole cast-iron frames and covers. Over time, vehicles driving on deteriorated covers generate noise complaints and safety issues. A composite frame and cover is not subject to this corrosion and significantly extends its useful life. Other benefits include lighter

weight materials, which are safer for employees to handle, and fewer citizen complaints regarding noise, rattling, odor, and vehicle damage. This agreement will ensure a sufficient inventory of composite frames and covers are available for emergency repairs, roadway, wastewater, and street improvement projects.

12. AGREEMENT NO. WW0-885-4137, with Alpine Technical Services, In-Pipe Technology, LLC, and USP Technologies, for collection system odor control, in a combined amount not to exceed \$500,000, for a one-year period, July 1, 2020, through June 30, 2021, with the option of two additional one-year extensions.

**BACKGROUND FROM COUNCIL MEMO:**

The Public Works & Utilities Department's sewage collection system consists of over 900 hundred miles of pipe and eight sewage lift stations located throughout the City. This system conveys over 30 million gallons of sewage to the City's three wastewater treatment plants every day. The sewage collection system runs beneath most roads and streets throughout the City.

Wastewater in the sewage collection system naturally produces noxious hydrogen sulfide gas causing odors and deterioration of pipes, manholes, and concrete structures. Reduction of hydrogen sulfide in the collection system can be accomplished by adding both chemical and microbial compounds at key locations that impede the formation of the gas and help reduce the cost to rehabilitate affected infrastructure. Lowering the concentration of hydrogen sulfide gas entering the Airport and Ocotillo water reclamation facilities will also help to drive down the cost of odor control at these facilities. This odorous gas is extremely hazardous and poses a potential risk to City collection system staff and is the main source of customer odor complaints associated with the City's sewer system and treatment facilities.

This agreement will allow City staff to work with different companies to conduct pilot testing of chemical and microbial hydrogen sulfide mitigation technologies within the sewage system to mitigate the issues of odor complaints, staff safety, and system degradation. City staff proposes piloting several of these hydrogen sulfide reducing systems in order to find the optimal solution for the City.

The pilot tests awarded to the chosen companies will take place over the course of one year to compare their efficiency and ability to reduce odor complaints and corrosion in the system while enhancing staff safety. The selected vendor must be able to reduce the gas formation to acceptable levels while adapting to seasonal variation beyond the current conditions. A cost model will be prepared to determine the annual costs for chemicals, operation, and maintenance for each option.

The scope of work consists of dosing units and microbiological treatments for the pilot test of a specific part of the collection system, monthly service including repair and parts replacement, engineering service support, and reporting and monitoring of equipment activity and product levels in the system.

13. AGREEMENT NO. WW0-885-4192, with Carbon Activated Corporation, for activated carbon, in an amount not to exceed \$300,000, for a one-year period, August 1, 2020, through September 30, 2021, with the option of four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department's sewage collection system consists of over 900 hundred miles of pipe and eight lift stations located throughout the city. This system conveys over 30 million gallons of sewage to the City's three wastewater treatment facilities every day. The sewage collection system runs beneath most roads and streets throughout the city. Wastewater in the sewage collection system naturally produces noxious hydrogen sulfide gas causing odors and deterioration of pipes, manholes, and concrete structures.

Controlling hydrogen sulfide gas at the wastewater treatment facilities is achieved with odor control scrubbers. Foul air is pulled into the scrubbers using blowers from different areas of the facilities where the gas is present. These scrubbers use either a biological or chemical process to break down the hydrogen sulfide gas. The air is then forced through an activated carbon chamber which traps any remaining hydrogen sulfide compounds.

The activated carbon in these systems has a limited life. The effectiveness of the carbon in the odor scrubbers at the Airport and Ocotillo water reclamation facilities is now depleted and in need of replacement. Periodic replacement of this carbon will maintain the effectiveness of the system, maintain staff health and safety, and continue to keep the City in good standing with its neighbors by reducing odor released from these important facilities.

14. AGREEMENT NO. 4211, with Raftelis Financial Consultants, Inc., for a water, wastewater, and reclaimed water cost of service study not to exceed \$88,860, a solid waste cost of service study, in an amount not to exceed \$58,175, and an optional strategic communication study in an amount not to exceed \$17,605. The total agreement not to exceed \$164,460.

BACKGROUND FROM COUNCIL MEMO:

City Financial Policies state that a utility rate cost of service study should be performed every four years, at a minimum, with an internal rate analysis completed every year. A cost of service study is necessary to ensure each customer class is paying for their portion of the systems based on their usage characteristics, which can change over time. The last utility rate studies were conducted in FY 2013-14 and FY 2015-16 by Raftelis Financial Consultants, Inc. These studies implemented a Water rate structure change that shifted from a winter/summer volumetric rate structure to a year round structure, and adjusted some misalignments between customer classes for Water and Wastewater through rate changes.

The purpose of the planned 2020 studies are to first, evaluate the cost of delivery for Water, Reclaimed Water, and Wastewater services provided to all customer categories (single-family, multi-family, non-residential, industrial, and landscape), and ensure that the cost of providing service to each particular customer class is appropriate based on the service received. Second, the Solid Waste study will evaluate the monthly Solid Waste fees associated with curbside and alley collection for Solid Waste and recycling, the revenues, costs, and potential pricing structures of the Recycling Solid Waste Collection Center (RSWCC), utilization and costs of both the bulk



collection program and the household hazardous waste program, and evaluate any additional industry wide best practices for services offered, partnership options, or revenue streams currently not utilized. The contract includes an option to utilize the consultant's Strategic Communication services to help communicate and gather feedback on any recommended changes from stakeholders. The results of this study will be presented to City Council in late 2020 or early 2021.

15. ANNUAL SERVICE AGREEMENT with Motorola Solutions, Inc., to support the City of Chandler radio system infrastructure, for Fiscal Year 2020-21, in the amount of \$83,897.04.

BACKGROUND FROM COUNCIL MEMO:

On October 22, 2009, City Council approved the agreement for participation in the Regional Wireless Cooperative (RWC) governance with the City of Phoenix and Motorola Solutions, Inc. Part of this governance outlines that participating agencies are responsible for maintenance of their own system infrastructure, including dispatch console support, network security monitoring, audio recording equipment support, and 24/7 technical and on-site service support. This service agreement is designed to help mitigate the risk of radio system downtime and allow for an immediate technical response to any issues that occur.

16. APPROVE the utilization of 1GPA Contract No. 19-17PV-02, with Elite Sports Builders, for the purchase of tennis center court resurfacing services, in an amount not to exceed \$105,238.

BACKGROUND FROM COUNCIL MEMO:

The Chandler Tennis Center is a 15-court tennis complex located within Tumbleweed Park on McQueen Road south of Germann Road. The existing tennis courts are post-tensioned concrete courts that were constructed and surfaced in 2014. To meet industry standards, tennis courts need to be resurfaced every 4-8 years, depending on usage, to prevent permanent damage and deterioration. Due to weathering and usage, there are several areas where the court surface is wearing down. In addition, the caulking has dried out, allowing moisture to penetrate the surfacing material and causing hollow spots and chips. Staff has extended the life of the surface by providing ongoing maintenance, as well as contracting regular power washing of the courts to reduce weathering. During FY2018-19, approximately 23,310 participants used the Tennis Center, generating \$232,691 in revenue.

To reduce the impact to tennis players, the resurfacing project will be completed in two phases. The total estimated length of the project is 4-6 weeks and will occur from mid-July to early September 2020. The resurfacing of the courts will provide a safe, non-slippery playing surface needed for the game of tennis. After the resurfacing of the courts, staff will continue to provide ongoing maintenance to extend the life expectancy of the surface.

17. APPROVE the Fiscal Year (FY) 2020-21 agreement with the Greater Phoenix Economic Council (GPEC) for regional economic development services, in the amount of \$130,654, for the period of July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler and 21 other communities in the Metro Phoenix area contract with GPEC on an annual basis to receive regional economic development services. The City of Chandler has partnered with GPEC for more than 30 years. Key benefits of this partnership include marketing and business development lead generation.

As part of the City's partnership with GPEC, Economic Development staff participates in regional economic development activities, including responses to GPEC originated business attraction prospects and assisting with the formulation of an Action Plan (Exhibit A). Staff also participates on the Economic Development Directors Team (EDDT) and attends strategic sales missions with GPEC staff.

The annual contract amount for GPEC is based on the State of Arizona Office of Economic Opportunity's 2019 population estimate for Chandler (266,804) multiplied by a fixed amount per capita (\$.4897). The City's contracted rate for FY2020-21 is \$130,654.

During the last fiscal year, Economic Development staff responded to 49 Requests for Proposals (RFPs) generated by GPEC for new businesses considering the Metro Phoenix area.

These RFPs provided Chandler with the opportunity to compete for projects that represented the potential to:

- add up to 12,600 jobs;
- absorb up to 4.6M square feet of office and industrial space; and
- invest up to \$946M in capital expenditures.

During the past fiscal year (2019-20), GPEC and the City of Chandler partnered on three locates: H.E.R.O.S., Clarivate Analytics, and Root Insurance. The average salary for these three projects is \$67,488, which is nearly 80 percent higher than Maricopa County's median wage of \$38,009. Over the next three years, these projects have the potential to:

- add more than 650 new jobs in Chandler with a payroll of more than \$44M;
- absorb 87,000 square feet of office and industrial space; and
- invest more than \$16M in capital expenditures.

Exhibits in the FY2020-21 contract include an action plan, performance measures, target industries, reporting mechanisms, insurance requirements, and a regional cooperation protocol policy.

#### FINANCIAL IMPLICATIONS:

Funds for the FY2020-21 agreement with GPEC, in the amount of \$130,654, are available in the Economic Development cost center account 101.1520.5243.0000.

18. PROFESSIONAL SERVICES AGREEMENT NO. ST2004.452, with Ritoch Powell & Associates Consulting Engineers, Inc., for the Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road) Construction Management Services, in an amount not to exceed \$361,915.

#### BACKGROUND FROM COUNCIL MEMO:

This project is for improvements on Gilbert Road from Ocotillo Road to Chandler Heights Road. The project will widen Gilbert Road to three through lanes in the northbound and southbound direction from Ocotillo Road to Powell Place. The project will also include three new traffic signals: one at Brooks Farm Road, one at the future main entrance to the new Chandler Unified School District (CUSD) high school, and one just south of Ocotillo Road to serve the Fry's and Sprouts shopping centers.

The Gilbert Road Improvements also includes raised landscaped medians, curbing, gutters, sidewalks, Americans with Disabilities Act upgrades, and three new traffic interchanges. The improvements may require the purchase of utility easements and/or temporary construction easements.

The project will receive partial reimbursement from CUSD per an Intergovernmental Agreement approved by the City Council on April 20, 2020, through Resolution No. 5362. The reimbursement includes work related to the road widening on northbound Gilbert Road, from 250 feet south of Brooks Farm Road to the Roosevelt Water Conservation District Canal, and associated improvements including the traffic signal at Brooks Farm Road and the traffic signal north of Brooks Farm Road at the new CUSD high school main entrance.

The project scope of work consists of construction management services, including pre-construction services assistance; project management; design and plan review; cost models and guaranteed maximum price proposal review; public outreach; inspection services; project close-out; utility coordination; material testing; and record drawings. The contract completion time is 460 calendar days following Notice to Proceed.

A related Pre-Construction Services Construction Manager at Risk Contract with Sunland Asphalt & Construction, Inc., for the Gilbert Road Improvements Phase II, is also scheduled for this City Council meeting.

19. PROFESSIONAL SERVICES AGREEMENT NO. ST2006.201, with Stanley Consultants, Inc., for design services to install a Traffic Signal at Warner Road and Nevada Street, in the amount not to exceed \$78,247.66.

#### BACKGROUND FROM COUNCIL MEMO:

In response to a resident request, a signal warrant evaluation was conducted at the Warner Road/Nevada Street intersection in early 2018. Results of the study showed that traffic movements, volumes, and conditions meet warrants for installation of a new traffic signal.

As such, City staff is proposing the design and installation of a traffic signal at the intersection of Nevada Street and Warner Road. This project includes installation of traffic control equipment, wireless vehicle detection, preemption equipment, and a closed-circuit television camera. The project also includes pedestrian curb ramps on each of the intersection corners to comply with the Americans with Disabilities Act guidelines and removal of the roadway light in the median on the east leg of the intersection.

The project scope of work consists of project management, utility coordination, survey, design development, and cost estimation. The contract completion time is 150 calendar days following Notice to Proceed.

20. PROFESSIONAL SERVICES AGREEMENT NO. ST2012.201, with Y.S. Mantri & Associates LLC, for the Arterial Congestion Monitoring Design Services, in an amount not to exceed \$104,517.24.

BACKGROUND FROM COUNCIL MEMO:

The City currently retimes traffic signals on a rolling three-year cycle, with a portion of the City's signals evaluated each year. As part of this three-year cycle, the traffic corridors are divided into zones and traffic counts are collected. Beyond the annual retiming program, the City also has a need to identify traffic changes proactively using longer-term (months to years) traffic trends and determine the prioritization based on the changes in traffic demands.

This project will install Anonymous Re-Identification Devices (ARID) and communication equipment to gauge traffic speeds and assist in identifying congestion on City streets. Currently, most East Valley municipalities have ARID devices. Installation of these ARID devices will facilitate the calculation of travel times within Chandler and across City boundaries. These ARID devices can also combine existing Arizona Department of Transportation (ADOT) freeway travel time data with the City's arterial data and disseminate travel time, speed, and congestion levels to the public in the form of an online map or arterial signs. The travel speed information will be integrated into the Regional Archive Database System (RADS) that will expand the congestion mapping.

The project scope of work includes design, permitting, preparation of construction documents, utility coordination, and bidding assistance for field equipment that will be installed in existing traffic signal cabinets throughout the City. The device central control software will be installed at the City's Traffic Management Center. The contract completion time is 360 calendar days following Notice to Proceed.

The construction/installation phase of this project, which will appear on a future City Council agenda, is funded by a federal Congestion Mitigation Air Quality (CMAQ) grant through the Maricopa Association of Governments (MAG).

21. PROFESSIONAL SERVICES AGREEMENT NO. WW1901.201, AMENDMENT NO.1, with Wilson Engineers, LLC, for additional design services, for the Water Reclamation Facility Improvements, in the amount of \$1,175,560 for a revised contract amount not to exceed of \$3,899,810.

BACKGROUND FROM COUNCIL MEMO:

The City provides wastewater services to over 260,000 residents. This number is projected to increase to 300,000 by the year 2040. Wastewater is delivered to reclamation facilities where it is treated to produce A+ quality effluent for delivery to the City's reclaimed water system. The Ocotillo Water Reclamation Facility (OWRF), located at 3333 S. Old Price Road, was originally built in 1985. The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, was originally built in 1998.

Recent independent assessments of both facilities identified the need to rehabilitate a number of aged and outdated treatment processes. The assessments resulted in the development of a prioritized list of rehabilitation projects for both facilities. The original scope of this project included reuse water filtration, air piping systems, and water clarification basins that are all in need of repair or replacement in order to ensure compliance with regulatory requirements. Other components of the prioritized list included the replacement of sand media filters with updated cloth media technologies, rehabilitation of secondary clarifiers, replacement of large diameter blower piping, and related instrumentation and electrical upgrades.

On September 12, 2019, City Council approved Professional Services Agreement No. WW1901.201 with Wilson Engineers, LLC, for preliminary design, detailed design, permitting of improvements, agency coordination, and construction delivery method assistance for the Water Reclamation Facilities Improvements at OWRF and AWRF. During the early phase of design, additional funding was budgeted as part of the Utility's Fiscal Year 2020/21 budget process that allowed for equipment and structures to be added into the rehabilitation project from the prioritized list. This amendment is to fund design services for the additional items added from the prioritization list that were not included as part of the original scope once additional funding was obtained.

The project scope of work for this Amendment No. 1 includes design for the following added items: sludge holding tank and associated appurtenances including aeration blowers, electrical building, a two million gallon capacity reclaimed water reservoir, various process improvements to the biological treatment basins at the OWRF facility, and a prefabricated maintenance building at the AWRF. An additional 210 calendar days have been added for a revised total of 660 calendar days to final completion, following the Notice To Proceed.

22. PROJECT AGREEMENT NO. WA2002.401, with Achen-Gardner Construction, LLC, pursuant to Job Order Contract No. JOC1701.401, for the Wall Street Utility Improvements, in an amount not to exceed \$642,984.

#### BACKGROUND FROM COUNCIL MEMO:

As part of Downtown Chandler redevelopment, assessments of the water system in the Downtown area recommend improvements necessary to replace aging infrastructure. To ensure adequate and reliable levels of service for the existing and proposed developments along Wall Street, this project will replace the waterline in Wall Street between Frye Road and Chicago Street. The waterline design has been coordinated with private utilities to mitigate conflicts with their future system upgrades such as the relocation of overhead facilities to underground. The timing of the construction phase coincides with the summer months to reduce impact to patrons, businesses and Downtown events that typically occur in the cooler months of the year.

The project scope of work includes replacement of approximately 550 linear feet of 8-inch diameter water main located in Wall Street from Frye Road to Chicago Street. Related improvements include relocation of water meters, backflow preventers, and other appurtenances. The contract completion time is 90 calendar days following Notice to Proceed.

A related amendment, increasing the annual JOC limit with Achen-Gardner Construction, LLC, is also scheduled for this City Council meeting.

23. PRE-CONSTRUCTION SERVICES CONSTRUCTION MANAGER AT RISK CONTRACT NO. ST2004.252, with Sunland Asphalt & Construction, Inc., for the Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road), in an amount not to exceed \$127,542.

BACKGROUND FROM COUNCIL MEMO:

This project is for improvements on Gilbert Road from Ocotillo Road to Chandler Heights Road. This project will widen Gilbert Road to three through lanes in the northbound and southbound direction from Ocotillo Road to Powell Place. The project will also include three new traffic signals: one at Brooks Farm Road, one at the main entrance to the new Chandler Unified School District high school, and one just south of Ocotillo Road to serve the Fry's and Sprouts shopping centers.

The Gilbert Road Improvements also includes raised landscaped medians, curbing, gutters, sidewalks, Americans with Disabilities Act upgrades, and three new traffic interchanges. The improvements may require the purchase of utility easements and/or temporary construction easements.

The project will receive partial reimbursement from CUSD per an Intergovernmental Agreement approved by City Council on April 20, 2020, through Resolution No. 5362. The reimbursement includes work related to the road widening on northbound Gilbert Road, from 250 feet south of Brooks Farm Road to the Roosevelt Water Conservation District Canal, and associated improvements including the traffic signal at Brooks Farm Road and the traffic signal north of Brooks Farm Road at the new CUSD high school main entrance.

This project scope of work consists of providing construction manager at risk pre-construction services, including constructability reviews, and preparation of a Guaranteed Maximum Price proposal. The contract completion time is 170 calendar days following Notice to Proceed.

A related Professional Services Agreement with Ritoch-Powell & Associates Consulting Engineers, Inc., for the Gilbert Road Improvements Phase II, is also scheduled for this City Council meeting.

24. CONSTRUCTION MANAGER AT RISK CONTRACT NO. ST2004.401, with Sunland Asphalt & Construction, Inc., for construction of Alma School Road Improvements (Pecos Road to Germann Road), in an amount not to exceed \$4,384,000.

BACKGROUND FROM COUNCIL MEMO:

This project is for improvements to Alma School Road from Pecos Road to Germann Road. The project will widen Alma School Road to three through lanes in each direction from Maplewood Street through the Germann Road intersection, with the road width tapering back to match the existing road width at Kingbird Drive. The improvements between Pecos Road and Fairview Street will be brought forward for City Council approval at a future date.

This project scope of work consists of installation of raised landscaped median, curbing, gutters, sidewalks, Americans with Disabilities Act upgrades, traffic signal upgrades, streetlights, traffic signal interconnect, storm drainage, irrigation, and wet/dry utility improvements. The improvements may require the purchase of utility easements and/or temporary construction easements.

Also included as part of this project will be the repair of deteriorated sewer manholes within the City's collection system. Approximately 14 existing sewer manholes require varying degrees of repair or rehabilitation that fall within the footprint of the road improvement project. The repair methods will include installation of structural inserts, bench repairs, adjustment rings, and cover replacements.

The construction contract time is 180 calendar days for final completion following Notice to Proceed.

25. JOB ORDER CONTRACT NO. JOC1701.401, AMENDMENT NO. 2, with Achen-Gardner Construction, LLC, increasing the 2020 annual contract limit for Water Main and Valve Installation, Replacement, and Emergency Repairs construction services, in the amount of \$1,000,000, for a revised annual limit not to exceed \$2,000,000.

BACKGROUND FROM COUNCIL MEMO:

On September 14, 2017, City Council approved a contract with Achen-Gardner Construction, LLC, for Water Main and Valve Installation, Replacement, and Emergency Repairs construction services. Staff anticipates needing an additional \$1,000,000 in Water Main and Valve Installation Construction Services in support of the Fiscal Year 2020 Capital Improvement Program. The additional work is due to the aging waterline infrastructure and will support asset management efforts. The proposed amendment is necessary to increase the annual contract limit during this year's term. Project agreements establishing the cost, time, and scope of work will be executed when individual projects are issued. If a project exceeds \$50,000, a project agreement will be submitted to City Council for approval.

A related JOC project agreement, for construction the Wall Street Utility Improvements project, is also scheduled for this City Council.

26. SOLE SOURCE PURCHASE of analytical equipment, parts, and services from Rosemount Analytical, Inc., in an amount not to exceed \$150,000.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department utilizes Rosemount pH oxidation reduction potential, conductivity, and chlorine analyzers to measure online water quality at multiple facilities. These analyzers are important to facility operations and must be maintained on a regular basis. The maintenance of these analyzers includes changing probes and transmitters on a schedule set by the manufacturer. These facilities have standardized to Rosemount analyzers to reduce the number of spare parts on-hand to a minimum and maintain staff's proficiency of the equipment.

27. PURCHASE of maintenance, repair, and operations supplies and related services from WESCO Distribution, Inc., utilizing Omnia Partners Contract No. R192008, for water and wastewater infrastructure in an amount not to exceed \$780,000.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department's Water and Wastewater divisions require an ongoing contract for the purchase of equipment, including circuit breakers, pump starters, and variable

frequency drives that are used extensively within the City's water and wastewater facilities. WESCO Distribution, Inc., is the distributor for Eaton Corporation equipment and other electrical products and services that are used throughout the city.

28. LIQUOR LICENSE, Series 9, Liquor Store Liquor License, for approval to add sampling privileges to the existing State Liquor License No. 09071002, for Safeway Inc., dba Safeway #981, located at 3145 S. Alma School Road.

BACKGROUND FROM COUNCIL MEMO:

Safeway Inc., dba Safeway #981 has been in business at this location since August 16, 2018, at which time Council approved a Series 9, Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 9 State Liquor License No. 09071002. The Arizona State Legislature amended A.R.S. Section 4 206.01(J) effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

The following application to add sampling privileges to the existing liquor license was posted for hearing on July 16, 2020:

Series 9, Liquor Store Liquor License, for Nicholas Carl Guttilla, Agent, Safeway Inc., dba Safeway #981, located at 3145 S. Alma School Road.

With a Series 9, Liquor Store Liquor License, the business may sell all alcoholic beverages for off-premise consumption only.

29. LIQUOR LICENSE, Series 9, Liquor Store Liquor License, for approval to add sampling privileges to the existing State Liquor License No. 09070589, for Safeway Inc. dba, Safeway #2997, located at 4060 W. Ray Road.

BACKGROUND FROM COUNCIL MEMO:

Safeway Inc. dba, Safeway #2997 has been in business at this location since June 5, 2018, at which time Council approved a Series 9, Liquor Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 9 State Liquor License No. 09070589. The Arizona State Legislature amended A.R.S. Section 4 206.01(J) effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

The following application to add sampling privileges to the existing liquor license was posted for hearing on July 16, 2020:

Series 9, Liquor Store Liquor License, for Nicholas Carl Guttilla, Agent, Safeway Inc. dba, Safeway #2997, located at 4060 W. Ray Road.

With a Series 9, Liquor Store Liquor License, the business may sell all alcoholic beverages for off-premise consumption only.



30. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for William Charles Ryan, Agent, Stillaz LLC, dba The Stillery, located at 130 S. Arizona Avenue, Suite 1.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on July 16, 2020:

New License, Series 12, Restaurant Liquor License, for William Charles Ryan, Agent, Stillaz LLC, dba The Stillery, located at 130 S. Arizona Avenue, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

31. PRELIMINARY PLAT, PLT19-0036, ALMA 202 LOTS 1-4, for approximately 12 acres, zoned for Planned Area Development District (PAD) for Community Commercial.  
FINAL PLAT, PLT19-0061, ALMA 202 LOTS 1-4, for Planned Area Development (PAD) located on the northeast corner of Alma School Road and Loop 202.

BACKGROUND FROM COUNCIL MEMO:

Site is approximately 12 acres in size. Zoned Planned Area Development District (PAD) for Community Commercial in 2014. Current property owner is seeking to build a fitness center and commercial and office uses

The preliminary and final plat divide the overall site into four lots to accommodate development as proposed in the Council-approved rezoning, which includes the dedication of public right-of-way as necessary to accommodate full improvements on Pecos and Alma School roads. These plats further outline the tracts and easements to be conveyed for means of cross-access for owners and users of the lots as well as by the City for means of emergency access and the installation, operation, and maintenance of utilities.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting February 19, 2020

Motion to approve Preliminary Plat

In Favor: 5    Opposed: 0    Absent: 2 (Pekau, Klob)

After being recommended for approval by Planning and Zoning Commission the preliminary plat was held from being placed on a Council agenda to allow time for the applicant and staff to align the proposed median design. ROW dedications and easements with the Alma School Road capital improvement project.

32. TRANSFER and carryforward of the FY 2019-20 end of year balance of unspent General Fund Mayor and Councilmember sub-account funds to the FY 2020-21 Neighborhood Resources Department for distribution of approximately \$3,700 to the Chandler Multicultural Festival and approximately \$9,000 to local nonprofit organizations providing services for Chandler's vulnerable population.

BACKGROUND FROM COUNCIL MEMO:

The FY 2019-20 budget included a \$5,000 budget for the Mayor and each Councilmember to use for attending policy committees, conferences or functions that benefit the City, related travel, or other incidentals in relation to their position. Councilmember Huang would like to recommend the end of year balance of approximately \$3,700 be transferred and carryforward from the General Fund, Mayor and Council cost center, Other Expenses sub-accounts (101.1020.5818.), to the FY 2020-21 Neighborhood Resources Department, General Fund, Community Resources cost center, Professional Services account (101.1062.5219). In addition, Councilmember Orlando would like to recommend the end of year balance of FY 2019-20 unspent Mayor and Councilmember sub-accounts of approximately \$9,000 be transferred and carryforward from the General Fund, Mayor and Council cost center, Other Expenses sub-accounts (101.1020.5818), to the FY 2020-21 Neighborhood Resources Department, General Fund, Community Development cost center, Social Services account (101.4700.5225). These remaining funds are requested to be distributed as part of the General Fund non-profit allocation with a focus on programs serving vulnerable populations impacted by COVID-19.

33. On action.

- \*34. APPROVAL OF AZCARES GRANT ALLOCATIONS, approve \$29,983,456 in AZCares Grant allocations from the General Fund, Non-Departmental Cost Center, Contingency Account (101.1290.5911) to:
- The Neighborhood Resources Department: Transfer \$1,855,500 to the Grant Fund, Community Development Cost Center, Professional Services Account, Community Support Program (217.4700.5219.0.3AZ001) for vulnerable populations, and
- The Economic Development Department: Transfer \$9,500,000 to the Grant Fund, Economic Development Cost Center, Professional Services Account, Business Hiring/Retention Program (217.1520.5219.0.3AZ002), and transfer \$500,000 to the Grant Fund, Economic Development Cost Center, Safety Supplies Account, Business Personal Protective Equipment (PPE) Program (217.1520.5314.0.3AZ003) to support businesses impacted by COVID-19, and
- The Information Technology (IT) Department: Transfer \$7,700,000 to the Grant Fund, IT Infrastructure and Client Support Cost Center, Computer/Hardware Supplies Account, Citizen Engagement/Mobility Program (217.1280.5345.0.3AZ004) to prepare the City to better serve citizens through technology, and
- The Non-Departmental Department: Transfer \$500,000 to the Grant Fund, Non-Departmental Cost Center, Safety Supplies Account, City Service PPE Program (217.1290.5314.0.3AZ005) to protect our employees and the citizens, and
- The Non-Departmental Department: Transfer the remaining \$9,927,956 to the Grant Fund, NonDepartmental Cost Center, AZCares Reserve Account (217.1290.5926), to hold the remaining balance for future needs, and
- AUTHORIZE the City Manager to execute all documents related to programs detailed in the July 13, 2020, AZCares Work Session represented by the above transfers to Departments.

BACKGROUND FROM COUNCIL MEMO:

On, May 29, 2020, a letter was sent by Governor Doug Ducey notifying award to Chandler of \$29,983,456 from the AZCares Fund to offer assistance in mitigating the impacts of COVID-19 on City operations. The funds are a distribution of the Coronavirus Aid, Relief, and Economic Security (CARES) Act issued to the State of Arizona through the U.S. Department of Treasury. Under federal

guidelines, the funds granted to the State must be used following certain requirements, one of which allows funds to be used to mitigate costs of responding to the COVID-19 public health emergency. As a matter of administrative convenience, in light of the emergency nature of the AZCares Fund program, the agreement stipulates that the City may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency. As the City is able to substantiate payroll costs for public safety personnel during the program period above the awarded amount, the full award can be requested to offset those costs in the General Fund. This will thereby free up General Fund dollars to be used for other efforts as directed by Council.

With the addition of the AZCares funds, General Fund dollars are available to use as Council directs for other programs, services, or purchases to assist in operations or COVID 19 response. An initial Council Briefing was held June 11, 2020, with City Council to receive direction on how the AZCares Funds should be used, in light of the constitutional limits around use of General Fund dollars. Staff researched programs based on City Council direction and recommended AZCares funding be allocated for Business Assistance, helping the Vulnerable Populations, Operational Continuity, Capital Investment around technology and PPE needs, and the creation of a Financial Reserve to be prepared for the unknown future COVID-19 impacts. The AZCares Funding presentation from July 13, 2020, is attached which details the programs to be implemented in each category that support the allocations.

Additionally, City Council requested an additional allocation to help the Vulnerable Populations based on known shortfalls of service providers in our community. Therefore, an additional \$205,000 was allocated to this category, bringing the total from \$1,650,500 to \$1,855,500 for Vulnerable Populations, and adjusting the reserve from \$10,132,956 to \$9,927,956. Out of the total \$1,855,500, Supplemental Funding of \$1,205,500 can now be provided to non-profit agencies. Resolution No. 5394 is included on the agenda as well, authorizing the allocation of the \$1,205,500 in Supplemental Funding in accordance with the recommendation of the Chandler Housing and Human Services Commission (HHSC) and staff.

- \*35. RESOLUTION NO. 5394, authorizing the allocation of supplemental funds from the AZCARES Grant in the amount of \$1,205,500, in accordance with the recommendations of the Chandler Housing and Human Services Commission and staff.

#### BACKGROUND FROM COUNCIL MEMO:

Each year, the City of Chandler Neighborhood Resources Department allocates local and Federal funds to non-profit organizations serving Chandler residents. Fiscal Year 2020-2021 allocations were approved by City Council on June 25, 2020. However, the onset of the Coronavirus Pandemic increased both the demand for these services and the cost to deliver them. To support the additional costs, the City released an application for supplemental funds to non-profit organizations funded in Fiscal Year 2020-2021. The City received 32 applications for supplemental funds, which were reviewed by staff utilizing scoring criteria. Staff recommendations were approved by the HHSC for recommendation to the City Council on July 8, 2020. The supplemental funding recommendations in the amount of \$1,205,500 are provided in Attachment B.

#### FINANCIAL IMPLICATIONS:

All costs associated with the supplemental funding recommendations will be paid from the City of Chandler AZCares Grant funding to be allocated for Community Support of our vulnerable populations, and the City Manager or her designee is authorized to enter into the agreements pursuant to this resolution.

#### ACTION AGENDA – DISCUSSION

MAYOR HARTKE introduced Action Agenda Item No. 33 and called for a staff presentation.

33. DISAPPROVAL LIQUOR LICENSE, Series 6, Bar Liquor License, for Jeffrey Craig Miller, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

DAWN LANG, Management Services Director, said this process started back in January and the City received the application from the Arizona Department of Liquor License and Control January 24, 2020. The application showed an interim liquor license permit was also requested. This is a conditional permit allowing the establishment to continue to serve alcohol until they receive approval for their own license. The interim permit may be cancelled at any time if it is determined that there is good cause. The City can provide recommendation on the applicants' personal qualifications and not for the location for this license since a Series 6 license was already approved to the prior owner. It is a transferable license that we cannot review again for the location.

MS. LANG said the applicants bear the responsibility to prove they are reliable, qualified, and capable, and the best interest of the City would be served by the issuance of the license. The original posting of the liquor license application on an 11 by 17 poster board was put on the premise January 29 in a conspicuous place at the front of the business allowing any resident residing or owning property within a one-mile radius to provide written arguments for or against the issuance of the license. Ms. Lang said nothing was received. On May 14, the owners changed the liquor agent and added a premises manager, and amended this application. It was posted a second time on May 18 and it was continued from the prior Council meeting to allow public comment on the new application information. It should be noted the owners operating the establishment are the same. Ms. Lang said no comments were received.

MS. LANG said staff gathered input from City departments from both the original and amended applications. Ms. Lang said they inquired with the Development Services Department if an entertainment use permit was required. No additional permits were required. Ms. Lang requested a recommendation from the Police Department and the original recommendation was a denial. On March 19, 2020, an executive order was issued for the closure of bars. The Chandler Police Department was on site at the establishment on March 21 due to an incident with the owners. On March 26, 2020, the interim liquor license was cancelled and removed by the Department of Liquor due to the violations during the incident.

MS. LANG said the application was heard at the April 23, 2020, Council meeting and additional questions were raised. Staff had an opportunity to gather additional information through a call with the Assistant Attorney General and the information is included in the memo. Following the review of the new application the Police Department maintained their recommendation for denial. Information regarding this business was also provided by the Fire Department. A fire occurred on June 7, 2020, at the location. There was a meeting prior to the fire on May 5 at the request of the applicant regarding occupant load and permit requirements in removing a wall and other code violations that needed to be corrected. After

the fire and during the fire investigation it was noted a wall had been removed and no permit had been obtained. Development Services has requested access for an additional inspection which has not yet been scheduled.

MS. LANG said the City could recommend approval, disapproval, or no recommendation. Ms. Lang said they are requesting disapproval based on the qualifications of the applicant and based on the Police Department's recommendation. They have demonstrated they are not qualified as seen during the interim permit violations and subsequently did not obtain permitting for the wall removal. If disapproval is recommended by Council a hearing would be held with the Arizona Liquor Board where the City would be able to support the recommendation and would consider any other protest from other parties. If approval were recommended the Arizona Liquor Board, would consider our recommendation and consider any other protest from other parties. If no recommendation were made then the Liquor Board would move forward without any City input.

MAYOR HARTKE invited the audience to speak.

PETER SCHELSTRAETE, 60 E. Rio Salado, STE 900, Tempe, AZ 85281, said he was the attorney for the applicant. Mr. Schelstraete said this application started on the wrong foot. The Governor's order was issued on the 19<sup>th</sup> and then there was an incident on the 21<sup>st</sup>. There has been a lot of hardship and confusion with the pandemic and some Sheriff's Departments are not enforcing the Governor's orders. There have been mixed messages from the Governor's office and localities. When looking at the applicant and the circumstances, a perfect storm came together. Hopefully this is a never reoccurring event that should be taken into account. The applicants have obtained the services of Craig Miller who had 20 years with the Department of Liquor License and Control to assist with the application and preparing a security plan. They have also hired a person in the liquor industry for over 25 years and is well qualified to help. The location had a fire so it is closed and would not be open for a while, and if there were no liquor license then it likely would not open.

COUNCILMEMBER ORLANDO asked for more information about the fire.

MARSHA REED, City Manager, asked the Fire Chief to discuss that issue.

TOM DWIGGINS, Fire Chief, said they were contacted on May 7 by the owner to determine some type of occupancy load within the structure. Chief Dwigkins sent one of this inspectors as well as an inspector from Development Services. When they arrived to the building the request was made to give them a total occupancy because they were trying to determine if the Governor's order said to open at 50% capacity they wanted to know what that was. The facility was due for an annual inspection. The inspector noticed that there were multiple violations and conducted the inspection. During the inspection, Mr. Hoover identified some upcoming construction that would take place within the structure. The inspector was clear that if they were to do that the owners needed to contact the City to get a permit. This was documented on the form and submitted it to the owners.

CHIEF DWIGGINS said on June 7 there was a fire. The same inspector was the lead investigator for the fire. As he was entering the structure, he spoke with the owners and they stated they were doing some type of construction. The inspector began the investigation and could see where there was an enclosed

kitchen the walls were gone. The next morning they met with the Fire Marshall and they reached out to see if permits had been pulled and they were not.

COUNCILMEMBER ORLANDO asked if normally the work would start only after the permit was received.

CHIEF DWIGGINS said yes, they would direct them to work with the City to get permits and verify that everything was up to code.

COUNCILMEMBER ORLANDO said he heard a series of events, and that there is an education process. Councilmember Orlando asked why the permits were not pulled.

MR. SCHELSTRAETE said it was his understanding that his client spoke with the City.

SHAWN HOOVER, 819 E. Erie St., Chandler, AZ 85225, said after the May 7 meeting with the Fire Department, Mr. Hoover said they called the permit department to see what was needed. Mr. Hoover said they were moving a 4 by 7 wall that was a barrier between a kitchen that was not in use and the seating area. Since this wall did not contain plumbing or electricity they confirmed a permit was not needed. Mr. Hoover said he called again this afternoon to verify that he was told that correctly and the permit department again said that it was not needed since the wall was not over 6 feet tall and there was no plumbing or electrical. It was just a barrier the prior owner put up.

COUNCILMEMBER ORLANDO asked staff to confirm.

DEREK HORN, Development Services Director, said he spoke with staff about this and the caller did not identify what the facility was and had just asked some questions according to staff. Mr. Horn said they have not received permit applications or plans so they cannot speculate what could be demolished or not. Most demolition in a commercial facility requires a construction permit.

COUNCILMEMBER ORLANDO said the fire inspector went out and said they needed to get a permit. Councilmember Orlando asked what Development Service's process is.

MR. HORN said they did not go with the fire inspector and usually they communicate the information with us on this. Staff relies on the applicant once they receive the fire report to hire the proper design professional to come to staff and begin the process for a permit.

COUNCILMEMBER ORLANDO said if he called tomorrow would he receive the same information. Councilmember Orlando asked if they would say they needed to see the plans or would they say it would be ok to do that.

MR. HORN said they would not say over the phone it was ok to do something. Staff would need plans to make an accurate judgement of what could be done. Staff is able to go out on site and dialogue with the owner and design professionals and they do that frequently with businesses that are relocating or expanding.

COUNCILMEMBER ROE said it did sound like a staff member did receive a phone call and that it was a pony wall with no plumbing or electrical. Councilmember Roe asked if someone did say that it would not be a problem.

MR. HORN said when he spoke with staff they did not go into that level of detail, but that there was going to be reconstruction in the facility and they needed to provide plans and permits.

COUNCILMEMBER ROE said they told the owner that they would need permits to do anything.

MR. HORN said, yes.

JEFFREY MILLER, 1811 S. Alma School Rd, Mesa, AZ 85210, said he works with Arizona Liquor Industry Consultants. Mr. Miller said he met the applicants in April and they explained what they were getting into. They were on an interim permit. Mr. Miller said he spent 20 years working for the Department of Liquor. If you file an application for an interim permit, they give it to you, but before you can get the real license proof of training must be shown. If you go with a new application, you have to show proof of training. If it is an operating business they give the owners a chance and when they come back to get the final they have to show training. Mr. Miller said they looked at doing training, but it was not until after the first incident that they contacted Mr. Miller to get started. Mr. Miller said he had them hire a management company to put some procedures in place. Mr. Miller said he has been in Chandler for many years and the growth in downtown Chandler is amazing. Mr. Miller said the Governor's orders have been confusing as some Series 6 licensees are allowed to continue operating and some are not. Mr. Miller said they now have the training in place and the employees have also been trained. The manager that was hired currently has COVID-19 and is unable to attend, but they have been in the business for a long time. Mr. Miller said the fire situation was new and he only handles the liquor license issues.

MAYOR HARTKE said a yes vote would mean disapproval for the liquor license and asked if Council had any additional questions.

VICE MAYOR LOPEZ asked if the Police Department has reviewed the additional documentation the applicant has provided regarding training and experienced consultants and if it has changed their view.

SEAN DUGGAN, Police Chief, said the position of the Police Department has not changed since the events that occurred on March 21, 2020. Both owners were deceptive to Police when investigating a violation of the Governor's order. In addition to violating the Governor's order there were multiple Title 4 code violations including preventing and delaying officer access, locking the front door while the business was open to patrons, and allowing a patron to carry a firearm inside the building. Both owners lied to the officers extensively that evening and it was recorded on body camera. They had lied multiple times to the officers on scene and were insisting they were having a family party and it was not open for business. The owners were charging patrons a cover charge to enter through the backdoor. This is known because patrons approached officers asking how they would get their money back.

CHIEF DUGGAN said on March 26, an investigator from the Department of Liquor Licenses and Control contacted Mr. Hoover and according to the report, Mr. Hoover told the investigator it was a private party and the Chandler Police Department is lying and had no proof. He continued saying the Chandler Police Department was there, did nothing, and left. Mr. Hoover told the investigator that he had undergone

liquor law training and repeatedly denied any violations of the Arizona Liquor Law and the Executive order. The investigator stated, "Throughout my brief conversation with him [Mr. Hoover] he was less than candid and his answers to my questions concerning the crowd at El Nuevo Coyote that night on March 21 were not reliably consistent to the known facts to the statements of Mr. Castillo and to the reports supplied by Chandler Police Department."

CHIEF DUGGAN said their position has not changed since March 21 since both owners were deceptive in conducting their business and their violation of the Governor's order. Chief Duggan said they demonstrated that night that they lacked the requisite capability, qualifications, and reliability to hold a liquor license in our City. On the policy and procedures document that they provided it says that dishonesty would not be tolerated and Chief Duggan said he agreed with that.

COUNCILMEMBER STEWART said there are somethings that have happened and multiple discussions regarding the challenges. This would not have happened without COVID-19 or the Executive order. It is unfortunate. This location has had challenges in the past and has put undue burden on the neighborhood and Police Department. Councilmember Stewart said he did not want to take away somebody's livelihood especially in a time when small business owners are trying to make their way. Councilmember Stewart said this is a recommendation and they were not elected to judge. The Council is there to create a buffer and create a quality of life. Councilmember Stewart said he would be voting to disapprove the liquor license.

COUNCILMEMBER ORLANDO said it seems systemic that every time they are trying to do the right thing that there is an issue that should have been taken care of. A good leader and owner would have called the City and had done the best they could especially since the fire inspector was there. They had a great opportunity to get the permit together. The Police Officers showed incredible restraint because a lot of people could have gone to jail that night and thanked them for deescalating the situation and making sure everyone got out safely. The officer that was there was an honest officer and said it seems the owner is trying to do the right thing, but in some cases he is not doing the right thing and it is concerning.

MAYOR HARTKE said a yes vote is for disapproval.

#### ACTION AGENDA - MOTION AND VOTE

VICE MAYOR LOPEZ MOVED FOR THE DISAPPROVAL OF THE SERIES 6 BAR LIQUOR LICENSE FOR JEFFERY CRAIG MILLER, AGENT EL NUEVO COYOTE LLC DBA EL NUEVO COYOTE, LOCATED AT 481 N. ARIZONA AVENUE; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION CARRIED UNANIMOUSLY (7-0).

#### ACTION AGENDA

33. DISAPPROVAL LIQUOR LICENSE, Series 6, Bar Liquor License, for Jeffrey Craig Miller, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

BACKGROUND FROM COUNCIL MEMO:



This application reflects a change in ownership from the previous use pursuant to a license held by Emanuela Watt, dba El Coyote Sports Bar from October 2015 until November 2019.

The following application for a liquor license was originally posted for hearing on March 26, 2020, at which time it was continued to April 23, 2020, it was then continued to May 14, 2020, then ultimately withdrawn by staff due to the applicant's request to substantially change the liquor license application to allow for consideration of a new agent and manager. The amended application was posted for hearing on June 25, 2020 when the applicant requested a continuance to July 16, 2020 in order to assess business operations.

Series 6, Bar Liquor License, for Jeffrey Craig Miller, Agent, El Nuevo Coyote LLC, dba El Nuevo Coyote, located at 481 N. Arizona Avenue.

The application was heard at the April 23, 2020, Council meeting and additional questions were raised. Staff had an opportunity to gather additional information. Staff had a conference call with Assistant Attorney General, Michael Raine, with the Arizona Department of Liquor Licenses and Control (DLLC) on the liquor license questions, and his responses follow with the exception of number two:

1. Are there any stipulations the City can request with the liquor license application recommendation?  
No, the City cannot make stipulations, nor will the Arizona Liquor Board. They do take into account the minutes from the Council meeting making the motion to recommend approval or denial and a recommendation for denial requires specific findings from the Council.
2. Can we hold the business accountable through the Chandler Business Registration?  
There is no provision to revoke a Business Registration in the code. (Chandler Code Chapter 61, Business Registration Section 61-2.1 and 61-6)
3. What is the no recommendation process?  
If there is no recommendation from the City, the Arizona Liquor Board would move forward without any City input or participation. The City is not required to send a letter stating this; however, staff would provide a letter as a courtesy to clarify that Council has taken no position in order for the Arizona Liquor Board to move forward. (A.R.S. Title 4-201(E). Licensing; application procedure in city, town or county; burden of proof)
4. How soon would a hearing be scheduled once the City provides a recommendation?  
After the City acts and provides the recommendation, there will be a 15 day waiting period in order to receive any protests from the public or the DLLC. After the 15 day waiting period, the Arizona Liquor Board would hear the license at the next available meeting, depending on caseload. (A.R.S. Title 4-201(E). Licensing; application procedure in city, town or county; burden of proof)
5. What is the renewal and revocation processes?  
The liquor license has an annual renewal that is fairly pro forma and does not involve cities or towns. The DLLC can review for discipline issues, complaints, or pending investigations. The Arizona Liquor Board can issue a fine or suspension of the liquor license. It is very rare that a liquor license is not renewed or revoked as the goal of the Arizona Liquor Board is to obtain compliance. (A.R.S. Title 4-210 Grounds for revocation, suspension and refusal to renew; notice; complaints; hearings; defense)

6. Is training provided to the applicant prior to approval of a liquor license?

No training is provided to the applicant and no proof of training is required prior to the issuance of an Interim Permit; however, current training certificates are required prior to the approval of a permanent liquor license. Training certificates have been received by DLLC for the owners. (Arizona Revised Statutes Title 4 R19-1-103 Training Course Minimum Standards)

7. Can the interim permit be reinstated?

The cancellation of an interim permit can be appealed to the Superior Court. This applicant has currently not appealed the cancellation of the interim permit. (A.R.S. Title 4-203.01(E). Interim permit; fee; rules)

8. Has this applicant previously owned a bar?

According to the Questionnaire attachment to the liquor license application, neither owner has indicated owning a bar establishment. Employment indicated prior experience in a hotel environment.

The Police Department has reviewed the new information and maintains their recommendation of denial of this application, citing objection to the issuance of this license based on the qualifications of the applicants Shawn Eric Hoover and Alejandro Castillo Jr. More emphasis and scrutiny is placed on the evaluation process of the liquor license since it is more difficult to revoke or not renew after issuance. The applicants bear the responsibility to prove they are capable, qualified, and reliable to operate a liquor establishment. The Police Department reported violations, calls for service, and deceptiveness of these applicants during the interim permit period, therefore they are recommending denial. The Police calls for service and timeline for the interim liquor license are listed below:

	1/24/2020	Interim liquor license issued by DLLC
Day	Date	Police Calls for Service
Saturday	2/1/2020	Trespass/Subject Refusing to Leave
Sunday	2/2/2020	Trespass/Subject Refusing to Leave
Monday	2/10/2020	Theft of Shoplifting
Sunday	2/16/2020	Disorderly Conduct
Sunday	2/16/2020	Fight/Assault
Saturday	3/7/2020	Disorderly Conduct
Sunday	3/8/2020	Disorderly Conduct
Saturday	3/14/2020	Fight/Assault
Sunday	3/15/2020	Suspicious Person/Vehicle/Activity
Saturday	3/21/2020	Unknown Problem (Open during Governor's Executive Order)
	3/26/2020	Interim liquor license cancelled by DLLC

Additionally, a recent fire incident occurred at 481 N. Arizona Avenue on Sunday, June 7, 2020, and the following communications were documented:

May 5, 2020, at 10:00 a.m. Fire Prevention Specialist Nick Alonzo and Building Inspector Nick Ruscito went to 481 N. Arizona Avenue at the request of owner Shawn Hoover.

Mr. Hoover asked for an accurate occupant load. Mr. Alonzo and Mr. Ruscito explained that occupant loads were determined based on the use of the space. At that point Mr. Hoover

explained his intentions to remove a wall at the kitchen and install a dance floor. Mr. Hoover was told that a building permit would be required for those renovations and then they walked around the building and pointed out further code violation issues.

They explained verbally and in writing (see Attachment C, Fire Prevention Inspection Report) that before his business opens to the public, he would need to go through the City of Chandler Building Department to obtain permits for construction, occupant loads and proper egress.

The Inspectors spent approximately one (1) hour and twenty-five (25) minutes on-site with Mr. Hoover, and the Fire Prevention Inspection Report was sent to Mr. Hoover's email.

A fire occurred on June 7, 2020. Inspector Alonzo noticed a wall, kitchen appliances, and kitchen hood had been removed at the time of the fire investigation.

Fire Marshal Kauble verified on June 7, 2020, that no permits had been applied for through the Building Department.

Consideration may be given only to the applicant's personal qualifications and not to the location.

Staff reposted the new application information on the property for public review. No written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

#### UNSCHEDULED PUBLIC APPEARANCES

None.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE announced Operation Back to School, thanked everyone who was involved and said it has grown a lot over the years.

MAYOR HARTKE said the Douglas Allred Company broke ground on two additional office buildings at the Park Place Development in Price Corridor. Both buildings would be 150,000 square feet and would bring 1,800 jobs to Chandler.

MAYOR HARTKE encouraged everyone to socially distance and wear a mask. Mayor Hartke thanked the community for doing their part to protect the most vulnerable.

MAYOR HARTKE said the Chandler Virtual Job Fair had an incredible turnout with 698 job seekers who registered and 14 Chandler companies. Our event partners stated it was the most successful virtual job fair they had participated in. Mayor Hartke thanked the Economic Development Team and the event partners for putting together the event.

## B. Councilmember's Announcements

COUNCILMEMBER STEWART said the Census is still happening and encouraged everyone to participate. Currently Chandler is at number 9 at 68.6%. For everybody that is counted the City receives approximately \$3,000 per person to help the community and put the resources where they are needed.

COUNCILMEMBER STEWART thanked staff for their work on the AZCares funding and to get it out into the community quickly. Comparative to other cities, Chandler put a huge percentage more towards the business community and non-profits. Councilmember Stewart said the recovery of this will start on Main Street and now that we have received money we need to create that internal churn to help our local businesses. Councilmember Stewart asked what the timeline was for the funds.

MS. REED said we are in the middle of the RFP process and staff is currently reviewing the proposals. We are about three weeks away from getting ready to have the partner ready to process the applications, but everyone should begin getting their information together to apply.

COUNCILMEMBER STEWART said we would get through this and Chandler is in a great position. Entrepreneurship will begin to spring up and find new ways to do things.

COUNCILMEMBER McCLYMONDS said we have \$9.5 million for businesses out there and a reserve. For programs that have a high demand we are able to go back and get more.

COUNCILMEMBER McCLYMONDS said this Saturday is Operation Back to School and it is a great program for those in need in order to get the right start going back to school. This year's event would look a bit different. There are four drive-thru locations for students to collect their backpack filled with essential school supplies. Councilmember McClymonds thanked staff, For Our City Chandler, the schools and other partners for coming together to find innovative ways to continue this event.

VICE MAYOR LOPEZ thanked staff for their work on the AZCares funding.

VICE MAYOR LOPEZ thanked the citizens for their presentation on masks and encouraged people to wear a mask and encouraged everyone to be nice to each other during this time.

VICE MAYOR LOPEZ said short term rentals are back in the headlines. There is a proposed draft ordinance regarding short term rentals that gives cities the tools to address short term rentals turned party houses. Vice Mayor Lopez said they are requesting feedback and the deadline is Friday, July 31.

COUNCILMEMBER HUANG said domestic violence is being under reported right now. Councilmember Huang said the City has a vacancy on the Domestic Violence Commission and we are looking for someone to serve. The Commission advises the Council on domestic violence issues and the service needs in Chandler.

COUNCILMEMBER ROE thanked staff for their work on AZCares funding.

## C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 7:04 p.m.

ATTEST: *Dana R. DeLy*  
City Clerk

*Kevin Hanke*  
Mayor

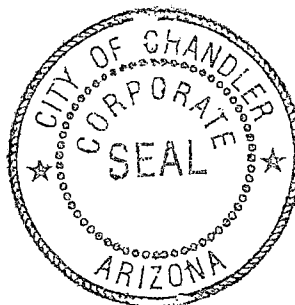
Approval Date of Minutes: August 13, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 16<sup>th</sup> day of July, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of August, 2020.

*Dana R. DeLy*  
City Clerk





## CHANDLER CITY COUNCIL

### WORK SESSION MEETING MINUTES

Monday, August 10, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, August 10th, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 5:00 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember McClymonds attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; and Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; John Knudson, Public Works and Utilities Director; Gregg Capps, Water Resource Manager; Matt Burdick, Communications and Public Affairs Director; Traci Conaway, Recycling Coordinator

#### DISCUSSION

1. Update on the Recycling Market and the City of Chandler's Recycling Program.

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said in February there was a work session regarding the state of recycling and that we were making revenue off of recycling, but now have to pay. During that work session Council requested updates on the topic.

GREGG CAPPS, Water Resource Manager, presented the following Power Point presentation.

- Agenda
  - Update on the State of Recycling
    - History of Recycling
    - Current recycling trends
    - Education and outreach
    - Impact to the budget
    - Next Steps
- Recycling Process
  - Collection trucks pick up contents of blue recycling cans.
  - Collection trucks deliver recycling loads to United Fibers.
  - Recyclables are sorted into categories by equipment and workers.
  - Quarterly audits of recycling loads determine the percentage of each category.
  - Items not accepted for recycling are landfilled.
  - Recycling commodities are sold to make into new products.
- History of Recycling in Chandler
  - Drop Off Sites
  - Curbside Recycling since 1995
  - Recycling Contracts
    - 1995-2018
      - Revenue paid to the City
    - 2018-2020
      - Fees + Revenue Share
  - Renewed Contract February 27, 2020
    - Fees + Revenue Share+ Waste Charge
- Council Work Session Direction
  - February 13, 2020 Work Session
  - Rebrand recycling program
    - Reduce items accepted for curbside recycling
    - Customer education about what recyclable in Chandler
  - Continue to explore regional opportunities
    - Similar messaging and contact opportunities
  - Renew Contract with United Fibers
    - Council Agenda – February 27, 2020
  - Provide Council Update in August 2020
- State of Recycling
  - Recycling Markets
    - Some improvement in markets since April
    - COVID – buying habits; increased tons
  - Recycling Processing Contract
    - Processing fee
    - Revenue share
    - Trash component
      - Reduced items accepted for recycling

- Invoices calculated by:
  - Monthly recycling tons
  - Monthly prices for each commodity
  - Quarterly audit contamination

VICE MAYOR LOPEZ asked if the processing fee was a flat fee for tonnage.

MR. CAPPS said yes, it is a flat fee for the amount of tonnage.

COUNCILMEMBER ORLANDO asked about the \$40 and if that was the amount we normally pay for items going to the landfill.

MR. CAPPS said yes, it is about \$41 per ton to deliver.

MR. CAPPS continued the presentation.

- Education & Outreach
  - Recycle Right Campaign
    - Utility bill insert- May
    - Videos- Six video- started posting in April
    - Web site- Updated in March
    - Newspaper Articles
      - Community Impact- March 26
      - San Tan News-April 26
    - E-Newsletter-Bi-monthly
    - City staff presentations-Ongoing
    - Phones & email-Responded to daily
    - Curbside inspections- 27,000 since March
  - Impact to Contamination Rate
    - February audit contamination =29%
    - June audit contamination = 22%

MAYOR HARTKE asked about other cities' contamination rates and how we compare.

MR. CAPPS said he did not have that data.

TRACI CONAWAY, Recycling Coordinator, said it was a bit challenging because everyone has a different contract or providers. Ms. Conaway said the other cities are having the same challenges. Ms. Conaway said they would get that information to Council.

COUNCILMEMBER STEWART asked about the contamination, and what would be a reasonable score.



MR. CAPPs said it is difficult to measure because each processor is different.

MR. CAPPs continued the presentation.

- Education & Outreach
  - Moving Forward
  - Recycling Right E-postcards September & March
  - Facebook live – Quarterly starting in September
  - Bus shelter posters – September
  - Monthly meetings with CAPA
  - Discussions with other municipalities & Professional organizations –Quarterly
  - Clings- October ; Stickers – March
- Weighted Average Commodity Sales

COUNCILMEMBER HUANG asked for clarification on the numbers.

MR. CAPPs said there are eight commodities and those are sold on the open market and that is the value of our recycling material.

COUNCILMEMBER HUANG asked what the unit of measure was.

MR. CAPPs said tons.

MR. CAPPs continued the presentation.

- Recycling Invoices

COUNCILMEMBER STEWART said, at its worst month, the cost to dispose of it is a flat rate and would not change. Councilmember Stewart asked if we were looking at a delta of what it would cost to dispose and cost to recycle of \$500,000 per year.

MR. CAPPs said the number has three different components the processing fee, commodity sales, and trash. The items sent to the landfill is a flat fee per ton. Mr. Capps said the delta in July would be \$16,000 more.

MR. CAPPs continued the presentation.

- Invoices - Actual vs Estimates

COUNCILMEMBER ORLANDO asked about the commodity sales in July.

MR. CAPPs said \$61.08.

COUNCILMEMBER ORLANDO said the trend line was higher than last January.

MR. CAPPS said the issue is the processing fee because of the increase. The weighted average commodity chart does not include what we pay for processing.

COUNCILMEMBER ORLANDO said even though the processing fee increased the sales increased as well.

MR. CAPPS said yes, it looks better than we expected.

MR. CAPPS continued the presentation.

- Next Steps
  - Education and Outreach
  - Continue to Explore Regional Partnership
  - Explore Code changes to reduce contamination
  - Evaluate contract extension – CY2021

COUNCILMEMBER STEWART asked for more information about exploring code changes.

MR. CAPPS said some cities are removing cans from repeat offenders. Mr. Capps said they do not have any current recommendations at this time.

COUNCILMEMBER STEWART said those items could spoil an entire ton.

MR. CAPPS said yes, it then contributes to the landfill costs.

COUNCILMEMBER STEWART said they talked about a co-op between other cities for processing and asked if that conversation continued.

MR. CAPPS said they meet monthly and the co-op meetings were weekly. The meetings were going okay, but there was not a solid proposal at the time. Once COVID-19 hit, that discussion went away because the focus changed. Mr. Capps said they are still meeting regularly and Chandler would continue to be part of those discussions.

COUNCILMEMBER ROE asked about eliminating recycling items and said that glass weighs quite a bit and you do not get much money for it.

MR. CAPPS said that in July we did not get any money for glass.

COUNCILEMEMBER ROE asked if it would be worth it to take glass off.

COUNCILMEMBER ROE suggested having select drop spots for those items that were removed as pickup items.

ADJOURNMENT: The Work Session was adjourned at approximately 5:28 p.m.

Approval Date of Minutes: August 27, 2020

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 10<sup>th</sup> day of August 2020. I further certify that the meeting was duly called and held and that a quorum was present.

  
City Clerk





## **CHANDLER CITY COUNCIL**

### **SPECIAL MEETING MINUTES**

Monday, August 10, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, August 10, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:06 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Councilmember McClymonds attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager.

#### CONSENT AGENDA DISCUSSION

MAYOR HARTKE introduced Consent Agenda Item No. 1. Mayor Hartke said there would be a meeting on August 20, 2020, for Council and the Commissioners who would be serving. Mayor Hartke thanked Council for their work on this and providing names and suggestions on who should serve on the Committee.

#### CONSENT AGENDA - MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE AUGUST 10, 2020, SPECIAL MEETING; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. INTRODUCTION OF ORDINANCE NO. 4933, forming a Citizen Bond Exploratory Committee and Subcommittees to review and identify the needs of the City of Chandler, and make recommendations to City Council.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler will tentatively hold a bond election on November 2, 2021. An integral part of the bond election process is the participation of a Citizen Bond Exploratory Committee and corresponding Subcommittees to review and identify the needs of the City for the bond election. This Citizen Bond Exploratory Committee, comprised of one committee chair and six (6) members will be formed to make recommendations to the Council in early 2021 on the use of bond financing. Further, the following subcommittees will be created: Finance Subcommittee, Facilities Subcommittee, Parks Subcommittee, Airport Subcommittee, Public Works Subcommittee, Information Technology Subcommittee and Public Safety Subcommittee. Each subcommittee will be comprised of a committee chair (who is a member of the 2020 Citizen Bond Exploratory Committee) and six (6) members. Should Council adopt the formation of the Committee, all Committee and Subcommittee meetings will be subject to the Arizona open meeting law and will be conducted accordingly.

ADJOURNMENT: The Special Meeting was adjourned at approximately 6:09 p.m.

ATTEST: *Dana R. DeLy*  
City Clerk

*Kevin Hawthorne*  
Mayor

Approval Date of Minutes: August 27th, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 10th day of August, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of August, 2020.



*Dana R. DeLy*  
City Clerk



## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, August 13, 2020,

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, August 13, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
*René Lopez	Vice Mayor
Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

VICE MAYOR LOPEZ and COUNCILMEMBER McClymonds attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Victor Hardy, Community Congregational Church of the Valley.

PLEDGE OF ALLEGIANCE: Councilmember Roe led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

MAYOR HARTKE said one speaker card was received on Consent Agenda Item No. 19.

DUANE LIDMAN, 2315 W. Palomino Dr., Chandler, AZ, 85224, said he lives in an older neighborhood in north Chandler and our square mile of land does not have a neighborhood park. Mr. Lidman said he was in support of Consent Agenda Item No. 19. This is an older neighborhood and the east Mini park renovation is going to be a real plus for that neighborhood. Mr. Lidman said he would like to see all of Council's support for that item.

CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER ROE MOVED TO APPROVE THE CONSENT AGENDA OF THE AUGUST 13, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ORLANDO.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

- 1a. MINUTES of the City Council Special Meeting of July 13, 2020.
- 1b. MINUTES of the City Council Work Session of July 13, 2020.
- 1c. MINUTES of the City Council Study Session of July 13, 2020.
- 1d. MINUTES of the City Council Regular Meeting of July 13, 2020.
- 1e. MINUTES of the City Council Work Session of July 16, 2020
- 1f. MINUTES of the City Council Regular Meeting of July 16, 2020.
2. FINAL ADOPTION OF ORDINANCE NO. 4931, PLH19-0061, DEVELOPMENT SERVICES CODE AMENDMENTS, amending the Code of the City of Chandler, Chapter 35 - Land Use and Zoning; Chapter 39 - Sign Code; Chapter 43 - Public Works and Utilities Department; Chapter 51 - Wastewater Service; Chapter 52 - Water Services; Chapter 53 – Reclaimed Water Service; relating to zoning, signs, and civil engineering standards.

BACKGROUND FROM COUNCIL MEMO:

The proposed code amendments were prompted by a Special Joint Meeting of the City Council and the Planning and Zoning Commission held on August 15, 2019. The focus of the meeting was to address the Infill and Redevelopment element of the City Council Strategic Framework. At that meeting, City Council provided direction to staff on multiple areas of the City Code, including public notification, general code clean up, code amendments, area plans, residential and commercial guidelines, and annexations. Since August 2019, staff have worked on a phased approach to the code amendments and identified which of these aforementioned items are short term deliverables processed by staff and long term projects to be implemented by staff and consultants.

These recommended code amendments were presented to the Council's Airport, Development Services, Public Works and Utilities and Transportation Policy Subcommittee on February 18, 2020. The Subcommittee provided direction to proceed. Planning and Zoning Commission was briefed on June 3, 2020, and staff subsequently refined the proposed amendments based on comments and suggestions from the Council Subcommittee and Planning and Zoning Commission as well as from input received through the public outreach process outlined below.

The proposed amendments are categorized into "policy" and "housekeeping." Policy amendments focus on addressing several priorities of the Infill and Redevelopment element of the City Council Strategic Framework. Policy amendments include:

- Notification and Communication – enhance process requirements including a posting of a neighborhood meeting sign, utilize digital outreach on multiple platforms

- Landscape and Rights-of-Way Landscape – increase tree box size from 15 gallon to 24 inch box
- Conditional Zoning – remove section to align with Arizona State Statute (Prop. 207)
- Civil Engineering Design and Construction – allow City Engineer flexibility administratively
- Annexation and Out of City Utility Service – maintain design standards for County Island properties needing City utilities along with annexation

Housekeeping amendments provide clarifications, citation reconciliations and other minor adjustments to match current administrative practices. Additional information on each amendment is provided in the ordinance and attached code change matrix.

Input gathered from the June 3, 2020, Planning and Zoning Commission briefing was reviewed to revise the proposed amendments or maintain the proposed language. Comments and suggestions expressed at the briefing are noted below, along with staff's response and action, where applicable.

#### 1. Notification and Communication

<u>Commissioner comment</u>	<u>Staff response or action</u>
a. Interactive Map is a useful tool, yet not found easily within website.	Interactive Map will be evaluated for additional links.
b. Staff should look at developing electronic links within the map that are specific to a property. Receiving notices on upcoming City events and developments needs to be further marketed to residents and encouraged to register for notices.	City email notices relate to departments and divisions within the City within the Subscription section. Staff will contact CAPA on ability to market subscriptions to residents.
c. Orange public hearing signs – QR Code inclusion on a sign is not feasible, as someone would need to park and go to sign to scan the Code. Hearing sign text to be simplified and easily read from a vehicle. The public hearing sign should provide the City of Chandler logo.	Public hearing signs guidelines will be updated to be user-friendly to the public (i.e. font size that is readable, City logo, simplified proposal text).
d. Notification buffer radius should increase for all zoning applications, could double the distances, for mid-rise go up to one-mile. Social media in Code should read as platforms, not platform.	Staff analyzed the request to increase the buffer radius and does not recommend increasing the radius for notification. Staff finds that the mailing notices based on County assessor property owner records is often ineffective for providing project information to property owners because owners may view mailings as junk mail, tenants of the owners are not notified, and the staff time and mailing costs involved. Rather, staff suggests greater use of social media and technology to reach out to citizens



	<p>both on their smart phones and through the City's website and social media platforms currently used for other public notifications of events and activities.</p> <p>Staff revised Code text to read as social media "platforms" instead of a single "platform."</p>
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## 2. Landscape and Rights-of-Way Landscape

<u>Commissioner comment</u>	<u>Staff response or action</u>
Landscaping proposed in the preferred species list should be water conservation plant materials by the AMWUA.	Plant materials required by Code are currently required to adhere to the low-water usage plants outlined in the "Low-Water-Using Plant List" approved by the Arizona Department of Water Resources. Staff will provide further guidance with a preferred species list that addresses low water use plants and trees.

## 3. Conditional Zoning

<u>Commissioner comment</u>	<u>Staff response or action</u>
The zoning timing condition should remain in Code to provide assurances that projects comply with the approved rezoning and/or to be able to revisit the applicability and compatibility of zoning cases that were approved many years ago, but never constructed.	Staff finds that the removal of this code requirement is in alignment with Arizona State Statutes as to prevent conflicts with Proposition 207. Staff also indicated that there is a handful of remaining properties with time extensions and historically only two properties have reverted zoning with the request by the property owner. No change proposed.

## 4. Housekeeping amendments

a. Are open-air ramadas counted toward lot coverage? In Phoenix, trellises do not count toward lot coverage in the Arcadia neighborhood.	Staff researched this specific neighborhood, which appears to allow maximum lot coverage of 25%. Chandler allows 40% lot coverage for hard-zoned properties. Properties zoned as Planned Area Development may provide greater lot coverage.
b. The increase of height of the storage shed impacts properties where there may be a lower than 4 ft. wall/fence or no fence/wall. Commission stated this relates to Traditional Neighborhoods in the majority of cases. Suggestion to contact the Neighborhood Advisory	Staff contacted the Neighborhood Resources Administrator who shared the proposed Code amendments at the June 8, 2020, NAC meeting. No comments were voiced at the meeting.

Committee (NAC).	
c. Consider allowing accessory dwelling units (ADU) in lieu of guest quarters.	The intent of the code revision is to codify current administrative practice of having a bedroom, bath in the detached building, yet no full kitchen or separate utilities are permitted. Future policy amendments or new area plans related to infill may consider ADUs.

#### Public Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Notification of the proposed amendments, request for public input, and public hearing dates was sent electronically to the following stakeholders on May 22, 2020, and June 16, 2020: Chandler Chamber of Commerce, Valley Partnership, Arizona Multifamily Association, Home Builders Association of Central Arizona, and land use law attorneys that have been involved in developments in Chandler. Staff received comments from Jackson Moll, Vice President of Municipal Affairs, Home Builders Association of Central Arizona, which are attached together with staff's response.

On May 22, 2020, the draft code amendments were posted on the City's website and social media platforms to gather initial public input. The public hearing schedule was posted on the City's website and advertised in the newspaper.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting July 1, 2020.

Motion to Recommend Approval.

In Favor: 5    Opposed:    Absent: 2 (Eberle, Pekau)

Chairman Heumann reiterated that increasing the buffer distances for notification of development projects should be further evaluated by staff. This may include a set of codified criteria based on the type of development proposed. It is the best interest to reach out to the most citizens who may be impacted by a proposed project. Staff responded that further evaluation of the buffer distance for mailing notifications will be part of the next phase of code amendments. The second concern is the removal of the time condition.

#### Recommended Action

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommend the City Council approve PLH19-0061 Development Services Code Amendments.

Ordinance was introduced and tentatively adopted on July 16, 2020.

3. FINAL ADOPTION OF ORDINANCE NO. 4933, forming a Citizen Bond Exploratory Committee and Subcommittees to review and identify the needs of the City of Chandler, and make recommendations to City Council.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler will tentatively hold a bond election on November 2, 2021. An integral part of the bond election process is the participation of a Citizen Bond Exploratory Committee and corresponding Subcommittees to review and identify the needs of the City for the bond election. This Citizen Bond Exploratory Committee, comprised of one committee chair and six (6) members will be formed to make recommendations to the Council in early 2021 on the use of bond financing. Further, the following subcommittees will be created: Finance Subcommittee, Facilities Subcommittee, Parks Subcommittee, Airport Subcommittee, Public Works Subcommittee, Information Technology Subcommittee and Public Safety Subcommittee. Each subcommittee will be comprised of a committee chair (who is a member of the 2020 Citizen Bond Exploratory Committee) and six (6) members.

Should Council adopt the formation of the Committee, all Committee and Subcommittee meetings will be subject to the Arizona open meeting law and will be conducted accordingly.

4. INTRODUCTION OF ORDINANCE NO. 4927, granting a no cost irrigation and facilities easement to Roosevelt Water Conservation District (RWCD), for the Town of Gilbert Val Vista Drive Improvement Project from Riggs Road to Appleby Road.

BACKGROUND FROM COUNCIL MEMO:

The Town of Gilbert is undertaking a road widening project for the improvement of Val Vista Drive from Riggs Road to Appleby Road (the "Project"). The City's Mesquite Groves Park (the "Park") is within the scope of the Project and is located on the west side of Val Vista Drive between Riggs Road and Cloud Drive. In order to complete the Project, the Town of Gilbert must tie-in the relocated RWCD irrigation facilities to the existing ditch facilities that are located on the north side of the Park. RWCD is requesting an irrigation and facilities easement in the area where the relocated irrigation facilities will tie-in to the existing ditch facilities on the north end of the Park. The irrigation and facilities easement is to be granted at no cost to RWCD. The Project is currently under construction and is expected to be completed by July 2021.

5. RESOLUTION NO. 5393, approving an Intergovernmental Agreement (IGA) with Maricopa Association of Governments (MAG) to Develop Preliminary Design Concepts for the Wall Street Pedestrian Improvement Project in an amount not to exceed \$4,046.84

BACKGROUND FROM COUNCIL MEMO:

Wall Street, located between Chicago Street and Frye Road, has become a popular destination due to the redevelopment in this area, known as Site 8, and home to several adaptive reuse projects including The Perch, The Local, The Sleepy Whale, and Gadzooks.

In efforts to continue downtown revitalization to the south, Wall Street Improvements were approved by City Council as part of the 2021-2030 Capital Improvement Program. The improvements will allow for a continued pedestrian path from Chandler Boulevard (Overstreet) to Frye Road and may include decorative and placemaking features such as pedestrian lighting, landscaping, arch entry monument signage, stamped concrete, etc.

In anticipation of this project, Downtown Redevelopment applied for and was awarded a grant from MAG to produce 15% design plans. These plans will include an analysis of existing conditions, development of alternatives for future design, and cost estimates for a preferred alternative. It will also provide data to be used in subsequent design phases.

#### FINANCIAL IMPLICATIONS:

The City was awarded a \$66,950.38 grant for the Wall Street Pedestrian Improvements project. A 5.7% (\$4,046.84) local match is required. The grant will be used to produce 15% design plans for the project, while the existing CIP design allocation will be used to produce design plans from 15% to 100%. The local match will be funded from the General Government Capital Projects Fund, Wall Street Improvements Design account (401.1291.5219.0.6CA669).

6. RESOLUTION NO. 5395, authorizing a project agreement with Maricopa Association of Governments (MAG) in regional reimbursement for design, right-of-way, and construction improvements to Alma School Road (Pecos to Germann roads), in the amount of \$3,999,308.37.

#### BACKGROUND FROM COUNCIL MEMO:

This Project Agreement is for reimbursement of \$3,999,308.37 in fiscal year 2020-21 of Proposition 400 funds for improvements to Alma School Road from Pecos to Germann roads.

The project will widen Alma School Road to three through lanes in each direction from Maplewood Street through the Germann Road intersection, with the road width tapering back to match the existing road width at Kingbird Drive. Improvements include modification and restoration of median, landscaping, street lighting, storm drainage, irrigation, wet/dry utilities, conduit, and installation of new portions of ITS. Similar improvements between Pecos Road and Fairview Street will be brought forward as a separate phase.

#### TRANSPORTATION COMMISSION'S RECOMMENDATION:

The Transportation Commission reviewed the project agreement on July 22, 2020, and recommended approval of the project agreement with a vote of 7-0.

#### FINANCIAL INFORMATION:

This agreement will provide regional reimbursement for design, right-of-way, and construction to the City of Chandler for Alma School Road (Pecos to Germann roads) in the amount of \$3,999,308.37. Reimbursement is programmed in Fiscal Year 2020-21 and may be adjusted for inflation, in accordance with MAG's policies. The total construction cost for this project is estimated to be \$5,100,000.

7. RESOLUTION NO. 5396, authorizing an amendment to the Intergovernmental Agreement with Regional Public Transportation Authority (RPTA) to provide fixed route bus, paratransit and RideChoice service for Fiscal Year 2020-21, in an estimated amount of \$1,490,168.

#### BACKGROUND FROM COUNCIL MEMO:

This is the second of six annual amendments with RPTA for the provision of transit service. Each year an amendment is made to adjust for operating costs and service levels. The current

amendment will run through June 30, 2021. Funding for this agreement is included in the adopted Fiscal Year 2020-21 budget.

This Agreement covers fixed route bus, paratransit and RideChoice services. The City relies on four different funding sources to pay for these services:

- City General Fund
- Arizona Lottery Fund – Proceeds from Powerball revenues, distributed to cities for use on public transportation
- Public Transportation Funds (PTF) – Maricopa County ½ cent sales tax approved through Proposition 400
- Federal Grants – In addition to the \$40,000 federal grant Chandler typically receives for RideChoice service, the Coronavirus Aid, Relief, and Economic Security (CARES) Act contributed funding that offsets Chandler's transit costs by approximately \$4 Million in Fiscal Year 2020-21.

This Amendment represents a local funding decrease of \$1,085,333 or 42.1% from Fiscal Year 2019-20 (\$2,575,501). The decrease is primarily due to the availability of one-time CARES Act federal funding and is not anticipated to be an ongoing cost savings.

This amendment also accounts for a change in paratransit service as directed by City Council at a City Council Work Session on October 10, 2019. Paratransit service will continue to be provided Citywide, but the non-ADA paratransit program is being removed. Non-ADA users will still be able to utilize RideChoice and/or ADA paratransit.

Service levels and costs included in this agreement for Fiscal Year 2020-21 are as follows:

**Fixed Route Bus Service:**

Thirteen bus routes operate within the City of Chandler, including 11 local fixed routes and two express routes to downtown Phoenix. For Fiscal Year 2020-21 approximately 278,999 service miles will be funded locally (City General Fund and Arizona Lottery Fund), while approximately 1,008,907 service miles will be funded with regional funds (PTF). The estimated total local cost for fixed route bus service is \$1,074,101 (see Table 1 for details).

**Paratransit:**

Provides door-to-door, shared-ride public transportation services (provided in vans or taxicabs) for senior citizens and persons with disabilities. In FY 2020-21, it is estimated that approximately 55,826 trips will be provided, with an estimated local cost of \$249,320 (see Table 1 for details). Since April 2020, Chandler residents are required to use ADA paratransit service or RideChoice and are no longer able to reserve paratransit service for non-ADA trips. This change is an outcome from the October 10, 2019 City Council Work Session.

**Ride Choice:**

The RideChoice program offers additional transportation options for seniors and persons with disabilities. This program offers participating residents more flexibility and helps contain the City's Paratransit cost by providing service at a much lower cost per trip. In December 2018, the RideChoice program was modified to include transportation networking companies (Lyft, Uber,

etc.) as potential service providers. Under the RideChoice program, participants can take up to 20 trips per month. Participants can also seek an exception for travel to and from school, work, or recurring medical trips and be granted up to 50 trips per month.

For FY 2020-21 an estimated 15,761 trips will be provided at an estimated local cost of \$166,747 (see Table 1 for details).

	Local Funding Sources		Other Funding Sources		Totals
	Arizona Lottery Fund (ALF)	City General Fund	Federal Grant <sup>1</sup>	Public Transportation Fund (PTF)	
Fixed Route Bus	\$202,554	\$871,547	\$3,534,976	\$3,812,524	\$8,421,601
Paratransit	\$100,000	\$149,320	\$427,504	\$1,629,000	\$2,305,824
Ride Choice	\$0	\$166,747	\$85,138	\$0	\$251,885
Totals	\$302,554	\$1,187,614	\$4,047,618	\$5,441,524	\$10,979,310
<b>TOTAL</b>	<b>\$1,490,168</b>		<b>\$9,489,142</b>		

1. Federal Grant funding includes \$4,007,618 in one-time CARES Act funding and \$40,000 in annual RideChoice grant funding.

#### TRANSPORTATION COMMISSION:

This Amendment to the Intergovernmental Agreement with RPTA Valley Metro was reviewed at the July 22, 2020, meeting of the Transportation Commission and was recommended for approval by a vote of (7-0).

8. RESOLUTION NO. 5397, authorizing a project agreement with Maricopa Association of Governments (MAG) for regional reimbursement for design, right-of-way, and construction improvements to Lindsay Road (Ocotillo Road to Hunt Highway), in the amount of \$7,450,860.71.

#### BACKGROUND FROM COUNCIL MEMO:

This Project Agreement is for reimbursement of \$7,450,860.71 in fiscal Years 2020-21, 2021-22, and 2022-23 of Proposition 400 funds for improvements to Lindsay Road from Ocotillo Road to Hunt Highway.

Lindsay Road improvements consist of widening the roadway to include two through lanes in each direction from Ocotillo Road to Hunt Highway. Over the last several years, portions of the roadway have been constructed by developers. This project will complete the remaining unimproved roadway and includes turn lanes, bike lanes, raised landscaped median, curb, gutter, sidewalk, ADA upgrades, traffic signal upgrades, streetlights, traffic signal interconnect, conduit, storm drainage, irrigation, block walls, and wet/dry utility improvements.

#### TRANSPORTATION COMMISSION'S RECOMMENDATION:

The Transportation Commission reviewed the project agreement on July 22, 2020, and recommended approval of the project agreement with a vote of 7-0.

FINANCIAL INFORMATION:

This agreement will provide regional reimbursement for design, right-of-way, and construction to the City of Chandler for Lindsay Road (Ocotillo Road to Hunt Highway), in the amount of \$7,450,860.71. Reimbursement is programmed in fiscal Years 2020-21, 2021-22, and 2022-23 and will be adjusted for inflation, in accordance with MAG's policies. Reimbursement funds awarded to Chandler will be in the form of Federal Surface Transportation Program (STP) funds. The total cost for this project is estimated to be \$15,267,500.

9. PAYMENT to the Arizona Department of Revenue for administration and tax collection services in the amount of \$672,479.42.

BACKGROUND FROM COUNCIL MEMO:

In 2013 and 2014, the State Legislature passed House Bill (HB) 2111 and HB 2389 that shifted the collection of the City's Transaction Privilege Tax (TPT), commonly referred to as Sales Tax, to ADOR. In 2015, HB 2617 was passed which required Cities, Towns, Counties, Councils of Governments, and Regional Transportation Authorities to pay an administration assessment to ADOR. Fiscal Year (FY) 2015-16 was the first year the payment was required.

An Intergovernmental Agreement between ADOR and the City of Chandler was approved by City Council on July 28, 2016, which sets the terms for administration. The IGA has expired and has been verbally extended by ADOR and Cities to allow continued review of terms, including allowing Cities to collect on past due TPT accounts. We are anticipating this IGA to come forward for approval in 2020. In the meantime, Arizona Revised Statutes (A.R.S.) § 42-5041 requires assessment and collection of this fee by ADOR to recover a portion of administrative, program, and other operating costs incurred in providing administrative and tax collection service to local governments. City of Chandler's ongoing share of the total cities' assessment is based on Chandler's percent of population to the total cities' population.

FINANCIAL IMPACTS:

Funding for the administration and collections assessment fee is available in General Fund, Tax and License, ADOR TPT Admin Fee (101.1240.5816).

10. BOARD AND COMMISSION APPOINTMENTS.

BACKGROUND FROM COUNCIL MEMO:

Bond Exploratory Committee

Appoint Boyd Dunn

Appoint Lloyd Harrell

Appoint Ron Hardin

Appoint Trinity Donovan

Appoint Nina Mullins

Appoint David Sperling

Appoint Mark Gildersleeve

Bond Exploratory Subcommittees

Finance Subcommittee

Appoint Boyd Dunn  
Appoint Matt Eberle  
Appoint Garry Hays  
Appoint Kari Zurn  
Appoint Justin Walseth  
Appoint Tami Butcher  
Appoint Nate Shinagawa

Parks Subcommittee

Appoint Lloyd Harrell  
Appoint Jeffrey Breese  
Appoint Percy Knox  
Appoint Stephanie Jarnagan  
Appoint Ted Huntington  
Appoint Michael Spangenberg  
Appoint Jake Arians

Public Works Subcommittee

Appoint Ron Hardin  
Appoint James Park  
Appoint Doug Toy  
Appoint Erik Morgan  
Appoint Peng Zhang  
Appoint Kevin Biesty  
Appoint Christine Ellis

Public Safety Subcommittee

Appoint Trinity Donovan  
Appoint Aaron Harris  
Appoint Holly Mesnard  
Appoint Bill Kalaf  
Appoint Ian Alevizon  
Appoint Crystal Blackwell  
\*Rick Heumann

Facilities Subcommittee

Appoint Nina Mullins  
Appoint David Gonzalez  
Appoint Dave Rose  
Appoint Victor Hardy  
Appoint Craig Gilbert  
Beth Brizel  
O.D. Harris



Airport Subcommittee

Appoint David Sperling  
Appoint Dave Waltzer  
Appoint Ed Hines  
Appoint Jane Poston  
Appoint Sky McCorkle  
Appoint Steve Smith  
Appoint Bob Dalpe

IT Subcommittee

Appoint Mark Gildersleeve  
Appoint Eshe Pickett  
Appoint Thiru Thangarathiniam  
Appoint Dez Hatathli  
Appoint Priya Kalra  
Appoint Antonio Alcala  
Appoint Bill Serrano

11. PAYMENT of FY 2021 membership dues and assessment to Maricopa Association of Governments (MAG), in the amount of \$92,350.

BACKGROUND FROM COUNCIL MEMO:

MAG provides a forum for discussion and study of regional problems of mutual interest to the governments in the region. Through cooperation and pooling of resources, MAG assists cities and towns with maximizing efficiency and economy in governmental operations, as well as planning and preparing for future growth. The City of Chandler is an active member of MAG and benefits from this intergovernmental cooperation.

Each year the city is assessed annual dues and assessments that are apportioned according to the per capita populations and the average Consumer Price Index for cities from the prior calendar year. For FY 2021, the City's dues and assessments total is \$92,350. Of this, \$42,936 is an assessment for the 2020 Census.

FINANCIAL IMPLICATIONS:

Funding for the Census Assessments in the amount of \$42,936 is available in the FY20-21 General Fund, Neighborhood resources Department, Professional Services, Account No. 101.1060.5219. Funding for annual membership dues and remaining assessments in the amount of \$49,414 is available in FY20-21 General Fund, Non-Departmental, Subscriptions and Memberships, Account No. 101.1290.5810.

12. PAYMENT of operations and maintenance costs, system upgrade agreement, and narrow banding, for FY 2020-21, to the City of Phoenix, for participation in the Regional Wireless Cooperative in an amount not to exceed \$634,339.00.

BACKGROUND FROM COUNCIL MEMO:

On October 22, 2009, City Council approved an agreement

with the City of Phoenix and Motorola Solutions, Inc., for the City's participation in the Regional Wireless Cooperative Governance (RWC). This regionally based radio network provides seamless interoperable radio communications for multiple public safety and government agencies operating within the greater Phoenix metropolitan area.

The agreement provides for an annual operations and maintenance (O&M) fee for the maintenance of approximately 1,000 City of Chandler portable and vehicle radios used by Police, Fire, and other City departments. Payments will be made to the City of Phoenix in the amount of \$407,972.22. The agreement also includes an annual system upgrade assessment (SUAll) of \$153,228.78 and narrow banding requirements of \$73,138.00. To provide ongoing software updates and ensure system compatibility. The total for O&M, SUAll, and narrow banding is \$634,339.00

13. AGREEMENT TD6-915-3571, AMENDMENT NO. 3, with StreetMediaGroup, LLC., for transit shelter advertising and maintenance services, for the period of January 1, 2021 through December 31, 2023.

BACKGROUND FROM COUNCIL MEMO:

The City provides bus shelters and transit furniture for the comfort of passengers using the public transit system. Of the City's 380 bus stops, approximately 260 feature shelters with advertising kiosks. The City has engaged the services of StreetMediaGroup, LLC for the sale of advertising, cleaning and light maintenance of the shelters and furniture since January 1, 2016.

Over the initial term, StreetMediaGroup has performed well in both bus stop maintenance and advertisement revenue generation. The City has received significantly fewer bus stop cleanliness complaints compared to the number of complaints received during previous contracts. Additionally, StreetMediaGroup has provided \$36,000 over the minimum required revenue due to the City, and \$328,000 in "bonus" capital payments to the City. Through four years and five months, StreetMediaGroup has paid the City approximately \$980,000 in total payments.

14. AGREEMENT NO. CM6-208-3698, AMENDMENT NO. 4, with KWALL, LLC, for website design and development consulting services, in the amount of \$42,000, for the period of August 10, 2020, through August 9, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City Council approved decision packages for one-time funding in FY 2016-17 and FY 2017-18 to update design, features and technology of the City's website. The Scope of Work of the website project consisted of three phases: Phase 1 Visioning and Design; Phase 2 Website Development and Deployment; and Phase 3 Support and Maintenance. The first phase of the project was completed in June, 2017, and Phase 2 was completed in July, 2018. Website support and maintenance has continued under Phase 3 of the agreement since August, 2018. The fee schedule for Amendment No. 4 includes 300 technical service hours at a rate of \$140 per hour for website support. The website uses an open source content management system and the web development consultant customizes features of the site. The City also contracts with a third party through a separate agreement to host the website.

15. AGREEMENT NO. ED8-920-3876, AMENDMENT NO. 2, with Simpleview, LLC, for search engine optimization (SEO) and pay per click (PPC) services, in an amount not to exceed \$60,000, for one year, July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Proposition 302 Maricopa County Grant program (Prop 302) is available to destination marketing organizations (DMO) within Maricopa County and is administered by the Arizona Office of Tourism. The purpose of this grant program is to provide funding for new and expanded tourism marketing activities such as advertising, website development, public relations and travel industry marketing that focus on promoting the community as a destination. The City of Chandler has utilized Prop 302 to fund the development, maintenance and support of the City's tourism website, [www.VisitChandler.com](http://www.VisitChandler.com), since 2003.

The responsive website features essential Chandler tourism information including, but not limited to, hotel accommodations, attractions, a calendar of events, and a dining guide. It is a key marketing tool to reach potential visitors. VisitChandler.com is featured on all promotional materials and advertisements and is also used to measure the success of advertisements and general promotions. The website is a key source of information for people researching travel to Chandler and continues to drive online traffic. In Fiscal Year (FY) 2019-20, the tourism website generated 266,559 sessions, representing a 2.8% increase in traffic when compared to FY 2018-19. PPC ads are strategically placed website advertisements which appear on the right and on top of natural search engine results for specific keywords and phrases.

PPC is typically a strong marketing strategy when trying to rank highly competitive keywords and phrases with more immediate results. SEO is an organic method of increasing the likelihood that a website is found by a user when searching for a keyword or phrase through a search engine, thereby connecting the user with the content he or she is seeking. SEO is a strong, long-term strategy which requires a continual investment of time, but provides lasting website growth.

In FY 2018-19, the new tourism website was refreshed and has been designed to execute specific, strategic digital campaigns aligned with the Tourism Strategic Plan. A block of simple support hours allows for minor modifications within FY 2020-21.

16. AGREEMENT NO MS5-961-3507, AMENDMENT NO. 2, with Gust Rosenfeld, P.L.C., for bond counsel services, for the period of October 1, 2020, through September 30, 2022.

BACKGROUND FROM COUNCIL MEMO:

Gust Rosenfeld, P.L.C. has a proven record of providing excellent professional bond counsel services to the City for over 28 years. Bond counsel services for the City and the Chandler Industrial Development Authority (IDA) are necessary when issuing bonds (i.e. General Obligation Bonds, Street and Highway User Revenue Bonds, Water and Sewer Revenue Bonds, Municipal Property Corporation and Improvement District Bonds, Excise Tax Revenue Obligations and Refunding Bonds), holding a bond election, and keeping the City informed of numerous State and Federal regulatory requirements. The regulation of the municipal securities industry continues to increase on both the State and Federal levels. State law is increasingly sensitive to debt, use of public funds and the election process; this sensitivity is manifested in annual changes to the

statutes and new court rulings which make bond counsel services vitally important to protect the City.

On the federal level, new laws and regulations continue to permeate the municipal market. New tax-exempt products are continually entering the market. The IRS has stepped up enforcement efforts to insure issuers and their bond counsel comply with all the requirements of the tax code through, among other things, post-issuance compliance procedures. The Securities and Exchange Commission ("SEC") has also ramped-up their enforcement of the municipal industry, which adds a significant amount of additional time and effort by all members of the City's finance team. Staff believes the Gust Rosenfeld, P.L.C.'s fees reflect fair compensation methodology for the technical expertise, effective advice, efficient service and high quality product that is demanded by the industry and that will continue to be provided to the City.

17. AGREEMENT NO. PW0-285-4197, with AM Signal, Inc.; Clark Transportation Solutions; JTB Supply Company; and Sierra Transportation Technologies, for traffic signal equipment, in a combined amount not to exceed \$720,000, for a one-year period, September 1, 2020, through August 31, 2021, with the option of four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO:

The City's Capital Improvement Program includes several projects for street and intersection improvements. These projects typically include streetlight and traffic signal equipment involving long lead times for procurement. Long lead times can potentially cause delays in completing these projects. These agreements will be used to purchase streetlight and traffic signal equipment in advance to ensure the timely delivery of the equipment to project sites when needed to help avoid project delays. As a near-term example, this contract may be utilized for the purchase of traffic control equipment necessary on both the Gilbert Road and Alma School Road widening projects.

18. AGREEMENT NO. WH6-914-3674, AMENDMENT NO. 4, with Wesco Distribution, for electrical supplies, in an amount not to exceed \$350,000, for the period of August 12, 2020, through August 11, 2021. CHANDLER CITY COUNCIL REGULAR MEETING THURSDAY, AUGUST 13, 2020 Page 4 of 5

BACKGROUND FROM COUNCIL MEMO:

The agreement is for the supply of a variety of electrical supplies that are stocked in Central Supply and used by Public Works and Utilities, Community Services, Neighborhood Resources, and Building and Facilities. These Departments and Divisions can also purchase items directly from the recommended supplier. Items available under this agreement include street lighting, electrical wire, connectors, conduits, ballasts, traffic equipment, and more.

19. AWARD CONSTRUCTION CONTRACT NO. PR1908.401, to DNG Construction, LLC, for the East Mini Park Renovation, in an amount not to exceed \$421,608.13.

BACKGROUND FROM COUNCIL MEMO:

East Mini Park is a 0.25 acre neighborhood park located at 605 East Erie Street. Along with Gazelle Meadows Park and Armstrong Park, this park serves the recreational needs for the residents in the square mile bordered by Ray Road, McQueen Road, Chandler Boulevard, and Arizona Avenue. The location was originally developed as a City of Chandler well site in 1950, and park amenities

were added in 1970. In 1994, the well was taken out of service after 44 years in operation. Existing amenities include a shaded playground, picnic area, and open turf space.

The Community Services Department submitted a successful Community Development Block Grant (CDBG) application in the amount of \$241,450 for the renovation of this park. Funding for this grant will be available via a budget transfer from the Homestead North Park Site grant funding allocation.

As with all City of Chandler park development/renovation projects, public meetings play an important role in assuring that the ideas, issues, and or concerns of Chandler citizens are heard. On August 7, 2019, a public meeting was held to receive input on the proposed improvements to East Mini Park. The meeting was very well attended with approximately 80 adults and children present. Overall, the input received at the public meeting was very positive and supportive. The Parks and Recreation Board reviewed and approved the renovation on September 3, 2019.

Proposed amenities for this project include new playground equipment, area lighting, perimeter fencing, gateway entrance, site furniture (benches, litter receptacles, bike rack), drinking fountain, sidewalks, and landscaping.

In addition to this renovation project, staff will work with the Parks and Recreation Board to reach out to the residents served by this park to determine a potential new name for the park. The contract completion time is 90 calendar days following Notice to Proceed.

20. CONSTRUCTION SERVICES CONTRACT NO. 4208821, to Salt River Project, for the relocation of electrical facilities to accommodate the McClintock Drive and Kyrene Road Bike Lanes, Project No. ST1701, in an amount not to exceed \$109,232.80.

BACKGROUND FROM COUNCIL MEMO:

Currently within the City limits, bike lanes exist on Kyrene Road only south of Chandler Boulevard, while no bike lanes are present on McClintock Drive. The McClintock Drive and Kyrene Road Bike Lanes Project will add bike lanes on Kyrene Road from Chandler Boulevard north to the City's border with Tempe, and on McClintock Drive from the Loop 202 Santan Freeway north to the City's border with Tempe. This project includes reconstruction of the center medians, relocation of street lighting, new bike lane signage and striping, and median landscape and irrigation work. To accommodate the McClintock Drive and Kyrene Road Bike Lanes Project, SRP will pull new wire to the relocated street lights. This contract will facilitate the construction of the relocated electrical facilities.

The McClintock Drive and Kyrene Road Bike Lane project is included in the Maricopa Association of Governments Arterial Life Cycle Program for regional reimbursement. Construction began July 6, 2020, and is anticipated to be completed by April 2, 2021.

21. SOLE SOURCE PURCHASE of an audio system upgrade for the Council Chambers, from Technology Providers, Inc., in an amount not to exceed \$69,931.

BACKGROUND FROM COUNCIL MEMO:

The current audio system processor, input/output devices and amplifier were installed ten years ago and this equipment represents a single point of failure that would cease the ability to use the Council Chambers audio system should an equipment failure occur. This purchase will upgrade the audio system by installing a new digital processing platform, input/output frames and cards, amplifiers and audio network that offers redundancy capabilities. In the event one of these components fails in the future, the redundant device would automatically begin operating as the primary device without interruption to the City Council meeting.

22. SOLE SOURCE PURCHASE of Electronic Data Management System annual maintenance, from InStream, in an amount not to exceed \$54,665.

BACKGROUND FROM COUNCIL MEMO:

The City has used the AppXtender product as its Enterprise Document Management (EDMS) system for more than 16 years. As the City's use of EDMS has increased, the product has expanded, which resulted in an increase of 15% this year. The need to purchase additional licenses to support increases in workflows for the expansion to allow for access of more data to citizens contributed to the increased cost. This purchase is for the annual maintenance and support of this product.

23. SOLE SOURCE PURCHASE of annual support for the talent management suite, from Saba Software, in an amount not to exceed \$145,307.

BACKGROUND FROM COUNCIL MEMO:

In Fiscal Year 18-19, the City replaced its outdated and unsupported Learning Management System with a comprehensive, state of the art enterprise Talent Management Suite from Saba Software, Inc. The software provides a wide variety of collaboration tools, including training, and performance management, that support the professional development of the City's workforce. This purchase is for the annual renewal for the Saba support and maintenance.

24. PURCHASE of mobile communication services, from Verizon Wireless, utilizing the State of Arizona Contract No. CTR049877, in an amount not to exceed \$80,000.

BACKGROUND FROM COUNCIL MEMO:

The Mobile Data Center (MDC) is the centerpiece of all communication infrastructure police officers use in the field to perform their daily functions. These units are located in all police vehicles and must stay in contact with the central dispatch center via industry standard encrypted wireless communication technologies. The importance of these units properly working and communicating is critical enough that a failed MDC, in most cases, means the vehicle is pulled from service because of the significant threat to officer safety.

The communication between the mobile units and the station provide the officer in the field with capabilities for:

- Computer-aided dispatch features.
- Communication with dispatchers, emergency call-takers, and supervisors.
- Access for many law enforcement information systems.
- Ability to write reports and input Records Management System data.

- Access to City GIS information and maps.
- Automatic vehicle location systems for emergency response.
- Emergency notification systems for officer in trouble/backup assistance situations.

25. PURCHASE of SolarWinds software annual maintenance, from SHI International Corp., utilizing the Omnia Partners Contract No. 2018011-02, in an amount not to exceed \$68,225.

BACKGROUND FROM COUNCIL MEMO:

The need to provide a complete end to end picture of all of the network components (PC, network, server, operating systems, applications, databases, etc.) was identified during the FY16-17 Capital Improvement Project (CIP) budget process and funded in the FY17-18 CIP budget. SolarWinds was implemented in FY18-19 and consolidated the monitoring solutions that existed at the time into a single system that can provide the required end-to-end view of the City's systems.

SolarWinds is a market leader in this area and has off-the-shelf solutions for the technology that the City of Chandler utilizes. This solution allows City staff to monitor, alert and report from a central system. This helps identify performance issues, decrease response time to outages, and improves availability of City systems.

26. PURCHASE of janitorial and sanitation supplies, from Waxie Sanitary Supply, utilizing the City of Tucson Contract No. 202329-01, in an amount not to exceed \$350,000, for the period of August 1, 2020, through July 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler requires a diverse and extensive supply of janitorial and sanitation supplies for delivery to Central Supply and various other City locations, as well as a representative to provide onsite product and service consultations, demonstrations, and cleaning direction and training. The City of Tucson contract provides a broad supply of products and services to ensure the support of daily maintenance operations. It includes such items as carpet and hard floor care cleaners, brooms and buckets, restroom care and cleaning supplies, as well as toilet paper, paper towels, and plastic can liners.

27. PURCHASE of tires, utilizing the State of Arizona Contract No. CTR042117 with Firestone North America, the Sourcewell Contract No. 102517-HTA, with Hankook Tire of America, the Sourcewell Contract No. 102517-GTC, with Goodyear Tire and Rubber Company, and the Omnia Partners Contract No. 2019209, with Michelin North America, in an amount not to exceed \$250,000.

BACKGROUND FROM COUNCIL MEMO:

The Fleet Services Division and the Fire Department have an ongoing requirement to provide tires for City vehicles when replacement is needed. This request is to authorize funds for replacement tires for City-owned equipment and vehicles.

28. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Mahfam Moeeni- Alarcon, Agent, MC2 Concepts LLC, dba Mingle + Graze, located at 48 S. San Marcos Place.

BACKGROUND FROM COUNCIL MEMO:

Staff recommends Council forward a recommendation for approval of State Liquor Job No. 112308, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 201151 L12, for Mahfam Moeeni-Alarcon, Agent, MC2 Concepts LLC, dba Mingle + Graze, located at 48 S. San Marcos Place. The following application for a liquor license was posted for hearing on August 13, 2020:

New License, Series 12, Restaurant Liquor License, for Mahfam Moeeni-Alarcon, Agent, MC2 Concepts LLC, dba Mingle + Graze, located at 48 S. San Marcos Place.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

29. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License, for Ryan Witner Anderson, Agent, 7 Eleven Inc., dba 7-Eleven #27215K, located at 2025 W. Warner Road. CHANDLER CITY COUNCIL REGULAR MEETING THURSDAY, AUGUST 13, 2020 Page 5 of 5

BACKGROUND FROM COUNCIL MEMO:

Staff recommends Council forward a recommendation for approval of State Liquor Job No. 111027, and further, that approval be given for the City of Chandler Series 10, Beer and Wine Store Liquor License No. 202970 L10, for Ryan Witner Anderson, Agent, 7-Eleven Inc., dba 7-Eleven #27215K, located at 2025 W. Warner Road. The following application for a liquor license was posted for hearing on July 13, 2020:

Series 10, Beer and Wine Store Liquor License, for Ryan Witner Anderson, Agent, 7-Eleven Inc., dba 7-Eleven #27215K, located at 2025 W. Warner Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

30. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Madhavi Mogusala, Agent, Zest Hospitality LLC, dba Choolha Indian Room, located at 3491 W. Frye Road, Suite 1.

BACKGROUND FROM COUNCIL MEMO:

Staff recommends Council forward a recommendation for approval of State Liquor Job No. 98389, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 202848 L12, for Madhavi Mogusala, Agent, Zest Hospitality LLC, dba Choolha Indian Room, located at 3491 W. Frye Road, Suite 1. The following application for a liquor license was posted for hearing on August 13, 2020:

New License, Series 12, Restaurant Liquor License, for Madhavi Mogusala, Agent, Zest Hospitality LLC, dba Choolha Indian Room, located at 3491 W. Frye Road, Suite 1.



The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

31. LIQUOR LICENSE CONTINUANCE, Series 12, Restaurant Liquor License, for Jared Michael Repinsky, Agent, The Perch LLC, dba The Perch, located at 232 S. Wall Street, until August 27, 2020. (CONTINUANCE TO THE AUGUST 27, 2020, CITY COUNCIL MEETING.)

BACKGROUND FROM COUNCIL MEMO:

Staff recommends that a continuance be given for the Series 12, Restaurant Liquor License, for Jared Michael Repinsky, Agent, The Perch LLC, dba The Perch, located at 232 S. Wall Street, until August 27, 2020. The following application for a liquor license was posted for hearing on August 13, 2020:

New License, Series 12, Restaurant Liquor License, for Jared Michael Repinsky, Agent, The Perch LLC, dba The Perch, located at 232 S. Wall Street.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

This continuance is requested to allow the applicant time to complete the requirements for a new Series 12 Liquor License.

32. REPLAT, PLT20-0008, CHANDLER CORPORATE CENTER PHASE 2, for approximately 26.4 acres located on the northwest corner of Chandler Boulevard and McClintock Drive.

BACKGROUND FROM COUNCIL MEMO:

Site is approximately 26.4 acres in size. Zoned Planned Area Development District (PAD) for industrial/office/warehouse and commercial retail in 2014.

Purpose

The original plat consists of two lots. This replat divides one of those lots into two. The original plat also included two temporary easements for retention along Chandler Boulevard and one retention easement along McClintock Drive. This replat removes these retention easements and provides for the dedication of additional right-of-way to accommodate right turn lanes. Drainage from Chandler Boulevard and McClintock Drive is incorporated into the new site design thus eliminating the need for the temporary retention easements.

Recommended Action

Upon finding consistency with the General Plan and the approved zoning, Planning staff recommends the City Council approve the replat.

33. RESOLUTION NO. 5399, approving and authorizing an Amendment to an Intergovernmental Agreement (IGA) between Maricopa County Administered by its Human Services Department and City of Chandler to provide temporary housing for at risk individuals and families due to the

COVID-19 pandemic utilizing hotel rooms in an amount not to exceed \$79,580; and authorizing the City Manager or designee to sign the agreement and all related documents on behalf of the City of Chandler.

**BACKGROUND FROM COUNCIL MEMO:**

On March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared a State of Emergency in Arizona due to the novel Coronavirus and determined that the COVID-19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city, or town, and which requires the combined efforts of the State of Arizona and its political subdivisions.

On March 19, 2020, Chandler Mayor Kevin Hartke issued a proclamation declaring the existence of an emergency as a result of the COVID-19 outbreak, placing the City of Chandler, County of Maricopa, and State of Arizona, in a condition of extreme peril to life and property. Pursuant to the emergency powers vested in the Mayor under Arizona Revised Statutes §26-311 and Chandler City Code §6-3.2, Mayor Hartke determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property.

In April 2020, the Maricopa County Human Services Department approached the cities of Mesa, Tempe and Chandler with a proposal to work cooperatively to assist persons experiencing homelessness by providing temporary housing to prevent exposure to the COVID-19 virus. Maricopa County agreed to enter into a lease agreement with a hotel and provide 24/7 on site security, while the partnering cities would provide the clientele and wrap-around services to support them during their stay and assist them in their transition to permanent housing.

On July 13, 2020, the City of Chandler entered into this agreement for the period of April 26, 2020 through July 26, 2020. The service was successful, providing safe accommodations for 14 Chandler residents experiencing homelessness to shelter in place. Of those individuals, 3 transitioned to permanent housing, 3 were reunited with family in other states, 2 received housing subsidies and are searching for housing, 3 are on subsidized housing waiting lists, and we are continuing to work with 3 towards permanent housing solutions. Regrettably, the hotel property changed ownership in July 2020 and the new owner chose not to renew the lease agreement with Maricopa County.

This amendment extends the agreement to September 30, 2020 and adds funding in an amount not to exceed \$79,580 for 10 hotel rooms and security services. The City of Chandler will secure hotel space and security services, place and provide food for clients, and provide supportive services with the goal of transitioning clients to permanency. In addition, the IGA requires mutual indemnification and acceptance of responsibility for any damages made by clients placed at the hotel by the City of Chandler.

Beginning July 1, 2020, the City began spending Maricopa County CARES Act funds for hotel rooms for persons experiencing homelessness vulnerable to COVID-19. Just over \$10,500 has been spent to date, with \$43,580 remaining. In addition, in the period between April 1, 2020 and July 31, 2020, the City has spent just under \$50,000 in Community Development Block Grant – Coronavirus (CDBG-CV) funds for this purpose, with just over \$142,000 of the allocation remaining.

FINANCIAL IMPLICATIONS:

The City of Chandler will provide client services through City staff and an existing contract with Community Bridges, Inc. for navigation services, at no additional cost to the City. In addition, \$100,000 has been allocated from Chandler CARES Act funds to cover damages caused by program participants or the City's insurance deductible as needed.

ACTION AGENDA DISCUSSION:

34. AUTHORIZATION AND ASSISTANCE, as requested by Councilmember Orlando, to the Chandler Unified School District for use of AZCares Dollars, to purchase 1,000 mobile hot spots for Chandler residents to provide internet access for students, in the amount of \$250,000.

MAYOR HARTKE introduced Action Agenda item No. 34. Mayor Hartke said there had been several conversations with different members of the school board.

COUNCILMEMBER ORLANDO said there were several AZCares meetings over the last few months on what to do with the \$29.9 million that was received from the Governor's office. Councilmember Orlando stated Councilmember Stewart mentioned contacting the school district to see if they were in need of some funding. Councilmember Orlando thought it was a great idea. Councilmember Orlando asked for a presentation from the school district to address how they are utilizing their dollars.

CAMILLE CASTEEL, Chandler Unified School District Superintendent, thanked Council for the opportunity to explain the request. Ms. Casteel said the last time the City had partnered with them was the Care Center to provide medical and dental assistants to our underserved and uninsured children. That partnership has been in place for many years now. Ms. Casteel said that she spoke with Councilmember Orlando about opportunities and looking for grants. The idea came that perhaps the City would be willing to partner with school district given that these funds would benefit the most vulnerable part of the community. Ms. Casteel said a challenge during the coronavirus pandemic has been providing access to the internet and the bandwidth can be slow with more devices connected. Ms. Casteel introduced school board members and staff in attendance.

LANA BERRY, Chandler Unified School District Chief Financial Officer, said she put together a document that would be helpful to answer questions regarding federal funds that are going to the school district. Ms. Berry said they have a request for internet access as students are online or attending a virtual school model. Everyone is in need of access and technology across the school district. The executive order from the Governor has guided them since March. When the executive orders were put out originally it stated that they are required to pay all staff members. There are over 5,000 staff members in the school district. Some of those employees are funded through state and local funds called levy funds and others are funded through revenue they bring in through childcare or nutrition called cash funds. Those are only received locally and are not backed by the state. When the orders went into place it was important to keep all staff members and the majority of funds came in since we were already past the cutoff. For the revenues that did not come in the school district had to use their contingency fund and spend 3 million dollars doing that.

MS. BERRY showed the biweekly payroll breakdown. If they were to keep those members on staff, district reserves would have to be used. Ms. Berry said they were able to do that last quarter, but this quarter they have not been able to do that because they have not had revenue come in to support those staff members. Last spring they took a \$3.8 million hit to the cash fund. At the time, there were four pockets of money. One of those was money from the federal government and they decided to use the money they were receiving to buy computers and utilized district funds to offset for the employees.

MS. BERRY said the universal lunch program began to feed kids. The federal government dictates the breakfast, lunch, and dinner programs. Ms. Berry said they were able to serve a number of kids through March, April, and May. Then it went to a summer feeding program and they were able to feed students across Chandler, Gilbert, and Queen Creek. On August 4 that stopped and now we can only qualify for the national school lunch program. We typically serve 145,000 meals every week to students. During the summer feeding program, we were serving 75,000 kids. Now that school has begun, we are only serving 10,000 meals per week to those who qualify for the program. The need is a federal issue and not something the state can necessarily fix. This is a community issue to ensure the students get the meals they need. Ms. Berry said they are not allowed to use federal money to pay for meals.

MS. BERRY said as they prepared to start this fiscal year there were a lot of needs that needed to be addressed for the 46,000 students. Ms. Berry said they knew they needed laptops for teachers and students and cameras for teachers to record their lessons. There were also needs for professional development to help train staff to teach and work virtually. Additional staff needed to be hired to meet the needs of the community with both online and virtual platforms. Protective equipment also needed to be purchased such as plexiglass, cleaning supplies, masks and hand sanitizer to cover their 5 million square feet and to help employees on site.

MS. BERRY said they had \$12.9 million in expenses and they received \$3 million in funding. Ms. Berry showed a chart with the four federal funds that they were able to apply for. They are not able to apply for things that are specifically for private or charter schools. The funds they were able to receive were \$3 million from the Elementary and Secondary School Emergency Relief fund (ESSER) and that was put towards technology. The next is the Governor's Emergency Education Relief Fund that has \$69 million. Ms. Berry said they do not qualify for almost any of it and they might receive \$1,000 to \$100,000 of those funds. The majority of the money goes to rural Arizona for broadband and high need students for special education services. There are also specific lines for items like vehicles for the Arizona Deaf and Blind schools and for specific entities. The CRF fund went from \$200 to \$307 million and the ESG was going towards stabilization of the enrollment since those numbers are drastically decreased. Ms. Berry said they are funded based on the number of kids and miles driven. Ms. Berry said they would receive about \$12 million from that.

MS. BERRY said the forth fund is DEMA and they are able to apply for PPE and some overtime that qualifies. They have applied for \$800,000 and they continue to send their receipts for reimbursement. Some are rejected and some are approved and they believe \$200,000 to \$400,000 will be reimbursed. Ms. Berry shared the student enrollment graph. Ms. Berry said they have been growing for years and it was expected they would continue to grow this year. As of today, enrollment is down and there are some they are waiting on other students who have not yet connected due to lack of connectivity. The Enrollment Stability Grant (ESG) is not an extra amount to help with the budget but it helps stabilize the enrollment costs. The maintenance and operation cost, which is their largest, was \$331 million. Now since there is a

decline of 1,500 students it will drop to funds they receive to \$310 million. The state will be providing \$12 million to help stabilize the maintenance and operation fund. Since there is still a shortage they will be taking a budget cut of \$8.4 million.

MS. BERRY said in the Governor's order it stated they would fund the schools at 98% based on last year or if it is a growing district a different calculation could be used. Right now the school district will receive 98%. All of the employees are working and now reserves are being used to cover that difference. The needs outweigh most of the federal and state assistance especially since enrollment has declined. Without providing meals and after school services, that is a large amount of money that is not coming in so a lot of cash reserves are being depleted. Ms. Berry said potential job loss is also a concern because they are funded by revenues that are brought in from these services. Ultimately, we are down \$20 million on the maintenance and operation budget and we have spent \$12.9 million on items to prepare for this school year; we have received \$15 million total.

MS. BERRY said there are needs for hotspots and technology to ensure we are providing the best academic experience for all students. Ms. Berry said she appreciates the opportunity to partner with the City to help with connectivity and ensure the kids can have the same experience.

COUNCILMEMBER ORLANDO said they are having problems enrolling kids due to connectivity and asked if this money would help with that.

MS. BERRY said yes. Many kids have a computer, but do not have a hotspot to connect. To be academically engaged, they need to connect with the teacher whether it is through the platform or email. Without connectivity they are not present.

COUNCILMEMBER ORLANDO asked if these kids are able to participate would the school district receive additional allocation.

MS. BERRY said we are based on the average daily membership. Day 1 to 100 is counted to equal one fulltime equivalent student. If a student attends all year long then the school district receives funding for that child. If a student attends day 1 through 50 then 50% of the funding is received. If a child begins on day 110 and stays through the rest of the year, the district receives no funding. If a child does not report within 10 days and we have to withdraw them and no funding is received. It is important that we connect with kids and that they are engaged not only for funding but also for academic engagement.

COUNCILMEMBER ORLANDO said it is important to get them online and hopefully more funding is received to cover that gap.

VICE MAYOR LOPEZ asked if the \$250,000 would buy 1,000 hotspots or is it just \$250,000 for whatever that buys.

MS. BERRY said that amount is for the hotspots for each year.

MS. CASTEEL said yes it would buy 1,000. There are 50,000 on order statewide and we are expecting to get them next week. About 800 are from one vendor and we are still negotiating for the other 200.

VICE MAYOR LOPEZ said most vendors offer free hotspots as long as a contract is signed for about \$10 a month. Vice Mayor Lopez asked it seemed the money should buy 2,000 hot spots for a year at \$10 a month.

MS. CASTEEL said she would verify the cost and any money that the City would give the district would go to a fund specifically for these technology efforts.

VICE MAYOR LOPEZ said this partnership has been very synergistic and the energy that is brought for the kids helps everyone. Vice Mayor Lopez said they want to partner to provide the best education. This is something that is great, but wanted to ensure we are being fiscally responsible and would be a great benefit for everyone.

MS. CASTEEL thanked the City for opening the libraries for the kids as well.

MAYOR HARTKE said he would like an update at the end of the 100 days and see how this has impacted the district.

MS. CASTEEL said she received clarification that the hotspots are more expensive because they have a filter to ensure the kids do not access adult content. Ms. Casteel said she would also provide the City with updates.

#### ACTION AGENDA – MOTION AND VOTE

COUNCILMEMBER ROE MOVED TO APPROVE ACTION AGENDA ITEM NO. 34 OF THE AUGUST 13, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER STEWART.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

#### ACTION AGENDA:

34. AUTHORIZATION AND ASSISTANCE, as requested by Councilmember Orlando, to the Chandler Unified School District for use of AZCares Dollars, to purchase 1,000 mobile hot spots for Chandler residents to provide internet access for students, in the amount of \$250,000.

#### BACKGROUND FROM COUNCIL MEMO:

On, May 29, 2020, a letter was sent by Governor Doug Ducey notifying award to Chandler of \$29,983,456 from the AZCares Fund to offer assistance in mitigating the impacts of COVID-19 on City operations. The funds are a distribution of the Coronavirus Aid, Relief, and Economic Security (CARES) Act issued to the State of Arizona through the U.S. Department of Treasury. Under federal guidelines, the funds granted to the State must be used following certain requirements, one of which allows funds to be used to mitigate costs of responding to the COVID-19 public health emergency. As a matter of administrative convenience, in light of the emergency nature of the AZCares Fund program, the agreement stipulates that the City may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency. As the City is able to substantiate payroll costs for public safety personnel during the program period above the

awarded amount, the full award can be requested to offset those costs in the General Fund. This will thereby free up General Fund dollars to be used for other efforts as directed by Council.

**FINANCIAL IMPLICATIONS:**

On July 16, 2020, City Council approved various AZCares Grant allocations for use of all but \$9,927,956, which remains in an AZCares Reserve Account for future needs. The CUSD has requested \$250,000 in funding to help provide internet access for students in Chandler and Councilmember Orlando is recommending support from the AZCares Reserve Account leaving a remaining balance of \$9,677,956 for future needs.

**BRIEFING**

35. DISCUSSION, as requested by Councilmember Huang, of Development Agreements for Site 7 with LGE Design Build, and of privately owned property known as D.C. Heights with Chasson Affinity Companies.

MAYOR HARTKE called for a staff presentation.

KIM MOYERS, Cultural Development Director, presented the following Power Point presentation.

- Site 7 History and Timeline
  - October 2017: City Council directed staff to move forward with negotiations of a Development Agreement with LGE Design Build.
  - October 2017- Current: Environmental evaluation process began with ADEQ.
  - March 2019: City Council approved a Development Agreement with LGE Design Build to develop 7,500 sf of retail and a two-story building with 30,000 sf of entertainment with adequate parking on site.
  - April 25, 2021: LGE Design Build to break ground on development project.

CHARLES HUELLMANTEL, PO Box 1833, Tempe, Arizona, 85280, thanked staff for their work on this project. Mr. Huellmantel continued the presentation.

- 2019 RFP Response:
  - Included 2/3 of the block north of Buffalo Street, east of the existing Jack in the Box, from Arizona Avenue to Washington Street.
  - Directly across Arizona Avenue from the LGE Overstreet project
  - Jack in the Box was not included in the RFP
- Current Site Conditions
- July 2017 Response to RFP
- November 2018

MR. HUELLMANTEL said their first plan showed only the area without the Jack in the Box. Mr. Huellmantel said they worked with the owners of Jack in the Box and those working to purchase the land to the north to build a hotel. Mr. Huellmantel said they worked on several different versions to try with staff and the other entities and make this a reality.

- June 2019 – Version 1
- October 2019 – Version 2
- October 2019 – Version 3
- December 2019 – Version 4
- February 2020 – Version 5

A series of things happened with the negotiations for the land to the north. There are some environmental stipulations and issues with the property. The City has spent time and money resolving the issues with your site and that is important for rebuilding downtown. It is unknown whether or not owners of the land to the north will follow the same steps and contact ADEQ to resolve the issues as it was not something they were willing to do. This caused the deal to fall apart.

- Current Site Plan
  - Half block on northeast corner of Arizona Avenue and Buffalo Street
  - Per the Development Agreement (dated March 28, 2019) minimum improvements:
    - One or more buildings
    - Two to four stories
    - Min. 27,500 sq. ft. of shell building for retail and entertainment uses
    - At least 65 off-street parking spaces
  - Jack in the Box stays at current location
- Site 7

MR. HUELLMANTEL said projects are driven by parking and they have been working with the owners of the parking garage to get freed up space that they could acquire the rights to. Mr. Huellmantel displayed a rendering of the current design.

COUNCILMEMBER HUANG said they have experienced the longest economic recovery and every month there is a groundbreaking of new buildings. Councilmember Huang said he is concerned that LGE will not be able to break ground in time and asked if there is an economic downturn if they would be able to finish the project. Councilmember Huang said they are doing more with the site and really appreciated that. Site 7 is City owned land and asked when they would break ground and did not want the land to just be held. Councilmember Huang asked if they are going to get it done before the agreement expires. Councilmember Huang said the City likes to work with them and have this partnership, but if they cannot finish the project then another developer should be given the option.

MR. HUELLMANTEL said we are still in an agreement and LGE is living up to that. Mr. Huellmantel said they have finished the other project in record time and that was able to be achieved because of the complete cooperation with staff. Mr. Huellmantel said he could not explain what had happened with the many developers before it. Mr. Huellmantel said they are waiting on the negotiations with the garage to be finished.

COUNCILMEMBER HUANG said this started in 2017 and the agreement was until April 2021. Councilmember Huang asked when they would break ground.

MR. HUELLMANTEL said he was not here to renegotiate the agreement.

COUNCILMEMBER HUANG asked if they would be able to break ground by April 2021.



MR. HUELLMANTEL said that is the goal and in the agreement.

MAYOR HARTKE said it is in under contract and if for some reason it is not done it would be discussed then.

COUNCILMEMBER HUANG said he did not want to see them come back and ask for an extension.

MR. HUELLMANTEL said it is a direct question, but is not an easy answer.

COUNCILMEMBER HUANG asked if they did not have the confidence to fulfill this agreement.

MAYOR HARTKE said they are not saying that and they are under contract and there is no action that Council can take until that time. Staff will continue to work with them on this project.

COUNCILMEMBER ORLANDO said the land was vacant for so long because there were many RFPs with inferior products that would not be conducive to downtown. Councilmember Orlando said LGE performed at Overstreet and expected them to perform on this one. They could build something small with parking or they could build something larger that is more conducive to what they want. Councilmember Orlando appreciated LGE working on that and staff working on the project. The economic environment is not easy right now. Councilmember Orlando had faith they would get this done and staff would continue to work on the garages to get them started on the project.

COUNCILMEMBER ROE said he has seen many projects, but often there was a failure to perform. Councilmember Roe said Chandler is fortunate to have LGE who has done Overstreet and the folks with New Square. Staff has done a lot of work on these as well. There is hard work ahead and a lot of work has been done and looked forward to what Mr. Huellmantel would do.

COUNCILMEMBER STEWART said there is a lot going on with Site 7 and this has been discussed for a long time. Councilmember Stewart said this was about making something grand and thanked them for trying to get all of these groups aligned. Councilmember Stewart said he looked forward to the future plans and LGE has done a great job with their locations. This has been dragging on and whatever staff can do to help they will.

COUNCILMEMBER HUANG thanked Mr. Huellmantel for their work.

MS. MOYERS continued the presentation.

- DC Heights History and Timeline
  - August 2015: Original Development Agreement with Tom Gardner.
    - City agrees to join in any litigation against the CIC, at the City's sole cost and expense.
  - January 25, 2018: City Council approved an amended and restated Development Agreement with Chasson Affinity Companies.
  - March 2019: CIC litigation results recorded.
  - February 2020: Funding initially approved.
  - August 2020: Closing of loan – 10 days to commence construction.

COUNCILMEMBER HUANG said it was good news to see that it is moving forward. Councilmember Huang said there are many things happening and thanked everyone who has worked on this project.

35. DISCUSSION, as requested by Councilmember Huang, of Development Agreements for Site 7 with LGE Design Build, and of privately owned property known as D.C. Heights with Chasson Affinity Companies.

BACKGROUND FROM COUNCIL MEMO:

Councilmember Sam Huang has requested a briefing regarding the Development Agreement of City owned property known as Site 7 with LGE Design Build and the Development Agreement of private owned property known as DC Heights with Chasson Affinity Companies.

On March 28, 2019, City Council passed and adopted Resolution No. 5261, approving a Development Agreement between LGE Design Build and the City of Chandler to develop 1.77 acres of City owned property located at the northeast corner of Buffalo Street and Arizona Avenue known as Site 7. The projected development includes a one-story building with 7,500 square feet of retail and a two-story building with 30,000 square feet of entertainment with adequate parking on site.

On January 25, 2018, City Council passed and adopted Resolution No. 5079, approving an amended and restated Development Agreement between Chasson Affinity Companies and the City of Chandler to develop 5.5 acres of privately owned property located between the southwest corner of West Commonwealth Avenue and California Street known as DC Heights. The projected development includes approximately 200 high-density residential units.

UNSCHEDULED PUBLIC APPEARANCES

None.

CURRENT EVENTS

A. Mayor's Announcements

MAYOR HARTKE announced they received the unofficial results for the most recent election. Mayor Hartke congratulated Mark Stewart, Christine Ellis, and O.D. Harris and looked forward to working with them. Mayor Hartke thanked the other candidates for their dedication to the community.

MAYOR HARTKE announced the I Choose Chandler Business Hiring and Retention Program. This program, using AZCares dollars, was to help keep employees on payroll as they adjust to revenue losses. Grants would be awarded on a first come first served basis and would be prioritized based on industries most impacted. The qualifying businesses would be \$1,300 per employee retained or hired since December 31, 2019 up to a maximum of \$10,000. The Arizona Community Foundation would administer the program for the City. August 17, 2020 businesses would be able to submit applications online. Tomorrow there would be a Facebook Live with Councilmember Stewart and Micah Miranda, Economic Development Director, and the Arizona Community Foundation.

MAYOR HARTKE stated they are in need of volunteers for the Let's Pull Together program. Volunteers would help those care of properties for those who cannot. The volunteers would do yardwork or minor home repairs and encouraged those interested to contact Neighborhood Resources.

B. Councilmember's Announcements

COUNCILMEMBER STEWART said the Census is still happening and encouraged everyone to participate. The Census has moved up to the end of September and reminded everyone the Census could be done online.

COUNCILMEMBER STEWART announced the Chandler Center for the Arts is accepting applications for the Youth Arts Council. This is made up of teens 13 to 17 with a focus on arts appreciation, community service, and leadership skills. Applications are accepted through September 4, 2020.

COUNCILMEMBER STEWART said COVID-19 cases are decreasing and Chandler has had a COVID-19 case rate that is below the County average. Councilmember Stewart encouraged people to continue to wear masks and asked everyone to be kind to those who are not able to wear masks.

COUNCILMEMBER HUANG congratulated the new Councilmembers.

COUNCILMEMBER HUANG announced the annual Trash Fashion Show. This is a celebration of fashion created from recycled material. Due to the pandemic, the fashion show will be virtual. The competition is open to aspiring fashion designers 10 years and older and encouraged those interested to register.

COUNCILMEMBER HUANG said the Chandler Center for the Arts has a traditional Chinese painting exhibit from August 28 to October 3. The opening would be on August 29 from 4-6 p.m.

COUNCILMEMBER ROE congratulated the new Councilmembers and all of the candidates for working hard.

COUNCILMEMBER ROE thanked the school district for attending the meeting.

COUNCILMEMBER ORLANDO said the Chandler Diversity Office and Human Relations Commission is offering mini grants of about \$1,000 each to teachers, schools, non-profits, and other eligible residents. First priority would be given to diversity education programs and K-12.

COUNCILMEMBER ORLANDO congratulated the new Councilmembers and this was a very close election.

C. City Manager's Announcements

MARSHA REED, City Manager, congratulated the new Councilmembers.

ADJOURNMENT: The meeting was adjourned at 7:10 p.m.

ATTEST: *Dana R. Dely*  
City Clerk

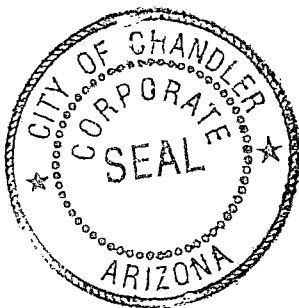
*Kevin Hanthke*  
Mayor

Approval Date of Minutes: August 27, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 13<sup>th</sup> day of August, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of August, 2020.



*Dana R. Dely*  
City Clerk



**CHANDLER CITY COUNCIL**  
**Special Meeting Minutes**  
Monday, August 24, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, August 24, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:35 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Josh Wright, Assistant City Manager.

CONSENT AGENDA DISCUSSION

MAYOR HARTKE introduced the consent item and called for a staff presentation.

1. CANVASS the official results of the City of Chandler Primary Election of August 4, 2020.

DANA DELONG, City Clerk, said this is the acceptance of the official canvass of the City of Chandler primary election. The City held the primary election for the purpose of electing three council members. She said 55,615 ballots were cast in the primary election. As a result, three candidates received a majority of the votes cast and therefore were elected in the primary election to fill the Council seats. The three candidates elected were Christine Ellis, Mark Stewart and OD Harris. Since these three seats were filled in the primary election, a runoff election is not necessary. She said there was a 35.75% turnout in the election. In August 2014 there was 22% turnout, August 2016 there was 25% turnout, and August 2018 there was 29.72% turnout. There was a large turnout this year.

CONSENT AGENDA - MOTION AND VOTE

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE AUGUST 24, 2020, SPECIAL MEETING; SECONDED BY VICE MAYOR LOPEZ.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA

1. CANVASS the official results of the City of Chandler Primary Election of August 4, 2020.

BACKGROUND FROM COUNCIL MEMO:

The City held its Primary Election on August 4, 2020, for the purpose of electing three councilmembers. The election was held in conjunction with the countywide election on a consolidated ballot. Arizona Revised Statute §16-642 requires the governing body canvass the returns of the election no later than twenty days following the election.

The attached canvass shows the final official results and the statement of votes cast. Voter turnout was 35.75% with 55,615 voters casting ballots out of a total voter population of 155,563. Chandler City Charter, Article VII, Section 7.01 (d) -Majority Vote to Elect states:

At a primary election any candidate who shall receive a majority of all the votes cast at such election shall be declared elected to the office for which he is a candidate, and no further election shall be held as to said candidate, provided that if more candidates receive a majority then there are offices to be filled, then those equal in number to the offices to be filled, receiving the highest number of votes shall be declared elected.

Christine Ellis, Mark Stewart, and OD Harris were declared elected to the office of councilmember at the 2020 Primary Election. They received the highest number of votes over the majority of votes cast number equal to the number of seats to be filled and shall be issued certificates of election. A run-off election is not necessary. The installation ceremony will occur on January 14, 2020.

ADJOURNMENT: The Special Meeting was adjourned at approximately 6:39 p.m.

ATTEST:   
City Clerk


  
Mayor

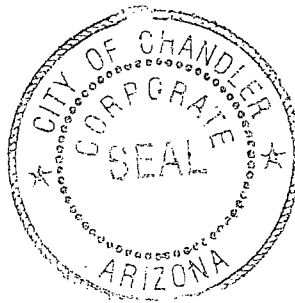
Approval Date of Minutes: September 14, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 24th day of August, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14<sup>th</sup> day of September, 2020.

  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, August 27, 2020,

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, August 27, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:01 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
*Matt Orlando	Councilmember

Councilmember Orlando attended the meeting telephonically.

Also in attendance:	Marsha Reed	City Manager
	Joshua Wright	Assistant City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Andy White, Faith Family Church

PLEDGE OF ALLEGIANCE: Councilmember Huang led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

Mayor Hartke read a comment received by Sheri Farag, 860 W. Comstock Dr., Chandler, Arizona, 85225, regarding Consent Agenda Item No. 14.

*Can you demonstrably show that this purchase was previously scheduled to be made in the approximate amount of 4.2 million dollars, and show us that the 1.7 million dollar shortfall in tax revenue is due to Corona Virus economic impact?*

MAYOR HARTKE asked for a staff response.



MARSHA REED, City Manager, said this item is something staff had asked for to make the organization more mobile. This was strategic in that the City was getting ready to replace all of the desktop computers and it would make sense to become mobile. Staff had asked Council to use \$1.7 million from the AZCares program. These dollars have come to the City as general fund dollars and could be spend on anything that Council gives staff direction to spend it on.

#### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER McCLYMONDS MOVED TO APPROVE THE CONSENT AGENDA OF THE AUGUST 27, 2020, CITY COUNCIL MEETING; SECONDED BY VICE MAYOR LOPEZ.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTION OF CONSENT AGENDA ITEM NO. 4 WHICH CARRIED UNANIMOUSLY (6-0) WITH COUNCILMEMBER ORLANDO DECLARING A CONFLICT OF INTEREST AND CONSENT AGENDA ITEMS 14, 15, AND 16 WHICH CARRIED BY MAJORITY (6-1) COUNCILMEMBER HUANG DISSENTING.

#### CONSENT AGENDA ITEMS

- 1a. MINUTES of the City Council Work Session of August 10, 2020.
- 1b. MINUTES of the City Council Special Meeting of August 10, 2020.
- 1c. MINUTES of the City Council Study Session of August 10, 2020.
- 1d. MINUTES of the City Council Regular Meeting of August 13, 2020.
2. FINAL ADOPTION OF ORDINANCE NO. 4927, granting a no cost irrigation and facilities easement to Roosevelt Water Conservation District (RWCD), for the Town of Gilbert Val Vista Drive Improvement Project from Riggs Road to Appleby Road.

#### BACKGROUND FROM COUNCIL MEMO:

The Town of Gilbert is undertaking a road widening project for the improvement of Val Vista Drive from Riggs Road to Appleby Road (the "Project"). The City's Mesquite Groves Park (the "Park") is within the scope of the Project and is located on the west side of Val Vista Drive between Riggs Road and Cloud Drive. In order to complete the Project, the Town of Gilbert must tie-in the relocated RWCD irrigation facilities to the existing ditch facilities that are located on the north side of the Park. RWCD is requesting an irrigation and facilities easement in the area where the relocated irrigation facilities will tie-in to the existing ditch facilities on the north end of the Park. The irrigation and facilities easement is to be granted at no cost to RWCD. The Project is currently under construction and is expected to be completed by July 2021.

This Ordinance was introduced and tentatively adopted on August 13, 2020.

3. INTRODUCTION OF ORDINANCE NO. 4934, PLH20-0017, ARCHES CLIMBING + FITNESS, rezoning from Planned Area Development (PAD) to an amended PAD with a Mid-Rise overlay for commercial and office uses.  
PRELIMINARY DEVELOPMENT PLAN (PDP) for an indoor rock climbing and fitness facility and

conceptual site plan approval for future office and commercial, located north of the northwest corner of Gilbert and Ryan roads.

**BACKGROUND FROM COUNCIL MEMO:**

Approximately 8.1 acres. 2006 - Zoned PAD for commercial and office including Midrise overlay for a 75-foot high office building on western half of the subject parcel. 2007 - Phase 1 of Watermark was constructed. 2015 - Lincoln Preparatory Academy, a state-chartered public school, was constructed over the northern 400 feet, making the 2006 conceptual site plan obsolete on remaining subject parcel

**Surrounding Land Use Data**

North	Lincoln Preparatory Academy (grades 6-12)	South	Watermark at Chandler Airpark (commercial, retail, office and self-storage)
East	Gilbert Road, Peterson Farms (single family residential)	West	The Forum (co-working space) and Kids Incorporated Learning Center (day care)

**General Plan and Area Plan Designations**

	Existing	Proposed
General Plan	Employment	No Change
Chandler Airpark Area Plan (CAAP)	Commercial/Office/Business Park	No Change

**Proposed Development**

Building Square Footage	33,000 square feet (Arches) Future phases: 61,970 square feet (office) 3,350 square feet (retail)
Building Height	62 feet (top of building) 65 feet (top of metal feature) 65 feet (proposed max. Midrise height)
Parking Spaces Required	120 spaces (Arches)
Parking Spaces Provided	121 spaces (Arches)

**Review and Recommendation**

The subject site was originally zoned and master planned in 2006 as part of Watermark, a 40-acre mixed use development that included a self-storage facility, office and commercial. The 2006 zoning included a Midrise Overlay (75 feet maximum building height) for a future office building at the northwest corner of the masterplan. Construction of Lincoln Preparatory Academy in 2015 bifurcated the future midrise building and cut out the northern 400 feet of the adopted site plan, making it obsolete on the remaining parcel, which is the subject site. The requested Midrise Overlay lowers the previously approved maximum building height from 75 feet to 65 feet and moves the building to the east further away from Chandler Municipal Airport.

Planning staff worked closely with the applicant through several architectural revisions with the goal of creating a design that bridges Watermark's ornate architectural style to the south with the charter school's modern style to the north.

The future office and retail buildings that wrap around the west and north sides of the proposed rock climbing gym will be reviewed administratively for substantial conformance with the proposed architectural style to complete the architectural bridge between the parcels to the north and south.

Staff finds the proposal to be consistent with the goals of the General Plan, CAAP and Planning and Zoning Commission recommend approval.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Two neighborhood meetings were held on June 24 and June 25, 2020. Both meetings were held via Zoom offering residents the opportunity to learn about the proposal and provide feedback during the COVID19 pandemic. The applicant's team and staff participated and one resident briefly connected into the meeting and left after a few minutes without any questions or comments. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

#### Airport Commission Conflict Evaluation

Airport Commission meeting July 8, 2020.

Motion to find no conflict with existing or planned airport uses.

In Favor: 7    Opposed: 0    Absent: 0

The Airport Commission expressed concerns regarding the height of the building and potential glare of windows. The proposed building height is 10 feet lower and about 300 feet further to the east away from the Airport than the 75-foot high building approved in 2006. Further, the applicant has agreed and added a note in the preliminary development plans that the building will utilize low or non-reflective glazing per Airport requirements.

In light of this information, the Airport Commission determined that the proposed development does not constitute a conflict with existing or planned airport uses. A copy of the Airport Manager's report detailing the Airport Commission's findings is attached to this memo.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting August 5, 2020.

Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Pekau)

During Study Session, the Commission complimented the design of the proposed rock climbing gym and also inquired about the potential for reusing the building in the future should the gym go out of business. Staff responded that other forms of recreational/fitness/entertainment venues could find the building suitable for reuse. Additionally, the taller portion of the building could be converted into office by dividing it into separate floors. In response to another question, the

applicant stated that this will be the first location for Arches Climbing + Fitness, a locally-owned company.

#### Recommended Actions

##### Rezoning

Planning staff find the request is in compliance with the General Plan and the CAAP, Planning and Zoning Commission recommend the City Council approve the rezoning from PAD to amended PAD with a Midrise Overlay for commercial and office uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arches Climbing + Fitness" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0017, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
3. The Midrise Overlay applies only to the climbing and fitness building and shall be limited to a maximum height of sixty-five (65) feet. All other buildings shall be subject to a maximum height of forty-five (45) feet.
4. Uses shall be consistent with uses permitted in C-3 Regional Commercial District.
5. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation part 77 and/or in relation to limits established in FAA determined Terminal Procedures (TERPS). All construction cranes shall be installed and operated in accordance with FAA rules and regulations including notification through the filing of FAA Form 7460-1, Notice of Proposed Construction or Alteration.
6. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.

##### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan and CAAP, Planning and Zoning Commission recommend the City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arches Climbing + Fitness" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0017, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
3. Landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. All raceway signage shall be prohibited within the development.

5. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
  6. All signs shall comply with sign standards approved in the original Watermark development booklet in case DVR06-008.
  7. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
  8. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
  9. The future office and retail buildings shall carry an architectural level of detail similar to the facades of the climbing and fitness building. Said office and retail buildings shall be subject to administrative approval.
4. RESOLUTION NO. 5398, approving a facility use license agreement with Future Stars Sports Events, LLC (FSSE), the use of Snedigar Sportsplex for youth softball tournaments.

BACKGROUND FROM COUNCIL MEMO:

In 2017, the City completed its Tourism Master Plan, which calls for identifying existing recreational assets available to host regional activities. The goal of this contract is to establish an on-going relationship with a fast pitch softball organization to host tournaments at Snedigar Sportsplex, located at 4500 S. Basha Road.

FSSE holds large-scale girl's fast pitch softball tournaments throughout the Valley and the state of Arizona. FSSE is interested in expanding its tournaments to the East Valley to support the growth and interest in its annual tournaments.

The Community Services Department provides athletic facilities where large tournaments can be held. The tournaments provide many benefits to the City of Chandler. Those benefits include field rental revenue, exposure for future tourism, and potential revenue from hotel room nights.

Before City Council is a Facility Use License Agreement, for a one-year period of July 1, 2020, through June 30, 2021, with the option of up to four (4) one-year extensions based on FSSE's performance. The City is responsible for providing four fields at Snedigar Sportsplex for ten weekend tournaments through June 2021. The proposed tournament dates are dates that have been historically open for new tournaments at the Snedigar Sportsplex. The addition of these softball tournaments does not affect other tournaments or league play that have historically been held at the Snedigar Sportsplex. Other softball organizations that currently operate in Chandler have also expressed support for bringing these tournaments to the community.

FSSE is responsible for obtaining any and all necessary permits and paying the approved rental fees for each tournament. FSSE has also agreed to make several improvements to the Snedigar Sportsplex, including installing temporary fencing anchors in the outfield of the six fields. A temporary fence is needed for fast pitch softball due to differences in outfield size from other diamond played sports. These anchors will be used by other entities, which will increase

Chandler's ability to host additional fast pitch softball tournaments. Successful completion of these tournaments may also lead to additional large tournaments being schedule with FSSE.

**FINANCIAL IMPLICATIONS:**

FSSE will pay the approved rental and staffing fees for each tournament. It is anticipated FSSE will pay the City of Chandler \$4,035.16 per tournament. These fees cover all staff time and City expenses for hosting each tournament.

5. RESOLUTION NO. 5402, pertaining to the submission and award of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2020 Local Solicitation in the amount of \$41,117; authorize the Mayor and/or City Attorney to sign the required certification(s); 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 grant.

**BACKGROUND FROM COUNCIL MEMO:**

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. Supporting a range of program areas, the JAG Program is the primary provider of federal criminal justice funding to States and units of local government. The Program awards funds based on a statutory formula that includes violent crime and population statistics, Chandler's award this year is \$41,117. The Police Department has been receiving JAG grants since 2005. This year's award requires a certification for the Mayor's and/or City Attorney's signatures, governing board review period of 30 days, and an opportunity for public comment on the application be provided to citizens. The Council review and approval process meets the grant requirements.

With 2020 JAG funds, the project purpose is to support Department personnel in their job functions by providing some law enforcement tools. This project will purchase an approximately 19 month subscription to a national license plate reader (LPR) server for the Department's LPR program. LPR data is used by the Department to identify vehicles being used to commit crimes across the state. This program was started in January, 2016, and the current subscription will expire in May 2021. An additional subscription is needed to continue this invaluable investigative tool until sustainable funding can be provided. This project will also support attendance for one or two analysts at the annual Versaterm Training Conference. Versaterm is the Department's Records Management System (RMS) that is used to report crime data. The training will help to understand further how Versaterm works and to network with other agencies that have the same system, to ensure proper system set up to report NIBRS information. The request includes training and travel costs.

**FINANCIAL IMPLICATIONS:**

There are no matching dollars required for this program.

6. APPROVE THE USE OF MARICOPA COUNTY'S DETENTION SERVICES, for the booking and housing of inmates, in an amount not to exceed an aggregate of \$1,477,573, for one year, July 1, 2020, through June 30, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Maricopa County Sheriff's Office (MCSO) is tasked with the housing and booking of inmates, Pre and Post-IA (Initial Appearance), as well as post-conviction, in accordance with the A.R.S. § 11-441, governing the housing of inmates by law enforcement jurisdictions within each county. The City remits payment on a monthly basis to the Maricopa County Sheriff's Office for the actual costs for detention services for inmate housing and prisoner care.

7. AUTHORIZE the appropriation for fire and emergency medical dispatch services for Fiscal Year 2020-2021 in accordance with the current Intergovernmental Agreement with the City of Phoenix, in the amount of \$1,237,735.27.

BACKGROUND FROM COUNCIL MEMO:

The current IGA with the Phoenix Fire Department has provided the Chandler Fire Department (CFD) with dispatch services, technical services, and equipment maintenance. In FY 2008-09, the Regional Consortium instituted a full cost recovery approach to recoup operating budget related to personnel, new equipment, and upgrades to current equipment.

Through CFD's IGA with the Phoenix Fire Department, Professional Medical Transport (PMT) Ambulance dispatch services are also provided. PMT Ambulance will reimburse the City of Chandler \$210,826.61 for these services.

FINANCIAL IMPLICATIONS:

The financial implication is \$1,237,735.27, which is appropriated in the FY 2020-21 Fire Operating Budget, line item 101.2210.5219. PMT Ambulance will reimburse the City \$210,826.61.

8. TELE-TRACK WAGERING, for a Tele-Wagering Facility Site license for American Greyhound Racing Inc., dba American Greyhound located at 7450 W. Chandler Boulevard.

BACKGROUND FROM COUNCIL MEMO:

The following application for a new Tele-Track Wagering Facility Site license was posted for hearing on August 27, 2020:

New License, American Greyhound Racing Inc., dba American Greyhound, located at 7450 W. Chandler Boulevard.

No objections to the issuance of this license have been received from the Police, Fire, or Development Services. The applicant has met all of the requirements of City Code Section 58-2.1-3 and all fees have been paid. With a Tele-Track Wagering Facility Site license the facility is allowed to offer Off Track Wagering.

9. BOARD AND COMMISSION APPOINTMENTS.

BACKGROUND FROM COUNCIL MEMO:

Bond Exploratory Committee

Parks Subcommittee

Appoint Larry Rother

Public Works Subcommittee

Appoint Ernie Serrano

Cultural Foundation

Appoint Candy Yu

Neighborhood Advisory Committee

Appoint Peter Cwik

10. AGREEMENT NO. CS0-961-4094, AMENDMENT NO. 1, with Daniel Peterson, DBA Southwest Umpires Association, for professional softball umpire services, in an amount not to exceed \$65,000, for the period of September 1, 2020, through August 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The Community Services Department provides an extensive opportunity for adults to participate in athletic sport programs. The largest adult athletic sport program is the recreational softball leagues. The City contracts with a third party to provide the hiring and scheduling of umpires for league games as well as youth fast pitch softball tournaments. Umpires are provided at two park locations on six separate fields, Monday through Friday and on Sundays, for approximately 2,500 games per year. Games are played three seasons per year, with each season lasting eight to nine weeks.

All umpires are required to be ASA (American Softball Association) sanctioned umpires who are tested and certified as competent to administer the ASA rules. The contractor is required to provide a listing of all umpires, along with their certifications, prior to the start of each season. All umpires are also required to attend a training session before each season to discuss City expectations for umpires and City league rules and procedures. A background check is also performed for all umpires.

The contractor and any subcontractors are required to carry insurance based on the minimum insurance levels set by the City. Insurance coverage must contain at a minimum general liability, automobile liability, and workers compensation insurance coverages.

11. AGREEMENT NO. MU6-936-3653, AMENDMENT NO. 2, with Valleywide Generator Service, LLC, for generator maintenance, in an amount not to exceed \$250,000, for a two-year period, September 1, 2020, through August 31, 2022.

BACKGROUND FROM COUNCIL MEMO:

This agreement provides periodic maintenance, inspection, and load bank testing for 59 standby generators. The generators provide power to various key locations to ensure continuous operation when electrical power is interrupted, including the Chandler Municipal Airport and many water and wastewater facilities. As part of this agreement, the contractor will ensure the



generators are performing at a rated kilowatt capacity. The additional funding covers any unforeseen repairs that may be necessary during the term of this agreement.

12. SOLE SOURCE AGREEMENT NO. PW0-890-4209, with Core and Main LP, for Neptune water meters, in an amount not to exceed \$3,000,000, for a two-year period, September 1, 2020, through August 31, 2022, with the option of one additional two-year extension.

BACKGROUND FROM COUNCIL MEMO:

The City maintains approximately 86,500 water meters. These meters record water use from residential, landscape, multi-family, commercial, government, school, medical and industrial water users. Staff routinely replace or repair failed meters to ensure customers are billed accurately. In addition to meter maintenance and replacement, staff installs meters for new customers connecting to the City's distribution system. This agreement authorizes the purchase of meters, registers, and meter parts that are compatible with the existing meter reading system, utility billing system, and inventory.

13. PROFESSIONAL SERVICES AGREEMENT NO. WA2008.201, with Wilson Engineers, LLC, for the Loop 101 and Loop 202 Freeway Waterline and Sewer Rehabilitation Design Services, in an amount not to exceed \$679,930.

BACKGROUND FROM COUNCIL MEMO:

In February 2018, the City experienced a large water main break northeast of the intersection of Price Road and the Loop 202 Santan Freeway. Staff responded quickly by shutting down the 36-inch diameter water transmission main. In the following months, the City hired a consultant and contractor to evaluate the cause and condition of damaged pipeline and perform necessary repairs. The condition assessment of the pipeline revealed that it was in poor condition and recommended that rehabilitation or replacement of the pipe should be considered.

The project scope of work for this agreement includes evaluation of replacement waterline pipe material, survey, potholing, testing of soils and materials, design plans and specifications, cost estimates, utility coordination, permitting, and research and development of easements. The project also includes field assessment of existing sanitary sewer pipelines crossing the freeway interchange, development of conceptual design plans, and construction estimates. The contract completion time is 230 calendar days following Notice to Proceed. The intended method of construction delivery for the waterline replacement work is Construction Manager at Risk.

The City and the Arizona Department of Transportation (ADOT) share a substantial interest in maintaining proper operation and long-term viability of these pipeline segments that cross beneath the Loop 101 and Loop 202 freeway interchange. The City will continue to engage ADOT to partner in future efforts to assess and repair these pipelines.

14. PURCHASE of Dell laptop computers and peripherals, from Dell Marketing L.P., utilizing the State of Arizona Contract No. ADSP016-098163, in an amount not to exceed \$4,232,356.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler annually reviews the reliability and need for replacement of desktop computers and monitors (workstations), after seven years of use. As part of this review, desktop computers and associated peripherals (workstations), have been identified for replacement during FY 20/21. These workstations reached the end of their usable life and are no longer serviceable. To support the goal of a mobile workforce, all desktop computer (workstations) identified for replacement during FY 20/21 will be replaced with laptop computers and the associated peripherals.

Dell Computers have been the standard for desktop and laptop computers for the City since 2007 when they were selected after comparing their offerings to other competitors. Using a single provider for these devices allows for better support and management in several ways: a single software image can be applied to all devices; technicians only need to become experts at limited number of different devices; lower quantities of different replacement parts need to be stocked; and devices can easily be swapped or moved as required.

By aggregating annual purchases into a single order, the City was able to negotiate a much larger discount than would normally be provided.

Laptop computers have a higher cost than desktop computers. Existing funds of \$2,534,468 will be used from the Technology Replacement fund and will be supplemented with \$1,697,888 from the CARES Act to make this purchase if approved.

15. PURCHASE of Microsoft Office 365 software licenses, from CDW-G, utilizing the State of Arizona Contract No. ADSPO17-149774, in an amount not to exceed \$374,642.

BACKGROUND FROM COUNCIL MEMO:

Microsoft Office 365 is a cloud based productivity suite which includes the complete Office package, Exchange Online for enterprise email, OneDrive for user file storage, and Sharepoint for team collaboration. IT is recommending a "G3" level subscription for 2200 users, which is enough for each City employee to be able to use this product. Each subscription is paid annually and will renew with the City's Microsoft Enterprise Agreement on April 30, 2021.

16. AGREEMENT NO. IT1-920-4232 with WorkGroup Connections, Inc., for Office 365 Implementation and Migration Consulting, in the amount of \$211,040.

BACKGROUND FROM COUNCIL MEMO:

The City has a single IBM Lotus Notes e-mail environment in use today by approximately 2,200 employees. The City desires to migrate from the current unsupported Microsoft Office 2010 product and antiquated IBM Lotus Notes email system. The City solicited services to design the migration and implementation of Microsoft Office 365 Online.

In alignment with the Citywide Strategic Framework, technology is utilized to support innovations that enable the City to work smarter and better engage with the community. The Information Technology Division is responsible for providing reliable, sustainable technology systems and services that support services to citizens and customers, promote operational efficiencies, and mitigate risk. This migration will allow the City to continue providing the high level of customer service to staff and the public by capitalizing on the functionality offered with newer technology.

The O365 project team completed the initial phase of the project in June of 2020. Phase one project deliverables included: a comprehensive environment review, a detailed migration design plan, and a thorough project implementation plan that will guide the City to a successful transition to Microsoft O365. This council memo approval request is to complete the implementation and migration services for the O365 project.

17. PURCHASE of annual maintenance and support services, from Versaterm, Inc., for the Police RMS for the period of September 1, 2020, to August 31, 2021; and the for the CAD system for the period of August 1, 2020, to July 31, 2021, in an amount not to exceed \$434,590.

BACKGROUND FROM COUNCIL MEMO:

The Police Department purchased the Versaterm integrated police records management, computer-aided dispatch, mobile data computing, and field reporting systems with Council approval in March 2010. With the expiration of the initial warranty period, the department needs to provide ongoing maintenance and services for the product, which are only available through the vendor in the form of annual maintenance. The maintenance allows for product updates and upgrades, correction of product failures that are not working as intended in accordance with documentation, and support of the product and its interfaces per contract.

Support services are for a period of one year, on a year-to-year basis, and are defined and outlined in Exhibit G, Software Support Agreement, in the March 2010 approved agreement. Versaterm provides Chandler an invoice of the upcoming support period within or after sixty (60) days prior to the expiration of the current support period. Payment of said invoice serves as renewal agreement for support services. Staff has currently received invoices from Versaterm totaling \$434,590, and is expected to receive invoices for the remaining balance during FY2020-21.

18. USE PERMIT, PLH19-0062, HAPPY PETS PALACE & PLAYGROUND, to continue outdoor dog play yards to operate together with a dog daycare, overnight boarding, and training facility located at 1080 E. Pecos Road, Suites 15 to 18, at the northeast corner of Pecos and McQueen roads.

BACKGROUND FROM COUNCIL MEMO:

Zoned Planned Area Development (PAD) for commercial uses. Zoning Code requires Use Permit approval for dog daycare with outdoor play areas. Initial use permit approved August 9, 2018, with a two-year time condition

Surrounding Land Use Data

North	Single family residential (Willis Ranch)	South	Commercial (same shopping center); Pecos road, vacant parcel
East	Single family residential (Willis Ranch)	West	Commercial (same shopping center)

Proposed Business Operations

Suite	5,040 sq. ft. with 1,860 sq. ft. outdoor dog play area
# of employees	23 total staff with 2 managing members; during business hours 5-7 employees on-site and 1 manager

Hours of Operation (open to public)	6 a.m. – 6:30 p.m. Monday through Saturday, and split shift on Sundays and Holidays from 8 a.m. – 10:30 a.m. and 4 p.m. – 6:30 p.m.
Hours of Operation (staff only)	9:30 p.m. – 2 a.m. staff on-site; no staff from 2 a.m. – 6 a.m.
# of dogs	20 to 60 typical daycare and boarding; projected future may go up to 70 dogs overnight

#### Review and Recommendation

Planning staff reviewed the request and finds the continued operation of the doggy daycare with outdoor play areas and overnight boarding remains a compatible land use. As of the writing of this memo, no known complaints or concerns have been voiced by the nearby residents or business owners to either the owner or staff. Likewise, no calls for service to the Police Department were made related to noise or barking dogs.

The outdoor dog play area is located in the rear service area of the commercial center. The outdoor dog play area is divided into three spaces and enclosed by an 8 ft. tall decorative block wall. During hot weather, shade sails are placed above each outdoor area.

Happy Pets Palace & Playground addresses typical doggy daycare issues such as noise and outdoor odors by providing supervision of the dogs and providing immediate clean-up of pet waste outdoors. Outdoor areas are hosed down daily with water and a spray solution. Video surveillance is also provided 24 hours a day, seven days a week, for both dog owners and facility staff to monitor the dogs, building temperature, and security. The outdoor run areas are accessed through indoor playrooms and supervised by staff during business hours.

Planning staff finds the request to be consistent with the General Plan and the PAD zoning with approval of a Use Permit. Planning staff and Planning and Zoning Commission recommend a five-year time condition to continue evaluation of the land use compatibility with the surrounding residential and businesses developments.

#### Public / Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A virtual neighborhood meeting was held on July 27, 2020. No one other than the applicant attended. As of the writing of this memo, Planning staff is not aware of opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting of August 5, 2020.

Motion to Approve.

In Favor: 5    Opposed: 0    Absent: 1 (Pekau)

#### Recommended Action

Planning staff find the request is in compliance with the General Plan and the approved zoning. Planning and Zoning Commission recommends City Council approve the Use Permit, subject to the following conditions:

1. Substantial expansion or modification beyond the approved attachments (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit application and approval.
  2. The Use Permit is non-transferable to any other location.
  3. The site shall be maintained in a clean and orderly manner.
  4. The fabric canopy structures shall be maintained in a manner similar to that at the time of installation.
  5. The Use Permit shall remain in effect for five (5) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
19. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Jared Michael Repinsky, Agent, The Perch LLC, dba The Perch, located at 232 S. Wall Street.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on August 13, 2020, at which time it was continued until August 27, 2020:

New License, Series 12, Restaurant Liquor License for Jared Michael Repinsky, Agent, The Perch LLC, dba The Perch, located at 232 S. Wall Street.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

20. LIQUOR LICENSE, Series 10, Beer and Wine Store Liquor License with sampling privileges, for Chelsea Rene Baker, Agent, Aldi (Arizona) LLC, dba Aldi, located at 2844 S. Alma School Road.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on August 27, 2020:

New License, Series 10, Beer and Wine Store Liquor License with sampling privileges, for Chelsea Rene Baker, Agent, Aldi (Arizona) LLC, dba Aldi, located at 2844 S. Alma School Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 10, Beer and Wine Store Liquor License with sampling privileges, the business may sell beer and wine only for off-premise consumption, along with sampling privileges.

21. LIQUOR LICENSE, Series 11, Hotel/Motel Liquor License, for Byron Sarhangian, Agent, Caliber Hospitality LLC, dba Holiday Inn at Ocotillo, located at 1200 W. Ocotillo Road.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on August 27, 2020:

New License, Series 11, Hotel/Motel Liquor License, for Byron Sarhangian, Agent, Caliber Hospitality LLC, dba Holiday Inn at Ocotillo, located at 1200 W. Ocotillo Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 11, Hotel/Motel Liquor License, the business may sell all alcoholic beverages for on-premise consumption only.

#### INFORMATIONAL:

1. Regular Meeting Minutes of the July 1, 2020, Planning and Zoning Commission meeting.
2. Study Session Minutes of the July 1, 2020, Planning and Zoning Commission meeting.

#### UNSCHEDULED PUBLIC APPEARANCES

None.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE announced the First Mile Last Mile Lyft Partnership begins September 1, 2020. This would provide 50% on rides to and from designated bus stops south of Pecos Road. This partnership helps the City bring public transit access to an area of the City with limited availability and avoids the high cost of more bus routes. Mayor Hartke said this is an example of how the City finds innovative ways to provide necessary services to residents and save tax dollars.

MAYOR HARTKE said in partnership with various businesses the City held the first hiring event to connect job seekers with Chandler based employers. Over 700 job seekers signed up to have access to the hundreds of jobs posted by 12 employers. Nearly 600 people were interviewed, hired, or matched. He thanked the partners and Economic Development staff for working on this. It was great to hire people in a time many were losing their jobs.

MAYOR HARTKE said iChooseChandler Business and Hiring Program is experiencing tremendous success in the first week and a half since the launch. Because of the \$9.5 million that Council sought to invest in the community, 380 applications were submitted and processed and \$1.223 million has been approved for disbursement. Feedback on the program has been overwhelmingly positive. Mayor Hartke encouraged eligible businesses to supply.

##### B. Councilmember's Announcements

COUNCILMEMBER STEWART thanked staff for putting the City in a good financial situation in light of the financial implications happening right now and the COVID-19 challenges.

COUNCILMEMBER STEWART encouraged everyone to complete the census.

COUNCILMEMBER HUANG also encouraged citizens to complete the census.

COUNCILMEMBER ROE thanked public safety for keeping the community safe and thanked the community for working together.

C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 6:13 p.m.

ATTEST: *Dana R. Deley* *Kevin Hawthorne*  
City Clerk Mayor

Approval Date of Minutes: September 14, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 27<sup>th</sup> day of August, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14<sup>th</sup> day of September, 2020.

*Dana R. Deley*  
City Clerk





**CHANDLER CITY COUNCIL**  
**Work Session Meeting Minutes**  
Thursday, August 27, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, August 27th, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:45 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
*Matt Orlando	Councilmember

\*Councilmember Orlando attended the meeting telephonically.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; and Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; John Knudson, Public Works and Utilities Director; Matt Burdick, Communications and Public Affairs Director; Dawn Lang, Management Services Director; Matt Dunbar, Budget Manager; Ryan Peters, Governmental Relations & Policy Manager; Andy Bass, Community Services Director; Micah Miranda, Economic Development Director.

**DISCUSSION**

**1. COVID-19 QUARTERLY FINANCIAL IMPACT UPDATE**

**a. Opening Remarks**

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said at the Budget Briefing, they discussed having quarterly updates for the public. This is the first review of the budget with a focus on the economic



climate, fiscal year 2019-20 end, and the first month report of fiscal year 2020-21. In June, the directors were asked to present a scenario that would include more cuts if they became necessary based on our revenues. During that work, a policy change was proposed to save ongoing dollars in the Community Services Department. Ms. Reed has continued to challenge staff to bring forward possible savings for consideration. Prior to receiving the \$29.9 million in AZCares, Ms. Reed presented a budget that was 2.8% less than last fiscal year, with operational expenses down 6%, and a capital plan that was up 2.9%. Ms. Reed said she worked with the executive team to make sure that they scrutinize every position, travel, purchases, and capital projects to make sure they do not exceed the Council adopted budget.

b. Economic Forecast: National/State/Local

DAWN LANG, Management Services Director, presented the following Power Point presentation.

- COVID-19 Quarterly Financial Update Agenda
  - Economic Forecasts
    - National
    - State
  - Local
    - Revenue Update
    - Expenditure Update
    - Trend Review
  - Policy Questions
  - Next Steps
- Economic Forecasts - National
  - Q2 Experiences Worst U.S. Economic Contraction in over 70 Years
  - U.S. GDP Contributors and Detractors
- Economic Forecasts - National
  - Fed's June Economic Projections Indicate Long Recovery Ahead
  - Unemployment Rate
- Economic Forecasts - National
  - Economic Conditions Appear to have Bottomed
    - Monthly Retail Sales
    - Markit PMI
- Economic Forecasts - National
  - What will shape of recovery be?
  - Shape of Economic Recovery According to CEOs
- Economic Forecasts
  - World's Most Accurate Pie Chart
- Economic Forecasts - State of Arizona
  - Phoenix – Mesa – Scottsdale MSA Forecast (Maricopa + Pinal Counties) Economic and Business Research Center EBRC estimates as of June 2020
- Economic Forecasts - State of Arizona

- o Unemployment Rate
- c. Revenue Update

MATT DUNBAR, Budget Manager, continued the presentation.

- Chandler FY 2019-20 Revenue Update
  - o General Fund Year End Reserves
  - o FY 2019-20 Results
- Chandler FY 2019-20 Revenue Update
  - o Results of General Fund Revenues Estimated to be impacted
- d. Expenditure Update

MR. DUNBAR continued the presentation.

- Chandler FY 2019-20 Expenditures
  - o Chandler maintains a strong financial position
  - o "I take the task of making sure we come in under budget very seriously, and to everyone's point, we will meet the budget according to the revenues we receive." Marsha Reed, City Manager, April 24, 2020
  - o General Fund Year-End Expenditures (in millions)
  - o 91.6% of adjusted spent
  - o Normally spend over 95%
  - o Expenditure Measures continue to be in place since March 2020

MAYOR HARTKE said they had put in a spending freeze and asked if there were carryovers for expenses.

MR. DUNBAR said there would be some carryovers for specific items such as capital improvement program items. From a trend, we are under this year so there were additional spending reductions that would not be carried forward and would go back into the general fund.

MAYOR HARTKE said there is always carryover in capital improvements, but wanted to clarify there were no carryovers in the general budget.

MR. DUNBAR said there are always carry forwards in the general fund as well and there were some this year. These were some cost savings in the current year being expended in the next year.

COUNCILMEMBER STEWART said when he looked at the general fund and expenditures and we come in under every year. Councilmember Stewart said the budget should match closely so they can budget for additional items the City needs such as parks or infrastructure. Councilmember

Stewart asked staff if they were looking into making it more closely matched since it is a missed opportunity.

MS. LANG said it is around 95% because we always have vacancies. The budget is based on the full budgeted positions, but there are always vacancies so it is anticipated they would have a 1.5% vacancy savings. Going into 2021, that vacancy savings ratio has increased. That money falls back into general fund for onetime capital purposes. On the operating side, there are times that projects planned to take place in a year do not take place during that time frame. Those projects that were not completed would have a carryforward request because the funds were not spent that year.

MR. DUNBAR said when there are any discrepancies the funds available go back to fund balance for the next budget cycle for them to be used in the following year on capital projects or onetime needs.

MAYOR HARTKE said one example would be the Veterans Oasis Park. This was not originally budgeted, but Council was able to add that without a large impact.

COUNCILMEMBER ORLANDO said he understood the vacancy rate and carry forward. Councilmember Orlando asked what the major driver was for expenditures being outside the normal range.

MS. LANG asked if Councilmember Orlando was referring to the drivers that decreased the expenditures.

COUNCILMEMBER ORLANDO said yes.

MS. LANG said those were the expenditure measures that were put in place early on due to COVID-19. Ms. Lang said they were anticipating reduced revenues and putting expenditure measures in place to minimize future impacts and offset revenue shortfalls. Departments were being very careful at what expenses were being made. There were other purchases that were held back or further scrutinized to ensure it was the right time to make the purchase. Many vacant positions were held which generated more savings. All those measures together brought the budget in 91.6%. Ms. Lang said had revenues been hit as they were anticipated this would have put us in a good position.

COUNCILMEMBER ROE asked if the AZCares money was part of the budget and if so what it looks like without it.

MR. DUNBAR said the AZCares dollars were treated as grant money and put into the 2020-21 budget. Those expenditures are not shown in year 2019-20; they would be shown in the next fiscal year.

e. Trend Review

MR. DUNBAR continued the presentation.

- Trend Analysis
  - Prior Major Events: Transaction Privilege Tax (TPT)
- Trend Analysis
  - Prior Major Events: State Shared Sales Tax Revenue
- Trend Analysis
  - Prior Major Events: Vehicle License tax
- Trend Analysis
  - Prior Major Events: Urban Revenue Sharing
- Trend Analysis
  - Prior Major Events: Parks & Recreation Fees
- Trend Analysis
  - Prior Major Events: Total Revenue
- TPT revenue Category Trend Analysis
  - Governor's Major Orders
    - 3/11 Declared public health emergency
    - 3/15 Closed schools
    - 3/16 Cancelled gatherings of more than 10
    - 3/19 Provided new guidance for dining establishments
    - 3/20 Extended school closures until 4/10/20
    - 3/30 Extended school closures for rest of year
    - 3/30 Stay Home, Stay Healthy, Stay Connected Order Issued
    - 4/15 Federal Stimulus Payments Start
    - 5/11 Restaurants can resume dine in
    - 5/15 Stay at Home Order ended
    - 6/29 Prohibited large gatherings for one month, closure of bars, gyms, movie theaters, water parks and tubing
    - 7/9 Restaurants must be at 50% capacity or less

MS. LANG continued the presentation.

- Building Permit Trend Analysis
  - Permits remain strong
  - Number of Permits
  - Value of Permits

COUNCILMEMBER ORLANDO asked if these included Intel Expansion and the Price Road Corridor.

MS. LANG said in February a permit was issued for a large interior improvement for Intel and the new office building at McClintock and Chandler Blvd. Those two account for \$117 million of the \$170 million increase in permit value.

COUNCILMEMBER ORLANDO asked about the spike in June.

MS. LANG said in June, we permitted a large multifamily project at Germann and Arizona, six offices, Chandler Unified High School buildings, new office building at Alma School and the 202, and some condo buildings on Arizona Ave.

MS. LANG continued the presentation.

- Past Due Utility Trend Analysis
  - Delinquent utility accounts that meet turn-off criterion are increasing as well as balance due
  - Number of Accounts
  - Balances on these Accounts

VICE MAYOR LOPEZ asked if interest and late fees were charged on these balances.

MS. LANG said when we stopped disconnections we stopped charging interest and late fees. The consumption charges are growing right now.

COUNCILMEMBER STEWART said he saw a trend before COVID started and asked if there was a reason for that.

MS. LANG said there are repeat customers that staff works with often. There is a concerted effort to work with Public Works and Utilities to bring those balances down and had achieved a large reduction and were heading in a downward trend until COVID-19. Ms. Lang said it had reversed some of the work they had done over the past couple years to help some of those citizens bring the balances down.

COUNCILMEMBER STEWART asked when they would resume normal service operations.

MS. LANG said they are in a strong position in Water/Wastewater Utility Funds. Overall consumption has increased and larger manufacturing has brought in higher billing so it has masked the financial impact of the residential accounts. Ms. Lang said it is a large concern and want to assist residents with this issue.

MS. LANG continued the presentation.

- Chandler FY 2020-21 Revenue Update
  - July 2015-16 to 2020-21 Monthly TPT Actuals

- Comments
  - Anticipated \$20M reduction in first 3 months of FY 2020-21
  - Compared to rate of revenue decline we are seeing for May, June, and July, similar reductions would allow for \$20M to spread over 12.6 months or the entirety of the current fiscal year.
- Current Year Expenditures
  - Current year expenditures continue to be scrutinized
  - Completed 10% COVID reduction exercise to be prepared for unknown
- f. Policy Questions

ANDY BASS, Community Services Director, continued the presentation.

- Policy Question
  - Out of the reduction exercise, Community Services identified a policy question that could reduce expenditures permanently: Library Hours Change

RACHELLE KUZYK, Library Manager, continued the presentation.

- Current Hours
  - Annual Hours 12,174
  - Basha
    - Mon-Wed 7:30am – 8pm
    - Thu-Fri 7:30am -5pm
    - Sat 10am-2pm, Sun Closed
  - Downtown
    - Mon-Wed 9am – 9pm
    - Thu-Sat 9am -5pm
    - Sun 1-5pm
  - Hamilton
    - Mon-Wed 7:30am – 8pm
    - Thu-Fri 7:30am -5pm
    - Sat 1-5pm, Sun Closed
  - Sunset
    - Mon-Thu 10am – 8pm
    - Fri-Sat 10am -6pm
    - Sun 1-5pm
- Average Current Utilization During Open Hours
- Reductions for Consideration – Option A
  - Annual Hours 10,586
  - Cost Savings \$40,248
  - Basha
    - Mon-Wed 9am – 7pm

- Thu-Fri 9am -5pm
    - Sat 10am-2pm, Sun Closed
  - Downtown
    - Mon-Wed 10am – 8pm
    - Thu-Sat 10am -5pm
    - Sun 1-5pm
  - Hamilton
    - Mon-Wed 9am – 7pm
    - Thu-Fri 9am -5pm
    - Sat 1-5pm, Sun Closed
  - Sunset
    - Mon-Wed 10am – 8pm
    - Thu-Sat 10am -5pm
    - Sun 1-5pm
- Reductions for Consideration – Option B
  - Annual Hours 10,170
  - Cost Savings \$51,480
  - Basha
    - Mon-Wed 9am – 7pm
    - Thu-Fri 9am -5pm
    - Sat-Sun Closed
  - Downtown
    - Mon-Wed 10am – 8pm
    - Thu-Sat 10am -5pm
    - Sun 1-5pm
  - Hamilton
    - Mon-Wed 9am – 7pm
    - Thu-Fri 9am -5pm
    - Sat-Sun Closed
  - Sunset
    - Mon-Wed 10am – 8pm
    - Thu-Sat 10am -5pm
    - Sun 1-5pm
- Policy Question: Library Hours- Community Impact
  - Greater consistency between branches
  - Improve operational efficiency
  - More focused customer service
  - Patrons accustomed to longer hours may be negatively impacted
  - Basha and Hamilton patrons on Saturdays may be negatively impacted with Option B
  - Total potential cost savings:
    - \$40,248 ongoing option A
    - \$51,480 ongoing option B

- Library Hours Policy
  - Council Direction

COUNCILMEMBER ORLANDO asked what the average daily use at the Downtown Library between 7am and 8pm.

MS. KUZYK, Library Manager, said the overall annual cumulative use for the Downtown Library on Monday between 8pm and 9pm is 2,535, Tuesday 2,562, and Wednesday 2,192 people.

COUNCILMEMBER ORLANDO clarified there is not a 9pm hour Thursday through Saturday.

MS. KUZYK said that was correct.

COUNCILMEMBER ORLANDO said they are seeing less than 100 people during that time.

MS. KUZYK said they are seeing, on a low day, maybe 18 to 20 people and have about the same number of staff in the building. It is not efficient in the last hour of the day.

COUNCILMEMBER ORLANDO asked about the trend on Saturday and Sunday.

MS. KUZYK said between 4pm and 5pm on Sundays the number is 12,649. The difference is substantial.

COUNCILMEMBER ORLANDO asked if they had a chart specifically for the weekends.

MS. KUZYK said the Downtown Library on Sunday there was 43,509 people come through and on Saturdays, 65,315. If we were to go down to the lowest day of the week, it would be Thursdays at 48,055. On Saturdays, in the final hour at the Downtown Library is 10,274 people.

COUNCILMEMBER ORLANDO said he was concerned about closing on the weekend and how many people would be affected.

MAYOR HARTKE said to divide the numbers by 50 that would be roughly what that hour is for that day.

COUNCILMEMBER ORLANDO asked for more information about the weekend days.

MS. KUZYK said Saturday and Sunday are their busiest days in all branches. 65,315 people at Downtown enter the facility on Saturdays. On Sunday, we see 43,509 people.

COUNCILMEMBER STEWART asked if the City Manager could handle this. Councilmember Stewart said from a policy direction the Council sets the vision. Councilmember Stewart said based on the dollar amount this is something the City Manager could handle.



MAYOR HARTKE said this is something the Council has weighed in on historically.

MS. REED said they would go back and put something that is clearer for Council to make a decision on.

COUNCILMEMBER MCCLYMONDS said we could save \$40,000 on Option A to cut one hour and that seemed reasonable. Councilmember McClymonds said Option B would require cutting some of the busiest hours for not much in return. Councilmember McClymonds said he would be comfortable with Option A.

VICE MAYOR LOPEZ asked for the data to be broken out more. He said to look at the trend to make the best decision, but right now more people are using the library so it may not be the right time to cut hours.

MAYOR HARTKE requested more information before making a decision.

COUNCILMEMBER ORLANDO said services are changing and the libraries are changing to more than just books. Councilmember Orlando asked what other services are lacking that these savings could be applied to. Councilmember Orlando said he liked the savings, but wanted to see if programs could be expanded with these funds.

MAYOR HARTKE said staff would look into it and Council would revisit this.

g. Next Steps

MS. REED continued the presentation.

- Next Steps
  - Continuing to monitor economy and revenue/expenditures
  - Next update meeting Nov. 2, 2020

MAYOR HARTKE said Chandler's economy had been impacted but we are strong because of our economic diversity and strong fiscal policy.

ADJOURNMENT: The Work Session was adjourned at approximately 5:55 p.m.

ATTEST:    
City Clerk Mayor

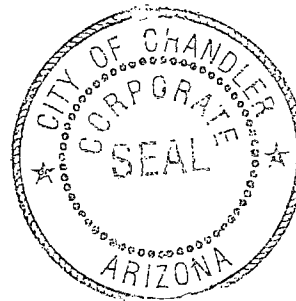
Approval Date of Minutes: September 14, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 27<sup>th</sup> day of August 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 14<sup>th</sup> day of September, 2020.

  
City Clerk





**CHANDLER CITY COUNCIL**  
**Work Session Meeting Minutes**  
Monday, September 14, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, September 14, 2020, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:30 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; and Josh Wright, Assistant City Manager; Cori Garcia, Mayor and Council Communications Manager; Matt Burdick, Communications and Public Affairs Director; Andy Bass, Community Services Director; Mickey Ohland, Community Services Planning Manager.

**DISCUSSION**

1. Presentation and discussion of the community needs assessment as part of the Park Strategic Master Plan.

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said staff has been working on the Master Plan over the past few months and said staff would have additional recommendations in the future.

ANDY BASS, Community Services Director, said the goal was to present the results of the community survey regarding the Parks Strategic Master Plan. This was a scientifically valid survey and was representative survey of the residents. There was a high participate rate and the public

engagement process was robust which included a website where residents could find information and provide comments. Mr. Bass said staff held an internal focus group and met with the Parks and Recreation Advisory Board. Mr. Bass said a special meeting was held with athletic sports league providers. There was a virtual community meeting with over 60 people in attendance for the first meeting and similar turnout was expected for the second meeting. The final recommendations would include all of the public engagement comments, public input and assessment of existing parks.

MIKE SVETZ, Consultant with Pros Consulting, presented the following Power Point Presentation.

- Parks Strategic Master Plan
- Park Planning Areas
  - Parks Strategic Master Plan Park Planning Areas
- Public Input
- Collaborative Planning
  - Community
  - Curiosity
  - Clarity
  - Creativity
  - Confidence
- Community Engagement
  - Project Website – Throughout Project
  - Internal Focus Group Meetings - February
  - Parks and Recreation Advisory Board - March
  - Sports Group Stakeholder Meeting - March
  - Statistically Valid Needs Assessment Survey – May - June
  - Virtual Community Meeting – June
- Project Website
- Virtual Community Meeting – June 23, 2020
- Virtual Community Meeting Awareness
  - Direct Email Invite to Department Customer Database
  - Direct Invite to 191 residents that provided comment via Project Website
  - City Press Release
  - Social Media
  - City Website
- Virtual Community Meeting Participation
  - 116 Total Participants
  - West – 31
  - North – 30
  - Southwest – 17
  - Southeast – 38
- Statistically Valid Survey
- Statistically Valid Survey

- Only scientific and defensible method to understand community needs
  - Administered by mail/phone/web
  - Developed in partnership with the City
  - Methodology allows high return rate (25% - 35%)
  - Total of 652 completed surveys, 95% level of confidence with a margin of error of +/- 3/8%
  - Goal was 500
- Survey Response Location Map

COUNCILMEMBER ORLANDO asked how they incorporated the comments into the master plan.

MR. SVETZ said they would incorporate by taking qualitative and quantitative data. When they receive input, the goal is to understand the key themes and how they align with the statistically valid survey. There have been very specific comments about specific locations and some are broader such as adding more splash pads or shade. The idea is to understand the relationship and consistency they are seeing between the website comments and the survey. He said they have received a lot of synergy between both.

COUNCILMEMBER ORLANDO asked how they incorporate that and if the website asks questions like the survey or if they are open-ended comments.

MR. SVETZ said they were providing open-ended comments, which frames where the park system needs to go to meet their needs. The methodology is that a weighted system is created of 65% on the survey and 35% on the open-ended responses.

COUNCILMEMBER ORLANDO asked how that incorporates into the data that Council would be shown today.

MR. SVETZ said it would be incorporated as they move forward. Mr. Svetz said there is another virtual community meeting. They would align the key themes in the survey and the comments. They would also take the specific information as it relates to specific locations and how that works with all of the other technical information that still needs to be completed such as inventory and assessment work. Mr. Svetz said they need to plan how to meet the needs of residents as well as plan for future growth.

COUNCILMEMBER ORLANDO asked if some of the numbers might change.

MR. SVETZ said the numbers for the survey would not change, but the prioritization may change.

MR. SVETZ continued the presentation.

- Advocacy
- Q1. Please indicate how important high-quality park and trail experiences are to the quality of life in the City of Chandler.

- Q15. Please rate your level of satisfaction with overall value that your household receives from the City of Chandler Parks and Trail System.
  - The national benchmark for very satisfied is 24%.
- Park and Facility Visitation and Condition
- Q3. Please indicate if you or any member of your household has used each of the Parks facilities listed below in the past 12 months.
  - General parks 88%
  - Trails 49%
  - Multi-purpose athletic fields 19%
  - Diamond athletic fields 14%
- Q3. If "YES", please rate the facilities of this type using a scale of 4 to 1, where 4 means "excellent" and 1 means "Poor."
  - General Parks
  - Trails
  - Multi-purpose athletic fields
  - Diamond athletic fields
  - The national benchmark for excellent is 29%

COUNCILMEMBER ORLANDO asked about the "don't know" responses.

MR. SVETZ said there were not very many "don't knows". If someone is not using that amenity then they could not rate it.

MR. SVETZ continued the presentation.

- Q2. Overall, how would you rate your satisfaction with the physical condition of ALL the park and trail experiences offered by the City of Chandler Community Services Department that you have utilized in the past year?
- Awareness and Marketing
- Q3a. If your household has NOT visited any City of Chandler parks or trails in the past 12 months, please CHECK ALL of the following reasons you have NOT visited.
  - Not aware of parks or trail locations 13%
  - Use parks/trails in other cities 7%
  - Too far from residence 5%
  - Lack of features we want to use 4%
  - Do not feel safe using parks/trails 3%
  - Lack of parking to access parks/trails 2%
  - Lack of transportation 2%
  - Lack of handicap accessibility 2%
  - Parks/trails are not well maintained 1%
- Q4. From the following list, please CHECK ALL of the following ways you learn about Chandler Parks and Trails.
  - Friends & Neighbors 60%
  - City website 48%

- Activity guide 30%
- Facebook 21%
- Promotions at special events 19%
- Newspaper 18%
- Emails 15%
- Banners around City 12%
- Flyers posted at kiosks at parks/facilities 11%
- Instagram 7%
- Twitter 2%
- Conversations with park staff 2%
- City Council meetings 1%
- Q5. From the list in Question 4, which THREE methods of communication would you MOST PREFER the City to use to communicate with you about parks and trails?
  - City website 52%
  - Emails 38%
  - Activity guide 35%
  - Facebook 26%
  - Newspaper 15%
  - Banners around City 15%
  - Promotions at special events 14%
  - Friends & Neighbors 14%
  - Flyers posted at kiosks at parks/facilities 13%
  - Instagram 8%
  - Twitter 3%
  - Conversations with park staff 2%
  - City Council meetings 1%
- Program and Service Needs
- Q12. Programs Most Important to Households
- Estimated Number of Households Whose needs for Programs are Met 50% or Less

MAYOR HARTKE asked if the estimated numbers was based on the geography of the responses.

MR. SVETZ said that was correct.

COUNCILMEMBER ORLANDO said when he looks at softball or baseball which is a diamond sport compared to a court sport. There are amenities that handle a sport. When looking at the chart and combining the sports for that field type that makes that amenity jump higher on the list. Councilmember Orlando asked how that equates to the top 10.

MR. SVETZ said this was one data point and community need does not trump all. Mr. Svetz said we have to identify needs, facility locations, and level of service. It is important to combine this with other data to ensure there are equitable access in the community.

COUNILMEMBER ORLANDO said to base this on data, then it has to be adjusted to reflect what the residents want and there are needs for diamond facilities. Councilmember Orlando said there are a lot of numbers that are not being correlated to the top 10. There are specific sports, but they are still a type of sport that needs a certain type of facility.

MR. SVETZ said that an adult baseball field is different from a youth field. Mr. Svetz said when they look at level of service they would base it on the type of field that would carry that sport. There are amenities that are used by everyone, but when they talk about specific sports those are played at a certain age and skillset. It is expected that sport fields in a citywide park system would be at a lower rating than a trail system because everyone could use a trail system. Mr. Svetz said this is not met to be the end, but this is just presenting some information to gauge where we are at.

COUNCILMEMBER ORLANDO said he understood and did not want to send the message that these sports are not important. They are extremely important in the community.

MAYOR HARTKE said he agreed somewhat with Councilmember Orlando that this is good information to break up, but when it comes to planning facilities then the data would be aggregated.

MR. SVETZ said he agreed.

COUNCILMEMBER STEWART suggested they combine the different sports that could be played on the same amenity. Councilmember Stewart asked for clarification on the estimated households whose needs are met that are 50% or less.

MR. SVETZ said we are not there yet to be able to respond to that question. This is a specific data that would help us inform other recommendations that come out of facility inventory and assessment and equity mapping. It is likely that athletic fields are lacking in the southern part of the community. It is not just about this specific information; there is other data to gather that would inform the strategic recommendations.

VICE MAYOR LOPEZ asked if the question was if it was important to them, not if they were satisfied with it.

MR. SVETZ said this where they have unmet needs and the importance level was the slide before. Mr. Svetz said it is important that the things that rise to the top are the things that are available to the community as a whole regardless of skillset and age. Mr. Svetz said that is why further information needs to be gathered to see where we are at.

MR. SVETZ continued the presentation.

- Park, Facility and Amenity Needs
- Q9. Facilities Most Important to Households



- National Benchmarks
  - Walking and biking trails (multi-use paved) 45%
  - Walking & hiking trails (natural surface) 33%
  - Open Space Conservation Area/Trails – 24%
  - Picnic Shelters – 14%
- Estimated number of Households whose needs for facilities Are Being Met 50% or less

COUNCILMEMBER HUANG said he was surprised about Question 12. It seems that youth softball is very popular in Chandler.

MR. SVETZ said softball has started to be on a decline across the country over the last decade. There are areas where it remains exceptionally popular. When we look at demand for fields, they can look at opportunities to make fields a multipurpose diamond athletic field. In many cases, we have been building specific diamond fields, but now they could create a multipurpose field.

COUNCILMEMBER ORLANDO said if you look at the Arizona/California/Nevada/New Mexico market, softball is huge. In Chandler, there are four of the top 10-12 high schools in the state. Councilmember Orlando said there are unique situations and club softball and club soccer are huge. Councilmember Orlando said there has to be some rated measure to take into account that importance.

MR. SVETZ said they are very important to a specific amount of the population. Mr. Svetz said they would need to discuss if they would be designing fields to meet the local need or for sports tourism. Club soccer has a tendency to play in a small geographic area. Girl's fast pitch softball travels a lot more because there is not the demand at a hyperlocal level. Mr. Svetz said we have to take into account the cost to build, maintain, and lifecycle replacement. Mr. Svetz said it is important that the future recommendations create financial sustainability as well.

COUNCILMEMBER HUANG asked if the survey was done March through June.

MR. SVETZ said yes.

COUNCILMEMBER HUANG thought COVID-19 changed many things and that may have affected the survey.

MR. SVETZ said it is possible that COVID-19 and the time the survey was done could have an influence, but there are still many other data points to gather.

MAYOR HARTKE asked if the phrase "statistically valid survey" was something that is accepted beyond the extraordinary conditions of a pandemic. He asked if the survey was done six months from now would the deviation be true or would it be impacted by the timing.

MR. SVETZ said by looking at these survey results and comparing to the survey done in Scottsdale five years ago and other parts of Arizona, that these results are consistent. When asking the community as a whole what they find important the greater numbers are always going to be shown with those who could engage in general amenities. The lesser numbers are always in age and skill specific areas. About 85% of kids drop out of team sports by the time they are 13.

VICE MAYOR LOPEZ said if a family were involved in a sport, the pandemic would not stop their interest in the sport. He said if it was important to them before it would likely be important after.

MR. SVETZ said yes, unless they are in the age range that they are considering doing other activities. Soccer is the fourth most participated in the country because it has created a nationwide sport. Regardless of where someone would go, it is expected that certain sports be offered.

MR. SVETZ continued the presentation

- Q10. Do you feel the athletic fields at current locations are easily accessible?
  - 86% yes
  - 14% no
- Public Support
- Q13. The following is a list of actions the City of Chandler could take to improve the park and trail system. Please indicate your support for each potential action.
- Cont.' Q13. The following is a list of actions the City of Chandler could take to improve the park and trail system. Please indicate your support for each potential action.
- Q14. Which FOUR of the items listed in Question 13 would you be MOST WILLING to Fund?
- Cont.' Q14. Which FOUR of the items listed in Question 13 would you be MOST WILLING to fund?
- Community Needs
- Recreation Programs and Services Prioritized Needs
  - Top Priorities for Investment for Programs Based on the Priority Investment Rating
- Recreation Programs and Services Prioritized Needs
  - Program and Service Prioritization by Park Planning Area
- Park, Facility, and Amenity Prioritized Needs
  - Top Priorities for Investment for Facilities Based on the Priority Investment Rating
- Park, Facility, and Amenity Prioritized Needs
  - Facility and Amenity Prioritization by Park Planning Area
- Next Steps
- Next Steps: September – January
  - Virtual Community Meetings (next one Sept. 15<sup>th</sup> at 6pm)
  - Park Level of Service Standards and Geographical Analysis through Mapping
  - Capital Improvement Plan
  - Funding and Revenue Strategies for Capital Improvement Plan

- Asset Management Plan
- Strategic Action Plan Development
- Final Master Plan Development

COUNCILMEMBER HUANG said he thought something was missing and that the Master Plan should not only be based on the resident's opinion, but also to the development of the City. It is a popular thought to connect economic development with sports facilities.

MR. SVETZ said it was a question that was asked in focus groups. When asking people about how a trail system impacts their quality of life 95% of people agreed with that statement. Parks systems have a way of creating economic development through sports tourism and providing strong parks that align with the employers and employee base in the community and drawing more residents.

COUNCILMEMBER HUANG recommended that when they come out with the final recommendation they add economic development.

MAYOR HARTKE said if they were to have a certain type of business headquarters in Chandler would that also cause niche sport demands.

MR. SVETZ said that is important to recognize. Mr. Svetz said in another City that has a strong data center business, one of the big recommendations is that there is a need for more cricket fields. The more diverse the City becomes the culture will influence the needs of the park system. It is important to make the existing parks the most productive they could be.

COUNCILMEMBER ROE asked what percentage of the population does not use a park.

MR. SVETZ said 12%.

COUNCILMEMBER ROE said then most of the population uses a park.

MR. SVETZ said the national benchmark for using parks in any community is 78% and Chandler is 10% above that.

COUNCILMEMBER ROE said the school district should be part of this discussion. The senior facility is a separate discussion, but thought it should be part of this.

COUNCILMEMBER ORLANDO said some of the large companies also bring a diverse employee base and said he has also seen games of cricket in the fields. That is important for the recruiting and retention of people, which is part of economic development and it does go hand in hand. Councilmember Orlando said leagues are looking for practice fields and some are using HOA fields. Over the last few years, they have issued certificates of liability because those organizations cannot find practice fields.


ADJOURNMENT: The Work Session was adjourned at approximately 5:44 p.m.

Approval Date of Minutes: October 12, 2020

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 14<sup>th</sup> day of September 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12<sup>th</sup> day of October, 2020.

  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Monday, September 14, 2020,

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, September 14, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Larry Lee, Greater Phoenix Chinese Christian Church.

PLEDGE OF ALLEGIANCE: Councilmember Stewart led the Pledge of Allegiance.

### **CONSENT AGENDA – MOTION AND VOTE**

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE SEPTEMBER 14, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER MCCLYMONDS.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

### **CONSENT AGENDA ITEMS**

- 1a. MINUTES of the City Council Special Meeting of August 24, 2020.
- 1b. MINUTES of the City Council Study Session of August 24, 2020.
- 1c. MINUTES of the City Council Work Session of August 27, 2020.
- 1d. MINUTES of the City Council Regular Meeting of August 27, 2020.

2. FINAL ADOPTION OF ORDINANCE NO. 4934, PLH20-0017, ARCHES CLIMBING + FITNESS, approve rezoning from Planned Area Development (PAD) to an amended PAD with a Mid-Rise overlay for commercial and office uses, located north of the northwest corner of Gilbert and Ryan roads.

BACKGROUND FROM COUNCIL MEMO:

Approximately 8.1 acres

2006 - Zoned PAD for commercial and office including Midrise overlay for a 75-foot high office building on western half of the subject parcel

2007 - Phase 1 of Watermark was constructed

2015 - Lincoln Preparatory Academy, a state-chartered public school, was constructed over the northern 400 feet, making the 2006 conceptual site plan obsolete on remaining subject parcel

Surrounding Land Use Data

North	Lincoln Preparatory Academy (grades 6-12)	South	Watermark at Chandler Airpark (commercial, retail, office and self-storage)
East	Gilbert Road, Peterson Farms (single family residential)	West	The Forum (co-working space) and Kids Incorporated Learning Center (day care)

General Plan and Area Plan Designations

	Existing	Proposed
General Plan	Employment	No Change
Chandler Airpark Area Plan (CAAP)	Commercial/Office/Business Park	No Change

Proposed Development

Building Square Footage	33,000 square feet (Arches)  Future phases: 61,970 square feet (office) 3,350 square feet (retail)
Building Height	62 feet (top of building) 65 feet (top of metal feature) 65 feet (proposed max. Midrise height)
Parking Spaces Required	120 spaces (Arches)
Parking Spaces Provided	121 spaces (Arches)

Review and Recommendation

The subject site was originally zoned and master planned in 2006 as part of Watermark, a 40-acre mixed-use development that included a self-storage facility, office and commercial. The 2006 zoning included a Midrise Overlay (75 feet maximum building height) for a future office building at the northwest corner of the masterplan. Construction of Lincoln Preparatory Academy in 2015 bifurcated the future midrise building and cut out the northern 400 feet of the adopted site plan, making it obsolete on the remaining parcel, which is the subject site. The requested Midrise

Overlay lowers the previously approved maximum building height from 75 feet to 65 feet and moves the building to the east further away from Chandler Municipal Airport.

Planning staff worked closely with the applicant through several architectural revisions with the goal of creating a design that bridges Watermark's ornate architectural style to the south with the charter school's modern style to the north.

The future office and retail buildings that wrap around the west and north sides of the proposed rock climbing gym will be reviewed administratively for substantial conformance with the proposed architectural style to complete the architectural bridge between the parcels to the north and south. Staff finds the proposal to be consistent with the goals of the General Plan, CAAP and Planning and Zoning Commission recommend approval.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

Two neighborhood meetings were held on June 24 and June 25, 2020. Both meetings were held via Zoom offering residents the opportunity to learn about the proposal and provide feedback during the COVID19 pandemic. The applicant's team and staff participated and one resident briefly connected into the meeting and left after a few minutes without any questions or comments. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

#### Airport Commission Conflict Evaluation

Airport Commission meeting July 8, 2020.

Motion to find no conflict with existing or planned airport uses.

In Favor: 7    Opposed: 0    Absent: 0

The Airport Commission expressed concerns regarding the height of the building and potential glare of windows. The proposed building height is 10 feet lower and about 300 feet further to the east away from the Airport than the 75-foot high building approved in 2006. Further, the applicant has agreed and added a note in the preliminary development plans that the building will utilize low or non-reflective glazing per Airport requirements.

In light of this information, the Airport Commission determined that the proposed development does not constitute a conflict with existing or planned airport uses. A copy of the Airport Manager's report detailing the Airport Commission's findings is attached to this memo.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting August 5, 2020.

Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Pekau)

During Study Session, the Commission complimented the design of the proposed rock climbing gym and inquired about the potential for reusing the building in the future should the gym go out of business. Staff responded that other forms of recreational/fitness/entertainment venues could find the building suitable for reuse. Additionally, the taller portion of the building could be

converted into office by dividing it into separate floors. In response to another question, the applicant stated that this would be the first location for Arches Climbing + Fitness, a locally owned company.

Recommended Action

Planning staff find the request is in compliance with the General Plan and the CAAP, Planning and Zoning Commission recommend the City Council approve the rezoning from PAD to amended PAD with a Midrise Overlay for commercial and office uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arches Climbing + Fitness" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0017, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
3. The Midrise Overlay applies only to the climbing and fitness building and shall be limited to a maximum height of sixty-five (65) feet. All other buildings shall be subject to a maximum height of forty-five (45) feet.
4. Uses shall be consistent with uses permitted in C-3 Regional Commercial District.
5. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation part 77 and/or in relation to limits established in FAA determined Terminal Procedures (TERPS). All construction cranes shall be installed and operated in accordance with FAA rules and regulations including notification through the filing of FAA Form 7460-1, Notice of Proposed Construction or Alteration.
6. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.

Ordinance was introduced and tentatively adopted on August 27, 2020

ADJOURNMENT: The meeting was adjourned at 6:03 p.m.

ATTEST:  City Clerk       Mayor

Approval Date of Minutes: October 12, 2020



CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 14th day of September, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12<sup>th</sup> day of October, 2020.

  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, September 17, 2020,

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, September 17, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:02 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Ryan Arneson, Redemption Church

PLEDGE OF ALLEGIANCE: Councilmember McClymonds led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

VICE MAYOR LOPEZ thanked citizens for serving the City's Boards and Commissions.

### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER McCLYMONDS MOVED TO APPROVE THE CONSENT AGENDA OF THE SEPTEMBER 17, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ROE.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. INTRODUCTION OF ORDINANCE NO. 4935, authorizing the abandonment of three drainage easements no longer needed for public use on property located at the southwest corner of Germann Road and Stearman Drive.

BACKGROUND FROM COUNCIL MEMO

The owner of the property located at the southwest corner of Germann Road and Stearman Drive is in the process of developing the Sollid Cabinetry facility, a new two-story warehouse/manufacturing building with associated site improvements (the "Development"). The Development is currently encumbered by three drainage easements that the City acquired in 2004 for the improvement of Germann Road from Airport Boulevard to Gilbert Road (the "Easements"). The Development will include permanent drainage as part of the site improvements. As a result, the Easements are no longer needed and can be abandoned. The owner has requested that the City abandon the Easements in order to clear up their title. Staff reviewed the request and concurs that the Easements may be abandoned.

2. ON ACTION.
3. RESOLUTION NO. 5401, authorizing the acquisition of real property as needed for the Gilbert Road Improvements, Project No. ST2003, from Ocotillo Road to Chandler Heights Road, at market value plus closing costs and escrow fees; authorizing the City's Real Estate Manager to sign, on behalf of the City, the purchase agreements and any other documents necessary to facilitate these acquisitions; authorizing eminent domain proceedings as needed to acquire said real property and obtain immediate possession thereof; and authorizing relocation services as may be needed and required by law.

BACKGROUND FROM COUNCIL MEMO

The City previously approved making improvements to Gilbert Road from Ocotillo Road to Chandler Heights Road as Project No. ST2003 ("Project"). In order to accommodate the construction of this the Project, it is necessary to acquire various property rights in fee and by easement. Portions of eight (8) parcels will be needed for the Project. Five (5) of the eight (8) are being acquired by Chandler Unified School District on behalf of the City as provided for in our IGA with CUSD. Staff is requesting authority for all eight (8) parcels in the event the City must step in to assist CUSD. CUSD has dedicated the right-of-way required from their property. Requests will initially be made for dedication of the required easements, and if necessary, pursuant to the appraised values if dedication is not possible. A reasonable time will be provided to work with the property owners to negotiate the property acquisitions, after which condemnation proceedings will be initiated as needed to acquire the real property and to obtain immediate possession thereof. In the event relocation services are required, the City will provide those services as required by law.

A related Construction Manager at Risk contract with Sunland Asphalt & Construction, Inc., for Gilbert Road Improvements Phase II, also appears on this City Council agenda.

FINANCIAL IMPLICATIONS:

Funds have been set aside in the Project for acquisition and relocations services.

4. RESOLUTION NO. 5403, authorizing the Chandler Police Department to enter into an agreement with PMAM Corporation to provide management and service of the City's False Alarm and Alarm Registration Program in accordance with the City's Alarm Ordinance.

BACKGROUND FROM COUNCIL MEMO

The Chandler Police Department wishes to enter into an agreement with PMAM Corporation for the purpose of managing and providing service for the City's False Alarm and Registration Program. This agreement allows for an innovative and updated platform to elevate the service to the citizens of Chandler through the alarm registration and false alarm programs while also creating greater efficiencies within the program. Citizens and businesses will have a custom portal where they can learn about, apply, pay for, and obtain an alarm permit. Officers will have access to the most updated premise information when responding to an alarm call. PMAM offers a one of a kind cloud based system that offers citizens, law enforcement, and personnel access to real time reports, data, functions and features that our current systems does not. PMAM ensures having a full staff of employees dedicated to customer service and the compliance of the current ordinance and has a proven track record with other agencies in Arizona and across the country.

This agreement is for a three (3) year term with the option for up to three one-year renewals unless terminated by either party per the terms of the agreement.

FINANCIAL IMPLICATIONS:

Current Alarm revenue for the last 3 Fiscal Years average \$98,537; this represents a collection percentage rate of 70%. The average collection rate for PM AM is 95%. The City currently has 14,000 permit holders. For a city the size and population similar to Chandler, the target number of permit holders is 75,000. The increase in the collection rate coupled with a 20% growth rate in permitting per year could add an additional \$61,063 annually, with continued growth each year after.

5. RESOLUTION NO. 5405, authorizing acceptance of Police Safety Equipment Funding from the Office of Arizona Attorney General in the amount of \$40,000.

BACKGROUND FROM COUNCIL MEMO

The Office of Arizona Attorney General (AZAG) notified the Police Department that it was eligible for a \$40,000 award for police safety equipment. The funds are from Arizona's portion of the Wells Fargo multi state settlement monies that AZAG set aside for police safety equipment. The Department chose to use the funds for back supporting ballistic belts and sound suppressors for Special Weapons and Tactics (SWAT) operators. These items will help SWAT operators prevent back injuries and provide sound protection from rifle use. This need has been identified for some time; however funding has not been available.

FINANCIAL IMPLICATIONS:

There are no matching dollars required for these programs.

6. RESOLUTION NO. 5406, approving a first amendment to the Intergovernmental Agreement with the Chandler Unified School District No. 80 (CUSD) for the City to procure design and construction of certain Deferred Covered Improvements in connection with the District's

development of its Central Transportation Facility located at 3750 S. Centre Pointe Parkway, and for CUSD to dedicate required right-of-way and reimburse the City for all costs associated with the improvements.

#### BACKGROUND FROM COUNCIL MEMO

The City of Chandler entered into an Intergovernmental Agreement (IGA) with the Chandler Unified School District (CUSD) on May 10, 2019, for the new District Central Transportation Facility, located at 3750 S. Centre Point Parkway. The IGA called for CUSD to dedicate right-of-way and provide engineering design and construction of certain transportation improvements around the new Transportation Facility at the same time it was constructed, along with an obligation to complete certain other improvements (the "Deferred Covered Improvements") at a later date.

The City entered into a Development Agreement with Ferguson Enterprises, LLC ("Ferguson"), on November 12, 2019, which provides for improvements on Hamilton Street from Queen Creek Road to Appleby Road. The City owns parcels between the Ferguson development and the CUSD Central Transportation Facility. To facilitate regional circulation, the City is proceeding with street improvements to provide the connectivity between the CUSD and Ferguson street improvements.

This First Amendment to the IGA provides for the City, rather than CUSD, to procure the design and construction of the Deferred Covered Improvements on street improvements adjacent to and supporting CUSD's new Central Transportation Facility. The District agrees to reimburse the City for all costs associated with the required Improvements.

The City will perform the work in conjunction with other roadway improvements to the western half of Hamilton Street and the northern half of Carob Drive. A map depicting the Deferred Covered Improvements that the City will construct is attached as Exhibit A to this amendment and incorporated by this reference.

CUSD agrees to reimburse the City for all costs that are reasonably and directly attributable to the City's design and construction of the Deferred Covered Improvements, including, but not limited to, all design costs, construction costs, consultants, permits, and utility relocations. CUSD will also pay the City's standard development fees applicable to the City's design and construction of the Deferred Covered Improvements. The CUSD Governing Board approved this IGA on August 26, 2020.

A related Professional Services Agreement with NFra, Inc., for the Hamilton Street Improvements, is also scheduled for this City Council meeting.

#### FINANCIAL IMPLICATIONS:

This Amendment to IGA has no direct fiscal implication, as the design and construction contracts related to the improvements will be 100% reimbursed by CUSD.

7. RESOLUTION NO. 5407, setting the 2021 City Council Regular Meeting Schedule.

#### BACKGROUND FROM COUNCIL MEMO

Section 2.12 of the City Charter and Section 2-1 of the City Code require the Chandler City Council to meet regularly at least twice each month. Resolution No. 5407 proposes the City Council meeting schedule for the 2021 calendar year. An effort has been made to set meeting dates in order to avoid conflicts with holidays, observations, and conferences. Special meetings may be called as needed. All meetings are scheduled to begin at 6:00 p.m.

8. AUTHORIZE payment of Fiscal Year 2020/21 annual membership fee for Valley Metro Rail, Inc., in the amount of \$50,000.00.

#### BACKGROUND FROM COUNCIL MEMO

The City of Chandler joined Metro in 2007. The annual fee covers the City's membership in the organization and administrative costs. Additionally, approximately 50% of membership fees contributed since 2007 have been used to fund transit studies in Chandler.

Regional transit systems, such as bus rapid transit and light rail, require years of advance planning and coordination with participating communities as well as regional, state, and federal agencies. Current and previous studies include the following:

2020 - Price Road Flexible Transit Study - This study will identify alternative delivery modes for transit services such as circulators, micro transit and rideshare services. This study builds on the City of Chandler Transportation Master Plan 2019 Update. The study is scheduled for completion in summer 2021.

2020 - Arizona Avenue Alternatives Analysis (AAAA) study that further analyzes potential high capacity transit along the corridor, analyzing transit types and examining the impact of new technologies on HCT. The completion date for this study is scheduled for winter 2020-21.

2017 - Fiesta-Downtown Chandler Transit Corridor Study (FDCTCS), which further analyzed high capacity transit along Arizona Avenue in Chandler and recommended an alignment for future high capacity transit in Mesa.

2012 - Arizona Avenue High Capacity Transit Long Range Study, which provided a high-level assessment of the Arizona Avenue corridor's feasibility for future high capacity transit and presented recommendations for future bus service and for land use planning policies.

2003 - High Capacity Transit Investment Study which designated Rural Road, Chandler Boulevard, and Arizona Avenue as corridors for future development of high capacity transit systems.

#### FINANCIAL IMPLICATIONS:

Cost: \$50,000  
Savings: N/A  
Long Term Costs: \$50,000 annual membership fee

#### Fund Source:

<u>Acct. No.:</u>	<u>Fund Name:</u>	<u>Program Name:</u>	<u>Funds:</u>
216.3340.5810.0000	LTAF	Subscriptions & Membership	\$50,000

9. PAYMENT of fiscal year 2020-2021 membership dues to the Arizona Municipal Water Users Association in the amount of \$96,332.

BACKGROUND FROM COUNCIL MEMO

The Arizona Municipal Water Users Association (AMWUA) is a voluntary, non-profit corporation established in 1969 to develop and advocate regional water resource management policies in the interest of its members, their citizens, and ratepayers. AMWUA's current members include the cities of Avondale, Chandler, Glendale, Goodyear, Mesa, Peoria, Phoenix, Tempe, Scottsdale, and the Town of Gilbert.

AMWUA provides a forum for its member cities to meet and discuss water resource planning, legislation, conservation, and management issues. This venue allows member cities to work together on regional projects such as drought response, groundwater management, groundwater recharge, augmentation, conservation, legislation, and environmental issues affecting the members' water supply.

Each city's membership dues are allocated by applying one-half of AMWUA's water operating budget evenly among all the members, with the other half applied based on each city's prorated share (based on population). Chandler's membership dues have decreased slightly from \$108,009 in fiscal year 2019-2020 to \$96,332 in fiscal year 2020-2021.

FINANCIAL IMPLICATIONS:

Cost: \$96,332  
Savings: N/A  
Long Term Costs: N/A

Fund Source:

Account No.:	Fund Name:	Program Name:	CIP Funded:	Amount:
605.3840.5810.0.0	Water Operating	Subscriptions and Memberships	No	\$96,332

10. BOARD AND COMMISSION APPOINTMENTS.

BACKGROUND FROM COUNCIL MEMO:

Bond Exploratory Committee

Appoint Patrick McDermott

Bond Exploratory Subcommittee

IT Subcommittee

Appoint Pankaj Likhmania

Parks Subcommittee

Appoint Patrick McDermott

11. AGREEMENT NO. CS0-988-4215, with Brightview Landscape Services, Inc., for park mowing services, in an amount not to exceed \$383,000, for one year, October 1, 2020, through September 30, 2021, with the option of up to four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO

The Park Operations Division contracts the turf mowing of 74 individual sites to an external mowing/landscape vendor. The parks are broken into four (4) geographical landscape maintenance areas throughout the city. The total turf acreage mowed is 356.29 acres, which includes several non-park areas near other City facilities. The parks and non-park areas are mowed on a weekly basis from April through September, three times per month in March and October, and twice per month from November through February. Sports fields are mowed twice per week from June through September. The contract also allows for extra work, such as additional mowing, aeration, weed control, tree removals, fertilization, pre-emergent applications and emergency landscaping requirements.

All mowing tasks initiated in parks shall be completed during the same working day unless delayed by weather or other unforeseen events. Parks with large turf areas may be split between multiple days; however, any section where mowing is initiated must be completed (mowing, edging, hard surface sweeping, blowing of walkways and planters of grass or debris) during the same working period.

12. AGREEMENT NO. CS9-988-4086, AMENDMENT NO. 1, with Grounds Control, LLC, for City Parks Landscaping Services, in an amount not to exceed \$1,082,052 for a one-year period, October 1, 2020, through September 30, 2021.

BACKGROUND FROM COUNCIL MEMO

This full-service contract incorporates the landscape maintenance requirements for various City parks, non-parks and facility locations administered by the Parks Operations and Maintenance Division. Services under this agreement consist of trash pickup, weed control, irrigation repair, mowing, tree and shrub pruning, and trimming as required. The current maintenance responsibilities consist of 54 park and non-park sites, which include aquatic facilities, special use paths (Paseo Trail & Ashley Trail), City rights-of-way adjacent to public parks, certain downtown areas, ballfield maintenance at Folley Park, fire stations and training facilities. The contract requires weekly visits to each site for inspection. Maintenance standards are also set in the contract, which must be met by the contractor. If the contractor does not meet the maintenance standards, the contract allows for corrective action to occur in a timely manner. The City has the ability to withhold payment or issue penalties for work not completed to the maintenance standards.

13. AGREEMENT NO. ED0-918-4196, with Northern Arizona Technology and Business Incubator, dba Moonshot at NACET, for Innovations Incubator management services for a one-year term from October 1, 2020, through September 30, 2021, with the option of up to four additional one-year extensions, in an amount not to exceed \$250,000.

BACKGROUND FROM COUNCIL MEMO

The goal of the Innovations program is to build a city-wide business incubator and entrepreneurial development program that supports and elevates all aspects of the entrepreneurial ecosystem to diversify the employment base and drive business and job growth in Chandler.



City Council approved funding to launch Innovations in 2009 and it has continued to operate and evolve to meet the changing needs of the local start-up community. In 2015, the City issued a Request for Proposal (RFP) for Innovations Incubator management services. Northern Arizona Technology and Business Incubator, dba Moonshot at NACET (NACET), was selected through that RFP process and has managed Innovations over the past five years.

NACET has generally met the City's performance expectations during its time managing Innovations. Below are some of the key performance measures that were established for the current contract year. The column on the right shows NACET's actual performance through the third reporting period, which ended on June 30, 2020. Note that NACET has supported Innovations clients in generating more revenue than was expected by the City, and clients are creating high-wage technology jobs.

Performance Measure	2019-20 Targets	2019-20 Actuals*
Total Number of Clients	35	27
Total Number of Jobs at Client Firms	85	80
Average Annual Salary of Jobs Created by Client Firms	\$50,000	\$68,900
Equity Capital / Grant Funds Raised by Client Firms	\$2,000,000	\$1,781,300
Revenue Generated by Client Firms	\$3,000,000	\$4,783,000

\*October 1, 2019, through June 30, 2020. One reporting period remains on the current contract.

The City's agreement with NACET is scheduled to expire on September 30, 2020. A competitive RFP was issued in May 2020 to identify an organization to provide Innovations management services over the next year and ensure there will not be a gap in programming for clients. Seven organizations submitted proposals, which were reviewed and scored by an evaluation committee. NACET was selected as the preferred vendor based on the strength of its proposal, understanding of the City's expectations for the program, and willingness to perform the Scope of Services required.

Staff and NACET have prepared a one-year agreement, with the option of up to four one-year extensions. NACET is expected to manage the Innovations program from its present location in Downtown Chandler at the ASU Chandler Innovation Center. Existing Innovations clients will continue to progress through the four-track incubator program NACET has implemented for Innovations.

The Scope of Services for the first term of the Agreement includes the following activities:

- Strategic plan development
- Marketing and program awareness
- Client recruitment and retention
- Client development and education
- Biannual client surveys
- Events

The strategic plan is an important deliverable for this new Agreement with NACET. This guiding document will set one-, three-, and five-year activities and goals for the Innovations program.

Performance Targets also have been established and will be used to evaluate and report progress on NACET's performance of services described in the Scope of Services.

14. AGREEMENT NO. FD7-200-3793, AMENDMENT No. 3, for fire uniforms, in an amount not to exceed \$175,000, for the period of September 15, 2020, through September 14, 2021.

BACKGROUND FROM COUNCIL MEMO

The Chandler Fire Department (CFD) contracts with Municipal Emergency Services, Inc. (MES) to provide Department-approved uniforms. Uniforms are purchased by Department staff throughout the year and the costs are deducted from an annual allowance granted to each individual. The balances are tracked by the vendor and billing invoices are sent to Fire Administration monthly. These uniforms present the best appearance to the public and meet the national standards for safety for firefighters.

15. AGREEMENT NO. FD7-340-3794, AMENDMENT No. 3, for fire turnouts and personal protective equipment, in an amount not to exceed \$150,000, for the period of September 15, 2020, through September 15, 2021.

BACKGROUND FROM COUNCIL MEMO

The Chandler Fire Department (CFD) has a current contract with L.N. Curtis & Sons, Inc. for the provision of approved PPE and turnouts. Items purchased include turnout coats and pants, and firefighting boots and helmets. These items are used during emergency incidents, where exposure to dangerous pathogens or carcinogens is heightened. The use of personal protective equipment (PPE) and turnouts reduce firefighters' likelihood of exposure to smoke, heat, and carcinogens. This contract enables CFD to inspect turnouts and recommend repair and/or replacement, ensuring that clothing is safe and in compliance with the National Fire Protection Association's (NFPA) guidelines.

16. AGREEMENT NO. PW1-988-4227, with Somerset Landscape, LLC, a Yellowstone Landscape Company, for the Public Works landscape services, in an amount not to exceed \$881,910.83, for a one-year period, October 1, 2020, through September 30, 2021, with the option of four additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO

Services under this agreement will include weekly trash pickup, weed control, irrigation repair, mowing, pruning, trimming, and the spreading of decomposed granite as needed. Approximately 453 acres of landscaped areas to be maintained under this agreement are for the Public Works & Utilities Department. Sites include the Pecos Surface Water Treatment Plant, Airport Water Reclamation Facility (WRF), Ocotillo WRF, Ocotillo Brine Reduction Facility, Recycling-Solid Waste Collection Center, Paseo Vista, Utilities Administration, and 70 scattered well sites, booster stations, and reclaim turn-outs.

17. AGREEMENT NO. SW0-910-2493, AMENDMENT NO. 1, with Waste Management of Arizona, for solid waste collection and transfer service, in an amount not to exceed \$8,800,000, for a ten-year period, October 1, 2020, through September 30, 2030.

BACKGROUND FROM COUNCIL MEMO

On April 10, 2010, the City entered into a ten-year agreement with Waste Management (WM) for curbside collection of solid waste and recycling material and transfer station services. More than 97,000 tons of trash and recycled material were collected from Chandler residents in 2019. The City has the option to extend the agreement for one additional ten-year term. Solid Waste Services and Purchasing staff began discussing the upcoming extension with WM in December 2018 to explore all options and establish the most advantageous extension terms for the City.

The key terms agreed upon for the extension amendment, in addition to other administrative updates, include: maintaining the same unit rate for the services WM provides until the first annual adjustment in July 2021; changing the annual adjustment factor to the Water Sewer Trash Collection Consumer Price Index (CPI) with a 3.5% cap to more closely reflect true cost of operations and stabilize the rate fluctuations from year to year; changing the date of the fee adjustments from October to July to allow staff to more effectively budget for the annual adjustments; continuing to ensure vehicles remain newer than 10 years old; increasing the number of missed pick-ups allowed to compensate for growth; adding a price reduction option should the City convert all alley collection to curbside; adding recycling options if the City elects to dispose of recyclables; and adding an option for the City to utilize one of the Contractor's Material Recovery Facilities for processing recyclables, if requested.

Staff evaluated several other programs, but recommends not including them in the term extension amendment due to resident survey results, cost of service, and impact to our residents. Some of the programs discussed were Household Hazardous Waste "At Your Door" Valet Service, same day collection of blue and black bins, and bulk collection modifications.

The City Council's Airport, Development Services, Public Works & Utilities, and Transportation Policy Subcommittee reviewed this item on August 24, 2020; the Subcommittee's consensus was to proceed with the WM contract extension, including staff's recommended changes.

18. AGREEMENT NO. SW9-0495-1557, AMENDMENT NO. 3, with Waste Management of Arizona, for refuse disposal service, in an amount not to exceed \$2,100,000, for a five-year period, October 1, 2025, through September 30, 2030.

BACKGROUND FROM COUNCIL MEMO

In January 2000, the City entered into an agreement with Waste Management (WM) for disposal of trash collected from Chandler residents. The term of the agreement is for a 20-year period following the closure of the City's landfill in October 2005, with an option for two five-year extensions. The refuse material is disposed of at the Butterfield Station Facility, located near Mobile, Arizona. More than 85,800 tons of trash were collected from Chandler residents in 2019 and disposed of at this facility. Curbside collection and delivery of trash to the Butterfield Station Facility is under a separate agreement with WM, which also appears on the September 17, 2020, City Council agenda. If authorized, the term of the Waste Management Curbside Collection Agreement will be October 1, 2020, through September 30, 2030. Staff is recommending approving the first five-year term extension for the Refuse Disposal Service Agreement early, October 1, 2025 through September 30, 2030, in order to match the term date of the Curbside Collection Agreement.

The City Council's Airport, Development Services, Public Works & Utilities, and Transportation Policy Subcommittee reviewed this item on August 24, 2020; the Subcommittee's consensus was to proceed with the WM contract extension.

19. CONSTRUCTION CONTRACT NO. ST2013.401, CHANGE ORDER NO. 1, with Nesbitt Contracting Co., Inc., for the Price Road Pavement Repair at South 3100 Intersection, increasing the contract limit by \$26,005.44, for a revised contract amount not to exceed \$75,472.

#### BACKGROUND FROM COUNCIL MEMO

On June 9, 2020, staff approved Construction Contract No. ST2013.401 with Nesbitt Contracting Co., Inc., for the Price Road Pavement Repair. This project involves emergency roadway repair work on Price Road, between Queen Creek and Dobson roads, to correct a large sinkhole that had appeared in the roadway. The original project scope of work included roadway pavement removal, failing subgrade excavation and replacement with aggregate base course, and roadway pavement replacement.

During the roadway repair work, additional trench excavation, backfill, concrete work, and pavement replacement was necessary due to unforeseen field conditions not anticipated in the original project scope.

The project scope of work for this change order includes additional trench excavation, backfill, concrete work, and pavement replacement. The construction contract time remains at the original 30 calendar days.

20. CONSTRUCTION MANAGER AT RISK CONTRACT NO ST2004.402, with Sunland Asphalt &Construction, Inc., for Gilbert Road Improvements Phase II (Ocotillo Road to Chandler Heights Road), in an amount not to exceed \$4,766,921.

#### BACKGROUND FROM COUNCIL MEMO

This project is for improvements on Gilbert Road from Ocotillo Road to Chandler Heights Road. This project will widen Gilbert Road to three through lanes in the northbound and southbound directions from Ocotillo Road to Powell Place. The project will also include three new traffic signals: one at Brooks Farm Road, one at the main entrance to the new Chandler Unified School District (CUSD) high school, and one just south of Ocotillo Road to serve the Fry's and Sprouts shopping centers.

The project will receive partial reimbursement from the CUSD per an Intergovernmental Agreement approved by City Council on April 20, 2020 (Resolution No. 5362). The reimbursement includes work related to road widening on northbound Gilbert Road, from 250 feet south of Brooks Farm Road to the Roosevelt Water Conservation District Canal, and associated improvements including the traffic signal at Brooks Farm Road and the traffic signal north of Brooks Farm Road at the new CUSD high school main entrance.

The project scope of work consists of installation of an additional lane in the northbound and southbound direction, raised landscaped medians, curbing, gutters, sidewalks, Americans with Disabilities Act upgrades, and three new traffic interchanges. The construction contract time is 210

calendar days for final completion following Notice to Proceed. Construction is scheduled to begin in November 2020, and is anticipated to be complete by June 2021.

A related resolution authorizing the acquisition of real property as needed for this project also appears on this City Council agenda.

21. PROFESSIONAL SERVICES AGREEMENT NO. PR2004.201, to Kimley-Horn and Associates, INC., for Veteran's Memorial Phase II Design Services, in an amount not the exceed \$240,821.

#### BACKGROUND FROM COUNCIL MEMO

When Veterans Oasis Park was designed and constructed, a section of the park immediately adjacent to the northeast corner of the Lindsay and Chandler Heights Roads intersection was designated as the future location of a Veterans Memorial. Shortly after completion of the park in 2008, City staff met with several local veterans groups and developed a conceptual plan for the memorial. The goal of the memorial is to provide a space for remembrance and reflection. The memorial integrates the veterans groups' ideas into the design, which represents six core values significant to the veterans and their families: freedom, reflection, recognition, sacrifice, family, and memories.

In 2016, the first phase of the memorial was completed. Phase I included an elevated plaza replicating the Arizona State flag, parking, and landscaping. Phase II of the memorial is designed to match the exact ratio of the American flag. At its core is a grid of columns of various heights which define the flag's stars and stripes, while the rolling landform emulates the ripples of it blowing in the wind. The columns are meant to signify soldiers marching in unison. Within the rising and falling landscape, the columns slowly disappear and reappear, representing soldiers going off to war and then returning. Twenty-one of the columns are completely submerged within the earth as a tribute, symbolizing a twenty-one gun salute for those who did not return from battle.

This contract will provide for the design and development of construction documents for Phase II of the memorial. In addition, the project scope of work will include integration into the memorial site of the F-86 plane that is currently on static display at the southeast corner of Chandler Boulevard and Delaware Street. The contract completion time is 150 calendar days following Notice to Proceed.

22. PROFESSIONAL SERVICES AGREEMENT NO. ST2001.201, with Kimley-Horn and Associates, Inc., for the design and project management of Lindsay Road Improvements (Ocotillo Road to Hunt Highway) Design Services, in an amount not to exceed \$1,755,061.

#### BACKGROUND FROM COUNCIL MEMO

The Lindsay Road Improvements consist of widening the roadway to include two through lanes in each direction from Ocotillo Road to Hunt Highway, as recommended in the 2019 Transportation Master Plan. Over the last several years, portions of the roadway have been constructed by developers. This project will complete the remaining unimproved roadway and includes turn lanes, bike lanes, raised landscaped median, curb and gutter, sidewalk, Americans with Disabilities Act upgrades, traffic signal upgrades, LED streetlights, traffic signal interconnect, storm drainage,

irrigation, block walls, and wet/dry utility improvements. The improvements will require the purchase of right-of-way, drainage easements, utility easements, and temporary construction easements. Construction is scheduled to begin in 2023.

The project scope of work consists of project management, survey, base mapping, project assessment, utility coordination, design and plans for roadway and signals, specifications, estimates, and provisions for potholing, legal descriptions, public outreach, geotechnical and environmental site assessments, and bid support services. The contract completion time is 1,150 calendar days following Notice to Proceed.

23. PROFESSIONAL SERVICES AGREEMENT NO. ST2007.201, to NFra, Inc., for the design of Hamilton Street Improvements (Iris Place to Appleby Road) Design Services, in an amount not to exceed \$238,932.

#### BACKGROUND FROM COUNCIL MEMO

The City of Chandler entered into an Intergovernmental Agreement (IGA) with the Chandler Unified School District (CUSD) on May 10, 2019, for the new District Central Transportation Facility, located at 3750 S. Centre Point Parkway. The IGA called for CUSD to dedicate right-of-way and provide engineering design and construction of certain transportation improvements at the same time the bus facility was constructed, along with an obligation to complete certain other improvements (the "Deferred Covered Improvements") at a later date.

The City entered into a Development Agreement with Ferguson Enterprises, LLC (Ferguson), on November 12, 2019, which provides for improvements on Hamilton Street from Queen Creek Road to Appleby Road. The City owns parcels between the Ferguson development and the CUSD Central Transportation Facility. To facilitate regional circulation, the City is proceeding with street improvements to provide the connectivity between the CUSD and Ferguson street improvements.

Improvements to Hamilton Street from Queen Creek Road to Appleby Road will be constructed by Ferguson. Improvements to Hamilton Street from Appleby Road to Iris Place are the responsibility of the City and CUSD pursuant to the IGA.

This project is for improvements on Hamilton Street, Carob Drive, and Centre Point Parkway as required for the CUSD Central Transportation Facility and adjacent City-owned parcels. Street improvements include curb and gutter, sidewalk, curb ramps, streetlights, storm drainage, irrigation, and wet/dry utility improvements. These improvements will require the City to purchase, and CUSD to dedicate, needed right-of-way, drainage easements, utility easements, and temporary construction easements.

The project scope of work consists of project management, utility coordination, design survey, geotechnical investigation, environmental assessments, and plan review. The contract completion time is 300 calendar days following Notice to Proceed.

A related resolution approving a first amendment to the Intergovernmental Agreement between the City and CUSD is also scheduled for this City Council meeting.

24. PROFESSIONAL SERVICES AGREEMENT NO. WW2005.201, with Dibble & Associates Consulting Engineers, Inc., for the Sewer Pipeline Assessment & Rehabilitation, in an amount not to exceed \$748,201.30.

BACKGROUND FROM COUNCIL MEMO

The Public Works & Utilities Department administers an ongoing Wastewater Sewer Assessment Program to evaluate and prioritize repairs of the sewer infrastructure within the City's collection system. This program evaluates the structural conditions of the sewer collection system. The findings will help prioritize rehabilitation or replacement of infrastructure. Inspection methods include closed circuit television, 3D optic scanner, and manned entry. This work will focus on several areas in the City with emphasis on critical (large) sewer infrastructure or areas with known deteriorated conditions. Wastewater facility rehabilitation projects will be brought forward for City Council approval at a future date.

There are two other major tasks included in this project. The Consultant will analyze two areas in north Chandler identified by the 2018 Wastewater Master Plan with potential capacity limitations at buildout conditions. Based on recent assessment results, two areas in south Chandler are also identified for rehabilitation and replacement design as part of this project.

The project scope of work consists of project management services, field survey and flow monitoring, development of construction costs, technical memoranda deliverables, design submittals, and permitting assistance. The contract completion time is 365 calendar days following Notice to Proceed.

25. TRANSMISSION CONSTRUCTION CONTRACT NO. 4208745, DESIGN SERVICES CONTRACT NO. 4209091(OH), AND DESIGN SERVICES CONTRACT NO. 4209089(UG), with Salt River Project, for the relocation of power distribution facilities to accommodate the Cooper Road Improvements (Alamosa Drive to Riggs Road), Project No. ST1503, in an amount not to exceed \$676,393.

BACKGROUND FROM COUNCIL MEMO

The Cooper Road Improvements Project, located on Cooper Road between Alamosa Drive and Riggs Road, will complete the widening of this road from one through lane to two through lanes in each direction. These improvements will also include bike lanes, curb and gutter, sidewalk, raised landscape median, traffic signals modification, street lighting, and storm drainage. The City's construction is scheduled to begin in December 2020, and is anticipated to be complete in 2022.

On May 9, 2019, the City Council approved SRP Transmission Design Contract No. 4204346 in the estimated amount of \$350,000, for relocation of an estimated seven transmission poles to accommodate the Cooper Road Improvements Project. Upon completion of design and right-of-way acquisition, it was determined an eighth transmission pole will also need to be relocated. SRP Transmission Construction Contract No. 4208745 is for the final design and relocation of all eight transmission poles, an increase of \$139,192.82, for a revised total of \$489,192.82. SRP is scheduled to relocate these eight transmission poles this fall.

SRP has also completed design and prepared contracts for relocation of overhead distribution facilities services, and undergrounding distribution facilities along the project limits, per Contract Nos. 4209091(OH) and 4209089(UG), which total \$537,200.02. The construction contracts are pending final completion of SRP drawings within the next two weeks, and are anticipated to be eligible for administrative approval.

26. PURCHASE of electronic library materials, from Bibliotheca, LLC, utilizing Maricopa County Contract No. 16015, in an amount not to exceed \$100,000.

BACKGROUND FROM COUNCIL MEMO

In October 2014, the Chandler Public Library transitioned to the 3M Cloud Library for the provision of electronic books (eBooks) and electronic audio books (eAudio). In 2015, Bibliotheca purchased the 3M Library division and is now doing business as Bibliotheca, LLC. Maricopa County Contract No. 16015 allows staff to select materials expressly for Chandler cardholders and reduce the wait time for popular titles. Customers can now download eBooks or eAudio books directly from the Library's website or via the Bibliotheca application.

The availability of eBooks in the catalog shows the City is responsive to the needs of customers by having library materials in multiple formats. Since Fiscal Year 2015-16, eBook circulation has increased by 54%.

27. PURCHASE of network storage hardware and software maintenance, from vCore, utilizing the State of Arizona Contract No. ADSPO16-098163, in the amount of \$361,550.

BACKGROUND FROM COUNCIL MEMO

The City of Chandler continues to have great success with EMC SAN and NAS storage technologies. Services such as Oracle E-Business Suite, Accela Automation, Lucity, MyTimekeeper, EDMS, Chandleraz.gov and many other applications rely on enterprise class storage. Renewal of support and maintenance on this equipment will ensure timely response to support issues and replacement of faulty components. The renewal also guarantees software updates for performance, bug fixes and security related issues.

28. PURCHASE of generator maintenance, from The W. W. Williams Company, Inc., utilizing the City of Mesa Contract No. 2019003, in an amount not to exceed \$155,000.

BACKGROUND FROM COUNCIL MEMO

This agreement provides periodic maintenance, inspection, and load bank testing for City standby generators. As part of this agreement, the Contractor will ensure the generators are performing at a rated kilowatt capacity. The additional contingency funding covers any unforeseen repairs that may be necessary during the term on this agreement.

29. USE PERMIT, PLH20-0018, COPPER MOUNTAIN VETERINARY CLINIC PET PATIO, approve an outdoor patio area for pet relief as an accessory use to a veterinary clinic, located at 2980 S. Alma School Road, Suite 1, at the northwest corner of Alma School and Queen Creek roads.

BACKGROUND FROM COUNCIL MEMO

Zoned Planned Area Development (PAD) for commercial uses



Zoning Code requires Use Permit approval for veterinary clinic with outdoor relief area

#### Surrounding Land Use Data

North	Commercial and then Single-Family Residential (PAD)	South	Commercial (PAD) across Queen Creek Road
East	Commercial (PAD)	West	Commercial and then Single-Family Residential (PAD)

#### Proposed Business Operations

Suite & Outdoor sq. ft.	3,406 sq. ft. suite with 330 sq. ft. outdoor dog area
# of employees	4 employees
Days & Hours of Operation	Monday – Friday 8 a.m. – 6 p.m. (No overnight boarding)

#### Review and Recommendation

Planning staff reviewed the request and finds the proposed ancillary use of an outdoor relief area for animals to a veterinary clinic is a compatible land use within the commercial center. As of the writing of this memo, no known complaints or concerns have been voiced by the nearby residents or business owners to either the owner or staff.

The proposed location is in the middle of the shopping center adjacent to Queen Creek Road with multiple commercial buildings, streets, drive aisles, block walls, and landscape buffers separating the project site from existing and under-construction residential lots.

The outdoor relief area is located on the north side of the building adjacent to an interior drive aisle for the commercial center. The proposed outdoor area will be bordered by a five-foot-four-inch CMU block wall. Dogs will be on a leash when taken to the outdoor relief area. As such, staff is recommending a condition that all pets brought into the outdoor area shall be on a leash and accompanied by clinic staff, thus eliminating the need for a higher wall around the outdoor area. The CMU block wall will be finished to match the adjacent building.

Copper Mountain Veterinary Clinic addresses typical animal relief issues such as noise and outdoor odors by providing supervision of the dogs and providing immediate clean-up of pet waste and daily cleaning. The outdoor relief area is accessed through two (2) exterior gates on the west and east side of pet patio.

Staff recommends a two-year time condition to re-evaluate the compatibility of the use with surrounding residential uses.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning. A neighborhood meeting was held on July 21, 2020, with a total of 3 people in attendance with no concerns expressed. As of writing of this memo, Planning staff is not aware of opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting August 19, 2020.  
Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Kimble)

Recommended Action

Planning staff find the request is in compliance with the General Plan and the approved zoning. Planning and Zoning Commission recommends City Council approve the Use Permit subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Elevations and Narrative), as kept on file in Case No. PLH20-0018, shall void the Use Permit and require new Use Permit application and approval, unless otherwise amended via conditions herein.
  2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
  3. The site shall be maintained in a clean and orderly manner.
  4. Sound shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
  5. All pets brought into the outdoor area shall be on a leash and accompanied by staff.
  6. The Use Permit shall be valid for a period of two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
30. USE PERMIT, PLH19-0048, K-9 RESORTS DAYCARE & LUXURY HOTEL, approve an outdoor animal play area as an accessory use to a luxury animal daycare with overnight boarding, located at 1870 W. Germann Road, Suite 101, at the northeast corner of Dobson and Germann roads.

BACKGROUND FROM COUNCIL MEMO

Zoned Planned Area Development (PAD) for commercial uses

Zoning Code requires Use Permit approval for dog daycare with outdoor play areas

Surrounding Land Use Data

North	Single-Family Residential (PAD)	South	Commercial, then Multi-Family Residential (PAD) across Germann Road
East	Multi-Family Residential (PAD)	West	Commercial, then Single-Family Residential (PAD) across Dobson Road

Proposed Business Operations

Suite sq. ft.	+/- 7,000 sq. ft. suite with 1,360 sq. ft. outdoor dog play area
# of employees	13 total employees; projected future may go up to 25 employees

Hours of Operation (Dog Daycare & Outdoor Play Area)	7 a.m. – 7 p.m. Monday through Sunday
# of dogs (daycare and boarding )	95 to 120 maximum
# of dogs (Outdoor run at any given time)	20-25
Ratio of dogs to employees in outdoor run	Not to exceed 20:1

#### Review and Recommendation

Planning staff reviewed the request and finds the proposed operation of the dog daycare with outdoor play areas and overnight boarding is a compatible land use within the commercial center. As of the writing of this memo, no known complaints or concerns have been voiced by the nearby residents or business owners to either the owner or staff.

The property line of the nearest single-family residence to the north is located 186 feet from the proposed location of the outdoor play area and is separated by landscaping, a drive aisle, a two-lane street, two masonry screen walls and a proposed 8-foot, 98% sound mitigation fence.

The outdoor dog play area is located in the rear service area of the commercial center. The outdoor dog play area is divided into two spaces and will be enclosed by an 8 ft. tall fence constructed out of polyethylene plastic with a beige color and granite finish and reinforced with galvanized steel. The proposed color is compatible with the existing shopping center.

K-9 Resorts Daycare & Luxury Hotel addresses typical dog daycare issues such as noise and outdoor odors by providing supervision of the dogs and immediate clean-up of pet waste. Outdoor areas are hosed down throughout the day with an environmentally friendly concentrate disinfectant. The outdoor play areas are accessed through an interior hallway and an indoor playroom and supervised by staff during business hours.

After extensive discussion with the applicant, staff recommend a two-year time frame for the Use Permit in order to provide the applicant a sufficient period to complete tenant improvements and operate the outdoor dog run for a full year prior to bringing back the Use Permit for staff, Planning and Zoning Commission and City Council review.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning. A neighborhood meeting was held on January 14, 2020, with a total of 8 residents in attendance. Some neighbors in attendance were in opposition to the proposed location of the outdoor play area, which was originally proposed on the north side of the building. In response to neighbors' concerns, the applicant changed the proposed location of the business and the outdoor dog run from the north to the east side of the building.

After changing locations, the applicant reached out individually to neighbors that had expressed opposition, and the neighbors responded positively. Further, a second neighborhood notice was also mailed out on July 9, 2020, with updated exhibits showing the current outdoor play area

location and suite for K-9 Resorts Daycare & Luxury Hotel. As of the writing of this memo, Planning staff is not aware of opposition to the request.

Planning and Zoning Commission Vote Report  
Planning and Zoning Commission meeting August 19, 2020.  
Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Kimble)

Recommended Action

Planning staff find the request is in compliance with the General Plan and the approved zoning. Planning and Zoning Commission recommends City Council approve the Use Permit subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Elevations and Narrative), as kept on file in Case No. PLH19-0048, shall void the Use Permit and require new Use Permit application and approval, unless otherwise amended via conditions herein.
  2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
  3. The site shall be maintained in a clean and orderly manner.
  4. Sound shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
  5. The establishment shall provide a contact phone number of a responsible person (i.e., owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
  6. No dogs shall be left unattended in the outdoor animal play area and a staff member of the business shall always accompany any outdoor activity.
  7. The Use Permit shall be valid for a period of two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
31. PERMANENT EXTENSION OF PREMISES, Series 12 for The Sushi Room 1 LLC, dba The Sushi Room, located at 2475 W. Queen Creek Road, Suite 6.

#### BACKGROUND FROM COUNCIL MEMO

The Sushi Room 1 LLC, dba The Sushi Room, located at 2475 W. Queen Creek Road, Suite 6 has requested a permanent extension of their alcohol serving area to include outside seating. The Police Department has no objections to the Permanent Extension of Premises. All fees have been paid.

#### ACTION AGENDA DISCUSSION

MAYOR HARTKE introduced Action Item No. 2.

2. INTRODUCTION OF ORDINANCE 4939, amending the Code of the City of Chandler, adding Chapter 22 – Short Term Rentals, providing for the repeal of conflicting ordinances, providing for severability, and providing for penalties, as recommended by the City Manager's Office.

COUNCILMEMBER STEWART said that staff has reached out to many STR groups and there has been some commitment to communicate to STR owners their responsibility to be good neighbors. Councilmember Stewart said this ordinance is going to help the neighborhoods and give the owners in the neighborhoods the ability to do something about these.

RYAN PETERS, Governmental Relations and Policy Manager, presented the following Power Point presentation.

- Short Term Rental Notification Process

MR. PETERS said staff is committed to getting the information out to the property owners and management groups through a variety of methods.

COUNCILMEMBER ORLANDO thanked staff and the residents for their work on the ordinance and said it was a fair ordinance.

MAYOR HARTKE said they have received many comments from the community to help them on this situation and thanked staff for their work on the ordinance.

#### ACTION – MOTION AND VOTE

COUNCILMEMBER STEWART MOVED TO APPROVE THE ACTION AGENDA ITEM NO. 2 OF THE SEPTEMBER 17, 2020, CITY COUNCIL MEETING; SECONDED BY MAYOR HARTKE.

MOTION TO APPROVE ACTION AGENDA ITEM NO. 2 CARRIED UNANIMOUSLY (7-0).

#### ACTION:

2. INTRODUCTION OF ORDINANCE 4939, amending the Code of the City of Chandler, adding Chapter 22 – Short Term Rentals, providing for the repeal of conflicting ordinances, providing for severability, and providing for penalties, as recommended by the City Manager's Office.

#### BACKGROUND FROM COUNCIL MEMO

In 2016, Governor Ducey signed a bill into law preempting cities and towns from regulating short term rentals any differently than other similar residential properties. This law made it difficult for local governments to take enforcement actions against nuisance properties where frequent parties were taking place and the violators were different week to week. Recognizing this challenge, Governor Ducey signed House Bill 2672 into law in 2019. This new law requires short term rental property owners to register with the city and creates a direct link between the property owner and the activities that take place on the property when leased as a short term rental. The proposed code amendments implement the new state law by establishing the state directed process in which the City of Chandler can take enforcement actions against nuisance short term rentals.

An internal working group was established to craft the short term rental ordinance that consisted of the following Departments: City Manager's Office, Development Services, Law, Management Services, Neighborhood Resources and Police.

Recommended code amendments were presented to Council during a Council Work Session on June 8, 2020.

The proposed code amendment:

- Requires short term rentals (STRs) to obtain a TPT license with the Arizona Department of Revenue and register with the City;
- Prohibits STRs from nonresidential use, from being advertised for uses or occupancies that violate City Code or State Statute and requires a notice to be placed in STR outlining prohibited uses;
- Applies neighborhood preservation and residential parking requirements to STRs;
- Requires an owner or authorized agent to appear on premises or via phone within 60 minutes upon request of Police Officer or Code Inspector;
- Outlines verified violation process and associated fines; and
- Requires Management Services Director to report verified violations to Department of Revenue and STR owner within 30 days.

#### Public Outreach

The public was provided the opportunity to review and comment on the proposed ordinance through an online public comment form that was open from July 1 – July 31, 2020. Approximately 160 comments were received. Comments have been summarized, and can be reviewed in the attached comment matrix. In addition to other technical changes made after public review, the proposed code amendment modified Section 22-4.8 which previously required property owners or authorized property managers to respond in person within 60 minutes when requested by an enforcement officer and instead allows for telephone contact within 60 minutes of the request.

#### INFORMATIONAL:

1. Regular Meeting Minutes of the August 5, 2020, Planning and Zoning Commission meeting.
2. Study Session Minutes of the August 5, 2020, Planning and Zoning Commission meeting.

#### UNSCHEDULED PUBLIC APPEARANCES

None.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE wished Councilmember Stewart a happy birthday.

MAYOR HARTKE said the last day to register to vote in the General Election is October 5. Mayor Hartke encouraged everyone to register. He said early in-person and mail voting would start October 7. Chandler does have one item on the ballot, which is a franchise agreement with Southwest Gas. Mayor Hartke said the Council and the Chamber of Commerce would be advocating for this. The agreement would allow the utility to construct, maintain, and operate its natural gas system in the public right of way. Mayor Hartke thanked staff for their work on this agreement.

#### B. Councilmember's Announcements

COUNCILMEMBER STEWART said the census is due on September 30. The City is doing a gift card giveaway for those who have completed the census. There would be randomly selected winners to receive gift cards from local businesses.

COUNCILMEMBER McCLYMONDS said more than 500 applications have been initiated by businesses seeking support through the iChoose Chandler Business Hiring and Retention Program since its launch on August 17. To date, \$2.4 million has been approved for 312 businesses in Chandler. Last week, the program expanded to include five additional industries. Businesses could apply to receive \$1,300 per fulltime employee retained or hired since December 31, 2019 up to \$10,000.

VICE MAYOR LOPEZ encouraged residents to participate in a diversity inclusion survey to gauge community awareness and involvement. The survey would be open until September 30. Once the survey has closed, the Human Relations Commission would review the results and provide recommendations to Council in November 2020.

COUNCILMEMBER HUANG said residents could receive a free library card at any of the four Chandler locations with a picture ID. The libraries are now open with limited capacity and reservations and timeslots are required to visit in person.

COUNCILMEMBER ROE wished Councilmember Stewart a happy birthday. Councilmember Roe encouraged everyone to be considerate of each other and thanked public safety staff for everything they do and they have his support.

COUNCILMEMBER ORLANDO said Chandler has been a strong member in the National League of Cities, which municipalities use to advocate on behalf of the cities and towns. Recently the Finance Administration Intergovernmental Relations Committee had an unscheduled meeting in order to discuss some issues that could be addressed in next potential CARES Act that would hopefully be approved by Congress. Some of the issues that they are focusing on are regarding the small businesses and middle class. Councilmember Orlando said he put in an amendment to help support funding and resources to allow accessible and safe voting during COVID-19. That resolution was passed and would be going to the National Board and then to Congress.

#### C. City Manager's Announcements

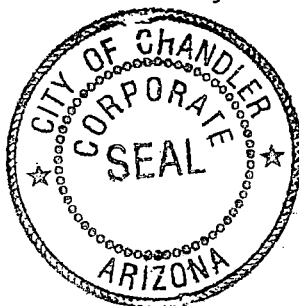
MARSHA REED, City Manager, said the Citizens' Bond Committee is hard at work and all of the subcommittees have had at least one meeting. There is a lot of excitement and they look forward to reporting in the next month along with Chairman Dunn.

ATTEST: Dana R. DeLay Kevin Hoste  
City Clerk Mayor

## CERTIFICATION

DATED this 12<sup>th</sup> day of October, 2020.

*Dana R. DeLong*  
City Clerk







**CHANDLER CITY COUNCIL**  
**Work Session Meeting Minutes**  
Tuesday, September 29, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Tuesday, September 29, 2020, in Chandler City Hall, 2<sup>nd</sup> Floor Training Rooms A and B, 175 S. Arizona Avenue, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 3:31 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; and Josh Wright, Assistant City Manager; Mike Hollingsworth, Facilities and Fleet Manager; Andy Bass; Community Services Director.

**DISCUSSION**

1. Presentation and discussion of Buildings & Facilities Division and Faithful & Gould Building Condition Assessment results.

MAYOR HARTKE gave a brief description of the discussion item and called for a staff presentation.

MARSHA REED, City Manager, introduced the item and introduced Mike Hollingsworth, Facilities and Fleet Manager.

MR. HOLLINGSWORTH reviewed the agenda and began the presentation.

- Buildings & Facilities Division Overview Activity
- Current Capital Improvement Projects

- Faithful and Gould Building Condition Assessment
- Next Steps/Questions

MR. HOLLINGSWORTH shared that he manages three divisions; Fleet Services, Facilities Maintenance and Custodial Services that consist of 60 authorized full time staff.

- Organizational Chart of Fleet and Facilities
- Profile of City Services - Maintains
  - 50 City owned buildings and provides limited maintenance to 22 additional City facilities Motel Stay/Bridge Housing \$300,000
  - More than 1 million square feet of mixed use public and non-public space
  - Within 65 square miles in the City of Chandler
  - Enterprise Applications
- Map identifying City of Chandler Municipal Buildings
- Work Orders
  - Jan. 1 – Aug. 25, 2020
  - Created Work Orders: 981; Hours: 3147.6; Trade: Maintenance Tech
  - Created Work Orders: 344; Hours: 2034.50; Trade: HVAC Tech
  - Created Work Orders: 148; Hours: 884.25; Trade: Electricians
  - Top 3 Buildings by # of Work Orders: City Hall, Police HQ, Main Library (primarily generated as reactive work orders)

VICE MAYOR LOPEZ inquired why City Hall was number one in work order requests when it is one of the newer buildings.

MR. HOLLINGSWORTH responded that it is due to the size of the building and the population.

MR. HOLLINGSWORTH continued the presentation.

- Contracted Services
  - Contracts: 22
  - Key Outsourced Services:
    - Fire Alarm and Monitoring
    - Elevator
    - Pest Control
    - Roofing
    - Specialty Plumbing
    - Custodial Services\*
    - HVAC/Mechanical\*
    - Electrical/Doors\*
    - \*Also supported with City staff
- # Buildings vs Staff Timeline Chart
- Current Approved Projects

- Approved 20/21 One time budget/CIP:
  - Security Cameras - \$250k
  - Police/Courts Security Fence Upgrades - \$270k
  - Building Assessment Phase II -\$70k
  - EMS Upgrades - \$150k
  - Facilities/Parks Asphalt Maintenance - \$150k
  - Community Center/Senior Center Building Upgrades - \$198.5k
  - Existing City Building Renovation/Repairs - \$452.5K
- Faithful & Gould Facility Assessment Phases
  - Phase I
    - 47 Buildings Assessed
    - 10 year total - \$64 mil

VICE MAYOR LOPEZ asked if the capital expenditure amount is suggested for the next ten years.

MR. HOLLINGSWORTH responded that was correct.

- Phase II
  - Budgeted in 20/21
  - Includes 21 additional buildings: Airport, Utilities, Parks and Aquatics

COUNCILMEMBER ORLANDO asked about the eighteen full time employees and how that equates to having contract employees.

MR. HOLLINGSWORTH replied that he will gather that information and provide it to Council. He stated there are actually a total of 72 full time and contract employees for one million square feet. He added that even with the addition of outside resources, staff is still needed.

COUNCILMEMBER ORLANDO inquired if contract employees can be managed by hours.

MR. HOLLINGSWORTH replied yes, and labor can be qualified through reactive and scheduled work orders, as well as industry standards using employees per square feet.

VICE MAYOR LOPEZ asked for clarification on Phase I in perspective of the number of buildings assessed.

MR. HOLLINGSWORTH confirmed there are a total of 72 that includes a few the City does not maintain, such as the Basha and Hamilton libraries. He mentioned those are maintained by the Chandler Unified School District (CUSD).

VICE MAYOR LOPEZ asked who is responsible for the maintenance of the Chandler Center for the Arts.

MR. HOLLINGSWORTH replied the City maintains the facility, but shares costs with the CUSD.

MR. HOLLINGSWORTH introduced Dean Leonard from Faithful & Gould.

MR. LEONARD gave an overview of the assessment process and began the presentation outlining Faithful & Gould's building condition assessment services results.

#### Knowledge and Insight to Make Strategic Decisions

- Questions the FCA Addresses
  - How do we prioritize the reduced funding allocation?
  - How can we reduce the growing deferred maintenance list?
  - What assets do we have? What condition are they in?
  - Are those assets being used to their full potential?
  - Are they compliant with applicable legislation and/or standards?
  - How much funding do we need in order to maintain or improve the current conditions?
  - When do we need to complete recommended capital projects?
  - Where can we achieve cost savings?
- Roadmap of Current and Future Needs
  - Establish Baseline Asset Inventory
  - Establish Asset Conditions
  - Determine Short and Long-Range Asset Renewals
  - Utilize Decision Support Tools to Determine Priority and Funding Scenarios
  - Communicate the Asset Condition and Impact
- Implemented through Six Phases
  - Assessment Planning
  - On-Site Data Capture
  - Analysis of Asset Data
  - Data and Report Preparation
  - Quality Assurance Review
  - Strategic Capital Needs Plan
- 47 Facilities Assessed
- Summary of Condition - FACILITY CONDITION NEEDS INDEX (FCI)
  - Buildings with a FCI above 60% should be considered for Demolition

COUNCILMEMBER ROE asked if the chart on the right assumed no maintenance over ten years.

MR. LEONARD replied yes, as it is unknown what funding Council will approve in the future. He stated the FIC provides an overview of what the needs would look like in ten years and what will be required based on the facilities conditions.

MAYOR HARTKE asked if the expenditures take into consideration the condition of the building as well as the use. MR. LEONARD stated that the FCI is based purely on a financial calculation

including the value of the deficiencies are now and upcoming system and equipment replacements. He further explained that when evaluating the life cycle of equipment, many factors are taken into consideration such as; age/time of installation, weather conditions, utilization, and preventative maintenance measures.

MAYOR HARTKE stated that there are two slices of time based on the existence of the buildings and equipment, and how specific buildings are also impacted based on the amount of traffic.

MR. LEONARD agreed.

COUNCILMEMBER HUANG asked if administrative costs are included in the capital needed.

MR. LEONARD replied that it does not. He stated it is pure net construction costs, and there would be an additional 35% to 45% in soft costs. MR. HOLLINGSWORTH mentioned the soft costs would be around 25% to 30% working internally with Development Services.

MR. LEONARD continued the presentation.

- Summary of Expenditures
- Summary of Findings - Budget Scenarios
- Top 5 Buildings Expenditures for 2020
- Top 5 Buildings Expenditures for 10-Year Period
- Summary of Findings - Prioritization of Work
- Summary of Findings - Categorization of Work
- Conclusion
  - The City of Chandler portfolio consists of forty-seven primary structures located across the city
  - There is a total of \$64,867,900 in necessary expenditures over the study period.
  - There is an immediate capital need of \$28,043,887.
  - 21 Buildings are rated in good condition.
  - 5 Buildings are rated in fair condition.
  - 21 Buildings are rated in poor condition.
  - Over the next 10 years the facilities will deteriorate if there is no capital investment.
  - 1 Building will be rated in very poor condition.
  - 36 Buildings will be rated in poor condition.
  - 4 Buildings will be rated in fair condition.
  - 6 Buildings will be rated in good condition.

COUNCILMEMBER STEWART asked if the total amount being requested is \$64 million.

MR. HOLLINGSWORTH said not yet, but the amount is around \$57-58 million. He explained the process and discussed deferment exercises. MR. HOLLINGSWORTH stated that when a priority

one item needs replacement, it is due for replacement. He mentioned priorities two and three items may be able to be deferred for a later replacement, such as the phone or building access system.

COUNCILMEMBER STEWART inquired if the funding is already included in the budget.

MS. REED responded that it is not as capital expenditures are separate. She stated operational costs are included and built into the on-going budget. She said funding for replacement of equipment such as air conditioners is included in the capital plan which is approved by Council year-by-year. She stated that funding is not being asked for today, and that the presentation is to inform Council of the study's conclusions. She shared that unlike infrastructure: facilities have never been looked at in terms of overall assessment of conditions. She stated more discussion will take place through the upcoming budget process.

COUNCILMEMBER STEWART asked if the City is constructing buildings without knowing if the funding is available.

MS. REED responded that the regular scheduled maintenance is somewhat factored. She stated many of the buildings are more than twenty-five years old.

COUNCILMEMBER STEWART inquired if all the buildings included in the study are over twenty-five years old.

MS. REED replied no.

COUNCILMEMBER STEWART asked if any of the buildings will be obsolete in ten years.

MR. HOLLINGSWORTH replied that he has a slide that will address that.

COUNCILMEMBER ORLANDO asked if priority one items were being addressed now.

MR. HOLLINGSWORTH replied that priority one items can fall anywhere in the ten-year period. He mentioned there are a few of the priority one items included in the current budget.

VICE MAYOR LOPEZ inquired if a replacement fund for facilities is being considered and asked if building costs need to be built into the budget.

MR. LEONARD responded that this is the first time the City has had an opportunity to review the ten-year period pertaining to the needs of the facilities. He stated this study should be conducted every five years and the funding should be considered by Council for the reserve fund capital improvements.

MS. REED stated when she started working with the City after the recession, Council decided to put one-time dollars into an infrastructure replacement fund to help keep things maintained. She said replacement funds have been created for Fleet and IT, and certainly something that can be discussed as the next budget cycle begins. She said the funding may have to start slow until it can be built up.

MS. REED addressed Councilmember Stewart's inquiry stating as brand new buildings get older, larger equipment systems start needing to be replaced. She stated that though funds are available in the operating budget, discussion will need to take place to set aside funds for those expenses.

COUNCILMEMBER ROE stated the timeline can be changed, and asked what is being spent annually now on this type of maintenance.

MS. REED responded based on dollars that are typical, there was around \$750,000 a year budgeted in the capital plan. She stated for the current fiscal year there is \$1.1 million as it has increased gradually over the years for general building repairs. She further stated as you look forward five years, that number is \$6.7 million.

MR. LEONARD said if you are extending that study period out to fifteen years, there will be other systems needing replacement.

MR. HOLLINGSWORTH continued with the presentation.

- Faithful & Gould Assessment
  - Facility Condition Index (FCI) = Capital needs / Replacement Value
  - FCI of 60% or greater should be considered for replacement
- Spend Leveling
  - Facility Assessment
    - Original theoretical 10 year spend vs Leveling the 10 year spend
- Facility Condition Index
  - >40%
    - Fire Station 4
    - Fire Station 9
    - Chandler Heights PD
    - Fleet/Central Supply
    - Fire Station 2
    - Center for the Arts
- Facility Condition Index
  - >60%
    - Senior Center
    - Community Center

- \*Community Center and Senior Center considered one building due to sharing a common building systems
- Senior Center/Community Center Assessment photos
- Next Steps
  - Use the Facility Assessment as a road map for future budget
    - Upcoming Capital Improvement Projects
  - Consider facilities space utilization study
  - Present proposed bond considerations to Bond Sub-Committee
    - Prioritize bond projects to coincide with future needs of City

COUNCILMEMBER ORLANDO asked if the facilities space utilization was budgeted already.

MS. REED responded that it is not currently budget, but there are some monies available in 1290 for consultant services that has not been tapped, but could be utilized this budget year.

COUNCILMEMBER ORLANDO stated the last few bullets are important, and asked if this is going before the bond subcommittee, would it make sense to do the utilization study before giving final recommendations.

MR.HOLLINGSWORTH responded that since he is newer to the organization, that when inspecting buildings, he sees a lot of things that others may not. He stated he sees a lot of space that could be consolidated and made into more efficient space.

MR. LEONARD mentioned that staffing levels are looked at, plans, and working through the process to understand the specs of each building, including moving staff from one building to another and possibly utilizing that building for another purposes. He also mentioned looking at options for smart working offices, smart working desks and staff working from home

COUNCILMEMBER ORLANDO asked how long it would take to complete the utilization study normally.

MR. LEONARD responded at least three months.

COUNCILMEMBER ORLANDO said that we have a good start with what the needs are, but the second piece is the utilization study as the findings may show that certain buildings may not be needed.

MAYOR HARTKE said it seems this study would be very helpful before we prioritize spending money. He mentioned when he and Councilmember Orlando were on Council before, they discussed looking at City Hall for better use of space and placement of departments.



MAYOR HARTKE said he thinks this is an important exercise and appreciates the City Manager's efforts. He stated he agrees with Councilmember Orlando that before we start writing checks, this study would be very helpful.

COUNCILMEMBER STEWART said as a community of innovation, it is important to look at ways to be better and different. He said he echoed Mayor Hartke's and Councilmember Orlando's thoughts that conducting a usage of utilization study is important. He mentioned there are some good buildings with space that may be available for lease or sale, by repurposing and creating more synergy.

MR. HOLLINGSWORTH replied that the goal is always to do that and implement change for employees.

MAYOR HARTKE said it has been a silver lining with COVID on reassessing better ways to do things. He said we have to look at it as if it is a long trend and how will the use be redefined specifically at build out when impact fees are not available.

VICE MAYOR LOPEZ stated that empowering Mr. Hollingsworth and staff to advise on some utilizations on prime real estate, would identify space that could house staff instead of being used for storage. He also said the space utilization study could provide some quick wins to policy changes to allow staff to work from home. He said that we may need to be mindful if there are more staff working remotely, those in the office will require more space due to social distancing protocol. He stated this may not allow for much change in the footprint of the buildings due to change in space per employee.

MR. HOLLINGSWORTH said one thing that is good for IT is there are five foot cubicle walls, which is another aspect to look at.

MR. LEONARD said it is also use of smart technologies to assist in managing some of these processes.

COUNCILMEMBER ROE stated COVID has presented some interesting opportunities. He said having a little extra space can be a liability and asset at the same time because eight to ten years from now staff may need to be back in the office due to productivity issues and this needs to be part of the discussion.

MR. LEONARD replied corporations are looking at productivity stats, ways to improve office footprints and offering more flexibility to staff.

MS. REED addressed Vice Mayor Lopez's comments on teleworking, by stating a teleworking administrative regulation was put into place and everyone working from home is being tracked. She mentioned that the benefits show staff are staying connected, and that we haven't lost our culture as the City of Chandler. She stated as far as the space utilization study, staff has a good

idea where to start, focusing our larger buildings and staffing levels as we get closer to build out. She further stated we can certainly move forward with the space utilization study now and provide results as soon as possible.

MAYOR HARTKE recessed the Council Work Session at 4:48 p.m.

MAYOR HARTKE reconvened the Council Work Session at 4:53 p.m. Mayor and Council were all present.

2. Presentation and discussion of the Multi-Generational Recreation Center Feasibility Study.

ANDY BASS, Community Services Director, gave a brief overview of the item and began the presentation. He stated the City has six recreational facilities, excluding pools and many are specialty facilities such as the Environmental Center, Tumbleweed Recreation Center and the Senior Center. MR. BASS mentioned the Tumbleweed Recreation Center is currently the only multi-generational center.

MR. BASS introduced the consultants Theresa Jackson, Kevin Armstrong and Craig Bouck who are attending virtually.

MS. JACKSON began the GreenPlay presentation by stating Barker Rinker Seacat Architectural firm is joining her today and was a key member of developing the feasibility study.

- GreenPlay Feasibility Study Process
  - STEP 1 Strategic Kick-off
  - STEP 2 Market Analysis
  - STEP 3 Needs Assessment
  - STEP 4 Conceptual Amenities & Site Program Development
  - STEP 5 Findings & Conceptual Feedback
  - STEP 6 Operation & Maintenance Budget Projections
  - STEP 7 Draft Report
  - STEP 8 Final Report & Presentation
- Key Findings
  - Needs Assessment -
    - There is sufficient demand to justify the need for a new Multigenerational Recreation Center in Chandler.
      - Most programs offered by the Department have reached capacity and many have a wait list.
      - The existing multipurpose rooms are largely used for recreation-related classes and there is little availability for use by the community.

- A lack of gym space creates the need to not only limit the size of leagues, but the necessity to use School District facilities, which often leads to scheduling challenges.
- Survey and Reoccurring Themes
  - Top Program Needs
    - Fitness and Dance Classes
    - Art Classes
    - Health and Nutrition Classes
    - Life-Long Learning Programs
    - Active Adult Social Programs
  - Top Amenities Needs
    - Fitness Center
    - Indoor Track
    - Dance Fitness Room(s)
    - Gym
    - Teaching Kitchen
  - 709 Survey Respondents
    - 50% of respondents were 35-54 years old with 37% over 55

COUNCILMEMBER ORLANDO mentioned the survey recently conducted on parks and asked if this survey focused only on multigenerational centers.

MR. BASS responded the parks strategic master plan focused solely on parks. He stated this survey was specific to recreation centers and the types of programs.

MS. JACKSON stated this survey was conducted through Survey Monkey and an email ballot sent out to several thousands of recreation center users. She stated the survey was framed to focus on indoor recreation.

MS. JACKSON continued the presentation.

- Locations for Potential Facilities
  - The highest geographical need for facilities is in West Chandler and Southeast Chandler.
    - The lack of comparable facilities in the West and Southeast indicate that the proposed facility would be well-attended in either of these areas.
    - Additionally, growth in the Southeast is projected to be extreme, and growth in the West is expected to be above average.
    - Extreme growth is defined as 53% over the next 15 years.
    - Above average growth is defined as 24% over the next 15 years.
- Growth Areas
  - North –Average Growth Projected
  - Southeast – Extreme Growth Projected

- Southwest – Extreme Growth Projected
- West – Above Average Growth Projected

MAYOR HARTKE said in regards to the growth projections, the City is at 90% build out and a growth of 53% growth in southeast Chandler is shown. He asked if the growth is in use of facilities or population.

MS. JACKSON responded that is population growth. She stated it takes into account the current population in those areas with the estimated build out population. She mentioned the City's planning department did review their demographics and there were some projections were modified.

MAYOR HARTKE mentioned he is surprised at the percentage because the current projected growth is if we come up at 20% to 30% total to me that taps us out.

MS. JACKSON replied that maybe a population number should be used.

VICE MAYOR LOPEZ asked for clarification on if the southeast section is going to see 53% of the City's expected growth or is the area going to grow by 53%.

MS. JACKSON replied that section is to grow by 53%.

MS. JACKSON continued the presentation.

- Existing Facilities
  - For Profit Facility
  - Non-Profit Facility
  - City Run Facility

COUNCILMEMBER ORLANDO stated he understands in west Chandler there is a lack of facilities there, but did the survey ask if residents were using facilities in Chandler or going outside of Chandler.

MS. JACKSON responded that the survey did not ask what facility is currently used. She stated it is a summary of what is available in Chandler only.

COUNCILMEMBER HUANG asked for clarification on the term growth.

MS. JACKSON replied that over the current population in that west quadrant, in fifteen years it would be expected to double by 53%, not 53% of total population, but just want currently exists in the west quadrant. She said they would be happy to change to population numbers.

MAYOR HARTKE said he thinks a lot of the assumptions are apartments, and he is not seeing what is being presented. He stated there are a lot of conversations about growth and as he looks at these areas, it doesn't impact the need of facilities to him. Hey stated that the internal conclusions and where we are going are different.

MS. JACKSON replied that the next piece that Barker Rinker Seacat is going to review the existing population versus the existing square footage of public recreation space. She stated it is a snap shot of where the City is today and overall City growth projections. She mentioned hopefully this will be helpful on the approach of recommendations.

MS. JACKSON asked Mr. Bouck to continue with the presentation.

- Key Finding
  - Existing Facilities Assessment
    - The Tumbleweed Recreation Center is the primary public recreation center that serves the needs of the community. It is in good condition and provides a high level of service for Chandler.
    - The Chandler Senior Center and Chandler Community Center are outdated and undersized. These facilities will require major capital improvements in the future to continue operating at current levels.
    - Due to the capital improvements needed at CSC and CCC the square footage of these facilities have not been included in the systemwide analysis of existing indoor recreation program and activity space.
  - Recommendations
    - An analysis of CCSD facilities reveals a square footage deficit.
    - The existing level of service is approximately 0.3 SF per person.
    - A new level of service of 0.8 to 1.1 SF per person is recommended.
    - The systemwide total indoor multigenerational recreation space should be expanded from 71,000 SF of existing space to 228,000 to 302,000 SF to meet the existing and future community needs.
    - This requires development of 157,000 to 231,000 SF of new additional facility space. This could be accomplished through the addition of one facility, multiple facilities, and/or in combination with expansion of existing facilities.
- Current vs. Recommended Comparison
  - NEW INDOOR RECREATION W/ PORTION OF EXISTING FACILITIES
    - Existing Indoor Recreation – 71,000 SF
    - New Indoor Recreation Stretch – 74,000 SF
    - New Indoor Recreation Base – 157,000
- Systemwide Area by Program Type (SF)
  - Recreation & Fitness
  - Indoor Aquatics
  - Community & Gathering

- Support
- Systemwide Typical Hourly Capacity by Program Type
  - Recreation & Fitness
  - Indoor Aquatics
  - Community & Gathering
  - Support
- Systemwide No. of Spaces by Program Type
  - Recreation & Fitness
  - Indoor Aquatics
  - Community & Gathering
  - Support

COUNCILMEMBER ORLANDO asked how far people would travel to the Tumbleweed Recreation Center.

MR. BOUCK responded that it is one of the fundamental concerns on how to deploy this need. He stated it is currently centrally located and it is those areas in the west and southeast that is outside accessing those facilities conveniently.

MS. JACKSON mentioned drive time and barriers to access are two factors. She stated we are seeing a number of perceived barriers and typically drive time is ten to fifteen minutes.

COUNCILMEMBER ORLANDO asked if we look at the Tumbleweed Recreation Center, what is the distribution of residents in Chandler.

MR. BASS responded that he does not have that information by area, but will provide.

COUNCILMEMBER ORLANDO said he likes the idea of decentralizing, but to justify that is drive time and convenience enough to drive people to that facility.

MR. BOUCK referred to the map stating to the southwest and north there are quite a few facilities people have access to.

COUNCILMEMBER ORLANDO asked what would change people's habits.

MR. BOUCK responded that it would be difficult for them to change if they have a convenient option. He stated that people who live in the southeast or west, who do not have a convenient option would have the biggest value in a new option.

MAYOR HARTKE asked, in the modeling, if communities are effective in utilizing some of the school facilities that already exist.

MS. JACKSON responded that quite often when working with master planned communities, there is coordination with school districts. She stated that the schools do not have the space to give when they need it for their own programs, always presents a challenge of keeping reservations.

MR. BASS added that the City does utilize school facilities based on their schedule and have had to cancel several programs last minute. He stated that it has been difficult with the school district increased programming and security, and right now there is zero access.

VICE MAYOR LOPEZ inquired if there is a heat map along the age of demographic, of our population density based on population distribution and future growth. He stated the southeast area has the younger population and the north area has more traditional neighborhoods with assisted living facilities. He asked if this has been considered when reviewing what programs are needed in the various areas of City.

MR. ARMSTRONG responded it was looked at in terms of programming potentials in the various areas of the community and building a strong foundation. He stated the goal is to build up from there augmenting the programming appropriately.

MR. ARMSTRONG continued the presentation.

- Proposed Recreation Facility Location & Program Distribution
  - Proposed indoor recreation facility sizes & locations around Chandler
    - Southeast
    - Central
    - West
    - Southeast
- Potential Facility Concept Layout Options & Cost Opinion Ranges
  - Tumbleweed Recreation Center Expansion
  - Tumbleweed Recreation Center Large Expansion Option
  - Base Recreation Center Option
  - West Recreation Center Stretch Option
- Potential Facility Size by Site
  - Southeast Recreation Center Stretch Option
  - Southeast - Mesquite Groves Park
  - Central - Downtown
- Cost Opinion Considerations - Site
  - Low Site Assumptions
    - Low to Moderate Site Slopes
    - Minimal Utility Extensions
    - No Right of Way Improvements
    - Large Site with Easy Access
    - Minimal Existing Site Modifications
    - Potential for Shared Parking

- High Site Assumptions
  - Moderate to Significant Site Slopes
  - Remote Utility Connections
  - Addition of Traffic Control Systems
  - Confined Site with Access Challenges
  - Substantial Existing Site Demolition & Adjustments
  - Existing Drainage System Modifications
- Cost Opinion Considerations – Building
  - Low Building Cost Assumptions
    - Hybrid Building Methods
    - Pre-Engineered Metal Building Construction
    - Tilt-up Construction
    - Simple Exterior & Interior Finishes
    - Standard Mechanical Systems
    - Efficient Design with No Sustainability Certification
  - High Building Cost Assumptions
    - Primarily Masonry Construction
    - Decorative Exterior & Interior Finishes
    - High Performance Mechanical Systems
    - Sustainable Design with Possibility of Certification

MS. REED stated there are a lot of options presented and it is obvious some of the options will not be considered from an economic development standpoint. She asked they keep these examples in mind. She said there are a variety of options depending on what Mayor and Council recommends in regards to providing this community recreational programming based on what you hear and what has been presented by the consultant. She mentioned the lack of courts for those types of sports and the possibilities of utilizing vacant big box sites in order to reduce costs.

COUNCILMEMBER ORLANDO shared that one of his thoughts was to utilize big boxes specifically in west Chandler. He also shared the senior and community centers could be remodeled for \$6-7 million dollars and then they do not have to worry about going to tumbleweed for a multigenerational facility, and as a tax payer how would he justify that.

COUNCILMEMBER HUANG mentioned a park located near Sunset library that appears to be under-utilized. He asked if that park could be used to expand the library or to use for a recreation center if it is not designed for special use.

MR. BASS responded that it could be utilized as an option. He stated it would have to be reviewed for its current use such as a retention basin for flood control, size of the park and if constructing a fairly large facility taking into consideration the hours of operation.



COUNCILMEMBER STEWART stated based on other discussions related to overall recreation, parks, plan for trails and sports fields, that an umbrella approach should take place to understand what the City is responsible for and what the private industry is responsible for. He shared there have been discussions on land the City owns and uses, and that maybe all this information should be consolidated into one.

MR. BASS responded that this is step one and that would be step two. He said once Mayor and Council give direction then specific details can start to be focused on.

COUNCILMEMBER STEWART said we have some significant funding responsibilities to the Public Safety Personnel Retirement Systems such as fire stations and street infrastructure. He mentioned he understands the community wants parks and he starts asking himself if this is City government and that he tends to think so. He mentioned the bond committee needs to factor some of this stuff in and that we need to be conscious of where our fixed income families are located.

MAYOR HARTKE said we are not going to get there without the use of bonds. He stated as bonds come together with the finance committee, we need to know what Chandler should take on and how will it be staggered.

COUNCILMEMBER HUANG mentioned a shortage of indoor space has been presented and that our community agrees that the senior and community centers need to be upgraded. He said based on the recommendations, funding and economic impact will determine if a large facility is needed that may bring larger events and tourism.

COUNCILMEMBER ROE said he had a very different idea and mentioned the senior center lacking the needs of the community. He said his vision for those patrons is not basketball or high activity; rather it is about socializing, playing cards, other activities and obtaining an inexpensive lunch.

COUNCILMEMBER ROE suggested expanding on this and doing something small at Tumbleweed. He agrees with Councilmember Orlando about creativity, but feels this is outrageous.

VICE MAYOR LOPEZ stated the study is very comprehensive and we have known for years that there is a shortcoming, but to him what are the services the City is supposed to provide. He stated there are services we provide and will continue to, but is the City supposed to build facilities that will be in competition with the private industry.

VICE MAYOR LOPEZ said this should be weighed in on for those who have fixed incomes and being able to provide them activities. He mentioned that attendance at the libraries attendance has been declining, and maybe this space could be utilized for senior and youth programs. He asked they were looking at public-private partnerships with the Boys and Girls Club and YMCA. He mentioned if buildings are condensed then the vacant space could be turned into a

community center. He said there is a holistic approach that needs to be looked at to meet the bond issuance requirements. He mentioned there could be some quick wins partnering with the libraries.

MAYOR HARTKE shared that he liked the City Manager's idea of reutilizing aging corners that have large facilities with the necessary parking. He said it is definitely worth investigating in comparison to the needs of the community.

COUNCILMEMBER MCCLYMONDS said he is not a big fan of the City being in the traditional gym business as the private sector has really dialed in to those uses. He encourages the City to transition those facilities. He mentioned he is interested in basketball courts as those are difficult for the private sector to deliver and there is a demand.

COUNCILMEMBER HUANG stated he believes the expansion of the senior and community centers should be priority. He said he agrees with Mayor Hartke's thoughts and he feels sports and tourism should be combined.

COUNCILMEMBER ORLANDO said he liked the idea of multiple locations due to the size of Chandler, but feels more due diligence should be made on demand. He stated some of these larger big boxes could be used for indoor activities such as basketball courts and meeting rooms.

MAYOR HARTKE asked Council if they had any more final thoughts and there were none.

MS. REED. said there were a few more slides and then move toward the recommendation.

MS. JACKSON skipped over the operations and maintenance budget, and continued her presentation with the study's recommendations.

- Operations and Maintenance Budget
  - Key Finding
    - Expenses
      - Staffing Projections - \$1,157,331
      - Contractual Services - \$445,151
      - Commodities - \$165,915
    - Revenue
      - Fitness Passes - \$970,391
      - Rentals - \$65,000
      - Recreation Programs - \$278,000
- Study Recommendations
  - Key Recommendations
    - The systemwide total indoor multigenerational recreation space should be expanded from 71,000 SF of existing space to 228,000 to 302,000 SF to meet the existing and future community needs.

- The CSC and CCC will require major capital improvements in the future to continue operating at current levels. The City of Chandler should consider repurposing these properties.
- To begin to address the square footage deficit, a 9,000 SF expansion of Tumbleweed Recreation Center should be considered.
- To further address the square footage deficit a new facility in West Chandler and/or Southeast Chandler is recommended.

MR. BASS continued the presentation.

- FY2018-19 Building and Facilities Revenue/Expense Cost Recovery Report
  - Current City resources at the Community Center and Senior Center would be sufficient to cover operation of a new center
  - Cost recovery of current facilities would be improved with a new center, thus providing more efficient use of City resources
- Impacts to Recreational Programs
  - Positive
    - All current programs could be moved to existing facilities or a new facility
    - Attraction of new residents to programs in new service area
    - Popular programs will increase (pickleball, table tennis, etc.)
    - Seniors will gain access to fitness equipment and programs
    - Maximize use of Tumbleweed during slower daytime hours
    - Expand Therapeutic Recreation program
    - Provide state of the art facility and programs to community
  - Considerations
    - Loss of facilities in downtown area
    - Change can be hard, sentimental value of current facility
    - Transportation to a new location
    - Proximity to downtown library
- City Council Considerations
  - Discussion of eliminating Senior Center and Community Center based on project future costs and programming availability
  - Discussion of expanding Tumbleweed Recreation Center
    - Small or large expansion
  - Other potential development locations
    - Reuse empty commercial space

MAYOR HARTKE thanked the consultants and staff.

ADJOURNMENT: The Work Session was adjourned at approximately 6:19 p.m.

ATTEST: *Dana R. DeLong*  
City Clerk

*Kevin Hartke*  
Mayor

Approval Date of Minutes: October 12, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 29<sup>th</sup> day of September 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12<sup>th</sup> day of October, 2020.

*Dana R. DeLong*  
City Clerk





## **CHANDLER CITY COUNCIL**

Special Meeting Minutes  
Thursday, October 1, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, October 1, 2020, in Chandler City Hall, 2<sup>nd</sup> Floor Training Rooms A and B, 175 S. Arizona Avenue, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 8:00 A.M.

The following members of the Council were present:

Kevin Hartke	Mayor
Mark Stewart	Councilmember
*Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember

\*Councilmember McClymonds attended the meeting telephonically.

\*\*Vice Mayor René Lopez and Councilmember Matt Orlando were absent and excused.

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Josh Wright, Assistant City Manager.

### CONSENT AGENDA DISCUSSION

MAYOR HARTKE introduced the consent item. He mentioned the applicant is working with a booster club at Hamilton High School, and that a big screen will be setup for family friendly events showing three home football games.

1. TEMPORARY EXTENSION OF PREMISES, Series 12, for Ginger Monkey LLC, dba Ginger Monkey, located at 135 W. Ocotillo Road, for additional outside dining due to COVID-19 from Friday, October 2, 2020 until March 31, 2021.

### CONSENT AGENDA - MOTION AND VOTE

COUNCILMEMBER STEWART MOVED TO APPROVE THE CONSENT AGENDA OF THE OCTOBER 1, 2020, SPECIAL MEETING; SECONDED BY COUNCILMEMBER MCCLYMONDS.

MAYOR HARTKE asked City Manager to communicate with the applicant the importance of following the social distancing protocol.

COUNCILMEMBR ROE mentioned this is terrific and suggested innovative ways should be considered to keep businesses alive throughout the community.

MOTION CARRIED UNANIMOUSLY (5-0).

CONSENT AGENDA

1. TEMPORARY EXTENSION OF PREMISES, Series 12, for Ginger Monkey LLC, dba Ginger Monkey, located at 135 W. Ocotillo Road, for additional outside dining due to COVID-19 from Friday, October 2, 2020 until March 31, 2021.

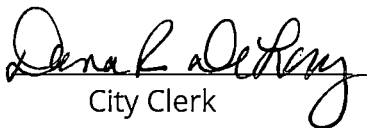
BACKGROUND FROM COUNCIL MEMO:

Ginger Monkey LLC, dba Ginger Monkey, located at 135 W. Ocotillo Road, has requested a temporary extension of the alcohol serving area for additional outside dining due to COVID-19. The period of the extension is Friday, October 2, 2020, until March 31, 2021.

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

ADJOURNMENT: The Special Meeting was adjourned at approximately 8:03 a.m.

ATTEST:

  
City Clerk

  
Mayor

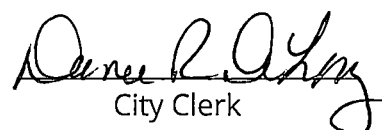
Approval Date of Minutes: October 12, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 1st day of October, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12<sup>th</sup> day of October, 2020



  
City Clerk



## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Monday, October 12, 2020,

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, October 12, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:02 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Thomas Wiggins, Mount Olive Missionary Baptist Church.

PLEDGE OF ALLEGIANCE: Councilmember Orlando led the Pledge of Allegiance.

### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE OCTOBER 12, 2020, CITY COUNCIL MEETING, NOTING THAT HE WOULD NOT BE VOTING ON ITEM 1H AS HE WAS ABSENT FOR THAT SPECIAL MEETING; SECONDED BY VICE MAYOR LOPEZ.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0), WITH THE EXCEPTION OF ITEM 1H WHICH CARRIED BY A VOTE OF 6-0.

CONSENT AGENDA ITEMS

- 1a. MINUTES of the City Council Work Session of September 14, 2020.
  - 1b. MINUTES of the City Council Regular Meeting of September 14, 2020.
  - 1c. MINUTES of the City Council Study Session of September 14, 2020.
  - 1d. MINUTES of the City Council Special Meeting of September 14, 2020.
  - 1e. MINUTES of the City Council Work Session of September 17, 2020.
  - 1f. MINUTES of the City Council Regular Meeting of September 17, 2020.
  - 1g. MINUTES of the City Council Work Session of September 29, 2020.
  - 1h. MINUTES of the City Council Special Meeting of October 1, 2020.
- 
2. FINAL ADOPTION OF ORDINANCE NO. 4935, authorizing the abandonment of three drainage easements no longer needed for public use on property located at the southwest corner of Germann Road and Stearman Drive.

BACKGROUND FROM COUNCIL MEMO:

The owner of the property located at the southwest corner of Germann Road and Stearman Drive is in the process of developing the Sollid Cabinetry facility, a new two-story warehouse/manufacturing building with associated site improvements (the "Development"). The Development is currently encumbered by three drainage easements that the City acquired in 2004 for the improvement of Germann Road from Airport Boulevard to Gilbert Road (the "Easements"). The Development will include permanent drainage as part of the site improvements. As a result, the Easements are no longer needed and can be abandoned. The owner has requested that the City abandon the Easements in order to clear up their title. Staff reviewed the request and concurs that the Easements may be abandoned.

This Ordinance was introduced and tentatively adopted on September 17, 2020.

3. FINAL ADOPTION OF ORDINANCE NO. 4939, amending the Code of the City of Chandler, adding Chapter 22 – Short Term Rentals, providing for the repeal of conflicting ordinances, providing for severability, and providing for penalties, as recommended by the City Manager's Office.

BACKGROUND FROM COUNCIL MEMO:

In 2016, Governor Ducey signed a bill into law preempting cities and towns from regulating short term rentals any differently than other similar residential properties. This law made it difficult for local governments to take enforcement actions against nuisance properties where frequent parties were taking place and the violators were different week to week. Recognizing this challenge, Governor Ducey signed House Bill 2672 into law in 2019. This new law requires short term rental property owners to register with the city and creates a direct link between the property owner and the activities that take place on the property when leased as a short term rental. The proposed code amendments implement the new state law by establishing the state directed process in which the City of Chandler can take enforcement actions against nuisance short term rentals.

An internal working group was established to craft the short term rental ordinance that consisted of the following Departments: City Manager's Office, Development Services, Law, Management Services, Neighborhood Resources and Police.



Recommended code amendments were presented to Council during a Council Work Session on June 8, 2020.

The proposed code amendment:

- Requires short term rentals (STRs) to obtain a TPT license with the Arizona Department of Revenue and register with the City;
- Prohibits STRs from nonresidential use, from being advertised for uses or occupancies that violate City Code or State Statute and requires a notice to be placed in STR outlining prohibited uses;
- Applies neighborhood preservation and residential parking requirements to STRs;
- Requires an owner or authorized agent to appear on premises or via phone within 60 minutes upon request of Police Officer or Code Inspector;
- Outlines verified violation process and associated fines; and
- Requires Management Services Director to report verified violations to Department of Revenue and STR owner within 30 days.

#### Public Outreach

The public was provided the opportunity to review and comment on the proposed ordinance through an online public comment form that was open from July 1 – July 31, 2020. Approximately 160 comments were received. Comments have been summarized, and can be reviewed in the attached comment matrix. In addition to other technical changes made after public review, the proposed code amendment modified Section 22-4.8 which previously required property owners or authorized property managers to respond in person within 60 minutes when requested by an enforcement officer and instead allows for telephone contact within 60 minutes of the request.

This Ordinance was introduced and tentatively adopted on September 17, 2020.

4. INTRODUCTION OF ORDINANCE NO. 4929, granting a no-cost, non-exclusive power transmission easement to Salt River Project (SRP), to accommodate the relocation of its 69kV power lines along the east side of Cooper Road from Alamosa Drive south to Riggs Road.

#### BACKGROUND FROM COUNCIL MEMO:

SRP has requested that the City grant a non-exclusive power transmission easement to accommodate the relocation of its 69kV Cooper Road corridor power lines. The easement will be granted at no cost to SRP as it is for a City roadway improvement project.

Staff has reviewed and approved the easement and legal description for the requested easement.

5. RESOLUTION NO. 5412, authorizing submittal of an application for a pass-through Indian Gaming Revenue Sharing Grant to the Gila River Indian Community on behalf of the Chandler Gilbert Arc in the amount of \$7,977.

#### BACKGROUND FROM COUNCIL MEMO:

In 2002, a coalition of Arizona Indian tribes successfully obtained passage of Proposition 202, whereby the State was authorized to enter into gaming compacts with individual tribes. The compacts allowed for expanded tribal use of games and gaming devices as well as pari-mutuel

wagering. In exchange, tribes agreed to share a portion of gaming revenues with the State and its counties, cities and towns. The law provides that 12 percent of tribal contributions pursuant to the compacts shall be contributed by Indian tribes to cities, towns and counties for government services that benefit the general public, including public safety, mitigation of gaming impacts and promotion of commerce and economic development. The Indian tribes have some discretion over how these contributions will be made and each tribe has different application procedures that need to be observed to obtain funding. Additionally, it has become a common practice for cities to submit applications for such contributions on behalf of 501 (c)(3) nonprofit organizations that are deemed to be providing government services that benefit the general public.

The City of Chandler for many years has submitted pass-through Grant Applications for numerous nonprofit organizations based on the interests of the City and its residents. The pass-through Grant Applicant must be a 501 (c)(3) nonprofit organization with some nexus with the City and its residents.

The Chandler Gilbert Arc has been serving individuals with intellectual and developmental disabilities in Chandler since 1975 through specialized community-based training, employment, housing and transportation. More than 95 percent of the individuals supported by the Chandler Gilbert Arc have little-to-no-ability to read. The grant funding will provide the means to purchase reading assistance tools called C-Pen Readers that use digital technology to interpret, define and then verbally articulate words. As a person runs the pen over a line of text, the words will be read aloud to the user through earphones. These tools will help the individuals served by Chandler Gilbert Arc to live safe, productive and independent lives by providing the means to read.

ADJOURNMENT: The meeting was adjourned at 6:05 p.m.

ATTEST: *Dana R. DeLong*  
City Clerk

*Karin Hooten*  
Mayor

Approval Date of Minutes: November 2, 2020



CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 12th day of October, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 2 day of November, 2020.

*Dana R. DeLong*  
City Clerk



## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, October 15, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, October 15, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Jason Turner, Christian Faith Fellowship Church.

PLEDGE OF ALLEGIANCE: Vice Mayor Lopez led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

COUNCILMEMBER STEWART thanked Chief Duggan and staff as they pushed off some purchasing vehicles for a few months until the City was able to better assess the financial status due to COVID-19.

### CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE OCTOBER 15, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER MCCLYMONDS.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. FINAL ADOPTION OF ORDINANCE NO. 4929, granting a no-cost non-exclusive power transmission easement to Salt River Project (SRP), to accommodate the relocation of its 69kV power lines along the east side of Cooper Road from Alamosa Drive south to Riggs Road.

BACKGROUND FROM COUNCIL MEMO

SRP has requested that the City grant a non-exclusive power transmission easement to accommodate the relocation of its 69kV Cooper Road corridor power lines. The easement will be granted at no cost to SRP as it is for a City roadway improvement project. Staff has reviewed and approved the easement and legal description for the requested easement.

This Ordinance was introduced and tentatively adopted on October 12, 2020.

2. INTRODUCTION OF ORDINANCE NO. 4936, PLH20-0041, HISTORIC PRESERVATION ZONING CODE AMENDMENT, to approve amending the Code of the City of Chandler, Chapter 35, Land Use and Zoning to enable property owners to establish Historic Preservation districts on their properties and neighborhoods and to reconstitute the Architectural Review Committee into the Historic Preservation Commission.

BACKGROUND FROM COUNCIL MEMO

The proposed code amendments were prompted by two events:

- The recognition by City staff that certain architectural and cultural resources in the City need to be preserved from destruction by development;
- Discussions with neighbors in the Silk Stocking neighborhood of the City who desire tools to help preserve the historic character of their neighborhood.

In the spring of 2019, the City acquired the right-of-way over the northern segment of the historic Goodyear Canal on Basha Road with the objective of preserving the open canal, which once served the Goodyear farming community during World War I, in its original state. The City subsequently budgeted funds to maintain the canal with the objective of implementing a preservation plan in the future. During discussions on preserving the canal, City staff began an internal conversation about identifying and preserving other significant historical architectural and cultural resources in the City.

In the fall and winter of 2019, City staff, including the City Manager, Assistant City Manager and Development Services Director, met with representatives of the Silk Stocking neighborhood about implementing a historic preservation zoning overlay over the neighborhood with the objective of preserving its historic architecture and character. Those discussions evolved into the concept of developing a Historic Preservation Ordinance that would enable building owners and neighborhoods to establish historic preservation districts on their properties.

Staff subsequently developed the draft Historic Preservation Ordinance that is under consideration. The primary objectives of the ordinance are:

- Preserve properties, districts and sites that represent Chandler's historic, architectural and cultural heritage;
- Encourage restoration and upkeep of historic properties;
- Encourage civic pride in the accomplishments of the past;
- Promote neighborhood preservation and revitalization;
- Guide alterations and discourage demolition of designated historic properties;
- Document and recognize locations that represent events or individuals significant to Chandler's history;

The provisions of the ordinance include:

- Establishment of a Historic Preservation Commission by reconstituting the existing Architectural Review Committee;
- The establishment of a Historic Preservation Officer to administer the ordinance
- Four classifications of historic designation;
- Criteria for designating historic properties, districts and sites;
- Procedures for establishing historic properties, districts and sites;
- Procedures for alterations and demolition of eligible historic properties;
- Standards and procedures for maintenance, alterations and demolition of designated historic properties;
- Establishment of a historic property register for the City of Chandler;

The four classifications of designation are:

<u>Designation</u>	<u>Description</u>
a. Heritage Site	The location of a past event, structure or district that no longer physically exists that was significant to the history of Chandler.
b. Historic Conservation District	An area of the City that contains one or more designated properties or historic preservation districts or is associated with significant events or persons of the City's past where preservation and conservation of the remaining historic structures and context is encouraged.
c. Historic Preservation District	A zoning overlay of an area of the City documented by historic boundaries that contains at least one historic property. The overlay includes regulations governing maintenance, alteration and demolition of designated historic properties within the district.

d. Landmark	A structure or site that contains an outstanding or unique example of an architectural style and/or is associated with a major historical event activity or person or is of historical or cultural importance to the City. A Landmark will also be in a Historic Preservation District.
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While the objective of the proposed ordinance is to preserve properties and districts that represent Chandler's historic and cultural heritage, consideration must also be given to the rights of the individual property owners to utilize their properties under applicable legal entitlements. The proposed ordinance incorporates processes to discourage demolition of eligible and designated historic properties and encourage their preservation through consultation with staff and by exploring alternatives. However, once these processes are completed and no alternative to demolition is identified, an owner wishing to demolish an eligible or designated property could proceed.

Staff briefed the City Council on the proposed ordinance during a work session on June 8, 2020. The Council provided input, which is incorporated into the draft ordinance, and directed staff to continue work on the ordinance. Staff briefed the Planning and Zoning Commission during its Study Session on August 5, 2020, and received input from the Commission. The Commission recommended approval of the ordinance during its September 16, 2020, regular session. Development Services staff briefed the Architectural Review Committee on September 18, 2020, on the ordinance and the changes proposed for the Committee. Feedback on the proposed ordinance from all boards, commissions, and committees consulted has been positive.

After the meetings of the Planning and Zoning Commission and Architectural Review Committee, staff revised the provision of the ordinance that required 100% of the eligible historic properties in a proposed Historic Preservation District to agree to the zoning overlay. This was done to address concerns raised by stakeholders that this requirement would be difficult to achieve and would restrict the formation and potential boundaries of a district. Staff adjusted the requirement to 90%. The remaining eligible properties can be included in the geographical boundaries of a Historic Preservation District but would not subject to the regulations of the Historic Preservation District overlay. Each owner of an eligible property would have the option of becoming a designated historic property in the district and subject to the overlay at a later date through a public process.

#### Public Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Notification of the proposed amendments, request for public input, and public hearing dates were sent electronically to the following stakeholders between August 19, 2020, and September 2, 2020: Silk Stocking neighborhood representatives; Chandler Chamber of Commerce, Chandler Historical Society, and the Chandler Museum Foundation. Members of the City's Neighborhood Advisory Committee were sent a notice and link to the proposed amendments and invited to comment. To date, staff received seven responses. Five supported the ordinance and two provided neutral

comments. No comments expressed opposition to the proposed ordinance. A matrix of the stakeholder comments and staff responses is provided in the attachments.

On August 26, 2020, the draft code amendments were posted on the City's website and social media platforms. The public hearing schedule was posted on the City's website and advertised in the newspaper. At the writing of this memo, Development Services staff is not aware of any concerns or opposition to the proposed ordinance.

Planning and Zoning Commission Vote Report  
Planning and Zoning Commission meeting September 16, 2020  
Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Pekau)

During the Study Session, the Commission asked questions and provided input on the proposed ordinance to which staff responded. Three residents of the Silk Stocking neighborhood spoke in favor of the ordinance.

#### Recommended Action

Development Services staff finds the request is in compliance with the General Plan. The Planning and Zoning Commission recommends City Council approval of PLH20-0041 Development Services Code Amendments for Historic Preservation.

3. INTRODUCTION OF ORDINANCE NO. 4937, granting a non-exclusive power distribution easement to Salt River Project (SRP) at the northwest corner of Pima Park to accommodate the development of McQueen Commons on the east side of McQueen Road between Chandler Boulevard and Ray Road.

#### BACKGROUND FROM COUNCIL MEMO

SRP has requested that the City grant a non-exclusive power distribution easement to extend electric service along the east side of McQueen Road for a distance of approximately 115.20 feet in order to service a new residential development known as McQueen Commons. The developer of McQueen Commons, The Wallace Group, has agreed to pay the City for the easement based upon an estimated land value of \$6.00 per square foot times 25%. The amount of the payment will be \$1,382.00. The normal payment range is 25% to 50%. Staff believes the 25% amount is fair given that the City will receive additional fees from the developer as well as an increase in property tax revenues from the improved residential sites. Staff has reviewed and approved the easement and legal description for the requested easement.

4. INTRODUCTION OF ORDINANCE NO. 4938, granting a no-cost irrigation and facilities easement to Roosevelt Water Conservation District (RWCD), for the Chandler Heights Improvement Project from McQueen Road to Gilbert Road.

#### BACKGROUND FROM COUNCIL MEMO

The City of Chandler is undertaking a road widening project for the improvement of Chandler Heights Road from McQueen Road to Gilbert Road (the "Project"). In order to complete the

Project, the City of Chandler must relocate and convert existing RWCD irrigation facilities from open ditch facilities to piped facilities. RWCD is requesting an irrigation and facilities easement in the areas where the relocated irrigation facilities are located in the City's right-of-way. The irrigation and facilities easement is to be granted at no cost to RWCD.

5. RESOLUTION NO. 5400, renewing request to the Industrial Commission of Arizona for Continued Exemption from Requirement to Post Security for Self-Insured Workers' Compensation Program.

#### BACKGROUND FROM COUNCIL MEMO

The City of Chandler was approved by the ICA to self-insure workers' compensation benefits on January 1, 2003. A requirement of self-insured programs is to post security bond with ICA in order to ensure the performance in the event that a self-insured program becomes insolvent.

On April 4, 2005, the ICA implemented new rules governing management of workers' compensation self-insurance program. The new rule, R20-5-1114, includes an "Exemption from Requirement to Post Security" noted below.

"A public entity applicant or public entity self-insurer is exempt from the requirement under this Article to post or provide security if the public entity:

1. Has a fully funded risk management fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #1 O; and
2. Provided funding to the risk management fund each year sufficient to cover actuarial Liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10."

The Industrial Commission of Arizona requires a majority of the members of the City of Chandler governing body to certify that it meets the conditions required for a public entity to be self-insured and exempt to post or provide a security bond under A.AC. Section R20-5-1114 (A) and A.AC. Section R20-5-1114 (8)(1-3).

#### FINANCIAL IMPLICATIONS:

Since the inception of our self-insured program in January, 2003, we have expended a total of \$16,745 to purchase Security Bonds. The City's application for exemption to post security was accepted and we no longer incur expenditures for bonds.

6. RESOLUTION NO. 5404, authorizing the Chandler Fire Department (CFD) to enter into an agreement with Valleywise Health (Maricopa County Special Health Care District), to train Chandler Fire Department paramedic students during their required clinical rotations.

#### BACKGROUND FROM COUNCIL MEMO

For ten years, CFD has conducted a paramedic training program in conjunction with Phoenix College. Through a rigorous 10-month course conducted within the Department, firefighters have become certified as paramedics.



To reduce costs and provide CFD firefighters an optimal education, the Department is applying for accreditation through the Commission on Accreditation of Allied Health Education Programs (CAAHEP) for its own paramedic program. Currently, CFD has been approved by CAAHEP to begin the Letter of Review (LoR) process, which requires CFD to enter into agreements with local hospitals to fulfill the clinical training component of the paramedic program. Resolution No. 5404 allows CFD to enter into an agreement for clinical training with Valleywise Health (Maricopa County Special Health Care District).

The term of the agreement commences upon execution of the agreement and ends upon termination by either party. This agreement fulfills CAAHEP accreditation guidelines and allows CFD paramedic students to perform clinical rotations at the health center.

**FINANCIAL IMPLICATIONS:**

No financial implications.

7. RESOLUTION NO. 5410, authorizing an Intergovernmental Agreement between Arizona Department of Public Safety and City of Chandler Police Department to provide law enforcement security services at State Farm Stadium events.

**BACKGROUND FROM COUNCIL MEMO**

The Chandler Police Department wishes to enter into an IGA with DPS for the purpose of providing law enforcement security services at events held at State Farm Stadium in Glendale. DPS currently has an agreement with Stadium Management Group, working under authority granted by the Arizona Sports and Tourism Authority, to provide security services. DPS occasionally needs assistance from nearby law enforcement agencies to cover such events. This intergovernmental agreement would allow CPD officers to work with DPS in an extra duty capacity to ensure the safety and security of those attending the events by providing traffic control and a visible law enforcement presence during certain scheduled events at the stadium.

**FINANCIAL IMPLICATIONS:**

None. Officers would be paid by DPS as independent contractors.

8. RESOLUTION NO. 5414, authorizing the City Manager or designee to approve applications and waive fees for temporary or permanent extension of premises for alcohol consumption and waive time limits for Temporary Sales and Promotional Events (TSPE) during the COVID-19 coronavirus pandemic.

**BACKGROUND FROM COUNCIL MEMO**

The COVID-19 pandemic has created significant challenges for restaurants, including capacity restrictions based on Executive Orders from the Governor. In the early stages of the pandemic, restaurants were prohibited from offering dine-in service. As of July 9, 2020, restaurants are allowed to operate dining rooms at 50% capacity. In many cases, limited dine-in service has been more financially challenging than when dining rooms were closed, as staff costs can outweigh the additional revenue created by dine-in service. As a result, the Downtown Chandler Community Partnership (DCCP) and City are working to provide additional capacity for restaurants by allowing them to create patio space within the parking in front of their establishments, whether on private

property or in on-street parking. Many cities throughout the world have implemented similar programs, including the City of Prescott, Arizona.

The program proposes the use of temporary extensions or permanent extensions of premises. The permanent extensions program has two main permitting components. The first, an encroachment permit, is necessary to allow a business to operate within City right of way, including on-street parking. To date, restaurants throughout Downtown Chandler have utilized this permit to build patios under the colonnade and elsewhere. The second component only applies to establishments intending to serve alcohol in the on-street parking spaces. This requires a permanent extension of premises, which currently must go to City Council for approval prior to gaining approval from the Arizona Department of Liquor Licenses and Control. An inspection by the Arizona Department of Liquor Licenses and Control must occur prior to permitting alcohol serving in the extended area. A permanent, rather than temporary, extension of premises is necessary in this context in order to allow restaurants to create a non-contiguous patio space. This process applies to any restaurant in Chandler that intends to create additional, non-contiguous patio space to increase seating capacity, and is not limited to the Downtown vicinity. The related permanent extension fee would also be waived.

Development of this program has been community driven with restaurants initially approaching the City and the DCCP about the concept. The DCCP has sought feedback from Downtown businesses on multiple occasions, receiving support from an array of business owners. Additionally, staff members from affected departments and the DCCP have met on multiple occasions to develop program rules, details, and questions. This program has been designed to satisfy regulatory constraints while also creating as little burden as possible for the businesses.

Additionally, during the development of the street dining program, various Chandler businesses have approached the City to expand their capacity through additional outdoor seating. In some situations, businesses intend to contiguously extend their premises via a temporary extension of premises. Temporary extensions of premises, like permanent extensions of premises, currently must go to City Council for approval and have a daily temporary extension fee. In an effort to reduce the burden on these businesses, the daily fee will be waived by Resolution No. 5414, reducing the overall cost of expanding.

Should a temporary extension of premise to accommodate additional restaurant seating be on private, non-residential property, it is required to go through the Temporary Sales and Promotional Event (TSPE) review process. City Code Section 32-1 requires TSPEs to not exceed 48 calendar days in any calendar year. To accommodate the extended seating areas for restaurants, this Resolution would allow the length of time a TSPE can be in effect to go beyond 48 days and cross two calendar years until this Resolution expires.

Finally, Resolution No. 5414 provides additional flexibility within the approval process by empowering the City Manager or Designee to approve temporary and permanent extensions of premises, allowing permits to be issued in a quicker manner. Though a permanent extension of premises is required by the Arizona Department of Liquor Licenses and Control for the purpose of non-contiguous patios, this is a temporary program. Similarly, for temporary extensions of premises for businesses, this change is viewed as a temporary response to the COVID-19. As such,

this resolution will expire at 12:00 a.m. on June 1, 2021, returning to typical approvals through City Council.

FINANCIAL IMPLICATIONS:

The City Fee Schedule currently includes charges of a \$100 nonrefundable application fee for a permanent extension of premises, and a \$25 nonrefundable, per day, application fee, and an additional \$25 application fee if submitted less than 21 days prior to City Council meeting for a temporary extension. This program waives these extension fees until its expiration at on June 1, 2021.

9. RESOLUTION NO. 5415, authorizing an Intergovernmental Agreement between Maricopa County and City of Chandler regarding Maricopa County Sheriff's Office Sworn and Detention Basic Training Academy, and authorizing the Chief of Police to sign, administer, execute, and submit all documents and other necessary instruments in connection with such agreement.

BACKGROUND FROM COUNCIL MEMO

The Chandler Police Department wishes to enter into an IGA with the Maricopa County for the purpose of sending new police and detention officers to the Maricopa County Sheriff's Office Sworn and Detention Basic Training Academy. Chandler does not have its own sworn or detention officer training academy and is competing with other agencies for limited training academy openings. Chandler currently has an IGA with Maricopa County to provide training academy services only to sworn officer recruits. This IGA would supersede the current training academy agreement with MCSO, and would expand training academy services to both sworn and detention officer recruits to ensure sufficient and timely academy openings for both sworn and detention recruits who are needed to fill vacancies and staff GCUHF detention facilities. This IGA shall have an initial term beginning October 1, 2020 through September 30, 2022 and is effective when signed by the Parties. Following the initial term, this IGA will automatically renew for up to two, one-year terms unless canceled or terminated.

FINANCIAL IMPLICATIONS:

The City will be billed \$750.00 per sworn officer recruit, and \$250.00 per detention officer recruit.

10. RESOLUTION NO. 5416, approving and authorizing Amendment No. 2 to an Intergovernmental Agreement (IGA) between Maricopa County Administered by its Human Services Department and City of Chandler to provide temporary housing for at risk individuals and families due to the COVID-19 pandemic utilizing hotel rooms in an amount of \$79,580 for a new total expenditure of \$159,160; and authorizing the City Manager or designee to sign the agreement and all related documents on behalf of the City of Chandler.

BACKGROUND FROM COUNCIL MEMO

On March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, declared a State of Emergency in Arizona due to the novel Coronavirus and determined that the COVID-19 outbreak presents conditions that are, or are likely to be, beyond the control of services, personnel, equipment, and facilities of any single county, city, or town, and which requires the combined efforts of the State of Arizona and its political subdivisions.

On March 19, 2020, Chandler Mayor Kevin Hartke issued a proclamation declaring the existence of an emergency as a result of the COVID-19 outbreak, placing the City of Chandler, County of Maricopa, and State of Arizona, in a condition of extreme peril to life and property. Pursuant to the emergency powers vested in the Mayor under Arizona Revised Statutes §26-311 and Chandler City Code §6-3.2, Mayor Hartke determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property.

In April 2020, the Maricopa County Human Services Department approached the cities of Mesa, Tempe and Chandler with a proposal to work cooperatively to assist persons experiencing homelessness by providing temporary housing to prevent exposure to the COVID-19 virus. Maricopa County agreed to enter into a lease agreement with a hotel and provide onsite security, while the partnering cities would provide the clientele and wrap-around services to support them during their stay and assist them in their transition to permanent housing.

On July 13, 2020, the City of Chandler entered into this agreement for the period of April 26, 2020 through July 26, 2020. The service was successful, providing safe accommodations for 14 Chandler residents experiencing homelessness to shelter in place. Regrettably, the hotel property changed ownership in July 2020 and the new owner chose not to renew the lease agreement with Maricopa County.

On September 2, 2020, the agreement was amended to extend the agreement to September 30, 2020 and add funding in an amount not to exceed \$79,580 for 10 hotel rooms and security services. The City of Chandler secured hotel space and security services, placed and provided food for clients, and provided supportive services with the goal of transitioning clients to permanency. Twelve households experiencing homelessness were served during this period.

This second amendment will extend the agreement adding three additional one-month terms ending December 31, 2020, and add up to an additional \$79,580 for hotel stays and security services.

In addition, in the period between March 23, 2020 and September 30, 2020, the City spent \$79,491 of \$192,000 in Community Development Block Grant – Coronavirus (CDBG-CV) funds designated for this purpose. Forty-eight households have been assisted to date.

#### FINANCIAL IMPLICATIONS:

The City of Chandler will provide client services through City staff and an existing contract with Community Bridges, Inc., at no additional cost to the City. In addition, \$100,000 has been allocated from Chandler CARES Act funds to cover damages caused by program participants or the City's insurance deductible as needed.

#### 11. BOARD AND COMMISSION APPOINTMENT.

Bond Exploratory Committee  
Appoint Ted Huntington

#### 12. CLAIMS REPORT, for Accounts Payable Payments for Quarter ending September 30, 2020.

BACKGROUND FROM COUNCIL MEMO

The claims report for the Accounts Payable payments for the quarter ending September 30, 2020, is on file in the City Clerk's office (or is attached here if viewing the agenda online) per Section 3-6 of the City Code: The City Manager/designee shall advise the City Council of all claims and demands paid, together with the name of the vendors or payees, dates paid and amounts.

13. AUTHORIZE the administration of statutorily and self-administered City benefit programs to include cancer insurance, retirement for civilian, public safety and elected officials, and long-term disability for benefit plan year 2021, effective January 1, 2021.

BACKGROUND FROM COUNCIL MEMO

City staff reviews the employee benefits package each year with the assistance of an employee benefits consulting firm. The following employee benefits are required statutorily or are a designated self-administered City benefit:

Coverage	Provider	Paid by
Cancer Insurance - Firefighters and Police Officers	Public Safety Retirement System	City of Chandler
Retirement Plan - Civilians	Arizona State Retirement System	City/Employee
Retirement Plan - Public Safety	Public Safety Retirement System	City/Employee
Retirement Plan - Elected Officials	Elected Officials Retirement Plan	City/Employee
Long Term Disability – Civilian	Arizona State Retirement System	City/Employee

14. AGREEMENT NO. 1193, Calendar Year 2021 Amendment, with Delta Dental Plan of Arizona, Inc., for dental insurance benefit, in an amount not to exceed \$118,240.00, for the period of January 1, 2021, through December 31, 2021.

BACKGROUND FROM COUNCIL MEMO

The City's dental benefit is reviewed throughout the year by staff and the City's benefits consultant. The dental plan offers services ranging from general teeth cleanings to orthodontia. Premiums are paid by both the City and employees. There are no premium increases for the 2021 plan year.

The administrative rate remains unchanged at \$4.89 per month per member. The administrative rate is paid for by the City's self-funded dental plan.

15. AGREEMENT NO. 4046, Calendar Year 2021 Amendment, with Anthem Life Insurance Company, for the long-term disability insurance benefit for public safety personnel, in an amount not to exceed \$145,000, for the period of January 1, 2021, through December 31, 2021.

BACKGROUND FROM COUNCIL MEMO

The City provides a long-term disability insurance benefit for public safety personnel as a piece of the public safety employee benefits package. The benefit is paid by the City.

16. NO ITEM.

17. AGREEMENT NO. 4049, Calendar Year 2021 Amendment, with Vision Service Plan Insurance Company, for the vision insurance benefit, for the period of January 1, 2021, through December 31, 2021.

BACKGROUND FROM COUNCIL MEMO

The City provides a vision insurance plan as an offering of the employee benefits package. The benefit is paid by the employee. The rate is guaranteed through calendar year 2023.

18. AGREEMENT NO. 4118, AMENDMENT NO. 1, with The Segal Company, Inc. (Segal), for employee benefits consultant and actuary services, for the term of January 1, 2021, through December 31, 2021, in an amount not to exceed \$120,000.

BACKGROUND FROM COUNCIL MEMO

The City has historically employed the services of a benefits consultant to assist with administrative provider management of all group and voluntary insurance plans including health and pharmacy, dental, vision, flexible spending and employee assistance. The consultant assists the City in defining and continuously validating long-term benefit strategies that align its needs with those of the plan participants. The consultant is involved in claims and utilization analysis, actuarial analysis of the self-insured plans, plan performance reviews, compliance adherence, competitive solicitation processes, and negotiations. Additionally, the consultant advises staff of legislation that impacts the City's benefits programs and works with the Health Benefits Trust Board and the City's employee Healthcare Taskforce to review plan design strategies to reduce healthcare costs.

19. AGREEMENT NO. A10-909-4218, with Everest Communications, LLC, for Airport Tower Maintenance in an amount not to exceed \$60,000, for one year, November 1, 2020, through October 31, 2021, with option of up to two one-year extensions.

BACKGROUND FROM COUNCIL MEMO

This contract provides for inspection and maintenance of the air traffic control tower (ATCT) and related systems at the Chandler Municipal Airport and covers all City-owned equipment required to perform air traffic control activities. The equipment includes radio transceivers, consoles, automated weather observation equipment, antennae, and other items required for safe operation of the ATCT and related systems. Scheduled services are performed throughout the year and include at least one inspection and one annual certification for all covered equipment. The contract also includes a price structure for labor and parts to perform unforeseen repairs, as necessary.

Per the City's agreement with the Federal Aviation Administration (FAA) for operation of the control tower, the City is required to maintain the equipment to FAA standards.

20. AGREEMENT NO. AS7-936-3803, Calendar Year 2021 Amendment, with ReliaStar Life Insurance Company (Voya Financial), for life and accidental death and dismemberment insurance, in an amount not to exceed \$850,000, for the period of January 1, 2021, through December 31, 2021.

BACKGROUND FROM COUNCIL MEMO

The City provides a life insurance plan as an offering of the employee benefits package. The voluntary supplemental benefit is paid by the employee. No rate increase will occur for the plan year.

21. AGREEMENT NO. AS7-953-3804, Calendar Year 2021 Amendment, with TRISTAR Benefit Administrators, Inc., for short term disability (STD) and Family Medical Leave Act (FMLA) program administration, in an amount not to exceed \$80,000 each year, for two years, January 1, 2021, through December 31, 2022.

BACKGROUND FROM COUNCIL MEMO

The City provides a short-term disability income benefit as a piece of the employee benefits package. The plan is self-funded and administered by a contracted third party service provider. The City also utilizes the same vendor for program administration as required under the Family and Medical Leave Act.

22. AGREEMENT NO. CS9-956-3919, AMENDMENT NO. 1, with Baker & Taylor, LLC, Ingram Library Services, LLC, and Midwest Tape, LLC, for library materials and related services, in a combined amount not to exceed \$1,450,000, for two years, November 1, 2020, through October 31, 2022.

BACKGROUND FROM COUNCIL MEMO

The Library contracts with book and media vendors to obtain the best discount for library materials. These agreements will enable the library to continue to receive the best prices for hardcover and paper cover materials of adult fiction and nonfiction, youth fiction and nonfiction, children's picture books and board books, reference books, audio books, DVDs, and CD music. The items purchased from these vendors are discounted up to 47% and come preprocessed so they can quickly be made available to library customers.

23. AGREEMENT NO. HR0-918-4162, with OptumHealth Care Solutions, LLC, for the Employee Assistance Program, in an amount not to exceed \$50,000, for one year, January 1, 2021, through December 31, 2021, with the option of up to four one-year extensions.

BACKGROUND FROM COUNCIL MEMO

An Employee Assistance Program (EAP) provides employees a no cost, confidential counseling and referral service that is available 24 hours a day, 365 days per year. The EAP provides numerous resources and can help employees and their dependents with a wide range of personal challenges and issues. This benefit is paid by the City.

24. AGREEMENT NO. HR0-918-4163, with Flexible Benefit Administrators, Inc., for flexible spending account administration, in an amount not to exceed \$12,000, for one year, January 1, 2021, through December 31, 2021, with the option of up to four one-year extensions.

BACKGROUND FROM COUNCIL MEMO

A Flexible Spending Account (FSA) enables employees to put aside a portion of their gross income on a pre-tax basis in an FSA in order to pay qualified health care and/or dependent care expenses. Flexible Benefit Administrators, Inc., rate for administrative services for this plan is \$2.50 per employee per month.

25. AGREEMENT NO HR5-948-3502, Calendar Year 2021 Amendment, with Blue Cross Blue Shield of Arizona, Inc. (BCBS), for Medical and Pharmacy Benefits, including stoploss insurance in an amount not to exceed \$2,000,000, for the period of January 1, 2021, through December 31, 2021.

BACKGROUND FROM COUNCIL MEMO

The City's medical benefit is reviewed throughout the year by staff with collaboration and input from the Citywide Healthcare Task Force (HCTF) and the City's benefit consultant. For the 2021 plan year, the HCTF recommended the plan design and premium amounts to remain the same as the prior year. This recommendation resulted from the excess reserves over the minimum trust reserve amount in the healthcare trust fund.

Staff recommends the City continue to contract with BCBS to provide the administration of the City's group medical and pharmacy program to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management services, and stoploss coverage.

26. AGREEMENT NO. MU0-962-4219, with Cartright's Drain Service, Inc., PM Plumbing and Mechanical, Inc., RKS Plumbing and Mechanical, Inc., and TALIS Construction Corporation, for Plumbing Service, in an amount not to exceed \$500,000, for a one-year term, November 1, 2020, through October 31, 2021, with the option of two additional one-year extensions.

BACKGROUND FROM COUNCIL MEMO

The Wastewater Collection Division maintains and repairs all City-owned sewer mains, as well as crushed or damaged sewer laterals located in the public right-of-way. On average, 72 sewer service repairs are required annually.

To provide prompt and efficient service, it was determined the most cost-effective way to repair lateral and main lines is to engage a plumbing contractor. Within 48 hours of notification, the plumbing contractor excavates the area, repairs the damaged line, and restores the landscaping to its original condition.

27. AGREEMENT NO. TD6-155-3626, AMENDMENT NO. 3, with Southwest Fabrication, LLC, for transit shelters and bus stops maintenance, in an amount not to exceed \$464,000, for the period of January 1, 2021 through December 31, 2022.

BACKGROUND FROM COUNCIL MEMO

In November 2015, City Council approved Agreement No. TD6-155-3626 with Southwest Fabrication, LLC, for the purchase, installation and maintenance of transit shelters and related furniture. The agreement was amended in January 2017 to allow for the purchase of additional bus shelters needed for expanding bus service.

Currently, there are 381 bus stops throughout the city, of which 290 have shelters. Many shelters in the city are over 20 years old and need to be repainted, refurbished or replaced. This amendment will enable the City to maintain, replace and enhance existing shelters, kiosk, trash cans and benches. This amendment allows for approximately 20 shelter/furniture refurbishments, 16 shelter/furniture replacements, and 20 shelter/furniture repaintings over a two-year period. This amendment also allows \$60,000 each year for bus stop maintenance, which includes bus



shelter removals and relocations, lighting repairs, roof and kiosk replacements/ repairs, and other work as needed.

During the initial term and the first extension of this contract, Southwest Fabrication has been very responsive and has provided high-quality shelter furniture to the City. Additionally, Southwest Fabrication offered an outstanding price for bus shelter furniture when it was awarded this contract in 2015. Under this contract extension, the contractor has agreed to keep the pricing the same as previous amendment.

28. AGREEMENT NO. AI2001.401, to SDB Contracting Services, Inc., pursuant to Job Order Contract No. JOC1912.401, for Building Renovations Construction Services, for 1575 E. Ryan Road Demolition, in an amount not to exceed \$85,285.25.

#### BACKGROUND FROM COUNCIL MEMO

The subject property is located on the Chandler Municipal Airport at 1575 East Ryan Road and includes an approximately 2,400 square foot vacant office structure attached to an aircraft hangar. The office structure to be demolished is a single building with numerous additions. The building was originally constructed in 1986 and is unoccupiable due to environmental issues, a dilapidated interior, and several non-permitted modifications.

The City conducted an environmental assessment and determined the building to be a liability due to the presence of asbestos and multiple makeshift structural and interior changes that do not meet building code or accessibility requirements. The structure is among the oldest buildings on the Airport and has no economic value due to having the poorest condition of any building or structure on the Airport. The removal of the building will increase the City's ability to lease the adjacent hangar at a future date and will increase the potential for additional aircraft or motor vehicle parking on the structure's footprint.

The project scope of work consists of asbestos abatement, demolition of existing building structure and additions, foundation, grading, decomposed granite installation, and existing electrical panel relocation. The contract completion time is 60 calendar days following Notice to Proceed.

29. CONSTRUCTION CONTRACT NO. ST1612.401, with Combs Construction Company, Inc., for the Chandler Boulevard Bike Lanes (I-10 to 56th Street), in an amount not to exceed \$904,828.

#### BACKGROUND FROM COUNCIL MEMO

Chandler Boulevard currently has bike lanes throughout the entire city, with a short segment missing that will be completed with this project. On July 13, 2017, City Council approved a contract for design of the Chandler Boulevard Bike Lanes project to complete bike lanes from I-10 to 56<sup>th</sup> Street by widening and striping Chandler Boulevard, traffic signal modifications at the 54<sup>th</sup> Street intersection, striping in Arizona Department of Transportation right-of-way at the I-10 bridge to add bike lanes, addition of bike racks at bus stops, and restoration of driveways, landscaping, street lights, storm water collection, and infrastructure. This project is principally funded using Federal Highway Administration Congestion Mitigation and Air Quality funds through the Maricopa Association of Governments to reduce emissions and improve air quality.

The project scope of work includes installation of pavement, curb and gutter, sidewalk, drainage improvements, traffic signal modifications, intersection improvements, striping, and landscape restoration. The construction contract time is 180 calendar days for final completion following Notice to Proceed. Construction is scheduled to begin in January 2021 and is anticipated to be complete by August 2021.

A related Professional Services Agreement with Consulting Engineering, Inc., for the Chandler Boulevard Bike Lanes (I-10 to 56th Street) construction management services, is also scheduled for this City Council meeting.

30. PROFESSIONAL SERVICES AGREEMENT NO. ST1612.451, with Consulting Engineering Inc., for the Chandler Boulevard Bike Lanes (I-10 to 56th Street) Construction Management Services, in an amount not to exceed \$219,414.

#### BACKGROUND FROM COUNCIL MEMO

Chandler Boulevard currently has bike lanes throughout the entire city, with a short segment missing that will be completed with this project. On July 13, 2017, City Council approved a contract for design of the Chandler Boulevard Bike Lanes project to complete bike lanes from I-10 to 56<sup>th</sup> Street by widening and striping Chandler Boulevard, traffic signal modifications at the 54<sup>th</sup> Street intersection, striping in Arizona Department of Transportation right-of-way at the I-10 bridge to add bike lanes, addition of bike racks at bus stops, and restoration of driveways, landscaping, street lights, storm water collection, and infrastructure. This project is principally funded using Federal Highway Administration Congestion Mitigation and Air Quality funds through the Maricopa Association of Governments to reduce emissions and improve air quality.

The project scope of work consists of construction management services, including pre-construction services assistance, project management, project administration, public outreach, inspection, utility coordination, materials testing assurance, and project closeout. The contract completion time is 240 calendar days following Notice to Proceed.

A related Construction Contract with Combs Construction Company, Inc., for the Chandler Boulevard Bike Lanes (I-10 to 56<sup>th</sup> Street), is also scheduled for this City Council meeting.

31. PURCHASE of traffic paint from Ennis-Flint, Inc., utilizing City of Mesa Contract No. 2020047, in an amount not to exceed \$118,000.

#### BACKGROUND FROM COUNCIL MEMO

The City's Transportation Division is responsible for the maintenance of roadway striping on the City's approximately 2,100 lane miles of roadway. The Transportation Division has established a striping program that restripes the City's painted pavement markings annually. This program also includes restriping of all roadways after the City's street maintenance contractor applies surface seals to existing pavement.

The City will use this contract to purchase paint to restripe all painted elements on arterial and collector roadways in Chandler. It is estimated that 10,500 gallons of paint (7,000 gallons of white

and 3,500 gallons of yellow) are needed. This paint is water-based, fast drying, and is the same used by the Arizona Department of Transportation as well as other valley cities.

32. PURCHASE of fiber and installation in the City Hall and IT computer rooms, from Technology Integrators in the amount of \$78,714 utilizing Omnia Partners Contract No. R161701.

BACKGROUND FROM COUNCIL MEMO

The City of Chandler IT Data Network relies on various fiber technologies to provide reliable communication to City staff and services. This fiber purchase is to create reliable connectivity between remote site locations to central core and distribution infrastructure for both the City hall and the IT computer room. The existing fiber is aging and has caused occasional unplanned outages. The installation of this fiber will result in a more stable environment and reduced downtime. Technology Integrators will be providing installation and testing services along with the materials for this recommendation.

33. PURCHASE of various vehicle replacements, from Larry Miller Dodge, Larry Miller Toyota, Sanderson Ford and San Tan Ford, in the amount of \$1,019,920.64, utilizing State of Arizona Contract Nos. ADSP017-166118, ADSP017-166119, ADSP017-166123 and ADSP017-166124, respectively.

BACKGROUND FROM COUNCIL MEMO

On an annual basis, the City's Fleet Advisory Committee (FAC) evaluates all City vehicle replacement requests with regards to mileage, years of service, reliability, repair history and forecasted ability to meet service requirements. This request is for the purchase of 25 vehicles including a sedan, pickup truck, van, Police patrol vehicles, F-150 Responders and cab chassis trucks with service bodies. The price of the vehicles includes up-fitting from the dealer, where available. This request will complete the recommended vehicle replacements for FY 2020-21.

34. SOLE SOURCE PURCHASE of video detection cameras for traffic signals, from AM Signal, Inc., in an amount not to exceed \$1,520,000.

BACKGROUND FROM COUNCIL MEMO

The City utilizes video detection cameras on approaches to its 225 signalized intersections to help modify signal timing based on vehicular demand. Most of the detection cameras that are currently deployed are more than ten years old, which is beyond their useful lifespan, resulting in maintenance issues and missed detection.

The City recently purchased 160 cameras through a competitive bid process using a federal grant. These cameras, manufactured by Flir, have provided reliable vehicle detection, with the added feature of bicycle detection. This added capability assists bicyclists by modifying signal timing to provide the bicyclist additional time necessary to cross the intersection. Additionally, the technology allows the system to minimize current issues such as missed vehicle calls, sun glare, and shadows.

This purchase will allow for the procurement of 232 Flir video detection cameras to replace existing cameras at 58 intersections. These additional cameras will replace some of the existing legacy cameras in North Chandler.

35. ENTERTAINMENT USE PERMIT, PLH20-0039, THE STILLERY DOWNTOWN CHANDLER, to approve live music indoors and outside patio speakers for background music only, located at 130 S. Arizona Avenue on the northwest corner of Arizona Avenue and Chicago Street.

#### BACKGROUND FROM COUNCIL MEMO

Zoned as Planned Area Development (PAD) for office, retail and hotel uses. Site is located within the cultural and entertainment designation of the South Arizona Avenue Corridor Area Plan (SAZACAP). Zoning Code requires Entertainment Use Permit approval when outdoor speakers and/or live entertainment are provided and the establishment is located within 1,320 feet of residential property. The subject site is located approximately 452 feet east of existing residential properties.

#### Surrounding Land Uses

North	City Center District (CCD)	South	New Square (PAD for office, retail, and hotel uses)
East	City Hall and restaurants across Arizona Ave	West	New Square (PAD for office, retail, and hotel uses)

#### Proposed Business Operations

Building/Suite Area	5,600 sq. ft. building & 1,500 sq. ft. patio
# of employees	40-50 employees
Hours of Operation	Serves weekend brunch, lunch, and dinner. Open seven days a week. M-Th 11:00AM-11:00pm, Fri 11:00AM-2:00AM, Sat 10:00AM-2:00AM, Sun 10:00AM-11:00PM.
Hours of Entertainment	Acoustic performances will be located indoors during brunch and until 9:00PM. Band performances will be located indoors after 9:00PM.  1 outdoor TV and outdoor speakers will provide background music.
# of seats	Approximately 200 indoor seats and 100 patio seats.

#### Review and Recommendation

Planning staff has reviewed the request and finds it consistent with the General Plan and applicable zoning. Live entertainment is a compatible land use with the surrounding commercial and entertainment uses in the downtown area. Single-family residential is located 452 feet to the west. There is a multi-story parking garage and a hotel separating the user from the residential properties. The site is also located in the cultural and entertainment designation in the South Arizona Avenue Corridor Area Plan (SAZACAP).

The Stillery will offer live entertainment indoors that includes acoustic performances, band performances, and background music provided on the patio. This Entertainment Use Permit does not override any state liquor licensing requirements, or the Governor's Executive Orders. The applicant must comply with all regulations that pertain to the liquor license.

#### Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held August 20<sup>th</sup>, 2020. There were no attendees. As of the writing of this memo, Planning staff is unaware of opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting September 16, 2020.

Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Pekau)

#### Recommended Action

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommend City Council approve the Entertainment Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
2. The Entertainment Use Permit is non-transferable to any other location.
3. The site shall be maintained in a clean and orderly manner.
4. No noise shall be emitted from external speakers or live entertainment in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
5. The establishment shall provide a contact phone number for a responsible person (i.e., bar owner and/or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.
6. The Entertainment Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Entertainment Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.
7. This Entertainment Use Permit does not override any state liquor licensing requirements, or the Governor's Executive Orders. The applicant must comply with all regulations that pertain to the liquor license.

36. CONTINUANCE LIQUOR LICENSE, Series 12, for Nicolas Gonsiorovsky, Agent, Howler's Chandler LLC, dba Howler's Restaurant and Sports Bar, located at 3095 W. Chandler Boulevard, until November 5, 2020.

#### BACKGROUND FROM COUNCIL MEMO

The following application for a liquor license was posted for hearing on October 15, 2020: License, Series 12, Restaurant Liquor License, for Nicolas Gonsiorovsky, Agent, Howler's Chandler LLC, dba Howler's Restaurant and Sports Bar, located at 3095 W. Chandler Boulevard.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food. This continuance is requested to allow the applicant time to complete the requirements for the City of Chandler.

37. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Timothy Scott Vasquez, Agent, Someburros Steelyard LLC, dba Someburros, located at 5095 S. Gilbert Road, Suite 1.

BACKGROUND FROM COUNCIL MEMO

The following application for a liquor license was posted for hearing on October 15, 2020:

New License, Series 12, Restaurant Liquor License, for Timothy Scott Vasquez, Agent, Someburros Steelyard LLC, dba Someburros, located at 5095 S. Gilbert Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

38. SPECIAL EVENT LIQUOR LICENSE, for the Chandler Cultural Foundation, Outdoor Museum Concert #1 on Saturday, November 28, 2020, from 6:00 p.m. until 8:30 p.m., located at the Chandler Museum, 300 Chandler Village Drive.

BACKGROUND FROM COUNCIL MEMO

An application for a Special Event Liquor License has been submitted by the Chandler Cultural Foundation for the Outdoor Museum Concert #1 on Saturday, November 28, 2020, from 6:00 p.m. until 8:30 p.m., located at the Chandler Museum, 300 Chandler Village Drive, Chandler.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

39. PERMANENT EXTENSION OF PREMISES, Series 7 and Series 1 for QuartHaus LLC, dba QuartHaus, located at 201 S. Washington Street.

BACKGROUND FROM COUNCIL MEMO

QuartHaus LLC, dba QuartHaus, located at 201 S. Washington Street, has requested a permanent extension of their alcohol serving area to include dine-in services. The Police Department has no objections to the Permanent Extension of Premises. All fees have been paid.

40. PERMANENT EXTENSION OF PREMISES, Series 7 and Series 1 for San Tan Brewing Company Inc., dba San Tan Brewing Company, located at 495 E. Warner Road.

BACKGROUND FROM COUNCIL MEMO

San Tan Brewing Company Inc., dba San Tan Brewing Company, located at 495 E. Warner Road, has requested a permanent extension of their alcohol serving area to include outside seating. The Police Department has no objections to the Permanent Extension of Premises. All fees have been paid.

PUBLIC HEARINGS:

PH1. ANNEXATION approximately one-quarter of a mile south of the southeast corner of 101/Price and Elliot roads.

1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

2. Staff Presentation

HARLEY MEHLHORN, Planning Tech, introduced Public Hearing No. 1. The site is approximately 0.16 acres in size and is zoned Rural 43. Abutting the parcel to the east is Rural 43, PAD to the south, Price/101 to the west, and the north is an agricultural lot of comparable size. The area is designated as neighborhoods in the General Plan and there is a single family home on the parcel. Notice has been given as well as signs posted and no comments have been received. The applicant has submitted a rezoning and preliminary development request for multifamily, which would appear on a forthcoming agenda. The annexation initial City zoning would be agricultural.

3. Council Discussion

COUNCILMEMBER ORLANDO asked what the timeline would be for the multifamily project and how many units would be proposed.

MR. MEHLHORN said the multifamily project would appear on the November 5 meeting and the project would be for approximately 40 units.

4. Discussion from the Audience

There was none.

5. Close Public Hearing

MAYOR HARTKE closed the Public Hearing.

BACKGROUND FROM COUNCIL MEMO:

Located approximately 1/4 of a mile south of the southeast corner of Elliot and Price roads. Zoned Rural-43 (RU-43) within Maricopa County. Approximately 0.16 net acres in size. Upon annexation, initial City zoning will be Agricultural (AG-1) district. A Rezoning and Preliminary Development Plan application is in review and will be forthcoming to City Council for a proposed multi-family development consisting of 40 units within 8 buildings.

Surrounding Land Use Data

North	Single dwelling unit on a large parcel zoned AG-1	South	Condominiums
East	Unincorporated large-lot single-family	West	Price Road, then Arizona Loop 101

General Plan Designation

General Plan	Neighborhoods
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Utility Services

Existing municipal water and wastewater service are available along Price Road.

Staff Comments

Staff has no concerns given that the majority of the parcel is currently within the City of Chandler's jurisdiction.

PH2. ANNEXATION approximately one-quarter of a mile north of Germann Road and east of Arizona Avenue.

1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

2. Staff Presentation

KRISTINE GAY, Senior Planner, introduced Public Hearing No. 2. The site is 12,252 square feet located 1,300 from Arizona Avenue. The parcel is vacant and is similar to the land use around the site. There are utilities available to serve the site and is zoned in the County as Rural-43. There is a request to rezone for multifamily which would be on the November 5 meeting.

3. Council Discussion

MAYOR HARTKE asked when the project would be brought to Council.

MS. GAY said the November 5 meeting.

4. Discussion from the Audience

There was none.

5. Close Public Hearing

MAYOR HARTKE closed the Public Hearing.

BACKGROUND FROM COUNCIL MEMO:

Located at the approximate center of Willis and Germann roads on the east side of Arizona Avenue. Zoned Rural-43 (RU-43) within Maricopa County. 12,252 square feet in area. Upon



annexation, initial City zoning is proposed to be Agricultural (AG-1). A Rezoning and Preliminary Development Plan application is in review and will be forthcoming to City Council for a proposed multi-family development consisting of 396 apartment units within 19 buildings

Surrounding Land Use Data

North	Self-storage	South	Plant Nursery
East	Union Pacific Railroad, Lumber Company	West	Arizona Avenue, Mobile Home Park, Vacant Agriculture

General Plan and Area Plan Designations

General Plan	Employment, Growth Area, High-Capacity Transit Corridor
Airpark Area Plan	Commercial/office/business park

Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in Arizona Avenue.

Staff Comments

Staff circulated this request among City departments and received no negative comments relative to the property's annexation.

PH3. ANNEXATION approximately 1.71 acres south of the southwest corner of Gilbert and Ocotillo roads.

1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

2. Staff Presentation

SUSAN FIALA, City Planner, introduced Public Hearing No. 3. The property is 1.7 acres on the west side of Gilbert Road and directly west of the new Chandler Unified School District High School. The vacant site is zoned Rural-43 and would initially be zoned AG-1. There would be a future proposal for a seminary in conjunction with the Latter Day Saints and they would be students coming from the new high school. To the south is a storage facility, to the west is a City reclamation facility, and north is County land. There are current utilities on Gilbert Road and this section of road would be widened as part of the 20-21 CIP. There would also be a traffic signal to support the new high school.

3. Council Discussion

COUNCILMEMBER STEWART asked if this is the best option for the kids to cross this street and asked if there was something closer.

MS. FIALA said she was unaware if they have looked at other property on the east side of the road. The students would have to drive or walk to the new pedestrian crossing about 600 feet south.

MAYOR HARTKE asked if they would cross directly to the seminary.

MS. FIALA said there would be a crossing in the area but did not have the specifics of the location.

COUNCILMEMBER ORLANDO asked if they would be paying for any of the widening of the street.

MS. FIALA said she did not have that information at this time, but staff could provide the information.

#### 4. Discussion from the Audience

There was none.

#### 5. Close Public Hearing

MAYOR HARTKE closed the Public Hearing.

#### BACKGROUND FROM COUNCIL MEMO:

Located south of the southwest corner of Gilbert and Ocotillo roads, Zoned Rural-43 (RU-43) within Maricopa County. Approximately 1.71 acres. Upon annexation, initial City zoning will be Agricultural (AG-1) district. An Area Plan Amendment, Rezoning, and Preliminary Development Plan are in review and will be forthcoming to City Council for a proposed senior seminary

#### Surrounding Land Use Data

North	Unincorporated Maricopa County (Arizona Olympian Gymnastics)	South	Commercial (Dollar Self storage)
East	Gilbert Road, then new CUSD high school (under construction)	West	Canal, then City of Chandler water reclamation facilities

#### General Plan and Area Plan Designations

	Existing	Proposed
General Plan	Neighborhoods	Neighborhoods
Southeast Chandler Area Plan	Envisioned Community/Regional Open Space and Recreational Opportunities	Traditional Suburban Character

#### Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in Gilbert Road.

#### Staff Comments

Staff circulated this request among City departments and received no negative comments relative to the property's annexation.

BRIEFINGS:

1. DISCUSSION, as requested by City Manager Marsha Reed, on the I Choose Chandler Business Hiring & Retention Program.

MARSHA REED, City Manager, said this program is funded through the CARES dollars, which were subject to the gift clause. Ms. Reed thanked staff for their work on this.

MICAH MIRANDA, Economic Development Director, presented the following Power Point presentation.

- I Choose Chandler Business Hiring and Retention Program
  - Supports businesses that are keeping employees on payroll as they adjust to impacts of COVID-19
  - \$9.5 million total allocation
  - Funding to businesses is based on job retention and hiring
  - Qualifying businesses receive \$1,300 per employee retained or hired up to a maximum amount of \$10,000
- Funding Awarded
  - Program launched on August 17<sup>th</sup>, with applications submitted through the Arizona Community Foundation
  - More than 430 businesses approved
  - \$3.2 million in funding awarded
  - Average funding of \$7,500
- Program Expansion
  - To support businesses that use independent contractors, staff proposes expanding the program as follows:
    - Provide \$1,300 for every \$40,000 in compensation paid to independent contractors this year (based on average regional wage)
    - Require applications to fill out a form created by staff that summarizes use of independent contractors and total compensation paid
    - Cap total funding to a business at \$10,000
    - Accept applications from October 19<sup>th</sup> to November 9<sup>th</sup>
- Next Steps
  - Move forward with the I Choose Chandler Business Hiring and Retention Program
    - Expand the program to support use of independent contractors
    - Accept applications from October 19<sup>th</sup> to November 9<sup>th</sup>
    - Evaluate continuation of program after ward if funding remains
  - Launch the I Choose Chandler PPE program in partnership with the Chandler Chamber of Commerce

MAYOR HARTKE asked for clarification of the types of businesses that would benefit from this that were not able to be assisted previously.

MR. MIRANDA said every business that engages in hiring independent contractors would be eligible to apply across all industry clusters.

MAYOR HARTKE asked for examples.

MR. MIRANDA said a gym may have contracted trainers, but it could be across multiple business types. The funding would be given based on FTE.

MAYOR HARTKE asked if trades or schooling could apply as long as they meet the \$40,000 threshold.

MR. MIRANDA said as long as the accumulative independent contractors are \$40,000 and above. All of the other program requirements are in place.

COUNCILMEMBER McCLYMONDS said he was in support of the change. Councilmember McClymonds asked how much had been given so far.

MR. MIRANDA said \$3.3 million.

COUNCILMEMBER McCLYMONDS said they were thinking of how to structure a loyalty gift card program and how that could be done under the gift clause. Councilmember McClymonds said they could tie the gift card program to the employee up to \$10,000 in gift card matching. The community members would have to purchase a gift card and the City could match that.

MR. MIRANDA said they would explore the options regarding that.

COUNCILMEMBER McCLYMONDS said there is software available to execute it quickly and it could have a great multiplier effect.

COUNCILMEMBER STEWART agreed.

COUNCILMEMBER ORLANDO thanked staff for their work.

MS. REED clarified that Council was supportive of this program expansion.

MAYOR HARTKE said yes.

2. DISCUSSION, as requested by City Manager Marsha Reed, on Police Department Policies and Programs.

MS. REED said there are many police incidents in the news recently and thanked the Police Department for continuing to look at Chandler's programs and procedures.

SEAN DUGGAN, Police Chief, said in June he spoke to Council about the Department's response to the George Floyd protests and the Department has been in a constant state of reform over many years. Chief Duggan said they are engaged as a Police Department to shape the profession moving forward. Chief Duggan said the Department adopted some recommendations from the President's Task Force in 2015 and the Police Executive Research report in 2016. Recently, they have reviewed the President's Executive Order on Safe Policing for Safe Communities and that affirmed again the Chandler is holding themselves to the highest standards of performance.

CHIEF DUGGAN said they have made a number of changes to their policies and procedures. Moving forward all no knock search warrants would require approval from the Office of the Chief. In the past, that authorization was provided at a lower level in the organization and now there is a completely different level of accountability and oversight to ensure all other options are explored. Those types of warrants are allowed and must be signed by a judge. These are seldom used in Chandler's Police Department.

CHIEF DUGGAN said all use of force reports are reviewed all the way to the Office of the Chief for another layer of oversight and accountability. When an officer uses force, they must complete a separate form documenting the type of force. In the past, it would be reviewed to the Commander level but now the Department has taken it to a different level. Over many years they have talked about de-escalation and now they are preparing a definition of de-escalation to frame what that exactly means.

CHIEF DUGGAN said anytime a suspect is arrested and resists arrest, they are trained to take the suspect to the ground and handcuff them. Now the policy is to return that person to a recovery position and have them seated up. Chief Duggan said following any officer involved shooting or in custody death, in addition to the investigators the training sergeant would also be sent. While the investigative measures are completed, the training sergeant can look at the training, tactics, and equipment to make immediate changes or recommendations. This would allow the Department to change right away based on the incident.

CHIEF DUGGAN said the duty to intervene has been part of the Department for many years. Now those scenarios would also be part of the reality-based training so it would be engrained in the culture. The Training Committee is comprised of sworn officers and professional staff and they determine what training is needed and schedule those. A citizen has been added to the Training Committee to provide a different perspective and insight. This also promotes transparency. In addition, the Training Committee would now look at events happening regionally around the Country through the lens of a Chandler police officer. Based on those incidents we can identify how we would expect an officer to respond through our training, culture, and expectations. Chief Duggan said they are committed to being a leader in the profession and this is what the community deserves.

MAYOR HARTKE said Council has responded to many inquiries and was grateful to respond to citizens about how the Department has gone above and beyond. Mayor Hartke suggested prioritizing the citizen being a minority in the community to bring a different perspective.

VICE MAYOR LOPEZ thanked the Police Department for all they do. Vice Mayor Lopez said that in the past they have always had best practices, which shows the great leadership and culture of the Department. Vice Mayor Lopez said this has fostered a community feeling that citizens could approach any officer. Vice Mayor Lopez said he has also received positive feedback about the Police and Fire Departments from the federal level.

COUNCILMEMBER ORLANDO thanked the Police Department for all they do. Councilmember Orlando agreed with Mayor Hartke regarding having a minority on the Training Committee.

COUNCILMEMBER STEWART said it has been a hard year and he is proud of the Department. Councilmember Stewart encouraged them to continue to keep improving.

CHIEF DUGGAN thanked Council for their support. It is the men and women protecting the community and we have an amazing team. Chief Duggan said he is very proud of the Department.

**INFORMATIONAL:**

1. Regular Meeting Minutes of the August 19, 2020, Planning and Zoning Commission meeting.
2. Study Session Minutes of the August 19, 2020, Planning and Zoning Commission meeting.

**UNSCHEDULED PUBLIC APPEARANCES**

None.

**CURRENT EVENTS**

**A. Mayor's Announcements**

MAYOR HARTKE announced that Chandler was named the happiest city in the state and the 10<sup>th</sup> happiest city in the nation by Zippia a leading career search website.

MAYOR HARTKE said the I Choose Chandler PPE Kit Program using the AZCARES money to support the Chandler businesses impacted by COVID-19 and ensure the public health of the community. Each qualified business would receive a kit, which includes masks, hand sanitizer, dispenser stand, and promotional materials. The City has contracted the Chandler Chamber to administer the program. This program has been effect two days and they already have distributed 150 kits.

MAYOR HARTKE the Halloween Spooktacular would be a drive thru experience on October 29 and 30 on Commonwealth Avenue. Mayor Hartke said there would be a costume contest.

**B. Councilmember's Announcements**

COUNCILMEMBER STEWART said the HOA Academy is on October 20 and encouraged residents to attend. There would be discussion regarding HOAs and Condos in Crisis and Tips for HOAs and Condos on How to Survive and Thrive during COVID-19 Pandemic and Federal Laws.

COUNCILMEMBER STEWART said it is breast cancer awareness month and encouraged everyone to spread awareness.

MAYOR HARTKE thanked Councilmember Stewart and Councilmember Huang for their work on the census.

COUNCILMEMBER STEWART thanked Neighborhood Resources for their work on the census.

COUNCILMEMBER McCLYMONDS asked about the turnout for the census.

LEAH POWELL, Neighborhood Resources Director, said the self-response number is 74.5%. It is slightly lower than previous years, given everything that happened this year due to COVID-19 it is a good number. They would receive preliminary numbers from the Census and they would have the opportunity

to go back and check that all households were tallied. The final numbers would be received in about a year.

MAYOR HARTKE asked how Chandler did compared to other cities.

MS. POWELL said Chandler was the number one city in the state for self-response. If we look at the state as a whole, including towns, Chandler came in at number 4.

COUNCILMEMBER McCLYMONDS said the City is starting the budget process and encouraged residents to provide their input through the budget survey.

VICE MAYOR LOPEZ encouraged residents to provide their input for the Airport Master Plan update. An updated is required by the FAA every 10 years to provide for the existing needs and future growth. The final Airport Master Plan public meeting would be held on October 28 as a virtual meeting.

COUNCILMEMBER HUANG said October is Domestic Violence Awareness Month and Councilmember Huang serves on Maricopa Association of Governments Domestic Violence Council. Councilmember Huang wanted to bring awareness to this topic and said it could happen to anyone. If someone needs help, Councilmember Huang encouraged them to call the Domestic Violence Hotline.

COUNCILMEMBER ROE said the Chandler CARES Team is based out of the Neighborhood Resources Department and is available to assist during the COVID-19 pandemic. If anyone has experienced loss of income, additional expenses, or are in need of assistance, Councilmember Roe encouraged them to call the Chandler CARES Team.

COUNCILMEMBER ORLANDO thanked the City Clerk staff for getting a ballot drop off box sent to the City early for the voters. Councilmember Orlando said there have been many voters bringing their ballots.

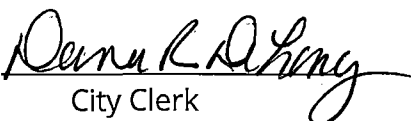
COUNCILMEMBER ORLANDO said Veterans Day is coming up and they are working to compile a Chandler Veterans Database to honor those who have served and tell their story. Councilmember Orlando encouraged veterans or their families to submit their stories and some may be featured at the November Chandler Veterans Path of Honor at the Veterans' Oasis Memorial Park.

#### C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 6:54 p.m.

ATTEST:

  
City Clerk


  
Mayor

Approval Date of Minutes: November 2, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 15th day of October, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 2 day of November, 2020.

  
City Clerk







**CHANDLER CITY COUNCIL**  
**Work Session Meeting Minutes**  
Thursday, October 15, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, October 15, 2020, in Chandler City Hall, 2<sup>nd</sup> Floor Training Rooms A and B, 175 S. Arizona Avenue, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:30 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Josh Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Derek Horn, Development Services Director; Kevin Mayo, Planning Administrator; Ryan Peters, Governmental Relations & Policy Manager; Cori Garcia, Mayor & Council Communications Manager; Micah Miranda, Economic Development Director; David De La Torre, Planning Manager.

**DISCUSSION**

**1. Review and Discussion of Multi-Family Developments.**

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, said in August 2019, there was a joint meeting with the Planning and Zoning Commission to discuss development. One of those items was regarding multifamily projects and where they might be located. Having them located south of the 202 was not something that was of interest and the projects would have to be looked at on a case-by-case basis. Land continues to be more scarce as we approach buildout and the development community has asked for more information.

DEREK HORN, Development Services Director, said in August of last year the discussion of many topics that were discussed included density and multifamily. Since that time, they have been applying the general direction from that meeting to use the City's General Plan to guide their recommendations on multi-family development.

KEVIN MAYO, Planning Administrator, presented the following Power Point presentation.

- Overview
  - Multi-family development activity
  - Why is Multi-family so hot?
  - How does Staff review proposals?
  - Multi-family development recommendations
- Residential Units Completed
  - Annually 1992-2019
- Multi-family Development Activity
- What's driving demand?

MICAH MIRANDA, Economic Development Director, continued the presentation.

- Economic Vitality
  - How 17,000 jobs and 4 million square feet drove a class A real estate deal
  - "Chandler is one of the most desirable submarkets in the Phoenix metro. The greater Chandler area is home to the largest concentration of tech jobs in all of Arizona and is positioned to perform extremely well over the next several years"
  - "This influx in office development, coupled with the unprecedented job growth throughout the region will continue to drive renter demand for the asset."

MR. MAYO continued the presentation.

- Guiding Development
- Document Hierarchy
  - General Plan
  - Sub – Area Plans
  - Zoning/Zoning Code
  - Design Guidelines
- Urban Density & Mixed Use (exceeding 18 du/ac)
  - Downtown
  - High Capacity Transit Corridors
  - Regional Commercial
  - Infill District
- Suburban Density (12- 18 du/ac)
  - Along Arterial Roads and freeways
  - Adjacent to employment

- As well as areas where Urban Density is allowed
- Medium Density (3.5-12 du/ac)
  - Along arterial roads
  - As a buffer between low density and commercial
  - Remnant infill parcels
- Condominiums
  - Multi-family includes individually owned units
  - Ownership can be accommodated in all density ranges

COUNCILMEMBER ORLANDO asked what percentage of our units are in those four categories.

MR. MAYO said he did not have that information and would provide it at later time.

COUNCILMEMBER ORLANDO said it also sends a message that multi-family but less density may be more palatable to a resident, a business, or a community in the particular area.

MR. MAYO said that is correct

COUNCILMEMBER ORLANDO asked about the infill north of Pecos and asked if they are not looking at infill south of Pecos.

MR. MAYO said the areas for the infill district make it eligible for urban density, greater than 18 unit. Some of the areas in the south may have infill lots, but in terms of the General Plan it is not in the infill district so it is not eligible for urban density residential.

COUNCILMEMBER ORLANDO asked if they consider ideas of demolishing a four-corner area and the thought process on that.

MR. MAYO said it is all part of the review process. Right now, there are a couple corners in north Chandler that are vacant and they are in conversations with developers at potentially dropping that underutilized product and replacing it with something that will get more people in that area.

COUNCILMEMBER ORLANDO asked how many of those remnants, particularly in north Chandler, that we potentially could re-utilize or rework. We could put a multi-family there versus putting it somewhere else in the City. Councilmember Orlando asked what it would mean as far as potential partnerships, whether it is a City or Federal partnership. Councilmember Orlando asked for more information about that and to add those areas to the inventory. He said he would like to have some industries give their input.

MAYOR HARTKE said each area has its own dynamics and that defines the neighbors and what is appropriate there. We are at about 4 – 5% availability across the entire City for residents. We are at that place where almost every site is unique.

MR. MAYO said that is correct. The General Plan is a great tool that does not drive the moment but rather guides where something is appropriate and protects certain areas.

MR. MIRANDA continued the presentation.

- Strategic Development
  - Multifamily can serve as a strategic tool for:
    - Revitalization
    - Retail Stabilization
    - Business/Talent Attraction
- Sample Strategic Development: Alma School and Warner Roads

COUNCILMEMBER ORLANDO asked how many of these opportunities are available. He asked if there was someone specifically on staff working these issues and how do we measure the success of this.

MR. MIRANDA said specifically it is a team effort. He said at a certain point it is still cheaper and more advantageous for property owners to lease a property as opposed to tearing it down demolishing it and adding a new property type. We look at sites across the board where we see lots of vacancy and lots of opportunities. We would bring in developers who have niches that really play out in those fields and pitch them on those sites. The biggest thing is really getting the property owners on with wanting to change the uses. It is on a case-by-case to change its use or add additional economic vitality.

COUNCILMEMBER ORLANDO said he would like more information on how staff works on these projects. Councilmember Orlando said he is more interested in the how's, when's and where's here versus the time.

MR. MIRANDA said staff communicates regularly and they all are engaged early. Mr. Miranda said his point is very well taken and it was actually feedback staff received this week as well; just to continuing to have a front person there.

MAYOR HARTKE said the message that the City is willing to change zoning has maybe gone further than they wished in some cases. A lot of the multi-housing that is coming to us now is requesting zoning changes. Mayor Hartke said it is clear to see what we are talking about not just generic that we are interested. Mayor Hartke said the Alma School and Warner example has great opportunity there. However, they are getting many zoning requests and that is not the message that they want to send in many cases.

MR. MIRANDA said that is correct. That is what staff hears and has heard. Going back to that August meeting, if it does not fit within one of those strategic corners and the documents then staff is pushing back. We are pushing back in those areas where we do not think there is a lot of Council support for going that direction.

COUNCILMEMBER ROE said Alma School and Warner is like the poster child for a potential project that if something big happened there it would be a good fit. Councilmember Roe said one of the main reasons is I see there is not super high-density housing around it. If you were to put something there, it would probably be good. Councilmember Roe said he would like to see some sort of a scorecard for projects and give points in advance for things that are positive. Part of that scorecard is also saying why a project is exceptional.

MR. MIRANDA said that in the presentation there would be staff recommendations as well.

MR. MIRANDA continued the presentation.

- Sample Non-Strategic Development: Ocotillo Road and Pinelake Way
  - General Plan non-conformance
  - Area Plan non-conformance
  - Employment Corridor non-conformance
  - Surrounding land use compatibility
- Land Use Impacts: 10 Acres
- Net Impacts: Sample 10 acre, 180 unit multi-family development
  - Revenues
  - Expenditures
- Land Use Impacts: 10 Acres
  - Net fiscal impact: City revenues less City expenses due to development
    - \$1.5M
    - \$480k
    - \$470K
    - \$119k
- Fiscal Impact by Product Type
  - Assumed 200 units for each scenario with the product types varying in terms of construction costs, average monthly rent, and resident income
- Takeaways

COUNCILMEMBER ORLANDO said when an owner of 180 units pays property tax and then there is the 1.5% privileged tax transaction. That is subtracted from the total taxes that the person pays, only on a federal and state level but not the City.

MR. MIRANDA said we collect 100% of our transaction privilege tax.

COUNCILMEMBER ORLANDO said the same goes for wastewater and that type of activity; they pay their fair share in regards to metering.

MR. MIRANDA said yes.

COUNCILMEMBER ORLANDO compared to 40 homes on an acre and the numbers were 119,000 per year or asked if that is over 10 years.

MR. MIRANDA said that is over 10 years.

COUNCILMEMBER ORLANDO said then you get the one-time dollars put in there.

MR. MIRANDA said that was correct.

COUNCILMEMBER ORLANDO asked what the average income of a person that wants to go for the high level, medium level type of activities.

MR. MIRANDA said the general industry-wide perspective and nationally is, you never want to spend about more than 1/3 of your pre-tax monthly income on housing.

COUNCILMEMBER ORLANDO said it seems like the houses are a little bit low when you think about the average Chandler families over \$100,000.

MR. MIRANDA said that is correct, it is somewhat shocking. Over time, the cost of service is still there on the individual family level but there is not the associated discretionary spending as high because of density. It's a net difference based on density of funds within a housing unit.

COUNCILMEMBER ORLANDO asked if there any higher calls for service ambulatory, police, fire for multi-family and factor that in for expenditures.

MR. MIRANDA said there is no distinction between cost of service on a single family or multi-family unit in terms of City expenditures.

COUNCILMEMBER ORLANDO said public safety expenditures.

MR. MIRANDA said that is correct

MAYOR HARTKE said there is a difference because you have your comparison of 180 versus 40 so you are going to get 4.5 times more potential calls for service because there is more units. Mayor Hartke said 10 acres is not 10 acres; it is per unit.

MR. MIRANDA said correct.

COUNCILMEMBER ORLANDO said they are not seeing a difference.

MR. MIRANDA said the model does not take into account the likelihood for calls for service it is based on budgetary impact spread evenly.

COUNCILMEMBER ORLANDO asked if the Police Department has those type of numbers.

MR. MIRANDA said he did not have that information and that would be something we would have to explore on a unit-by-unit basis and call for call.

COUNCILMEMBER ORLANDO said he wants to make sure we're doing our due diligence at all expenditures.

MR. MAYO said we have spent some time about where we are with multi-family at a very high level at how planning evaluates these and what tools we use to guide us there, and then, at an economic developmental high-level analysis. Mr. Mayo said when cases come in they are a part of our pre-tech process; most of that analysis occurs in a conversational way. A scorecard is something like what we are going to propose to bring forward. As staff brings these recommendations forward, staff would continue to follow the general plan. As staff makes recommendations on densities and appropriate locations as guided by the General Plan and any Area Plans. Staff would recommend denial of ones that are not in appropriate locations as guided by the General Plan.

MR. MAYO continued the presentation.

- Take Aways
  - Continue to follow General Plan;
  - Continue to recommend densities in appropriate locations
    - Density can be a factor in affordability
  - Preserve employment areas (multi-family is complementary to employment, not a replacement for it)
- Take Aways
  - In strategic locations, multi-family is a viable land-use solution
  - Multi-family is not generalized; it comes in many different forms
  - Evaluation of location appropriateness is based on approved land use plans and economic analysis

COUNCILMEMBER ORLANDO said the location at Queen Creek and Alma School corner really is a great idea. Councilmember Orlando said if we could use that as a jumping off point for some redevelopment and revitalization that would be great. Councilmember Orlando said there is talk of decentralizing recreational facilities and that could be another component to this. There could be larger family homes, a small multi-family, and smaller homes for our workforce housing and then that could be centered on a recreational piece. Councilmember Orlando said they could make small communities within a community.

COUNCILMEMBER STEWART asked where workforce-housing fit within the hierarchy of needs for a Fortune 500 company that we are courting for those last three spots in Price Corridor.

MR. MIRANDA said access to housing across all spectrums is important and what we hear from employers looking to come in. Access to workforce across all skill sets is something we continually hear to be important. It is where many opportunities lie in figuring out where we can put additional housing to support employers across all levels. Mr. Miranda said he could not give a definitive number or ranking at this time.

COUNCILMEMBER STEWART said the four corner project does not pencil out yet for these commercial real estate owners that still have 60% rented out. Councilmember Stewart said the City could not provide any other incentive but a demolishing helper fund to demolish a location based on the gift clause.

MR. MIRANDA said the first big challenge is finding an owner who wants to move forward with the repurposing of their property. The financial aspect is the next hurdle we have to jump over; we are bound by the gift clause. We are looking to structure deals where we can provide aid to a redevelopment project to help it pencil but still be mindful of that gift clause. The City has to protect itself on the gift clause issue.

VICE MAYOR LOPEZ asked for an update to at least see how we are tracking against our General Plan and how we are approaching it as we get closer, ramping down or speeding up, making sure we are not overshooting and if so why. Vice Mayor Lopez asked what the vacancy rate is within Chandler and do people have to live outside of Chandler because they cannot afford it or find it.

MR. MIRANDA said they did look at vacancy rates at different price points on apartments. The luxury was about 11% vacancy, the mid-level was about 8%, and affordable was 3%. Mr. Miranda said he would provide the current numbers to the Council.

MR. MAYO continued the presentation.

- Recommendations
  - Guide Developers to Pre-Tech ad first step
  - Generate initial proposal analysis summarizing Economic Development, Planning and Traffic Engineering review comments/findings; provide copy to City Manager and City Council Members
  - Provide final proposal analysis as attachment to Planning and Zoning Commission & City Council packets
  - Study strategies to provide housing options for residents' diverse needs, consistent with City Council Strategic Framework

VICE MAYOR LOPEZ said in the scorecard, adding the Airport Commission's endorsement whether it was a conflict with the Airport plan would be good line item when so Council can see those check marks.

MR. MAYO said it was an excellent point.



MAYOR HARTKE said developers and potential prospects do approach us and if our developers better understand that this is just an initial opinion not a final prognosis, nor do you have the favor of Council by an initial view of something and this would be a better long range help for them. Mayor Hartke said that until he has had an analysis from Economic Development and other factors other than a presentation of a development he is not ready to neither make a decision on it. Council needs to see if it fits with the rest of the City. Guidelines would help better communicate to our community and those who want to build within the community.

COUNCILMEMBER ROE said it would be good to see both points of view and from Economic Development.

COUNCILMEMBER ORLANDO said he did not want to send a message out that we have a funnel system that they cannot go to Council. The message we do want to send is to let staff look at this so that staff could provide additional information for Council. Councilmember Orlando said we need to look at a larger picture of a mixed use when bringing together a community within a community. Councilmember Orlando said they have done many programs downtown and throughout the City that had a revenue impact. Councilmember Orlando thought the scorecard was a great idea and should be used as a way to help a developer get a project off the ground.

MAYOR HARTKE concluded the discussion.

ADJOURNMENT: The Work Session was adjourned at approximately 5:39 p.m.

ATTEST: *Dana R. DeLong* *Kevin Hartke*  
City Clerk Mayor

Approval Date of Minutes: November 2, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 15<sup>th</sup> day of October 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 2 day of November, 2020.



*Dana R. DeLong*  
City Clerk



**CHANDLER CITY COUNCIL**  
**Work Session Meeting Minutes**  
Monday, November 2, 2020

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, November 2, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 5:01 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Josh Wright, Assistant City Manager; Debra Stapleton, Assistant City Manager; Dawn Lang, Management Services Director; Matt Dunbar, Budget Manager; Matt Burdick, Communications and Public Affairs Director; Andy Bass, Community Services Director; John Knudson, Public Works and Utilities Director; Ryan Peters, Governmental Relations & Policy Manager; Cori Garcia, Mayor & Council Communications Manager; Micah Miranda, Economic Development Director.

**DISCUSSION**

1. COVID-19 QUARTERLY FINANCIAL UPDATE
  - a. Opening Remarks

MAYOR HARTKE introduced the discussion item and called for a staff presentation.

MARSHA REED, City Manager, stated that this was the 2<sup>nd</sup> Quarterly Update in regards to financials. She said the budget was being put together at the time of the pandemic and there was unsurety in terms of what revenues would look like. The Council did the prudent thing and reduced the budget by \$30 million between last year and this year. She stated the City would continue to closely monitor all revenues especially specific revenues where the pandemic had the most impact.

b. Economic Forecast: National/State

MATT DUNBAR, Budget Manager presented the following Power Point presentation.

- COVID-19 Quarterly Financial Update
  - Agenda
    - Economic Forecasts
      - National
      - State
    - Local Update
      - Revenue Update
      - Expenditure Update
    - Policy Direction
    - Next Steps
- Economic Forecasts
  - World's most accurate pie chart:
  - (Updated for November)
- National Update
- Economic Indicators
  - Construction Spend: +1.4% above revised July 2020
  - Business Formation Statistics: +77.4% from Q2 to Q3
  - Advance Monthly Sales for Retail & Food Service: +1.9% from prior month
  - Manufacturing & Trade Inventories: +0.3% from prior month
- Economic Forecast
  - Monthly Retail Sales (through August 2020)
  - Markit PMI
- Economic Forecast
  - National, State, and Local Unemployment

COUNCILMEMBER STEWART commented and commended staff and the Council on everything they have done to keep the wheels moving as it relates to the economy.

c. Economic Forecast: National/State

MR. DUNBAR continued with the presentation.

- State of Arizona Update
- Economic Forecast
  - 2020 3<sup>rd</sup> Quarter Base Forecast
  - Phoenix-Mesa-Scottsdale MSA Forecast (Maricopa + Pinal Counties)
- City of Chandler Update

- Building Permit Trend Analysis
  - Permit numbers remain strong
  - Number of Permits
  - Value of Permits
- Business Opening/Closing Analysis
  - Businesses continue to register:
    - Closed from March to Sept: 83
    - Registered from March to Sept: 329
    - Net newly registered Businesses: 246\*
  - We also continue to see business expansion in the area, for example Root Insurance, NXP, Clarivate Analytics and CVS Health
  - \* Renewal process will help distinguish between brand new businesses, and those that are just newly registered, providing a better picture as to new business starts

MAYOR HARTKE asked if there was any specific data that linked business closures to COVID.

MR. DUNBAR stated that there was no exact data available to identify COVID related closures. He said that the renewal process will be a good indicator in analyzing the data.

MAYOR HARTKE asked if business closures were all across the board.

MR. DUNBAR stated that business closures were all across the board including, pharmacies, small businesses that were run out of homes, larger businesses that sold to another owner.

COUNCILMEMBER ORLANDO asked about Chandler Mall, the holidays and Intel. He said that there has been discussion about the plans or status of the mall and asked what staff thoughts were on what the holidays would look like.

MR. DUNBAR said those numbers are provided later in the presentation.

MS. REED said she met with the Macerich General Manager, Dave Moss and they are going through internal studies. There are investors interested in repositioning the mall and it would be after the first of the year and then they would discuss those plans with the City.

COUNCILMEMBER ORLANDO said residents have called in with concerns about the mall. He asked if there was more that the City could be doing.

MICAH MIRANDA, Economic Development Director, said the City is working closely with Macerich and identified 2 issues related to the performance of the mall. The first component is talking about what new tenant mixtures can be added to fill the vacancies without impacting any of the existing tenants. The other component is the complete repositioning of malls. He

gave the example that Nordstrom is taking to the market for sale as it is not owned by Macerich, and are discussing how we can partner and collaborate to bring that into a master plan of what Chandler Fashion Center will look in the future. Those conversations are ongoing. He said the City is also working independently for net new retailers to back fill the mall site and other locations in Chandler.

COUNCILMEMBER ORLANDO said that it was announced that two mall developers had filed Chapter 11 and mentioned how Fiesta Mall is no longer.

MS. REED asked Mr. Miranda to address the issue of the plantings around the mall.

MR. MIRANDA said there were some irrigation challenges at the mall, the problem was identified, and they are going through a replant.

COUNCILMEMBER ORLANDO asked if Intel was doing well.

MR. MIRANDA said that they are in a good position.

MR. DUNBAR continued with the presentation.

- Past Due Residential Utility Trend Analysis
  - Delinquent utility accounts that meet turn-off criterion are significantly increasing as well as balance due
  - Soft notices began 10/19 but still no disconnections or late fees
  - Working with Neighborhood Services on outreach and assistance with nonprofit partners
  - Number of Accounts
  - Balances on these Accounts
- FY 2020-21 Revenue Update
  - General Fund Year-to-Date Revenues
  - FY 2020-21 Results
    - Budget Prorated YTD on Historical Trend \$53.5M
    - Actual Revenue YTD \$61.6M
    - 15% or \$8.0M above YTD adopted based on historical trend
    - 2.3% or \$1.4M above same period prior year
  - FYs 16-21 Actuals through 1<sup>st</sup> Quarter

MAYOR HARTKE asked if the dollars from the CARES Act are part of these numbers.

MR. DUNBAR said those dollars are not part of the General Fund Revenues, they came in through grant funding.

COUNCILMEMBER STEWART asked if the CARES Act funding is the primary reason and direct result of the dollars that came in to the City from the state.

MR. DUNBAR said it was a result of many factors. There is a decline in spending in several areas like hotel, motel, travel and bar but increase spending in other areas. Home in improvement and retail has seen a significant increase. He said the Federal or CARES funding has spanned to other areas that attributed to these numbers.

MAYOR HARTKE stated that it seemed that the direct dollars to direct business for employees would have been spent in 3<sup>rd</sup> or 4<sup>th</sup> quarter last year rather than carrying over to affect these numbers in sales tax this year unless people were hanging on to their money a little longer.

MR. DUNBAR agreed and stated that there would be some shifts in patterns, but not a significant affect. As AZCARES dollars are received they are redistributed to businesses to provide payroll assistance or monies for personal protective equipment which will go back into the local economy but the impact has not been directly attributed to those dollars.

MR. DUNBAR continued with the presentation.

- TPT Revenue Trend Analysis
  - Governor's Major Orders
    - 3/11 Declared public health emergency
    - 3/15 Closed schools
    - \*3/16 Cancelled gatherings of more than 10
    - 3/19 Provided new guidance for dining establishments
    - 3/20 Extended school closures until 4/10/20
    - 3/30 Extended school closures for rest of year
    - \*3/30 Stay Home, Stay Healthy, Stay Connected Order issued
    - \*4/15 Federal Stimulus Payments start
    - 5/11 Restaurants can resume dine in
    - \*5/15 Stay at Home Order ended
    - 6/29 Prohibited large gatherings for one month, closure of bars, gyms, movie theaters, water parks, and tubing
    - 7/9 Restaurants must be at 50% capacity or less
  - TPT Revenues Collections by Month
- d. Expenditure Update
- FY 2020-21 Expenditures
  - Chandler maintains a strong financial position

- "I take the task of making sure we come in under budget very seriously, and to everyone's point, we will meet the budget according to the revenues we receive."  
Marsha Reed, City Manager, April 24, 2020
- 25.5% of Adjusted spent
- Normally spend over 33.8%
- Expenditure Measures continue to be in place
- Quarter 1 Expenditures
- FY 2020-21 Q2 Expenditures
  - Expenditure estimate should we make the PSPRS payment in the next quarter
  - Quarter 2 Estimate

e. Policy Direction

- Policy Question: PSPRS Payment
  - Additional \$15M payment held as revenues evaluated
    - Revenues are stronger than anticipated
    - Fund balance grew more than anticipated last year
    - Following pay down plan keeps us on track to minimize total costs

MAYOR HARTKE stated that it was heartwarming that the City is in relatively good shape.

COUNCILMEMBER ORLANDO asked about the recalculation that was done last year.

MR. DUNBAR said that was the actual spend through Quarter 2, including the \$25 million payment made to PSPRS and is included in the \$146 million dollars.

COUNCILMEMBER ORLANDO asked if we are close to what the State is telling us we owe.

MR. DUNBAR stated that the tool provided by the state has been very beneficial in trying to evaluate where we are in the plan. The plan is used to add in some of the anticipated impacts that the board would make. What was not taken into account was the actual results of what they have done; the board has voted to make specific changes to the Public Safety Pension which will affect the liability. He said that the actuarial report that is due out in December will impact our total liability as only a portion of the changes have been made. This will reduce the total outstanding and a meeting is scheduled to discuss the plan to ratchet that back with what their anticipated changes are going to be.

COUNCILMEMBER ORLANDO asked if the \$15 million was on top of the \$132.

MR. DUNBAR said yes.

MS. REED asked if the question was what the balance of the PSRS would be.

COUNCILMEMBER ORLANDO said yes.

MS. REED asked Mr. Dunbar to explain further.

MR. DUNBAR stated that the number provided was the total City spending in general fund including the PSPRS.

COUNCILMEMBER ORLANDO asked for a chart showing the actuals.

MR. DUNBAR showed the Chandler's Unfunded Liability Pay-Down Projection and explained the difference what the total obligation would be making the payments versus not making the payments.

COUNCILMEMBER ORLANDO stated that the \$15 million is almost double.

MR. DUNBAR said for Fiscal Year 2021, if the \$15 million payment is made the anticipated balance would be \$167 million or \$194 million if the payment was not made. He said that the compounding interest over the next 17 years would have a significant impact over the life of this obligation.

COUNCILMEMBER STEWART expressed his appreciation in how well the City is doing financially and asked if we are continuing to move forward with our budget overall like continuing Capital Improvement.

MS. REED stated that spending reductions were put in place including travel reductions. Position postings were held for several months with exception of public safety. In the last couple of months, a number of positions have been posted with some being filled. She stated that those will continue to be monitored closely depending what our revenues look like. She said that in terms of Capital Projects following the last quarterly meeting with councilmembers, they were evaluated. She gave the example on how she allowed for the design of the fire station only and stated that other projects are slowly moving forward as we continue to closely watch revenues.

COUNCILMEMBER STEWART thanked Ms. Reed and stated that we are continuing to move forward.

VICEMAYOR LOPEZ said things are looking in the V trend. He asked if we are thinking there will be another dip with housing and evictions, if this will be affecting other areas and if we were building that into the next quarter.

MR. DUNBAR said they do look at all of these factors; there are too many unknowns at this time. He said that we do anticipate that things are progressing as business owners are jumping in the



market and manufacturers are buying raw materials and we rely on these factors when trying to make projections over the next quarter.

COUNCILMEMBER HUANG asked how they came up with the number for the payment for PSPRS.

MR. DUNBAR deferred the question to Ms. Lang.

MS. LANG said every year they update the pay down plan. Through this last fiscal year we had access to the new tool put out by PSPRS and it helped us better quantify what the impacts of board decisions would be. She said we have always had a significant overpayment plan even in last year's projection. It went from 12 to \$15 million as discussed in the second budget workshop with Mayor and Council. She said that it is recommended to continue with the \$15 million trajectory because it is imperative to continue to attack the unfunded liability balance; the more you pay up front, the less our costs are as we move through the year. She said that we would be receiving our new actuarial report in December and would compare what the board actions were to what the projections were and have those conversations again with Mayor and Council at the budget workshops and look at what the potential payment might be as we move into the planning stages for fiscal year 2021-2022.

COUNCILMEMBER Huang supported the overpayment philosophy.

COUNCILMEMBER ROE supported making the contribution. He said at some point we would turn the corner and asked if the newer hires will start to have an impact too.

MS. LANG responded that it is another component in the projections as our workforce retires and new public safety employees come on, they are under the new Arizona Revised Statutes rules, which will be a 50/50 split in the employee / employer contribution unlike the current plan which is significantly paid for by the employer.

MAYOR HARTKE asked how many years Tier 3 had been in effect.

MS. LANG Dawn responded that she did not recall, but thought it was around 4 years.

MAYOR HARTKE stated that it is a 50/50 but that they work longer, 25 years to get the entire pension as oppose to 20 years. So we will keep them longer and it will be a more equitable split and there are a lot changes that will impact to bring this down in our favor.

COUNCILMEMBER ORLANDO shared Councilmember Roe's concern. He said that it sounds like between the tool and some of the things they implemented, we have a better fidelity on what is going to happen and he feels comfortable with that. He asked if we do not do this now and just put in the bank, are we looking at 1.9% rate of return.

MS. LANG said for the City of Chandler, because we are limited on how far we go back, we earn less than 2%.

COUNCILMEMEBER ORLANDO said we could take this money and put it into a bond or accounts for a low rate or we could put this into a rate where we are going to get almost double the investment we made on it. He said that he was okay with doing it in January.

MAYOR HARTKE said he was good with doing this too.

VICE MAYOR LOPEZ said without knowing the outcome of the election, and not knowing if we would be having a second dip, he did have reservations. He said that his reservations are offset by the fiduciary responsibility that we have and the contingencies that have been built in and continually looking at future expenses. He said this is a debt that we must pay either way and it is better to pay it off sooner, but does not want to back us up into a corner. He said that he is good with the contribution.

COUNCILMEMBER MCCLYMONDS said thought they should continue to throw as much into this to rectify this challenge that we did not create.

COUNCILMEMBER STEWART said he also had reservations about the economy. He said we have \$9 million in CARES act money that is sitting in the bank. He would like to see the actuary report in December and circle back in January and asked if the City could make a last minute decision.

MAYOR HARTKE said six of them had said to go forward and stated that we do have the additional CARES money that could go towards this in case the economy goes a direction we do not anticipate.

COUNCILMEMBER STEWART asked if the actuary report that the council receives in December will give a better understanding of where we are at.

MS. LANG said that is correct but that it would be us updating and having discussions on what to pay in the upcoming year, but they will see exactly where they are in unfunded liability and projections compared to what actually was decided by the board.

MS. REED said that anyone hired after July 1, 2017, is considered in Tier 3. She said we would continue to monitor our revenues and expenses the next couple of months and if something were to dip, it would be brought back to the Council. She confirmed that the Council was okay with moving forward.

f. Next Steps

- o Next update meeting to be tied into FY 2021-22 Budget Workshop #1 February 8, 2021

MAYOR HARTKE said that it would be right on time and concluded the discussion.

ADJOURNMENT: The Work Session was adjourned at approximately 5:56 p.m.

ATTEST: Dana R. DeLong  
City Clerk

Kevin Hartke  
Mayor

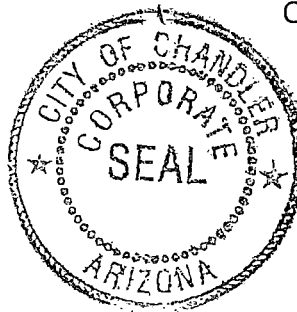
Approval Date of Minutes: December 7, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 2<sup>nd</sup> day of November, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2020.

Dana R. DeLong  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Monday, November 2, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, November 2, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:03 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Lead Pastor Dr. Joel Tetreau, Southeast Valley Bible Church.

PLEDGE OF ALLEGIANCE: Councilmember Roe led the Pledge of Allegiance.

### CONSENT AGENDA – DISCUSSION

MAYOR HARTKE thanked the residents, staff and the Planning and Zoning Commission for their work on the Historic Preservation Ordinance to ensure the community's rich future.

### CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE NOVEMBER 2, 2020, CITY COUNCIL REGULAR MEETING; SECONDED BY COUNCILMEMBER MCCLYMONDS.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

- 1a. MINUTES of the City Council Special Meeting of October 12, 2020.
  - 1b. MINUTES of the City Council Regular Meeting of October 12, 2020.
  - 1c. MINUTES of the City Council Study Session of October 12, 2020.
  - 1d. MINUTES of the City Council Work Session of October 15, 2020.
  - 1e. MINUTES of the City Council Regular Meeting of October 15, 2020.
2. FINAL ADOPTION OF ORDINANCE NO. 4936, PLH20-0041, HISTORIC PRESERVATION, amending the Code of the City of Chandler, Chapter 35 – Land Use and Zoning, to enable property owners to establish Historic Preservation districts on their properties and neighborhoods and to reconstitute the Architectural Review Committee into the Historic Preservation Commission.

BACKGROUND FROM COUNCIL MEMO:

The proposed code amendments were prompted by two events:

- The recognition by City staff that certain architectural and cultural resources in the City need to be preserved from destruction by development;
- Discussions with neighbors in the Silk Stocking neighborhood of the City who desire tools to help preserve the historic character of their neighborhood.

In the spring of 2019, the City acquired the right-of-way over the northern segment of the historic Goodyear Canal on Basha Road with the objective of preserving the open canal, which once served the Goodyear farming community during World War I, in its original state. The City subsequently budgeted funds to maintain the canal with the objective of implementing a preservation plan in the future. During discussions on preserving the canal, City staff began an internal conversation about identifying and preserving other significant historical architectural and cultural resources in the City.

In the fall and winter of 2019, City staff, including the City Manager, Assistant City Manager and Development Services Director, met with representatives of the Silk Stocking neighborhood about implementing a historic preservation zoning overlay over the neighborhood with the objective of preserving its historic architecture and character. Those discussions evolved into the concept of developing a Historic Preservation Ordinance that would enable building owners and neighborhoods to establish historic preservation districts on their properties.

Staff subsequently developed the draft Historic Preservation Ordinance that is under consideration. The primary objectives of the ordinance are:

- Preserve properties, districts and sites that represent Chandler's historic, architectural and cultural heritage;
- Encourage restoration and upkeep of historic properties;
- Encourage civic pride in the accomplishments of the past;
- Promote neighborhood preservation and revitalization;
- Guide alterations and discourage demolition of designated historic properties;
- Document and recognize locations that represent events or individuals significant to Chandler's history;

The provisions of the ordinance include:

- Establishment of a Historic Preservation Commission by reconstituting the existing Architectural Review Committee;
- The establishment of a Historic Preservation Officer to administer the ordinance
- Four classifications of historic designation;
- Criteria for designating historic properties, districts and sites;
- Procedures for establishing historic properties, districts and sites;
- Procedures for alterations and demolition of eligible historic properties;
- Standards and procedures for maintenance, alterations and demolition of designated historic properties;
- Establishment of a historic property register for the City of Chandler;

The four classifications of designation are:

<u>Designation</u>	<u>Description</u>
a. Heritage Site	The location of a past event, structure or district that no longer physically exists that was significant to the history of Chandler.
b. Historic Conservation District	An area of the City that contains one or more designated properties or historic preservation districts or is associated with significant events or persons of the City's past where preservation and conservation of the remaining historic structures and context is encouraged.
c. Historic Preservation District	A zoning overlay of an area of the City documented by historic boundaries that contains at least one historic property. The overlay includes regulations governing maintenance, alteration and demolition of designated historic properties within the district.
d. Landmark	A structure or site that contains an outstanding or unique example of an architectural style and/or is associated with a major historical event activity or person or is of historical or cultural importance to the City. A Landmark will also be in a Historic Preservation District.

While the objective of the proposed ordinance is to preserve properties and districts that represent Chandler's historic and cultural heritage, consideration must also be given to the rights of the individual property owners to utilize their properties under applicable legal entitlements. The proposed ordinance incorporates processes to discourage demolition of eligible and designated historic properties and encourage their preservation through consultation with staff and by exploring alternatives. However, once these processes are completed and no alternative to

demolition is identified, an owner wishing to demolish an eligible or designated property could proceed.

Staff briefed the City Council on the proposed ordinance during a work session on June 8, 2020. The Council provided input, which is incorporated into the draft ordinance, and directed staff to continue work on the ordinance. Staff briefed the Planning and Zoning Commission during its Study Session on August 5, 2020, and received input from the Commission. The Commission recommended approval of the ordinance during its September 16, 2020, regular session. Development Services staff briefed the Architectural Review Committee on September 18, 2020, on the ordinance and the changes proposed for the Committee. Feedback on the proposed ordinance from all boards, commissions, and committees consulted has been positive.

After the meetings of the Planning and Zoning Commission and Architectural Review Committee, staff revised the provision of the ordinance that required 100% of the eligible historic properties in a proposed Historic Preservation District to agree to the zoning overlay. This was done to address concerns raised by stakeholders that this requirement would be difficult to achieve and would restrict the formation and potential boundaries of a district. Staff adjusted the requirement to 90%. The remaining eligible properties can be included in the geographical boundaries of a Historic Preservation District but would not be subject to the regulations of the Historic Preservation District overlay. Each owner of an eligible property would have the option of becoming a designated historic property in the district and subject to the overlay at a later date through a public process.

#### Public Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Notification of the proposed amendments, request for public input, and public hearing dates were sent electronically to the following stakeholders between August 19, 2020, and September 2, 2020: Silk Stocking neighborhood representatives; Chandler Chamber of Commerce, Chandler Historical Society, and the Chandler Museum Foundation. Members of the City's Neighborhood Advisory Committee were sent a notice and link to the proposed amendments and invited to comment. To date, staff received seven responses. Five supported the ordinance and two provided neutral comments. No comments expressed opposition to the proposed ordinance. A matrix of the stakeholder comments and staff responses is provided in the attachments.

On August 26, 2020, the draft code amendments were posted on the City's website and social media platforms. The public hearing schedule was posted on the City's website and advertised in the newspaper. At the writing of this memo, Development Services staff is not aware of any concerns or opposition to the proposed ordinance.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting September 16, 2020

Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent: 1 (Pekau)

During the Study Session, the Commission asked questions and provided input on the proposed ordinance to which staff responded. Three residents of the Silk Stocking neighborhood spoke in favor of the ordinance.

**Recommended Action**

Development Services staff finds the request is in compliance with the General Plan. The Planning and Zoning Commission recommends City Council approval of PLH20-0041 Development Services Code Amendments for Historic Preservation.

Ordinance was introduced and tentatively adopted on October 15, 2020

3. FINAL ADOPTION OF ORDINANCE NO. 4937, granting a non-exclusive power distribution easement to Salt River Project (SRP), at the northwest corner of Pima Park, to accommodate the development of McQueen Commons on the east side of McQueen Road between Chandler Boulevard and Ray Road.

**BACKGROUND FROM COUNCIL MEMO:**

SRP has requested that the City grant a non-exclusive power distribution easement to extend electric service along the east side of McQueen Road for a distance of approximately 115.20 feet in order to service a new residential development known as McQueen Commons. The developer of McQueen Commons, The Wallace Group, has agreed to pay the City for the easement based upon an estimated land value of \$6.00 per square foot times 25%. The amount of the payment will be \$1,382.00. The normal payment range is 25% to 50%. Staff believes the 25% amount is fair given that the City will receive additional fees from the developer as well as an increase in property tax revenues from the improved residential sites.

Staff has reviewed and approved the easement and legal description for the requested easement.

This Ordinance was introduced and tentatively adopted on October 12, 2020.

4. FINAL ADOPTION OF ORDINANCE NO. 4938, granting a no cost irrigation and facilities easement to Roosevelt Water Conservation District (RWCD), for the Chandler Heights Improvement Project from McQueen Road to Gilbert Road.

**BACKGROUND FROM COUNCIL MEMO:**

The City of Chandler is undertaking a road widening project for the improvement of Chandler Heights Road from McQueen Road to Gilbert Road (the "Project"). In order to complete the Project, the City of Chandler must relocate and convert existing RWCD irrigation facilities from open ditch facilities to piped facilities. RWCD is requesting an irrigation and facilities easement in the areas where the relocated irrigation facilities are located in the City's right-of-way. The irrigation and facilities easement is to be granted at no cost to RWCD.

This Ordinance was introduced and tentatively adopted on October 12, 2020.

**ADJOURNMENT:** The meeting was adjourned at 6:08 p.m.



ATTEST:

  
City Clerk

*Kerri Hanks*  
Mayor

## CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 2<sup>nd</sup> day of November, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2020.

Dana R. Kelly  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

### **Regular Meeting**

Thursday, November 5, 2020

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, November 5, 2020.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:00 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
René Lopez	Vice Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Marsha Reed	City Manager
Joshua Wright	Assistant City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Victor Hardy, Congregational Church of the Valley.

PLEDGE OF ALLEGIANCE: Councilmember Stewart led the Pledge of Allegiance.

#### SCHEDULED PUBLIC APPEARANCES:

1. Citizen Bond Exploratory Committee Update – Chairman Boyd Dunn

BOYD DUNN, Citizens' Bond Exploratory Committee Chairman, said this Committee and its Subcommittees were formed in August 2020. There are over 49 citizens that have been putting their time in and making progress towards bringing forward a report. The members have been going through a process of education, the history of what has been done, and the future amenities are necessary but looking at them carefully. Each Subcommittee has received a financial overview and open meeting law training from staff. Chairman Dunn said they are in the process of moving these items forward. They have received education regarding the debt management policy, importance of bond ratings, and fiscal policies of this Council.

CHAIRMAN DUNN said the Committee and Subcommittees have met over 30 times and there has been a lot of progress in their work. The Parks Subcommittee has formulated their recommendations on a short term and long term basis. There are many tours of facilities occurring and they have been very informative to the members. Chairman Dunn said staff has done a great job supporting the Committee. Chairman Dunn said they are excited to look at the wish list and determining the final list considering the financial constraints. Chairman Dunn said they are looking to obtain citizen input and also provide education as well. Over the next four to six weeks, each Subcommittee would develop their list of priorities on a short term and long term basis. The Steering Committee would be the point at which all the recommendations are reviewed. They are on target to provide recommendations in early 2021. The citizens serving are very proud to be part of this process and appreciated Council's confidence in them.

MAYOR HARTKE said he has heard a lot of the enthusiasm and that they have done well.

VICE MAYOR LOPEZ thanked Chairman Dunn for this leadership.

CHAIRMAN DUNN encouraged citizens to review the website and see what amenities could be added for the City.

#### CONSENT AGENDA – DISCUSSION

COUNCILMEMBER HUANG requested Consent Agenda Item No. 2 be moved to action.

MAYOR HARTKE said there were speaker cards received for Consent Agenda Item No. 4.

4. INTRODUCTION OF ORDINANCE NO. 4943, PLH20-0032, THE VILLAGE AT COLLEGE PARK, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for multi-family residential. PRELIMINARY DEVELOPMENT PLAN (PDP), for site design and building architecture. PRELIMINARY PLAT, PLT20-0016, VILLAGE AT COLLEGE PARK, for approximately 3.85 acres located south of the southeast corner of Elliot Road and the Loop 101/Price Road.

MELINDA ANDERSON, 2038 E. Linda Lane, Gilbert, AZ, said she was in support of the project.

BRITTANY IRWIN, 2951 W. Marlboro Drive, Chandler, AZ, said she was opposed to the development. Ms. Irwin said she had a petition of over 200 signatures who oppose. Ms. Irwin asked if a traffic study was completed for the area and what the results were. Ms. Irwin said she contacted the State because of the frontage road and has not received any information back yet. Ms. Irwin asked if an environmental study was completed and what the result was. Ms. Irwin said she was opposed to the project due to the increase in traffic to the area and would make it difficult for the residents in Marlboro Estates. The project is set to have 40 houses with up to three cars per house and additional parking of 14 visitors. There is only one way in and out of the neighborhood.

WENDY VEAGER, 29471 W. Marlboro Drive, Chandler, AZ, said she recognized the need for housing, but thought this proposed development did not fit within the community. The zoning was changed from agricultural to residential and understood something would be built. Ms. Veager said it was her hope that it would not be this particular plan. It is a small acreage with 40 houses with a play park and a dog park.

The homes are individual homes, but they are all connected. Ms. Veager went to a similar community in Gilbert and said the colors were nice and the facades on the bigger houses were nice, but still crowded. Ms. Veager said these would be rental units and did not know what the maintenance would be like. If something would be built there, Ms. Veager asked that it not be so crowded.

GARY ANDERSON, 2038 E. Linda Lane, Gilbert, AZ, said years ago it was all five acre parcels and of course things change in the area. These are all single-story homes and are well designed. Mr. Anderson said he was in support of the project.

TAYLOR EARL, 3101 N. Central Avenue, Ste. 1000, Phoenix, AZ, said there was no official traffic study prepared, but they did work with staff and staff in the traffic department who looked at the project and they are in support. This project only produces 25 peak hour trips. Although there are 40 homes, they are smaller so there is less traffic produced. There is a lot of capacity off of Price Road and this project and the two south of it are the only ones that access Price Road on this section and are only able to turn right. Mr. Earl said they use the environmental impact term in regards to soil samples, but thought that Ms. Irwin was referring to environmental in terms of the impact to the community. The impact is something that staff has looked at and this project is consistent with the General Plan as it is against a freeway corridor and these are a little different than other areas in the City.

COUNCILMEMBER ORLANDO asked if the City normally requires a traffic study.

HARLEY MEHLHORN, Planning Tech, said he is not aware of the specifics and it has to do with the number of units and one was not required in this case.

COUNCILMEMBER ORLANDO asked for a more definitive answer.

KEVIN MAYO, Planning Administrator, said there is a threshold of units, upward of 200, before a traffic study is triggered. During the pre-tech review of a project, the City's traffic engineer is part of that process so the traffic aspect is still reviewed in the proposal and the roadway network that it is attaching to. That section of the frontage road is far below its capacity and is operating in the 20-30% range. This project does not add even 1% to the traffic volume, so based on that a traffic study was not necessary.

COUNCILMEMBER ORLANDO said the ordinance in place only requires a traffic study for 200 units and above.

MR. MAYO said that is the number he recalls, but did not have the exact number.

COUNCILMEMBER ORLANDO asked when an environmental study would be done.

MR. MAYO said it is not the same as how California requires an environmental study. From a physical build environment that is done based on the General Plan and through the design standards. Once it gets to how the site is built, that is governed by the building code.

COUNCILMEMBER ORLANDO asked if there were other uses for this property in the past.

MR. MEHLHORN said it has only been a single family residence and agricultural property.

COUNCILMEMBER ORLANDO said Marlboro Estates is to the north and asked what was to the east.

MR. MEHLHORN said it is unincorporated single family.

CONSENT AGENDA – MOTION AND VOTE

VICE MAYOR LOPEZ MOVED TO APPROVE THE CONSENT AGENDA, WITH THE EXCEPTION OF ITEM NO. 2, OF THE NOVEMBER 5, 2020, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER McCLYMONDS.

MOTION TO APPROVE THE CONSENT AGENDA, WITH THE EXCEPTION OF ITEM NO. 2, CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. INTRODUCTION OF ORDINANCE NO. 4940, authorizing the abandonment of two drainage easements no longer needed for public use on property located at the northeast corner of Gilbert and Riggs roads.

BACKGROUND FROM COUNCIL MEMO:

McDonald's USA, LLC, is proposing to construct a new quick-service restaurant with a dual drive-thru at the northeast corner of Gilbert Road and Riggs Road. As part of the proposed development, two temporary drainage easements granted by the landowner to the City of Chandler that provided designated retention areas for storm water from Gilbert and Riggs roads are proposed to be abandoned. The Temporary Drainage Easement along Gilbert Road (MCR 20130316789) will be abandoned and a permanent surface basin associated with the McDonald's development will take its place. The Temporary Drainage Easement along Riggs Road (MCR 20080778618) will be abandoned as the proposed driveway to serve the McDonald's development is located within the existing basin and easement area. The McDonald's development proposes to construct a new temporary retention basin east of the new driveway to continue to provide for storm water storage in an interim condition until the remainder of the commercial area to the west is developed. A new temporary drainage easement for the new temporary basin, with a minor land division map, will be recorded after the easement abandonment.

Staff has reviewed and approved the existing easements and legal descriptions for the easements being abandoned.

2. INTRODUCTION OF ORDINANCE NO. 4941, PLH20-0013, ALTA CHANDLER AT THE PARK, rezoning from Planned Area Development (PAD) to PAD for multi-family residential with a MidRise Overlay. PRELIMINARY DEVELOPMENT PLAN (PDP), for site layout and building design, located at the southwest corner of Chandler and Parklane boulevards.

BACKGROUND FROM COUNCIL MEMO:

Site is approximately 6.5 net acres. Site was zoned in 1982 as part of the larger 60-acre "The Park" master plan; portions were built, then zoning lapsed on undeveloped parcels resulting in a 1996

PAD amendment. Site contains three parcels of which one is developed with medical office and general office. South parcel is vacant, formerly proposed for office.

#### Economic Analysis

An economic and fiscal impact analysis was conducted based on project details provided by the applicant and staff assumptions. The analysis determined the project would generate a positive net fiscal impact for the City. Net income to the City resulting from the project is estimated at \$664,366 over 10 years, compared to the existing development which is estimated to generate \$118,286 over 10 years. This includes revenues from property taxes, building permit and plan review fees, transaction privilege tax on construction, real property rental tax, state shared revenues, and local spending by residents. Economic Development is in support of approving the rezoning request. The existing office buildings were constructed 35 years ago and are likely approaching functional obsolescence. Office user preferences have changed over the years and the buildings do not offer the space layouts and features that current tenants are seeking. Renovating the buildings to meet modern design standards would be cost-prohibitive. Further, a new office development would likely not be financially feasible given the demolition and redevelopment costs involved. Economic Development believes multifamily is an appropriate use for the site given its compatibility with and potential to support surrounding retail and restaurant uses.

#### Surrounding Land Use Data

North	Commercial and single-family residential	South	Multi-family residential
East	Shopping Center (The Park – anchored by Safeway, Home Depot)	West	Office, medical office

#### General Plan

	Existing	Proposed
General Plan	Neighborhoods - (High Capacity Transit Corridor)	. No change.

#### Proposed Development

Density and Units	<ul style="list-style-type: none"> <li>45 dwelling units per acre</li> </ul>	<ul style="list-style-type: none"> <li>293 units total</li> <li>183 - 1 bedroom units</li> <li>99 - 2 bedroom units</li> <li>11 - 3 bedroom units</li> </ul>
Building Height	<ul style="list-style-type: none"> <li>Mid-Rise Overlay</li> </ul>	<ul style="list-style-type: none"> <li>Maximum height of 63 ft. inclusive of architectural elements, parapets, screening, stair wells, elevator shafts</li> <li>43 ft. typical to roof deck</li> </ul>
Site Development	<ul style="list-style-type: none"> <li>3 buildings</li> <li>4 stories</li> <li>Carports</li> </ul>	<ul style="list-style-type: none"> <li>Passenger loading zone</li> <li>Dog Park</li> </ul>
Building Architecture	<ul style="list-style-type: none"> <li>Contemporary</li> </ul>	<ul style="list-style-type: none"> <li>Stacked stone and brick veneers</li> <li>Stucco and fiber cement siding</li> </ul>

		<ul style="list-style-type: none"><li>• Metal railings and accents</li><li>• Metal canopy projections with brackets</li><li>• Stucco clad cornices</li></ul>
Parking Spaces	<ul style="list-style-type: none"><li>• 498 spaces required</li><li>• 461 spaces proposed (See discussion below)</li></ul>	<ul style="list-style-type: none"><li>• 108 Private garages</li><li>• 108 Tandem</li><li>• 186 Covered</li><li>• 7 Uncovered</li><li>• 52 Guest (on-site)</li><li>• 22 On-street</li></ul>
Amenities	<ul style="list-style-type: none"><li>• Outdoor pool</li><li>• Spa</li><li>• Cabanas</li><li>• Dog spa</li><li>• Bike Shop</li><li>• Clubhouse</li></ul>	

#### Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods. Urban densities exceeding 18 dwelling units per acre can be considered within designated high-capacity transit corridors such as Chandler Boulevard. The site is considered as a redevelopment of an underutilized office development as well as infill. The site is proximate to Downtown Chandler and located along a corridor with Valley Metro bus service and bike lanes.

The site layout provides a gated main entrance off Parklane Boulevard, a private street, and a secondary drive on Commonwealth Street. Pedestrians are provided with a shaded, tree-lined sidewalk along Chandler Boulevard and pedestrian pathways leading to The Park shopping center, located to the east.

Building architecture is of a contemporary style with use of rectilinear forms creating recessed alcoves, extruded balconies and patios, and metal-bracketed canopies. Building materials are placed to create a gentle movement of the façade with a modern light paint palette. A two-story, glass entry at the northeast portion of Building One opens the visibility of the development to Chandler Boulevard. Also located in this portion of the site is the project monument sign designed with contemporary materials and similar forms to complement the "The Park" sign located directly to the east.

Staff finds the proposal to be consistent with the goals of the General Plan, and the Planning and Zoning Commission recommend approval.

#### Traffic and Parking Analyses

A Traffic Impact Analysis was prepared to compare the existing office development with the proposed multi-family development. Trip generation increased for total weekday trips with reverse AM and PM peak hours and total peak hour trips for the multi-family development. However, when looking at the number of AM in/out trips, the proposed multi-family has less

inbound peak hour trips and more outbound peak hour trips than the existing office in the AM. A similar reversal at the PM peak hour was found. The intersection of Chandler and Parklane is signalized and may need the traffic signal timing adjusted with potential future changes in traffic patterns. The City Traffic Engineer found no concerns with the applicant's traffic analysis.

A Parking Demand Study was prepared to determine if the request to reduce required parking by 7.4 percent is sufficient for the development. A 37 parking space reduction is proposed from the required 498 parking spaces to 461 on-site parking spaces. Unassigned on-site parking provides 52 guest parking spaces and 22 spaces on Parklane Blvd. and Commonwealth Street for a total of 74 guest spaces at a ratio of one space for every four units.

A comparison of parking reduction rates between this proposal and two similar existing multi-family developments, Olympus Steelyard and The Met at Chandler Fashion Center, was conducted. Olympus Steelyard has a 7.5% reduction and The Met has a 6% reduction in parking requirements. The study concluded that the request for Alta Chandler at The Park aligns with the parking reduction rates of these recently constructed multi-family developments.

#### Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Two virtual neighborhood meetings were held on August 20,, 2020 and August 25, 2020. No one other than the applicant's team and City staff attended either of the virtual meetings. Two residents called requesting general project information prior to the virtual meeting. No concerns or opposition were voiced. As of writing this memo, Planning staff received one phone call from a resident stating their opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting October 21, 2020.

Motion to Approve.

In Favor: 5    Opposed: 2    (Heumann, Flanders)

A resident who provided a letter of concern relating to the project design also attended the Planning and Zoning Commission meeting. Several of the resident's concerns expressed included providing detached sidewalks and traffic calming on Parklane and Commonwealth, the southern driveway, and amenities to name a few (see attached letter).

Several commissioners discussed the length of the building fronting Chandler Blvd. and recommended modifications to the building by breaking the massing by creating a break in the elevation located near the center elevator tower. Commission discussed the appropriateness of changing the land use from office/medical to multi-family. To address both the resident and Commission's concerns, Preliminary Development Plan conditions 9 to 12 were added.

#### Recommended Actions

##### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from PAD to PAD multi-family with a Mid-Rise Overlay for buildings up to 63 feet, subject to the following conditions:



1. Development shall be in substantial conformance with the Development Booklet, entitled "Alta Chandler at The Park" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. High density residential shall be permitted with a maximum density of forty-five (45) dwelling units per acre.
3. Building heights shall be limited to a maximum of sixty-three (63) feet in height.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:

Building setbacks (min.)

North (Chandler Blvd.)	10 ft. (29 ft. to curb)
East (Parklane Blvd.)	10 ft. (16 ft. to curb)
South (Commonwealth St.)	10 ft.
West	10 ft.

Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Alta Chandler at The Park" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0013, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The site shall be maintained in a clean and orderly manner.
3. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
6. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
8. The developer shall install stamped concrete pedestrian crosswalks at the Parklane Blvd. and Commonwealth St. intersection, as represented in the Development Booklet.

9. The applicant shall work with staff to include detached sidewalks where appropriate.
  10. The applicant's traffic engineer shall study traffic calming measures at the intersection of Parklane Boulevard and Commonwealth Street.
  11. The southern vehicular exit shall be restricted to emergency access only.
  12. A break shall be added on the building along Chandler Boulevard with a minimum width of 18 feet and an interior closed corridor on the ground floor with open railing on the floors above. Glazing on the ground floor shall match the storefront glazing at the corner. Further, security and safety design measures shall be incorporated within the break.
3. INTRODUCTION OF ORDINANCE NO. 4942, ANX20-0003, annexation and initial City zoning, located south of the southeast corner of Elliot Road and the Loop 101/Price Road.

BACKGROUND FROM COUNCIL MEMO:

Located approximately one fourth of a mile south of the southeast corner of Elliot Road and Price Road, Zoned Rural-43 (RU-43) within Maricopa County. Approximately 0.16 net acres in size. Upon annexation, initial City zoning will be Agricultural (AG-1) district. A Rezoning and Preliminary Development Plan for a proposed multi-family development consisting of 40 units within 8 buildings also appear on this City Council agenda. Required public hearing held October 15, 2020

Surrounding Land Use Data

North	Single dwelling unit on a large parcel zoned AG-1	South	Condominiums
East	Unincorporated large-lot single family	West	Price Road, then Arizona Loop 101

General Plan Designation

General Plan	Neighborhoods
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Utility Services

Existing municipal water and wastewater service are available along Price Road.

Staff Comments

Staff has no concerns given that the majority of the parcel is currently within the City of Chandler's jurisdiction. As of the writing of this memo, Staff is unaware of any opposition to or concerns with the request.

In accordance with Arizona Revised Statutes, the subject site, upon annexation, will be zoned AG-1 within the City of Chandler, which provides for land uses no greater in intensity than those permitted within the RU-43 zoning district of Maricopa County.

A request for Rezoning and Preliminary Development Plan approval for a multi-family development (PLH20-0032) accompanies this request as a subsequent item on this Council agenda.

#### Recommendation

Planning staff find the request is in compliance with Arizona Revised Statutes and the General Plan and recommends the City Council approve the annexation and initial city zoning.

4. INTRODUCTION OF ORDINANCE NO. 4943, PLH20-0032, THE VILLAGE AT COLLEGE PARK, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for multi-family residential. PRELIMINARY DEVELOPMENT PLAN (PDP), for site design and building architecture. PRELIMINARY PLAT, PLT20-0016, VILLAGE AT COLLEGE PARK, for approximately 3.85 acres located south of the southeast corner of Elliot Road and the Loop 101/Price Road.

#### BACKGROUND FROM COUNCIL MEMO:

Located approximately 1/4 mile south of the southeast corner of Elliot and Price Roads. Approximately 3.85 acres. Currently zoned Agricultural (AG-1). Annexation request for a small portion of the site precedes this request on the same Council agenda. Annexation ordinance, if adopted, will grant initial City zoning of AG-1 (Agricultural), which allows same density as Rural-43. A single-family residence currently exists on the property and will be removed prior to development

#### Economic Analysis

An economic and fiscal impact analysis was conducted based on project details provided by the applicant and staff assumptions. The analysis determined the project would generate a positive net fiscal impact for the City. Net income to the City resulting from the project is estimated at approximately \$ 133,600 over 10 years. This total includes revenues from property taxes, building permit and plan review fees, transaction privilege tax on construction, real property rental tax, state shared revenues, and local spending by residents.

#### Surrounding Land Use Data

North	Single dwelling unit on a large parcel zoned AG-1	South	Condominiums
East	Unincorporated large-lot single family	West	Price Road, then Arizona Loop 101

#### General Plan and Area Plan Designations

	Existing	Proposed
General Plan	Neighborhood	No change

#### Proposed Multi-Family data

# of Units	40
Density	10.39 dwelling units/acre (du/ac)
Buildings	<ul style="list-style-type: none"><li>• 8 five-unit buildings</li><li>• Single story</li><li>• Varying façade materials – stone veneer, lap siding, stucco, board and batten</li><li>• Varying roof slopes, façade accents, and ornamentation.</li></ul>

	<ul style="list-style-type: none"><li>• Roof material – tile and standing seam metal</li></ul>
Site design	<ul style="list-style-type: none"><li>• Three distinct shared open spaces</li><li>• Recessed garages and grouped guest parking spaces</li><li>• Each unit has a private rear yard and covered front porch</li></ul>
Parking	<ul style="list-style-type: none"><li>• Each unit has a garage parking space and two uncovered tandem spaces on the driveway</li><li>• 14 guest spaces are provided</li></ul>

#### Review and Recommendation

The proposed rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for multi-family residential will result in a land use that is consistent with the surrounding land uses. The General Plan designates densities between 3.5 and 12 du/ac as appropriate along freeway corridors as well as to serve as a transition of density. The proposed development site meets both of these guidelines, while remaining at 10.39 du/ac.

Being cognizant of the surrounding land uses, the applicant has proposed single-level, attached units that are positioned as to appear as single-family homes. The PDP provides ample architectural quality and variation with a broad yet cohesive collection of elevations composed of human-scale materials. The site, which is deep and narrow at the frontage, will be served by a single drive aisle with a turn-around cul-de-sac at its termination. Despite the challenging dimensions of the lot, the proposed development meets the guest and resident parking requirements and open space requirements while providing private outdoor space for each unit. For these reasons, Planning staff finds consistency with the General Plan and Planning and Zoning Commission recommends approval of the request subject to conditions.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. An online neighborhood meeting was held on September 23, 2020, with approximately a dozen people attending. General questions pertaining to the construction of the development were asked and answered by the applicant. A resident of the single-family subdivision to the north called to voice concerns and initial opposition, but upon being presented with the project data and exhibits, is no longer in opposition to the project. As of the writing of this memo, Planning staff is not aware of any opposition.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting October 21, 2020.

Motion to Recommend Approval.

In Favor: 7    Opposed: 0    Absent:

#### Recommended Actions

##### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from Agricultural to Planned Area Development for multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Village at College Park" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0032, modified by such conditions included at the time the Booklet was
2. Approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
3. Multi-family dwelling units shall be permitted up to a maximum density of twelve (12) dwelling units per acre.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

#### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "The Village at College Park" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0032, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
3. All mechanical equipment including HVAC, utility meters, etc., shall be screened from view by materials that are architecturally integrated and consistent with the design of the proposed buildings.
4. Signage shall substantially conform with Development Booklet (exhibit A) and adhere to all applicable criteria of the City Of Chandler Sign Code.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
6. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
8. The site shall be maintained in a clean and orderly manner.

#### Preliminary Plat

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends City Council approve the Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

At the November 2, 2020, City Council study session, Councilmember Orlando requested staff provide additional information on the following items:

Potential conflict between the horse property located to the north and the proposed boundary wall

- o Staff contacted the owner of the equine business located north of the subject property. She shared that she has no concerns over a block or masonry wall being constructed, as there is an existing comparable wall located on the northern boundary of the horse property. However, she expressed that a 6' wall is not sufficiently tall to keep tenants from interacting with the horses; instead she requested an 8' wall be constructed. The applicant has agreed to add Preliminary Development Plan stipulation #9, which reads:

9. The northern property wall shall be 8' in height.

The business owner did not have further concerns that the proposed multi-family development will negatively impact her business.

Irrigation canal

- o The irrigation canal in question is located off-site to the east of the subject property. The applicant is not proposing to use or physically alter the canal as part of the proposed development.

Resident concerns regarding the perceived 'urbanization' of the subject property

- o The proposed development is in conformance with the General Plan's designation of Neighborhoods, which allows Council to consider densities of up to 12 dwelling units per acre (du/ac), where the following criteria are met:
  - The site is considered an infill parcel.
  - The site is located between land uses of different densities and provides a density transition.
  - The site is located along arterial roads or freeway corridors.
- o The proposed development meets these criteria by being located on an infill parcel located along the Arizona Loop 101. Further, the proposed density of 10.39 du/ac will serve as a transition between the 14.96 du/ac multi-family development to the south and the single-family horse property to the north.

5. INTRODUCTION OF ORDINANCE NO. 4944, PLH20-0012, VILLAGES AT CHANDLER, rezoning from Planned Area Development (PAD) to PAD amended for multi-family residential. PRELIMINARY DEVELOPMENT PLAN (PDP), for site layout and building design, located at the southeast corner of Riggs and Gilbert roads. (STAFF REQUESTS CONTINUANCE TO THE DECEMBER 7, 2020, COUNCIL MEETING)

BACKGROUND FROM COUNCIL MEMO:

This item was heard at the October 21st Planning and Zoning Commission meeting. The proposed rezoning was recommended for approval. The proposed Preliminary Development Plan was recommend for continuance to the November 18th Planning and Zoning Commission hearing to allow time for the applicant to attend the November 4th Design Review Committee meeting. After the Planning and Zoning Commission hearing, staff received a number of concerns from residents, some of which appeared to be based on incorrect information. The applicant has

requested to continue this item to the December 7th City Council meeting to allow time to host another neighborhood meeting to address resident concerns and provide correct information on the proposal.

6. INTRODUCTION OF ORDINANCE NO. 4945, PLH20-0029, UPTOWN COMMONS, rezoning from Planned Area Development (PAD) to PAD Amended to allow multi-family residential with a MidRise Overlay. PRELIMINARY DEVELOPMENT PLAN (PDP), for site layout and building design, located at the northeast corner of Elliot Road and Arizona Avenue.

**BACKGROUND FROM COUNCIL MEMO:**

Site is vacant and 7.66 acres in area. Current zoning is PAD, approved in 2006, for retail and C-2 type commercial uses. The site is part of the Pollack Business Park that is mostly developed with light-industrial, office/showroom and service retail along Arizona Avenue.

**Economic Analysis**

An economic and fiscal impact analysis was conducted based on project details provided by the applicant and staff assumptions. The analysis determined the project would generate a positive net fiscal impact for the City. Net income to the City resulting from the project is estimated at \$737,192 over 10 years. This includes revenues from property taxes, building permit and plan review fees, transaction privilege tax on construction, real property rental tax, state shared revenues, and local spending by residents. Economic Development is in support of approving the rezoning request. The Mayor's 4-Corner Retail Committee Report, initiated nearly 10 years ago, raised a concern that the area was already oversaturated with retail uses. More recently, there have been increased store closures with the rise of e-commerce and ongoing impacts of COVID-19. Given this, Economic Development is concerned that additional retail, which is permitted under the existing PAD zoning, would not be viable or a long-term benefit as the area already has a surplus of retail sales activity. Further, the proposed multifamily project offers the opportunity to bring additional residents to the area, expanding the customer base for existing shops and restaurants, and thus supporting several strategic initiatives.

**Surrounding Land Use Data**

North	Service retail	South	Office (Arizona Department of Economic Security) across Elliot Road
East	Washington Street, then Business park uses	West	Arizona Avenue, then Shopping center

**General Plan and Area Plan Designations**

Plan	Recommended Land Use	Proposed Amendment
General Plan	Employment, North Arizona Avenue Growth Area, High Capacity Transit Corridor	No Change

**Proposed Project Data**

Proposed Land Use	<ul style="list-style-type: none"> <li>• Multi-family dwelling units</li> <li>• 252 Units</li> <li>• 32.9 dwelling units per acre</li> </ul>	
Building Design	Height	<ul style="list-style-type: none"> <li>• 43' 6" three-story buildings</li> <li>• 47' four-story buildings</li> <li>• As measured to top of highest point of roof</li> </ul>
	Roof	<ul style="list-style-type: none"> <li>• Flat parapet</li> <li>• Angled standing seam metal</li> </ul>
	Façade Materials	<ul style="list-style-type: none"> <li>• Brick veneer</li> <li>• Stucco</li> <li>• Standing seam metal</li> </ul>
	Building Accents	<ul style="list-style-type: none"> <li>• Vibrant color palette</li> <li>• Angled corner roof</li> <li>• Façade openings at balconies</li> <li>• Chamfered balcony accent walls</li> <li>• Balcony-wrapped corners</li> </ul>
	Building Access	<ul style="list-style-type: none"> <li>• Direct ground-floor walk-up</li> <li>• Shared corridor</li> </ul>
Site Design & Open Space	<ul style="list-style-type: none"> <li>• 2 four-story buildings near center</li> <li>• 3 three-story buildings near street</li> <li>• 1 two-story club house</li> <li>• 2 one-story garages</li> <li>• 61,000 sq. ft. of common clubhouse and open space</li> <li>• Pool, bocce ball, barbeques, cabanas, outdoor television, fire pit lounge area, dog park, enhanced public sidewalks and landscaping, integrated sculptural corner signage</li> </ul>	
Parking	<ul style="list-style-type: none"> <li>• Reduction requested</li> <li>• 412 parking spaces required</li> <li>• 373 parking spaces provided</li> <li>1.48 spaces per unit (no tandem spaces)</li> </ul>	

#### Review and Recommendation

The General Plan recommends a future land use of *Employment* for the subject site. Employment areas are meant to strengthen the community's economic base by recommending development for major employers, knowledge-based industries, industrial/business parks, and offices. Residential land uses may be considered in Employment areas where it is proposed as an integral component of mixed-use development.

The proposed multi-family will serve as an integral component of this mixed-use area as it will inject residents who may become customers or employees of existing shopping centers and business parks. As compared to being located within the center of an existing or future employment area, the site is located at the corner of an existing business park and proposes the main entrances to be located on Elliot Road and Arizona Avenue as compared to Washington



Street, which serves the existing business park. At this location, the proposed multi-family development will not detract from the established circulation improvements or patterns of the surrounding employment uses. In contrast, the proposal may enhance the circulation. Residential land uses are typically intensified in the evening hours when business parks typically become less active. This complementing relationship will make the most efficient and best use of existing on-street public parking spaces and will provide a more balanced level of activation throughout the day for the surrounding area. Typically, a higher level of safety is associated with more consistent levels of activation provided by a mixture of land uses. For these reasons, staff finds the proposed multi-family development aligns with the Employment Future Land Use goals of the General Plan.

Within the North Arizona Avenue Growth Area, the General Plan specifically recommends higher residential densities. This guidance supports the consideration of multi-family within the Employment area. Further policies for this growth area call for pedestrian and bicycle-oriented improvements, transforming commercial centers into more intense mixed-use developments, transitioning land use intensities to be respectful to existing neighborhoods, and enhancing Arizona Avenue as a point of entry through design. The General Plan also identifies this portion of Arizona Avenue as a High-Capacity Transit Corridor where higher residential densities are again supported.

The proposed multi-family development aligns with the policies of the North Arizona Avenue Growth Area and the intent of the High-Capacity Transit Corridor, as identified within the General Plan, by increasing density, developing the corner with a non-commercial use, and by providing enhanced pedestrian and bicyclist improvements including a shaded 10-foot-wide multi-use path along Arizona Avenue. As part of supporting multi-modal transit options, the buildings are pulled closer to the street and the amount of provided parking has been reduced to balance parking demand and encourage the use of other transit options including biking, walking, mass transit, delivery, and ride share.

Following the Zoning Code, the Zoning Administrator is permitted to approve parking reductions of up to 40%. This request is for a 10% reduction. Based on the findings of the parking study, the proximity to underutilized on-street public parking, separation from single-family neighborhoods, as well as the site design, which does not rely on tandem parking spaces, the parking reduction appears to align with the criteria of the Zoning Code as well as the General Plan.

For these reasons, staff finds the proposed development aligns with the General Plan, and the Planning and Zoning Commission recommends approval.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. To comply with CDC social distancing guidelines, the applicant hosted two digital neighborhood meetings via Zoom on July 8 and July 9, 2020. Five residents joined the meetings and inquired about pedestrian improvements, the availability of affordable units, and additional sustainability improvements such as storing storm water for irrigation purposes, passive solar landscaping and design techniques, as well as solar panels. Submitted comments and meeting minutes are included in the attachments. As of writing this memo, Planning staff has not received any further inquiries about the proposed land use.

Planning and Zoning Commission Vote Report  
Planning and Zoning Commission meeting October 21, 2020  
Motion to Approve.  
In Favor: 7    Opposed: 0

#### Recommended Actions

##### Rezoning

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends the City Council approve the rezoning from PAD to PAD amended for multi-family, and a Mid-Rise Overlay for building heights up to 50 feet in height subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Uptown Commons" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0029, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.
2. High density residential shall be permitted with a minimum density of thirty (30) dwelling units per acre.
3. Building heights shall be limited to a maximum of fifty (50) feet in height.
4. Minimum setbacks from current right-of-way lines shall be as provided below and further detailed in the development booklet:

Property Line Location	Minimum Building Setback
Arizona Avenue	15'
Elliot Road	30'
Washington Street	10'
North Property Line	0' for garage structures 10' for apartment structures

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

##### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan. Planning and Zoning Commission recommends City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Uptown Commons" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0029, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.

2. Landscaping plans (including for open spaces, retention, rights-of-way, and street medians) shall be approved by the Planning Administrator.
  3. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
  4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
  5. The site shall be maintained in a clean and orderly manner.
  6. All mechanical equipment, including HVAC, utility meters, etc. shall be screened from view by material(s) that are architecturally integrated and consistent with the proposed buildings.
  7. Signage shall substantially be as conceptually shown within the submitted Development Booklet.
  8. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
7. RESOLUTION NO. 5411, authorizing the acceptance of Fiscal Year 2020 Homeland Security Grant Program Awards with the Arizona Department of Homeland Security, for Agreement Numbers 20-AZDOHS-HSGP-200804-01, 20-AZDOHS-HSGP-200804-02 and 20-AZDOHS-HSGP-200202-01; authorizing the Mayor to execute the agreements; and authorizing the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with such agreements.

BACKGROUND FROM COUNCIL MEMO:

The Police Department has been awarded three grants under the FY 2020 Homeland Security Grant Program. These grants provide funds, on a reimbursement basis, to support training and equipment for the Police Department's Rapid Response Team (RRT) and Terrorism Liaison Officer (TLO) programs. These programs enhance the Police Department's ability to be prepared and equipped to respond to large scale emergencies, terrorist events, and natural and/or man-made disasters. The RRT award is for \$103,000; and the TLO awards are for \$17,700 and \$27,700. The grant period is October 1, 2020, through September 30, 2021.

FINANCIAL IMPLICATIONS:

None. These are reimbursement grants and have no match requirements.

8. No Item.
9. RESOLUTION NO. 5421, authorizing a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the 2020 Urban Area Security Initiative (UASI) Assessment Teams – Fire Terrorism Liaison Officers for equipment and training; and authorizing the Chandler Fire Chief to implement provisions of the agreement, in the amount of \$1,750.

BACKGROUND FROM COUNCIL MEMO:

In 2003, the City of Chandler established a Fire Terrorism Liaison Officer program with federal funding from the Arizona Homeland Security Grant. The 2020 Arizona Department of Homeland Security Grant award ensures that personnel are able to attend Homeland Security trainings and

related conferences, as well as purchase equipment necessary to sustain the program (e.g., wireless service for Terrorism Liaison Officer computers).

FINANCIAL IMPLICATIONS:

This reimbursable grant does not require matching funds.

10. RESOLUTION NO. 5422, authorizing a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the Urban Area Security Initiative (UASI) Enhanced Rapid Response Fire Teams for equipment and training; and authorizing the Chandler Fire Chief to implement provisions of the agreement, in the amount of \$103,000.

BACKGROUND FROM COUNCIL MEMO:

In 2003, the City of Chandler established a Rapid Response Team with federal funding from the Arizona Homeland Security Grant. The 2020 Arizona Department of Homeland Security Grant award ensures that personnel are able to attend technical rescue-related training classes, that associated overtime expenses are covered, and that the necessary equipment to sustain the program are purchased (e.g., rope rescue kits and pulleys).

FINANCIAL IMPLICATIONS:

This reimbursable grant does not require matching funds.

11. RESOLUTION NO. 5423, authorizing a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the Community Emergency Response Team (CERT) Training, and authorizing the Chandler Fire Chief to implement provisions of the agreement, in the amount of \$4,500.

BACKGROUND FROM COUNCIL MEMO:

Established in 2003 with federal funding from the State Homeland Security Grant, the CERT program provides training to community members on how to effectively respond to large-scale emergencies (e.g., terrorist events, natural disasters). The current 2020 Arizona Department of Homeland Security Grant award provides Chandler Fire Department (CFD) with funding for backfill overtime for CERT course instructors and class supplies (e.g., training materials and curriculum).

FINANCIAL IMPLICATIONS:

This reimbursable grant does not require matching funds.

12. RESOLUTION NO. 5424, authorizing a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2021 Award, in the area of Occupant Protection, in the amount of \$34,311.

BACKGROUND FROM COUNCIL MEMO:

The Chandler Fire Department (CFD) has been awarded a Governor's Office of Highway Safety Grant, in the area of Occupant Protection, in the amount of \$34,311. The grant requested funds to continue the Child Safety Seat Clinics program for the period of October 1, 2020 to September 30, 2021. The program will offer 42 child safety seat (CSS) inspection clinics and distribute up to 170 booster and infant seats to families in need. Clinics will be held at Chandler Regional Medical

Center and the Chandler Police Department. CFD's child passenger safety technicians (CPST) will participate in regional events sponsored by SafeKids, the Governor's Office of Highway Safety, or in conjunction with community-wide events in Chandler. All CSS inspections and installations will be provided by CFD personnel with CPST certification. CFD will pay the costs of certifying the technicians.

Additionally, the project will include a public education component where each parent or caregiver will be given hands-on instruction on properly installing CSSs. Printed materials will be given to families at each clinic and will cover the correct usage of CSS, child safety in and around vehicles, passenger safety for every family member, the "Buckle Up, Baby" hotline, and Children Are Priceless Passengers (CAPP). Materials will be available in English and Spanish when possible.

**FINANCIAL IMPLICATIONS:**

This reimbursable grant does not require matching funds.

13. RESOLUTION NO. 5425, authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Department of Public Safety in the amount of \$205,108, and authorizing the Chief of Police to sign, administer, execute, and submit all documents and other necessary instruments in connection with such agreement.

**BACKGROUND FROM COUNCIL MEMO:**

The Police Department has been awarded a Victim Assistance Grant through the Arizona Department of Public Safety as a pass-through grant from the Federal Government's Victims of Crime Act. The Police Department has been the recipient of an award through this program each year since Fiscal Year 2007/08. The grant covers 80% of actual expenses for a Victim Services Specialist position. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This Agreement is for \$205,108 for the period October 1, 2020, through September 30, 2023.

**FINANCIAL IMPLICATIONS:**

This grant covers 80% of the position's expenses. Domestic Violence Prevention Fees will provide the 20% match.

14. RESOLUTION NO. 5426, authorizing a grant agreement with the Federal Aviation Administration (FAA), for reconstruction of drainage headwalls on Runway 4L-22R at Chandler Municipal Airport; and authorizing the City Manager, or designee, to execute the grant agreement, in an amount not to exceed \$150,000.

**BACKGROUND FROM COUNCIL MEMO:**

The City anticipates receiving a grant from the Federal Aviation Administration (FAA) for the reconstruction of drainage headwalls on Runway 4L-22R (the north runway) at Chandler Municipal Airport. The headwalls were identified by the FAA as a potential safety issue as part of the agency's annual Runway Safety Action Team process. The headwalls protrude over the pavement grade and the solution is to demolish the headwalls and install drainage channels at grade. The work is planned to occur over a two-week period.

FINANCIAL IMPLICATIONS:

This project is in the Capital Improvement Program (CIP). The grant represents \$150,000, or approximately 83.33% of the estimated project cost of \$180,000. The remaining local match of \$30,000 is approximately 16.67% of the project cost and will be from the Airport Operating Fund.

15. PRELIMINARY DEVELOPMENT PLAN (PDP), PLH19-0060, FALCON STORAGE CONDOS, for site layout and building architecture for privately owned condominium storage units.  
PRELIMINARY PLAT, PLT20-0004, FALCON STORAGE CONDOS, for approximately 9.47 acres, located at the northeast corner of the Union Pacific Railroad and Willis Road.

BACKGROUND FROM COUNCIL MEMO:

Approximately 9.47 acres. Subject site zoned Planned Area Development (PAD) for Industrial Park in 1986. Uses permitted under the zoning allow for light industrial (I-1) uses. 2016 PDP approved site for self-storage facility with recreational vehicle storage and a 62,240 square foot flex industrial building

Surrounding Land Use Data

North	SanTan Loop 202 Freeway	South	Willis Road; then two industrial businesses (84 Lumber & PODS self-storage facility)
East	Undeveloped ADOT property	West	Union Pacific Railroad, then commercial shopping center

Proposed Development

Building Square Footage	156,959 total square feet <ul style="list-style-type: none"><li>• 10 Buildings; 133 units</li><li>• 1,219 square foot club house</li></ul>
Building Height	One-story buildings; flat roofs 23' top of roof, 29' for tower features
Façade Materials	<ul style="list-style-type: none"><li>• Metal Panels: vertical &amp; horizontal panels</li><li>• Stucco</li><li>• Split-face CMU block</li></ul>
Parking Spaces Provided	5 spaces adjacent to club house; units can accommodate owners' vehicle when on-site

Proposal consists of 133 privately-owned units within ten buildings and an exclusive club house for condo owners. Units are climate controlled for storage of vehicles, boats, hobby cars, etc. Units are privately-owned and can be individually sold, condominium-platted, and maintained by recorded CC&R's

Review and Recommendation

Planning staff has reviewed the request and supports the proposal citing consistency with the General Plan and Chandler Airpark Area Plan (CAAP). In addition, the proposed condominium storage units are consistent with the zoning for this site as well as meeting the City's Zoning Code and design expectations for architecture and site layout.

There is one requested waiver from Zoning Code regarding parking requirements for the storage facility. The Zoning Code parking schedule does not include a parking ratio for storage facilities, only for light industrial warehousing and manufacturing facilities. Therefore, the applicant proposes parking appropriate for the storage use consisting of five parking spaces at the clubhouse for guests of the clubhouse while the units can accommodate each owner's vehicle when on-site. In addition, drive isles within the development are oversized to allow for maneuvering of recreational vehicles and can accommodate parallel parking, which provides adequate on-site parking.

The request was reviewed taking into account the interface of the development and the SanTan Loop 202 Freeway located to the north. Special attention to building height and the view from the freeway were considered to ensure rooftops are not seen. Corners of buildings provide increased parapet heights to create diversity for elevations adjacent to the freeway. The buildings utilize a mix of materials including stucco, split face CMU block, and metal panels to enhance the architecture by providing a mix of textures and color. Further, the slope of the east bound on-ramp, existing ADOT landscaping, and proposed ten-foot perimeter landscaping containing trees will limit the view into the development. The development is not seen from the westbound lanes of the freeway. In addition, CC&R's will prohibit outdoor storage.

#### Public/Neighborhood Outreach

This request was noticed in accordance with requirements of the Chandler Zoning Code. A neighborhood meeting was held on December 17, 2019; no one attended other than the applicant. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting October 21, 2020.

Motion to Recommend Approval.

In Favor: 7      Opposed: 0

#### Recommended Actions

##### Preliminary Development Plan

Planning staff find the request is in compliance with the General Plan and CAAP. Planning and Zoning Commission recommends the City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Falcon Storage Condos" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0060, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 1644 in case Z86-025 Larry S. Lazarus.
3. The landscaping in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.

4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

#### Preliminary Plat

Planning staff find the request is in compliance with the General Plan and CAAP. Planning and Zoning Commission recommends City Council approve the Preliminary Plat, subject to the following condition:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.
16. PRELIMINARY DEVELOPMENT PLAN (PDP), PLH20-0031, COMPASS CHRISTIAN CHURCH, for two monument signs, located at 1825 S. Alma School Road.

#### BACKGROUND FROM COUNCIL MEMO:

Approximately 25.6 acres. Subject site zoned Planned Area Development (PAD) for church, approved in 2008. The church is currently in its third phase of construction. The campus includes an assembly building, multi-purpose classrooms, a youth building, worship center, and site improvements. In 2010, a Preliminary Development Plan was approved for a 6'-high monument sign with an electronic message board, which currently exists, at the Germann Road entrance.

#### Proposed Signage

Two monument signs with the name of the church and the cross symbol, totaling ten feet tall; one at the entrance along Alma School Road and the other along Germann Road replacing the existing sign at the Germann Road entrance.

#### Surrounding Land Use Data

North	PAD for Single-Family (Eden Estates)	South	PAD for Commercial, Germann Road
East	AG-1 Single-Family	West	PAD for single family residential and neighborhood commercial across Alma School Road

#### Review and Recommendation

Compass Christian Church currently has a 6'-high monument sign that includes an electronic message board. Compass Christian Church will be replacing the electronic message board monument sign that is located on Germann Road and adding another monument sign to Alma School Road. In addition, the new signs will be taller at 10' from the foundation to the top of the gabion basket. The new signs will not feature an electronic message board.



Planning staff finds that the request for the two monument signs at Compass Christian Church meets the intent of the Sign Code and the proposed signage is architecturally integrated with the existing and future buildings within Compass Christian Church site.

#### Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on September 22, 2020. One resident contacted staff about the site but had no issues about the signage proposed. As of the writing of this memo, Planning staff is not aware of any concerns or opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting October 21, 2020.

Motion to Recommend Approval.

In Favor: 6    Opposed: 0    Absent:    Abstained: 1 (Pekau)

#### Recommended Action

##### Preliminary Development Plan

Planning staff find compliance with the General Plan and the Planning and Zoning Commission recommends approval of the Preliminary Development Plan, subject to the following conditions:

1. Monument signage shall be in substantial conformance with the elevations, entitled "Exhibit A" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0031, modified by such conditions included at the time the exhibit was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
  2. Signs shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
17. AGREEMENT NO. CS0-910-4120, AMENDMENT NO. 1, with UBM Enterprise, Inc., for park restroom cleaning, for the period of December 1, 2020, through November 30, 2021, in an amount not to exceed \$151,844.02.

#### BACKGROUND FROM COUNCIL MEMO:

The City of Chandler has utilized a cleaning contract for park restrooms since 2002. This contract provides daily cleaning of twenty four (24) restrooms at sixteen (16) City parks. The cleaning of these restrooms is performed after the closing of the parks each evening (generally 10:30 p.m.) and completed before reopening the following morning (generally 6:00 a.m.). The recommended contract also includes the additional afternoon cleaning of ten restrooms (10) on Saturdays during the heavy use months of March through May and September through November. This contract also provides cleaning services for the restrooms at the Chandler Fashion Mall Transit Station and the Tumbleweed Park and Ride facility. An additional \$5,000 from the Parks Operations and Maintenance Division and \$520 from Transit Services Division has been added to this Agreement to fund unanticipated emergency or extra work.

18. AGREEMENT NO. TR9-285-3990, AMENDMENT NO. 2, with Cem-Tec Corporation, for streetlight poles, for a one-year term, December 1, 2020, through November 30, 2021, in an amount not to exceed \$175,000.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division is responsible for the maintenance of over 29,500 streetlight poles on public streets throughout the city. This agreement will allow for the purchase of streetlight poles. The majority of the poles purchased will be used to replace existing poles that are damaged as a result of traffic accidents or rust. This agreement is also used to purchase poles for miscellaneous new streetlight installations to increase lighting levels in older, developed areas. Estimated quantities are based on the historical number of installations. In Fiscal Year 2019-2020, 234 poles were replaced. The agreement will allow for the purchase of approximately 300 poles during the contract term. Installation of these poles is completed through a separate contract.

19. PROFESSIONAL SERVICE AGREEMENT NO. ST2104.201, with Y2K Engineering, LLC, for Traffic Signal Design Services at Ocotillo Road and Pinelake Way, in an amount not to exceed \$75,188.32.

BACKGROUND FROM COUNCIL MEMO:

In response to a resident request, a signal warrant evaluation was conducted at the Ocotillo Road/Pinelake Way intersection in early 2018. Results of the study showed that traffic movements, volumes, and conditions did not meet, but were very close to meeting, warrants for installation of a new traffic signal. Since that signal warrant evaluation was conducted, the surrounding area has experienced extensive development, including the Chandler Unified School District Bus Facility to the east and two residential communities to the south. Once the residential developments are occupied, signal warrants are expected to exceed threshold volumes.

As such, City staff is proposing the design of a traffic signal at the intersection of Ocotillo Road and Pinelake Parkway. This project includes design of the traffic signal, including traffic control equipment, wireless vehicle detection, preemption equipment, and a closed-circuit television camera. The project also includes design modifications to pedestrian curb ramps to comply with the Americans with Disabilities Act guidelines, and Intelligent Transportation System fiber field verification.

The project scope of work consists of project management, utility coordination, survey, design development, and cost estimation. The contract completion time is 215 calendar days following Notice to Proceed.

The City will perform a traffic study near the end of the design phase to determine if signal warrants are met, and, if so, the appropriate timing for construction of the traffic signal.

20. PROFESSIONAL SERVICE AGREEMENT NO. WW2014.451, with Dibble CM, LLC, for the Sewer Manhole Rehabilitation Construction Management Services, in an amount not to exceed \$176,850.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department administers an ongoing Wastewater Sewer Assessment Program to evaluate, prioritize, and repair deteriorated sewer manholes within the City's collection

system. As part of this program, 48 existing sewer manholes in areas of south Chandler have been deemed to be in need of urgent rehabilitation. The sewer infrastructure in this area is in excess of 20 years old, and the concrete manholes are deteriorating rapidly. Deteriorated material sloughing off into the sewer flow line could create potential overflow or backup conditions.

The project scope of work consists of project administration, engineering and inspection services, and project close-out. The contract completion time is 240 calendar days following Notice to Proceed.

A related Job Order Contract with B&F Contracting, Inc., for the Sewer Manhole Rehabilitation, is also scheduled for this City Council meeting.

21. PROJECT AGREEMENT NO. CS2101.401, with Foresite Design & Construction, Inc., pursuant to Job Order Contract No. JOC1905.401, for General Construction Services, for Nozomi Aquatic Center Play Pool Replaster, in an amount not to exceed \$243,913.35.

BACKGROUND FROM COUNCIL MEMO:

The Desert Oasis Aquatic Center, located at 1400 West Summit Place, was built in 1992 and serves the residents of north Chandler. This Center offers public open swim, year-round lap swimming, recreational programs and swimming lessons. The in-water play area surfaces and in-water play feature/slide have deteriorated (cracking and chipping) and are no longer safe for public use. The pool also has three slides, two for older swimmers and one for younger swimmers.

The project scope of work consists of replacement of three rubberized safety pads in the play pool, removal of the existing whale play feature; and installation of a new Aquatix AquaGather Station water feature. This new play feature will provide another amenity for younger children to enjoy at the pool.

The contract completion time is 90 calendar days following notice to proceed.

22. PROJECT AGREEMENT NO. CS2102.401, with Foresite Design & Construction, Inc., pursuant to Job Order Contract No. JOC1905.401, for General Construction Services, for Desert Oasis Aquatic Center Improvements, in an amount not to exceed \$67,422.56.

BACKGROUND FROM COUNCIL MEMO:

The Nozomi Aquatic Center, located at 250 South Kyrene Road, was built in 1999 and serves residents of west Chandler. Nozomi Aquatic Center hosts many athletic competitions, three high school swim teams, recreational programs, and open swim. The center is the third busiest pool within the City of Chandler. The plaster finish has been chipping for the past two years and has been patched. The surface is no longer viable for repair and must be replaced to continue safe operations. The UV sanitation systems on the three systems at this site are no longer functional and replacement is more cost effective than repair of those systems.

The project scope of work consists of replacement of the existing play pool white plaster finish, replacement of the existing UV system with a new ozone disinfection system, replacement of the existing ceramic tile on the pool floor, and replacement of the existing safety pad in the play

equipment area with a bolt down mat. The contract completion time is 90 calendar days following notice to proceed.

23. PROJECT AGREEMENT NO. CS2103.401, with Foresite Design & Construction, Inc., pursuant to Job Order Contract No. JOC1905.401, for General Construction Services, for Hamilton Aquatic Center Improvements, in an amount not to exceed \$89,563.81.

BACKGROUND FROM COUNCIL MEMO:

The Hamilton Aquatic Center, located at 3838 South Arizona Avenue, serves the residents of south Chandler. Hamilton Aquatic Center hosts many athletic competitions, recreational programs, and open swim. The Center was built in 2001 and is the second busiest pool within the City of Chandler. The flooring throughout the facility has been deteriorating, is difficult to keep clean, and is no longer safe. The floors' condition has been a consistent request for improvement in customer satisfaction surveys.

The scope of work for this project includes the replacement of the existing flooring and mosaic tiles, installation of new toilet partitions, and new floor drain covers. The contract completion time is 90 calendar days following notice to proceed.

24. PROJECT AGREEMENT NO. WW2014.401, with B&F Contracting, Inc., pursuant to Job Order Contract No. JOC1903.401, for the Sewer Manhole Rehabilitation, in an amount not to exceed \$1,175,161.88.

BACKGROUND FROM COUNCIL MEMO:

The Public Works & Utilities Department administers an ongoing Wastewater Sewer Assessment Program to evaluate, prioritize, and repair deteriorated sewer manholes within the City's collection system. As part of this program, 48 existing sewer manholes in areas of south Chandler have been deemed to be in need of urgent rehabilitation. The sewer infrastructure in this area is in excess of 20 years old and the concrete manholes are deteriorating rapidly. Deteriorated material sloughing off into the sewer flow line could create overflow or backup conditions.

The project scope of work consists of procurement and installation of structural inserts, epoxy coating, bench repairs, adjustment rings, and cover replacements. The contract completion time is 210 calendar days following Notice to Proceed.

A related Professional Services Agreement with Dibble CM, LLC, for the Sewer Manhole Rehabilitation Construction Management Services, is also scheduled for this City Council meeting.

25. No Item.
26. PURCHASE of fire bay doors, locking systems, hardware and operable walls, from DH Pace Company, Inc., utilizing the Mohave Educational Services Cooperative Contract No. 16G-DHP0916, in an amount not to exceed \$58,000.

BACKGROUND FROM COUNCIL MEMO:

This contract services the maintenance for roll-up, trifold doors and bay doors that have been installed throughout the City at City fire stations, public safety, and fleet facilities. This request includes the remaining funds need to complete the Fire bay doors at Fire Station 3. The bay doors at Fire Stations 6, 7, 9, and 10 have been completed. Fire Station 8 has been deferred to FY 2021/2022.

27. PURCHASE of energy management control system services, from Mechanical Products BAS, Inc., utilizing the Arizona State Procurement Office Contract No. ADSP018-181249, in an amount not to exceed \$178,000.

BACKGROUND FROM COUNCIL MEMO:

The City currently uses an Energy Management System (EMS) to control the HVAC and lighting in twenty-one (21) City buildings. This contract will provide for technical programming service, materials and equipment for the repair and maintenance of the existing control infrastructure on an as needed basis. In addition, the City will utilize this contract to replace thirty-two (32) control modules that were identified in a facility audit. The new modules will provide faster response time to address comfort needs in City buildings and provide a higher level of security from a cyber-attack.

28. PURCHASE of a wheel loader, from Empire Machinery, utilizing OMNIA Partners Contract No. 161534, in an amount not to exceed \$220,513.83.

BACKGROUND FROM COUNCIL MEMO:

The City's Transportation Division is responsible for maintenance of the City's street and alley infrastructure. Current maintenance programs include milling and patching of asphalt, repair and replacement of curb and gutter, sidewalk repair, pothole repair, alley grading and debris removal, as well as maintenance of landscaping in City's right-of-way. The City's Transportation Division currently operates two front-end wheel loaders.

The Fleet Advisory Committee has recommended replacement of one of the wheel loaders due to its age, maintenance history, and projected cost to operate. Replacement cost for this wheel loader is included in the FY 2020/2021 capital improvement budget.

29. AGREEMENT NO. PD8-055-3836, AMENDMENT NO. 3, with Arizona Emergency Products, and Pride Group, LLC, for the purchase of upfitting for various Police Department and fleet vehicles, for the period of December 1, 2020, through November 30, 2021, in the amount not to exceed of \$494,689.14.

BACKGROUND FROM COUNCIL MEMO:

The requested contract will be used to up-fit twenty five (25) vehicles including patrol vehicles, undercover vehicles and utility vehicle. Up-fitting modifies vehicles to provide emergency response warning devices, lighting, communication systems, and equipment/personnel carrying capabilities. The vehicles must provide safe, dependable, effective, and comfortable transportation for personnel as well as required equipment. The design engineers and installation technicians involved in up-fitting must be highly skilled and experienced in order to design and build efficient, long-lasting public safety vehicles.

Over the past 5 years there has been a 32% increase in up-fitting costs due to increased tariffs on metals, increased lighting technology and improvements to ergonomics. The Contractor has agreed to extend this contract for one additional year at the same terms, conditions and pricing.

30. AGREEMENT NO. IT9-918-4011, AMENDMENT NO. 2, with CE Wilson Consulting, for temporary contract staffing services, for the period of November 15, 2020, through November 14, 2021, in an amount not to exceed \$154,000.

BACKGROUND FROM COUNCIL MEMO:

The Information Technology department has historically hired consulting services to assist in special projects or backfill vacant positions by utilizing professional service agreements. These consultants have specialized skills in specific technical areas which complement IT staff and work on a temporary basis for a specific assignment. The consulting resource requested is to provide business process analysis and project management oversight services for approved City-wide technology projects.

31. PURCHASE of temporary contract staffing services, from Computer Aid, utilizing the Sourcwell Contract No. 020817-CA1, in an amount not to exceed \$558,000.

BACKGROUND FROM COUNCIL MEMO:

The Information Technology (IT) department has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement IT staff and work on a temporary basis for a specific assignment. These temporary resources are planned and budgeted as part of the scope of projects. The purpose and focus of two these requested resources is to provide primary project management leadership for the continuation of the Fleet Management Project, and completion of the Business Registration Portal project. The third resource is to provide backfill support for a Microsoft SQL server upgrade utilizing a programmer analyst. The hourly rates range from \$90 - \$120 depending on the skillset required. The estimated duration of the assignments range from 6 to 18 months depending on the project.

32. AGREEMENT NO. MS0-946-2777, AMENDMENT NO. 6, with Bank of America, N.A., for procurement card services, for the period of January 1, 2021, through December 31, 2021.

BACKGROUND FROM COUNCIL MEMO:

The City of Chandler was the first municipality in Arizona to develop a procurement card (P-Card) program beginning in 1993. Through the use of individual, procurement cards, Department and Division cards and ghost cards, the annual spend is almost \$10.3 million and the number of cardholders is now approximately 800. This revenue generating program provides the City with the means to be efficient and cost effective in the processing of payments, and equips the City with user-friendly reporting tools. It automates the interface with the City's Oracle financial system, which allows for on-line review and approval of transactions to ensure program-compliant spending.

The City's contract is cooperative and is used by over 30 public agencies. This is a benefit to the City because the total spend volume by all users, in addition to the City's individual spend, is considered in the determination of the amount of the rebate the City receives. There will be no changes to the rebate structure for the upcoming term.

33. SOLE SOURCE PURCHASE of body worn cameras, from Axon Enterprise, Inc., in the amount of \$2,483,240.51.

BACKGROUND FROM COUNCIL MEMO:

In 2015, Chandler Police Department (CPD) implemented a body worn camera program with Axon Enterprise, Inc. as a sole source. CPD currently equips all first responders and select detectives with department-issued body worn cameras for use during their work shifts. CPD currently has 266 body worn cameras that include related equipment, storage, hardware, software support, and associated warranties. Officers can review their recording via smart phone application or internet connected computers. All activity associated with a recording is tracked to ensure chain of custody. Body worn cameras are replaced every five years.

The Police Department will use this five year agreement to purchase 334 body worn cameras that include related equipment, storage, hardware, software support, and associated warranties to replace the existing 266 body worn cameras and purchase an additional 68 body worn cameras to equip the remaining sworn officers.

34. USE PERMIT, PLH20-0043, SLAUGHTER & ASSOCIATES, approval for motor vehicle repairs in an I-1 zoned district, west of the southwest corner of Galveston & 56th Street, located at 7045 W. Galveston Street.

BACKGROUND FROM COUNCIL MEMO:

Zoned Light-Industrial (I-1). Zoning Code requires use permit approval for motor vehicle repairs in an I-1 district

Surrounding Land Use Data

North	Vacant parcel zoned Light-Industrial (I-1) across Galveston Street.	South	Two parcels zoned Light-Industrial (I-1) occupied by a tile contractor and an aircraft parts manufacturer
East	Vacant parcel zoned Light-Industrial (I-1)	West	Automobile collision repair zoned Light-Industrial (I-1) with 2007 Use Permit approval

Proposed Business Operations

Suite sq. ft.	Approximately 10,000 sq. ft. suite
# of employees	Four to six employees
Hours of Operation (Dog Daycare & Outdoor Play Area)	Monday – Friday, 7 a.m. – 4 p.m.
# of Lifts	7 vehicle lifts provided

Parking	Flooring Gallery & More, LLC -24 spaces  All J's Detail -26 spaces  Slaughter and Associates -29 spaces  Total required all tenants = 79 spaces;79 spaces provided
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#### Review and Recommendation

The motor vehicle repair shop is located between two suites: a wholesale flooring business to the east and an automotive detailer (All J's Detail) to the west. All J's Detail originally received Use Permit approval in 2011 and was most recently approved for another five years in 2018. The parcel to the west received Use Permit approval for automotive reconditioning and repair within a Planned Industrial (I-1) District in 2006.

All repairs will be conducted inside the building, which has seven (7) lifts. The business is geared towards providing full-service automotive repair to light duty automobiles only, thus service to large trucks and recreational vehicles will not be provided. The business will not offer machinery, engine or transmission rebuilding or tire changes. Cars being repaired will enter from the rear of the building through two overhead roll-up doors, which are located behind a wall and gate that surround the rear of the property. The site has sufficient parking in the front and in the rear to comply with parking requirements for all three tenants.

Planning staff finds the proposed operation of motor vehicle repair is consistent with previous Use Permit approvals and a compatible land use within the light-industrial center. The use permit request is in compliance with the General Plan, which is a designated "Employment" area, and the facility is not in proximity to any residential uses.

As of the writing of this memo, no known complaints or concerns have been voiced by residents or business owners to either the applicant or staff. Staff recommends a two-year time condition to re-evaluate the compatibility of the use with surrounding residential uses.

#### Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to no residents living within 600-feet of the property, a notification was mailed to property owners on September 16, 2020, in lieu of a neighborhood meeting. After 15 days, the applicant and staff received no feedback or complaints in regard to the case. As of the writing of this memo, Planning staff is not aware of opposition to the request.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting October 21, 2020  
Motion to Approve.



In Favor: 7      Opposed: 0

Recommended Action

Planning staff find the request is in compliance with the General Plan and Planning and Zoning Commission recommend approval of use permit, subject to the following conditions:

1. Substantial expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Elevations and Narrative), as kept on file in Case No. PLH20-0043 shall void the Use Permit and require new Use Permit application and approval, unless otherwise amended via conditions herein.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The site shall be maintained in a clean and orderly manner.
4. The Use Permit shall be valid for a period of two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

35. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Daradee Rae Olson, Agent, Twelve30 New Square LLC, dba Jinya Ramen Noodle Bar, located at 130 S. Arizona Avenue, Suite 1.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on November 5, 2020:

New License, Series 12, Restaurant Liquor License, for Daradee Rae Olson, Agent, Twelve30 New Square LLC, dba Jinya Ramen Noodle Bar, located at 130 S. Arizona Avenue, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

36. NEW LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, F H I El Pedregal LLC, dba Senor Taco, located at 4200 S. Arizona Avenue, Suite 5.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on November 5, 2020:

New License, Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, F H I El Pedregal LLC, dba Senor Taco, located at 4200 S. Arizona Avenue, Suite 5.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

37. LIQUOR LICENSE, Series 12, Restaurant Liquor License, for Antonio Franko Harris, Agent, Antonio Franko Harris, dba Rick's Pub & Grub, located at 4910 W. Ray Road, Suite 3. (STAFF REQUESTS CONTINUANCE TO THE DECEMBER 10, 2020, COUNCIL MEETING)

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on November 5, 2020:

Series 12, Restaurant Liquor License, for Antonio Franko Harris, Agent, Antonio Franko Harris, dba Rick's Pub & Grub, located at 4910 W. Ray Road, Suite 3.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

This continuance is requested to allow staff time to gather additional information and to work with the applicant.

38. LIQUOR LICENSE, Series 12, for Nicolas Gonsiorovsky, Agent, Howler's Chandler LLC, dba Howler's Restaurant and Sports Bar, located at 3095 W. Chandler Boulevard.

BACKGROUND FROM COUNCIL MEMO:

The following application for a liquor license was posted for hearing on October 15, 2020, at which time it was continued until November 5, 2020:

Series 12, Restaurant Liquor License, for Nicolas Gonsiorovsky, Agent, Howler's Chandler LLC, dba Howler's Restaurant and Sports Bar, located at 3095 W. Chandler Boulevard.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

39. SPECIAL EVENT LIQUOR LICENSE, for Chandler Cultural Foundation, Outdoor Museum Concert #2 on Saturday, December 12, 2020, from 6:00 p.m. until 8:30 p.m., located at the Chandler Museum, 300 S. Chandler Village Drive.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Chandler Cultural Foundation for the Outdoor Museum Concert #2 on Saturday, December 12, 2020, from 6:00 p.m. until 8:30 p.m., located at the Chandler Museum, 300 S. Chandler Village Drive.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special

event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

40. SPECIAL EVENT LIQUOR LICENSE, for Chandler Cultural Foundation, Outdoor Museum Concert #3 on Saturday, December 19, 2020, from 6:00 p.m. until 8:30 p.m., located at the Chandler Museum, 300 S. Chandler Village Drive.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by Chandler Cultural Foundation for the Outdoor Museum Concert #3 on Saturday, December 19, 2020, from 6:00 p.m. until 8:30 p.m., located at the Chandler Museum, 300 S. Chandler Village Drive.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

41. SPECIAL EVENT LIQUOR LICENSE, for RideNow/CAG Charitable Foundation, Chandler Harley Davidson Bike Night on Saturday, November 28, 2020, from 5:00 p.m. until 9:00 p.m., located at Chandler Harley-Davidson, 6895 W. Chandler Boulevard.

BACKGROUND FROM COUNCIL MEMO:

An application for a Special Event Liquor License has been submitted by RideNow/CAG Charitable Foundation for the Chandler Harley-Davidson Bike Night on Saturday, November 28, 2020, from 5:00 p.m. until 9:00 p.m., located at Chandler Harley-Davidson, 6895 W. Chandler Boulevard.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license, and the applicant is working with the Special Event Coordinator to meet any necessary requirements. The special event liquor fee has been paid; all business registration information has been collected for this non-profit organization.

42. FINAL PLAT, PLT20-0021, CARINO 8 ENCLAVE, for approximately 4.47 acres, zoned Planned Area Development (PAD) for single-family residential, located south of Germann Road and approximately 740 feet east of the intersection of Germann and South Alma School roads.

BACKGROUND FROM COUNCIL MEMO:

4.47-acre site to be developed with 8 homes. Zoned Planned Area Development (PAD) for single-family residential in May 2020. The final plat creates eight lots, open space tracts, utility easements, and rights-of-way to be conveyed or dedicated as part of developing the site in substantial conformance with the Council-approved rezoning. The density will be 1.8 units per

acre. As shown, Tract D will accommodate only emergency vehicular access in order to align with the approved rezoning documents.

- 43. On Action.
- 44. On Action.
- 45. RESOLUTION NO. 5413, approving an Assignment and Assumption Agreement between DT Chandler, LLC, and Overstreet Project, LLC, for the retail/office site located at the northwest corner of Arizona Avenue and Buffalo Street, as part of the Overstreet development in Downtown Chandler.

#### BACKGROUND FROM COUNCIL MEMO:

On February 27, 2017, the Chandler City Council approved a Development Agreement and Option Agreement with DT Chandler, LLC, for the development of a mixed-use project located on the southwest corner of Arizona Avenue and Chandler Boulevard referred to as Overstreet. Overstreet consists of second floor office space, ground floor retail, and the Flix Brewhouse Movie Theater.

On December 12, 2019, the Chandler City Council approved Resolution No. 5331 Approving a Second Amendment to the Development Agreement and Option Agreement and amending additional ancillary real estate agreements between DT Chandler, LLC, and the City of Chandler, to provide for bifurcation of the Overstreet development into three parcels allowing the developer to sell the sites individually.

DT Chandler, LLC, is preparing to sell the Overstreet office/retail site (parcels 303-08-982 and 303-08-978) to Overstreet Project, LLC, an affiliated entity of Gampel Investments. Per the Development Agreement, Section 10.19 Assignment:

Developer shall not assign or transfer any of its rights and duties under this Agreement, the Purchase Agreement, Lease or any other agreement known of between the parties without the express written approval of the City, which approval shall not be unreasonably withheld, conditioned, or delayed.

#### FINANCIAL IMPLICATIONS:

No financial implications.

#### ACTION AGENDA ITEM NO. 43 AND 44 DISCUSSION:

- 43. INTRODUCTION OF ORDINANCE NO. 4946, ANX20-0001, approving annexation and initial City zoning, located north of the northeast corner of Arizona Avenue and Germann Road.
- 44. INTRODUCTION OF ORDINANCE NO. 4947, and RESOLUTION NO. 5417  
AREA PLAN AMENDMENT, PLH20-0007, EVERGREEN CHANDLER, denying Resolution No. 5417, an Area Plan Amendment to the Chandler Airport Area Plan from Commercial/Office/Business Park to high-density residential.

PLANNED AREA DEVELOPMENT (PAD), PLH20-0006, EVERGREEN CHANDLER, denying Ordinance No. 4947, the rezoning from Planned Area Development (PAD) to PAD amended for multi-family. PRELIMINARY DEVELOPMENT PLAN (PDP), denying PDP for site layout and building design located north of the northeast corner of Arizona Avenue and Germann Road.

MAYOR HARTKE called for a staff presentation on Action Agenda Items No. 43 and 44.

KRISTINE GAY, Senior Planner, said both items are related to the Evergreen proposal. There is request for annexation and initial City zoning of AG-1 of a small parcel in the southeast of the subject property. The next request would be an Area Plan Amendment to the Chandler Airpark Area Plan. That is requested for the entire subject site, including the annexed site. There is requested rezoning and a preliminary development plan. The site is over 16 acres at Arizona Avenue and Germann Road. The site has been used for landscape supply storage and some vacant offices. Surrounding the site to the west are mobile homes and future multifamily, to the north is a nursery and self-storage, to the east is the railroad and material supply shipping, and to the south is a nursery and a fueling station.

MS. GAY said a portion of the site is agricultural and a small portion is C-3 for commercial. A large portion is zoned PAD for commercial, office/business park land uses. None of these zoning permit residential land uses, the applicant requested rezoning. The proposal is for 396 units at 23.8 dwelling units per acre. There are 10 proposed 3-story buildings in the center of the site and 9 2-story buildings along the perimeter. The applicant is proposing a building height of 37 feet. The primary building material is stucco and scored CMU. There would primarily be a flat parapet roofline with an inverted angled roofline near the entrance.

MS. GAY said the site is located in a transitional employment corridor and is in the Chandler Airpark Growth Area and high capacity transit corridor. The General Plan states that the employment corridor does allow for residential to be considered and an integral component of a mixed-use development. The transitional employment corridor recognizes existing variety of land uses and allows for a mix where appropriate. Ms. Gay said staff's opinion is the proposal is not an integral part of mixed use or a future potential mixed use set of land uses. Ms. Gay said it seems to bifurcate the site instead of working in an integral fashion.

MS. GAY said staff sees that there is a consistent set of existing land uses and recommended land uses. The injection of residential may not be appropriate. Ms. Gay showed pictures showing existing land uses. The Chandler Airpark Area Plan shows the site as commercial/office/business park and light rail corridor overlay which speaks to mixed uses and residential to be considered. Ms. Gay said the Chandler Airpark Area Plan guidance is to ensure land use compatibility, protect employment, protect the airport from incompatible land uses, preserve and grow existing businesses, and fully develop high-quality employment center in commercial/office/business park areas.

MS. GAY said the proposed project would be for high density multifamily. When staff applied the guiding Plans it seems this reduces compatibility of land uses by injecting residential where there is currently consistent light industrial and commercial uses. This may reduce employment and Economic Development has looked at the site and determined that the site may create 230 jobs for existing residents. The Chandler Airport Commission determined this project creates a conflict with the existing and proposed operation of the Airpark based on the number of dwelling units and residents being

exposed to aircraft noise on a daily basis. This may diminish the potential of existing businesses by encouraging other multifamily development proposals and would remove an approved employment center.

MS. GAY said the proposal is inconsistent with the General Plan and Chandler Airpark Area Plan. The Airport Commission has determined this to be a conflict with airport operations. Economic Development staff has advised against the rezoning. Staff and the Planning and Zoning Commission recommended denial.

MAYOR HARTKE asked what the vote was at the Planning and Zoning Commission meeting.

MS. GAY said it was 5-2.

COUNCILMEMBER ORLANDO asked for clarification on the conflict with airport operations.

MS. GAY said it does not appear there is conflict with the actual flying of aircraft, but more so with the ability to sustain and attract businesses within the airpark.

COUNCILMEMBER ORLANDO asked if Arizona Avenue is considered a high capacity corridor.

MS. GAY said yes.

COUNCILMEMBER ORLANDO said Consent Agenda Item No. 2 was proposed to be there to have multifamily near a high capacity corridor and taking away from some employment areas. Councilmember Orlando asked why this one is different.

MS. GAY said each development is unique. Consent Agenda Item No. 2 is adjacent to an existing shopping center to the east that could use some residents injected there to support and sustain it. Ms. Gay said the office environment has changed and the existing improvements on the site are not as marketable as they used to be. Ms. Gay said the benefit of residential there is to support the existing businesses.

COUNCILMEMBER ORLANDO said each site is different and independent.

COUNCILMEMBER McCLYMONDS asked what the perfect project for this site would be since they are recommending denial.

MICAH MIRANDA, Economic Development Director, said the appropriate use would follow what the General Plan calls for. This area calls for employment and they have seen a lot of activity in and around the airport that supports the direction as to what the use should be.

COUNCILMEMBER McCLYMONDS asked what type of industrial building are they considering.

MR. MIRANDA said an industrial flex, 30 foot ceiling, would be consistent with the rest of the area.

VICE MAYOR LOPEZ asked if more properties needed to be assembled to make an industrial space like that feasible.

MR. MIRANDA said looking at the plot size there are some opportunities that could accommodate the site. Mr. Miranda said he did not want to speak to the other sites for assemblage, but it has industrial opportunities.

MAYOR HARTKE said they have talked in the past about multifamily housing and economic development and asked for an update on jobs per household.

MR. MIRANDA said they went from 1.16 to 1.24 so their policies have been successful.

MAYOR HARTKE said as they approach buildout it does require more review of what the site should be. Mayor Harkte said the east side of Arizona was commercial and the west side was more residential look and asked if that was still the approach they were taking.

MR. MIRANDA said yes, staff looks to the guiding documents to make recommendations.

COUNCILMEMBER ORLANDO asked what has come into the area and has anyone said they wanted to build in the area.

MR. MIRANDA said the area is attractive for industrial development. To the east is the Via West development and in the airpark area there is a lot of industrial flex projects.

COUNCILMEMBER ORLANDO asked if there has been any activity specific for this piece of property.

MR. MIRANDA said nothing other than what has been presented and approved already.

VICE MAYOR LOPEZ said the northern part of the parcel had an applicant to get it rezoned for industrial.

MS. GAY said in 2008 the PAD did accommodate 108,620 square feet of commercial office land uses.

VICE MAYOR LOPEZ said part of the proposed parcel was also zoned C-3.

MS. GAY said yes.

MAYOR HARTKE asked the applicant to present.

CHARLES HUELLMANTEL, P.O. Box 1833 Tempe, AZ, said they do not usually have a project that does not have support from staff. Normally there is a lot of the same slides and interpretation and in this case they have worked with staff for a year to try and reach an agreement. Mr. Huellmantel said they worked with staff to develop the design of the project and there is no neighborhood opposition to what they are proposing. However, there is neighborhood opposition to what staff is proposing from the applicant and other property owners. It has taken 40 years to assemble the site. Mr. Huellmantel showed pictures of what the site currently looks like and before that looked considerably worse.

MR. HUELLMANTEL said it is a challenging piece for many reasons. The site is not too far from the freeway and there is not much space to expand the site as there are pretty permanent borders to the

site. There were neighborhood meetings and there were representatives from three of the sides come and say they did not want to change what they do with their land. Mr. Huellmantel said the property has been on market for some time with the zoning staff is saying would be most effective. It is not a good use for the site. The site does have some natural challenges. One challenge is the mobile home park immediately to the west. At one point mobile home parks were temporary uses and that is not true anymore. The value of mobile home communities has skyrocketed and it is not feasible to pay the price for the parks and do something different. There are also not great business uses that are anxious to go across the street from a mobile home community.

MR. HUELLMANTEL said another use that is likely to never change is the refuse transfer station. The site is also boxed in because of the successful businesses to the north and south and they have no desire to change their use. The person who is most incentivized to assemble the land is the property owner as it would have put him in a better position but it is not possible. The only way to assemble more land is if the City chose to move forward with eminent domain but the land would still be bound by the mobile home community and the refuse transfer station.

MR. HUELLMANTEL said the Economic Development Director has done a great job in bringing jobs to Chandler, but in this particular instance Mr. Huellmantel did not agree with him. Generally, it is good to use pieces to bring great jobs to Chandler and Council should be commended for having that vision. However, it does not mean that every property is looked at equally and be used for the same thing. Not only is this piece not that kind of piece, but there are other needs as well that support it. The office environment has changed and the things that bring people to an office have changed. Roughly 20-30% of the people at these companies actually live in Chandler. It is hard to find a place to live in Chandler and the rental vacancy rate is 3%. There are not many homes for sale in Chandler and there are not many under \$300,000. Mr. Huellmantel said there are jobs that are brought in, but many people want to live near where they work.

MR. HUELLMANTEL said this location is near a high capacity corridor and are appropriate locations for mixed land uses to create opportunities for living near stores and restaurants. This location is about a mile south of downtown and there are many restaurants in the area. Mr. Huellmantel said there is a need for workforce housing and they need a place to live. Mr. Huellmantel said people rent at a location on purpose because they like the location, the price, and the units. Because the location is a little less desirable the product could be provided at a more affordable rate. Mr. Huellmantel said people want to be part of the community and the downtown area and all it has to offer. The residents would become an integral part of downtown. Mr. Huellmantel said that there are great locations closer to the airport for companies to do business. It is odd that for nearly 15 years the site has been available and zoned, but has not been utilized in any way for the very use that staff hopes it would be.

MR. HUELLMANTEL read an excerpt from the General Plan. Mr. Huellmantel said they are asking Council to look at this unique piece of land that they believe to have no other reasonable use and allow residential. The surrounding neighbors have no objection to having residential. The site is a mile and a half away from the airport. There are many residents closer to the airport and they have heard from staff that they have not heard a complaint from a multifamily user. There are conditions drafted, if Council were to approve the proposal, to notify users of the airport so that everyone would know they are in the airpark area. Mr. Huellmantel said they may be in the Airpark Area Plan but they are pretty far away from it.



MR. HUELLMANTEL said this is a less desirable location in terms of surroundings, but this works to their advantage in regards to pricing. The construction type is different of having a three story building and no parking structure. Workforce housing is between 81-120% AMI and their forecasted rent is forecasted to be in that range. This is less expensive than the apartments downtown and the community is nice in a different way. There would be some garages, gated facility, pools, and other amenities, and solid surface countertops. The inside is similar but the location is different.

MR. HUELLMANTEL said the proposed density is 22 units per acre and they have ensured they have significant landscaping. They have added rows of landscaping to create an inviting environment especially compared to what is on the site today.

WILLIAM VALENTIC, Eden Estates, Chandler, AZ, said he has been a resident in Chandler for most of his life. Mr. Valentic said one set of rules does not apply to every property and each situation is unique. In 1980, his family purchased the first piece of property thinking it would be a great investment because it was narrow and long. Directly to the north there were two parcels. Mr. Valentic was able to acquire a parcel to the north and his sister was able to acquire five acres to the east. This now created a square parcel. In 2017, the parcel to the south became available. Mr. Valentic said his ties to the assemblage of the property goes back 40 years and a great deal of cleanup has taken place to make it the parcel it is today. The property has been available for 40 years. Staff presented a diagram of the rezoning application in 2008.

MR. VALENTIC went into escrow in 2006 with Adobe Land and after investing \$2 million in the project the developer stopped the project as it was not feasible. Mr. Valentic asked how long they would have to wait for a good use of the property to become available. Mr. Valentic said Evergreen is a nice project for the property and there are no other uses that are waiting for the property. Recently the tax bill came for the parcels at over \$24,000 a year and they have been paying these taxes for 40 years. The highest and the best use is being represented here today and would be a project Chandler could be proud of. There are no other uses for the surrounding property other than what is being done today. This would support jobs that already exist and the businesses around it that need support.

MR. HUELLMANTEL said they can talk theoretically about what might happen but Mr. Valentic has been in the community for 40 years on this piece of property trying to make something happen. For 40 years, Mr. Valentic has tried to do something with the property and now they have an opportunity to do that. If it was a good location for something else, which it was already zoned for, then it would have been used. This piece of land would always have challenges and this is why General Plan talks about residential uses and allows for consideration. Mr. Huellmantel asked that Council consider the site be used for residential and the Mr. Valentic does not have to spend the rest of his life waiting for something to come along.

MAYOR HARTKE asked how long this acreage been assembled.

MR. Valentic said since 2017.

COUNCILMEMBER STEWART said asked if the PAD was all zoned commercial.

MR. HUELLMANTEL said the northern portion is the PAD and zoned commercial for almost 15 years. Mr. Huellmantel said access would always be on Arizona Avenue and the only interest in the property Mr. Valentic has gotten are just the pieces along Arizona Avenue and would destroy the ability to do anything with the bulk of the property.

COUNCILMEMBER STEWART said it would be challenging to pay 40 years of property taxes and why it wasn't changed back to agricultural.

MR. HUELLMANTEL said it is Mr. Valentic's strong hope in Chandler to do something with the property. Many years ago there was not a freeway and Chandler has grown and changed a lot.

COUNCILMEMBER ORLANDO said he knew Mr. Huellmantel has heard other discussions about where Council wants to go as a community. One of the discussions Councilmember Orlando had been advocating for was workforce housing and housing for people just getting started. This is a valleywide and nationwide issue. Councilmember Orlando asked how this business model has worked in other locations and how they could have a guarantee that rents would not greatly increase.

MR. HUELLMANTEL said he believed that this should be residential and would serve the workforce population. The project is designed to be workforce housing and they are not trying to turn it into something it is not later on. The site is less exciting and is around industrial property so the residents would know they are getting something that is a deal and know why it is a deal. The residents who would live here would want to live downtown, but are unable to afford to. Mr. Huellmantel said they have several different facilities they have built in the Phoenix metropolitan area and the rents have stayed in place for years now and in some cases they have decreased.

COUNCILMEMBER ORLANDO said they have built this type of product before and their business model allows them to keep these rents consistent. Councilmember Orlando asked for more information about their history at keeping the rents at a reasonable rate.

MATT said it is the market and where the rents start. Instead of going into the high profile areas they choose locations that are off the beaten path that commands lower rent, a better price on the land, lower density product, and lower construction costs to start the rent at a lower level. Typically, 10-15% lower than high density projects in high profile areas. He said they have been successful in these areas that others tend to overlook. He said they have done redevelopment and infill projects and the rents have either stayed the same or have raised 3-4% per year since they sold the property.

COUNCILMEMBER ORLANDO said the increase has been in the single digits instead of double digits like other properties.

COUNCILMEMBER ORLANDO said the amenities are a nice design, but are leveraging the property and area so they could still have a great project and not compete with the high end projects.

MR. HUELLMANTEL said yes, it is a lesser location, but they have to have a nice product to attract residents.

COUNCILMEMBER ORLANDO said staff had worked on the design as well.

MR. HUELLMANTEL said yes, staff is very diligent.

COUNCILMEMBER HUANG said a great question that was asked was what would be the appropriate project for this land. Councilmember Huang said he tried to put himself in the developer's position and thought of commercial and industrial options and maybe housing is appropriate for this land. Councilmember Huang said Mr. Huellmantel made a very strong case that this is appropriate for this land. Councilmember Huang said the density is acceptable and recommended approval.

COUNCILMEMBER ROE congratulated Mr. Valentic for his hard work on getting the land together. Councilmember Roe asked what type of light industrial vacancies are in Chandler.

MR. MIRANDA said the vacancy rate for industrial is higher than the average trend. They have had product come online to drive the vacancy higher so the rate is 11%, but is still pretty low and a healthy range.

COUNCILMEMBER ROE said if someone wanted to lease or purchase light industrial in Chandler, would they pay less in another city or is Chandler competitive.

MR. MIRANDA said price is always a consideration and in the airpark area it is about \$8 per for leased rate. It is competitive and is a good price because of the interest in that market.

COUNCILMEMBER ROE asked if someone came to the City and wanted to build light industrial space, would Mr. Miranda see this piece of land as a good fit.

MR. MIRANDA said that request would be consistent with the General Plan and Airpark Area Plan so it would be something staff would view as favorable.

COUNCILMEMBER ORLANDO said this property is still in the county, if it is brought into the City there may be tax repercussions for the owner and they may not want to annex the county property if the project is denied.

MR. HUELLMANTEL said they do not want to annex if they are unable to do something with the property. There has been an opportunity for industrial for a long time, but has never been a reality.

COUNCILMEMBER ORLANDO said they should vote on Action Item No. 44 before Action Item No. 43.

VICE MAYOR LOPEZ said this is a difficult project and there are many issues to weigh. Vice Mayor Lopez said the development itself is phenomenal and what they love to see. Vice Mayor Lopez said in the end it was not enough to take away from employment.

COUNCILMEMBER McClymonds said if the General Plan called for only employment he would have said no from the beginning, but that is not the case and there are other potential uses. Councilmember McClymonds said there are apartments being built in the area and could see the property as light industrial, but nothing has come along. Councilmember McClymonds said his daughter recently graduated college and she has not been able to find anything in Chandler or the surrounding area that

was affordable. Councilmember McClymonds said workforce housing is a driving force that made him interested in the project especially in a difficult area. Councilmember McClymonds said he was in support of the project.

COUNCILMEMBER ORLANDO said he is conflicted because he wanted to maintain employment areas, but they need to provide housing products for the workers in the community. Councilmember Orlando during COVID-19 the people who continued to go to work in person were the assembly line workers, stockroom workers, and drivers and they want to live in Chandler too. Because of their wages they may not be able to live here and that is not fair. Councilmember Orlando said this is a good use for this property and is the same situation as other projects Council has approved. This would help drive some economic development in the downtown area.

MAYOR HARTKE said he saw the assemblage of the property as three years old because the parcel was not always this size. Mayor Hartke said there are many apartments that are being requested to be built in the City and each situation is unique. Mayor Hartke said he wanted to continue to look at employment for this property and not housing. Mayor Hartke said because of the location and the direction Council has given staff, he would vote no.

ACTION AGENDA ITEM NO. 44 – MOTION AND VOTE:

COUNCILMEMBER ORLANDO MOVED TO APPROVE INTRODUCTION OF ORDINANCE NO. 4947, and RESOLUTION NO. 5417, AREA PLAN AMENDMENT, PLH20-0007, EVERGREEN CHANDLER, APPROVING Resolution No. 5417, an Area Plan Amendment to the Chandler Airport Area Plan from Commercial/Office/Business Park to high-density residential. PLANNED AREA DEVELOPMENT (PAD), PLH20-0006, EVERGREEN CHANDLER, APPROVING Ordinance No. 4947, the rezoning from Planned Area Development (PAD) to PAD amended for multi-family. PRELIMINARY DEVELOPMENT PLAN (PDP), APPROVING PDP for site layout and building design located north of the northeast corner of Arizona Avenue and Germann Road, SECONDED BY COUNCILMEMBER HUANG.

MOTION FAILED BY LACK OF MAJORITY (3-4) MAYOR HARTKE, VICE MAYOR LOPEZ, COUNCILMEMBER STEWART, COUNCILMEMBER ROE DISSENTING.

MAYOR HARTKE stated they would not vote on Action Item No. 43.

ACTION AGENDA ITEM NO. 2 – DISCUSSION:

2. INTRODUCTION OF ORDINANCE NO. 4941, PLH20-0013, ALTA CHANDLER AT THE PARK, rezoning from Planned Area Development (PAD) to PAD for multi-family residential with a MidRise Overlay. PRELIMINARY DEVELOPMENT PLAN (PDP), for site layout and building design, located at the southwest corner of Chandler and Parklane boulevards.

COUNCILMEMBER HUANG said this project is 6.5 acres and they are requesting to put 293 units for 45 units per acre. Councilmember Huang said that was too extreme. The project has a nice design but the location is not right and too dense. Councilmember Huang said they have received citizen concerns on Consent Agenda Item No. 4 because it was 10 units per acre and Council just denied a project that was 20 units per acre. If this is approved then it would send the wrong message.

COUNCILMEMBER ORLANDO said the multifamily piece does fit, but the high density is an issue and said he would not be supporting this item. Councilmember Orlando said the design is great but the intensity is too much for the acreage.

COUNCILMEMBER STEWART said he had concerns about parking and parking overflow going out to the street. Councilmember Stewart asked if they could add a stipulation that the parking has to fit within the confines of the community. Councilmember Stewart asked if there would be electric ports for vehicles.

BRENNAN RAY, 1850 N. Central Avenue, said there have been a lot of discussion with staff and when they begin to look at the parking, under normal parking criteria the development would need 490 spaces. Mr. Ray said they would be providing 484 and includes some on the street. Mr. Ray said they could count the on street parking because they are private streets adjacent to the site. Mr. Ray said if they were 2.8% reduction and would be in line with other multifamily developments. If the street parking was not counted they would be at a 7.4% reduction is in line with other reductions that Council has granted for other developments. Mr. Ray said in the other developments there is a parking surplus at night between 14-17% of spaces unoccupied. Mr. Ray said based on the parking study and existing developments the reduction is appropriate. They plan to contain all of the resident parking within the gates with 52 guest parking spaces, only if there is overflow would those street parking spaces be used.

MR. RAY said in the development booklet the developer does state that charging stations would be provided. Mr. Ray say they are not designed or located yet, but the plan is to provide a minimum of four charging stations. They recognize this would be important to future residents to have that ability and access.

COUNCILMEMBER STEWART asked when they determine the charging stations and how they determine an appropriate amount.

MR. MAYO said they could add a stipulation to the PDP from a design standpoint and the number of charging stations would be negotiated with the applicant.

VICE MAYOR LOPEZ asked if they have a drop off and pickup location for ride shares they could have a reduced number of parking spaces.

SUSAN FIALA, City Planner, said a ride share space is able to reduce the parking on site, but that was not calculated in the parking to reduce it. Ms. Fiala said they have provided loading spaces, but have not utilized that.

VICE MAYOR LOPEZ asked if it was a percentage or a number of spaces that are reduced.

MS. FIALA said she did not have that information.

MR. RAY said in terms of reduction, they are requesting that 484 spaces be provided which is a reduction of 14 parking spaces.

VICE MAYOR LOPEZ said they passed an ordinance where if there are ride share areas, then the parking could be reduced. Vice Mayor Lopez said he was not sure if it was for commercial or residential, but it was a reduction of 10%. This would put the applicant under the allotment.

MR. RAY said they are providing a ride share area.

VICE MAYOR LOPEZ asked if it was one or two spaces.

MR. RAY said it was more of an area.

COUNCILMEMBER STEWART said he would like to add a stipulation that the charging station to the PDP.

VICE MAYOR LOPEZ said this is a difficult decision, but this project checked more boxes and it goes to show these project are approved on a case by case basis. Vice Mayor Lopez said the location is very different than the previous item that was discussed. Vice Mayor Lopez said the density is needed to support the retail in the area.

ACTION AGENDA ITEM NO. 2 – MOTION AND VOTE:

COUNCILMEMBER HUANG MOVED TO DENY ACTION AGENDA ITEM NO. 2, SECONDED BY COUNCILMEMBER ORLANDO.

MOTION FAILED BY LACK OF MAJORITY (2-5). MAYOR HARTKE, VICE MAYOR LOPEZ, COUNCILMEMBER STEWART, COUNCILMEMBER McCLYMONDS, AND COUNCILMEMBER ROE DISSENTING.

COUNCILMEMBER HUANG MOVED TO ADD A STIPULATION TO ACTION AGENDA ITEM NO. 2, TO DECREASE THE DENSITY TO 30 UNITS PER ACRE; MOTION FAILED DUE TO LACK OF SECOND.

VICE MAYOR LOPEZ MOVED TO APPROVE ACTION AGENDA ITEM NO. 2, WITH A STIPULATION ADDED THAT STAFF WORK WITH THE DEVELOPER TO DETERMINE AN APPROPRIATE NUMBER OF ELECTRIC CHARGING STATIONS; SECONDED BY COUNCILMEMBER McCLYMONDS.

MOTION CARRIED BY MAJORITY (5-2). COUNCILMEMBER HUANG AND COUNCILMEMBER ORLANDO DISSENTING.

ACTION AGENDA:

43. INTRODUCTION OF ORDINANCE NO. 4946, ANX20-0001, approving annexation and initial City zoning, located north of the northeast corner of Arizona Avenue and Germann Road.

BACKGROUND FROM COUNCIL MEMO:

Located approximately halfway between Willis and Germann Roads, east of Arizona Avenue, Zoned Rural-43 (RU-43) within Maricopa County. 12,252 square feet in area. Upon annexation, initial City zoning is proposed to be Agricultural (AG-1). A Rezoning and Preliminary Development Plan for a proposed multi-family development consisting of 396 apartment units within 19 buildings also appears on this City Council agenda. Required public hearing held October 15, 2020

Surrounding Land Use Data

North	Self-storage	South	Plant Nursery
East	Union Pacific Railroad, Lumber Company	West	Arizona Avenue, Mobile Home Park, Vacant Agriculture

General Plan and Area Plan Designations

General Plan	Employment, Growth Area, High-Capacity Transit Corridor
Airpark Area Plan	Commercial/office/business park

Utility Services

Existing municipal water service, wastewater service, and reclaimed water are available in Arizona Avenue.

Staff Comments

Staff circulated this request among City departments and received no negative comments relative to the property's annexation. As of the writing of this memo, Staff is unaware of any opposition to or concerns with the request.

In accordance with Arizona Revised Statutes, the subject site, upon annexation, will be zoned AG-1 within the City of Chandler, which provides for land uses no greater in intensity than those permitted within the RU-43 zoning district of Maricopa County.

A request for Rezoning and Preliminary Development Plan approval for a multi-family development (PLH20-0006) accompanies this request as a subsequent item on this Council agenda.

Recommendation

Planning staff find the request is in compliance with Arizona Revised Statutes and the General Plan and recommends the City Council approve the annexation and initial city zoning.

44. INTRODUCTION OF ORDINANCE NO. 4947, and RESOLUTION NO. 5417  
AREA PLAN AMENDMENT, PLH20-0007, EVERGREEN CHANDLER, denying Resolution No. 5417, an Area Plan Amendment to the Chandler Airport Area Plan from Commercial/Office/Business Park to high-density residential.  
PLANNED AREA DEVELOPMENT (PAD), PLH20-0006, EVERGREEN CHANDLER, denying Ordinance No. 4947, the rezoning from Planned Area Development (PAD) to PAD amended for multi-family.  
PRELIMINARY DEVELOPMENT PLAN (PDP), denying PDP for site layout and building design located north of the northeast corner of Arizona Avenue and Germann Road.

BACKGROUND FROM COUNCIL MEMO:

Site is 16.64 acres in area. Small portions of site are zoned C-3 Regional Commercial as well as AG-1 Agricultural. Annexation request for a small portion of the site precedes this request on the same Council agenda. Annexation ordinance, if adopted, will grant initial City zoning of AG-1

(Agricultural), which allows same density as Rural-43. In 2008, the majority of the site was rezoned to PAD for commercial retail, general/medical office, and flex warehouse land uses.

#### Economic Analysis

An economic and fiscal impact analysis was conducted based on project details provided by the applicant and staff assumptions. The analysis determined the project would generate a positive net fiscal impact for the City. Net income to the City resulting from the project is estimated at \$898,245 over 10 years. This includes revenues from property taxes, building permit and plan review fees, transaction privilege tax on construction, real property rental tax, state shared revenues, and local spending by residents. Economic Development advises against rezoning the property despite the anticipated fiscal impact. The property is designated for Employment, is located within a targeted growth area, and is well situated for attracting a range of business activities. A light industrial project, for example, would generate revenue for the City with the added benefit of providing job opportunities for existing residents in the community. If the site was instead developed with 175,000 square feet of flex space occupied by merchant wholesalers, it could directly support more than 230 jobs, generating \$453,136 in net income over 10 years. In addition, development of the subject site will affect how properties in its vicinity are developed. If Evergreen Chandler is approved, Economic Development believes the properties immediately to the south will be more likely to attract interest for multifamily development than employment development.

While fiscal impact of a project is an important consideration, it is one of several factors considered. Chandler has been a leader in job growth, in part, because City Council has a history of preserving land for employment. Reducing the amount of undeveloped land available for employment uses inhibits future economic growth.

#### Surrounding Land Use Data

North	Self-storage	South	Plant nursery
East	Union Pacific Railroad, then lumber company	West	Arizona Avenue, then mobile home park, and vacant agricultural

#### General Plan and Area Plan Designations

Plan	Recommended Land Use	Proposed Amendment
General Plan	Employment, Chandler Airpark Growth Area, High-Capacity Transit Corridor	No Change Proposed
Chandler Airpark Area Plan	Commercial/Office/Business Park Land Uses	High-Density Residential
	Light Rail Corridor Overlay	No Change

The proposed multi-family development conflicts with the Chandler Airpark Area Plan's recommendations for commercial/office/business park land uses. The proposed area plan amendment to High-Density Residential conflicts with the General Plan's recommendations for the Employment Future Land Use.



Proposed Project Data

Proposed Land Use	<ul style="list-style-type: none"> <li>• Multi-family dwelling units</li> <li>• 396 Units</li> <li>• 23.8 dwelling units per acre (du/ac)</li> </ul>	
Building Design	Height	<ul style="list-style-type: none"> <li>• 37' 2" three-story buildings</li> <li>• As measured to top of highest point of roof</li> </ul>
	Building Design	<ul style="list-style-type: none"> <li>• Flat parapet</li> <li>• Stucco</li> <li>• Angled</li> </ul>
Site Design & Open Space	<ul style="list-style-type: none"> <li>• 20 buildings</li> <li>• 10 three-story apartment buildings near center of site</li> <li>• 9 two-story apartment buildings at perimeter</li> <li>• 1 two-story club house</li> <li>• 103,000 sq. ft. of common open space</li> <li>• Pool, ramadas, barbeques, landscaped courtyards, dog park</li> </ul>	
Parking	<ul style="list-style-type: none"> <li>• 722 spaces required and provided</li> </ul>	

Review and Recommendation

The General Plan recommends a future land use of *Employment* and identifies the site as being located in the *Chandler Airpark Growth Area*, which follows recommendations of the Chandler Airpark Area Plan. The applicant proposes to amend the Chandler Airpark Area Plan to recommend High-Density Residential for the subject site, as the current recommendation for Commercial/Office/Business Park Land Uses does not support the proposed multi-family.

Per the General Plan, Employment areas are recommended in order to strengthen the community's economic base by accommodating major employers, knowledge-based industries, industrial/business parks, and offices. The General Plan allows residential to be considered in Employment areas where it is proposed as an integral component of a mixed-use development. The plan also identifies a *transitional employment corridor* bound by Arizona Avenue, Willis Road, the Union Pacific Rail Road, and the City's southern boundary. The General Plan acknowledges the variety of existing land uses in this corridor and for that reason states that a *compatible mix of land uses may continue to be considered* therein. However, it continues to clarify that the *appropriate land use mix will consider conditions such as the adjacent uses, parcel size, and transitioning techniques in any particular development request to determine compatibility*.

When applying said review considerations and Employment Future Land Use goals, staff finds that the proposed Area Plan Amendment does not align with the General Plan. Staff has identified the following conflicts of the proposed area plan amendment and rezoning to accommodate multi-family on the subject site:

The Chandler Airpark Area Plan is *intended to ensure land use compatibility and protect employment opportunities*. (General Plan, pg. 32)

Conflicts/Findings:

The proposed land use is not compatible. The site is surrounded by existing industrial land uses, as well as self-storage and a commercial nursery. The typical expectations of residents for low levels of noise, visually orderly surroundings, and non-offensive odors conflict with the existing land uses and land uses recommended by the general plan.

The proposal does not protect employment opportunities. The 16.64-acre site bifurcates an approximately 75-acre area bound by Willis Road, the Union Pacific Railroad, Germann Road, and Arizona Avenue. The Chandler Airpark Area Plan recommends *Neighborhood Commercial* as well as *Commercial/Office/Business Park* land uses for this 75-acre area. Developing multi-family at the center of this larger area greatly reduces the assemblage and development potential for the remaining properties following the recommendations of the Chandler Airpark Area Plan.

General Land Use Goal 1.0, *to guide and control the orderly growth of the Airpark Area to ensure compatible new development. (Chandler Airpark Area Plan, pg. 2-4)*

General Land Use Goal 5.0, *to protect the Airport from incompatible land uses. (Chandler Airpark Area Plan, pg. 2-5)*

Conflicts/Findings:

The proposal is not compatible with goals of the Chandler Airpark. On September 9, 2020, the Airport Commission found that the proposed development of 396 apartment units conflicts with airport operations.

Economic Development

Goal 2.0, *to preserve and grow the existing businesses in the Airpark Area.*

Goal 3.0, *to fully develop the Airport Area's industrial and commercial/office/business park areas into high quality employment centers. (Chandler Airpark Area Plan, pg.5-3)*

Conflicts/Findings:

The proposal removes the ability for 16.64 acres to be developed with revenue and employment-generating land uses. The proposal reduces redevelopment potential of larger 75-acre area which, based on City land use data, could be developed with 391,800 sq. ft. of employment land uses and 18,300 sq. ft. of commercial land uses. The proposal reduces the potential for existing commercial surrounding land uses, which align with the General Plan, to expand by injecting a conflicting land use.

For these reasons, staff finds the proposed development conflicts with the goals of the General Plan and the Chandler Airpark Area Plan, and the Planning and Zoning Commission recommends denial.

Public/Neighborhood Outreach

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. To comply with CDC social distancing guidelines, the applicant hosted two digital neighborhood meetings via Zoom on August 12 and August 18, 2020. No major complaints or comments of opposition were received from residents. Neighbors inquired about design and

location of carriage units and ability to be relocated. As of writing this memo, Planning staff has not received any further concerns about the proposed land use.

#### Airport Commission Conflict Evaluation

Airport Commission meeting September 9, 2020

Motion to find a conflict with existing or planned airport operations.

In Favor: 6    Opposed: 1    Absent: 0

Six commissioners voted that the proposal presented a conflict with airport operations. One commissioner voted in dissent of the conflict finding because the proposed development is for rental units, which historically produce fewer airport noise complaints than condominium units.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting October 21, 2020

Motion to approve (failed)

In Favor: 2    Opposed: 5 (Commissioners Eberle, Rose, Heumann, Flanders, & Klob)

The first motion made was to recommend approval subject to the five rezoning stipulations and eight preliminary development plan stipulations prepared by staff and three additional stipulations (9, 10, & 11) as proposed by Commissioner Klob. These five and eleven stipulations are included under "Alternative Motions." Staff has also added rezoning stipulation #6, which stipulates the physical and administrative corrective actions recommended as part of the Airport Conflict Evaluation.

Motion to deny (passed)

In Favor: 5    Opposed: 2 (Commissioners Pekau & Kimble)

Ultimately, five Commissioners voted to recommend denial of the proposed multi-family to preserve land for employment opportunities. Two Commissioners voiced that employment may follow multi-family and voted to recommend approval of the proposal.

#### Recommended Actions

##### Area Plan Amendment

Planning staff find the request is not in compliance with the General Plan. Planning and Zoning Commission recommends the City Council deny the Area Plan Amendment to the Chandler Airpark Area Plan from Commercial/Office/Business Park to High-Density Residential.

##### Rezoning

Planning staff find the request is not in compliance with the General Plan. Planning and Zoning Commission recommends the City Council deny the rezoning from PAD to PAD amended for multi-family.

##### Preliminary Development Plan

Planning staff find the request is not in compliance with the General Plan. Planning and Zoning Commission recommends City Council deny the Preliminary Development Plan.

PUBLIC HEARING:

PH 1. Public Hearing for Fiscal Year 2019–2020 Chandler Consolidated Annual Performance and Evaluation Report

1. Open Public Hearing

MAYOR HARTKE opened the public hearing and called for a staff presentation.

2. Staff Presentation

RIANN BALCH, Community Resources Manager, presented the following Power Point presentation.

- What is the CAPER?
  - Consolidated Annual Performance and Evaluation Report
  - Provides information necessary for HUD's Annual Report to Congress
  - Federal CDBG and HOME funds
  - Reports Chandler's progress towards meeting objectives stipulated in the FY 2015-2019 Consolidated Plan
- An Opportunity to:
  - Communicate the services we have available
  - Demonstrate how we leverage federal funds to provide additional human services
  - Evaluate our progress towards our five year goals
  - Share success in housing stability and neighborhood revitalization
- Housing Stability
  - 5 homeowners received assistance with Emergency Home Repair Program
  - 5 homeowners received assistance from the Housing Rehabilitation Program
  - 5 first-time homebuyers with low and moderate income purchased homes that were acquired and rehabilitated by Newtown CDC and its Community Land Trust
  - 40 households who were previously experiencing homelessness received Tenant-Based Rental Assistance (TBRA) and supportive services
- Family Self-Sufficiency and Homeownership
  - 1 Public Housing resident and 5 Housing Choice Voucher clients purchased homes
  - 34 Public Housing and 43 Housing Choice Voucher recipients saved for a future home purchase
- Public Services
  - 367 children residing in public housing participated in youth programs like Read to Succeed
  - 10 residents received fair housing education services
  - 171 individuals experiencing homelessness connected with shelter and support services
  - 94 individuals experiencing homelessness received emergency shelter and transitional housing services
  - 849 individuals experiencing homelessness living in rapid rehousing receiving case management services
- Capital Projects and Neighborhood Revitalization
  - Improved neighborhood conditions through code enforcement including over 18,000 properties inspected

- The CAPER Process
  - 15-day Public Comment Period Oct. 27, 2020 to Nov. 10, 2020
  - Public Comments – submit at the public hearing in writing or by phone and staff will incorporate into the final report
  - Available at [chandleraz.gov](http://chandleraz.gov)
  - Will be presented to City Council for approval on Dec. 10, 2020

3. Council Discussion

COUNCILMEMBER STEWART thanked staff for their work on this.

4. Discussion from the Audience

There was none.

5. Close Public Hearing

MAYOR HARTKE closed the public hearing.

BACKGROUND FROM COUNCIL MEMO:

Each year, the City of Chandler is required to publish a CAPER for public comment and submit the final document to the U.S. Department of Housing and Urban Development (HUD). The CAPER is a required performance report that meets three basic purposes:

- Provides HUD with necessary information for the Department to meet its statutory requirements to carry out Community Planning and Development Programs;
- Provides information necessary for HUD's Annual Report to Congress; and
- Provides the City of Chandler an opportunity to describe to its citizens the successes in meeting objectives stipulated in the Federal Fiscal Years 2015-2019 Consolidated Plan for its community development programs.

As part of the process for creating the CAPER, the City is required to conduct a 15-day public comment period. The public comment period for the Fiscal Year (FY) 2019–2020 CAPER runs from October 27, 2020 through November 10, 2020. A public hearing is scheduled on November 5, 2020. An Executive Summary and Full Report is available for review at <https://www.chandleraz.gov/residents/neighborhood-resources/community-development/plans-and-reports> during the comment period. In addition, the public is invited to review the draft document on the City's website at [chandleraz.gov](http://chandleraz.gov). The final report will be reviewed by the City Council on December 10, 2020 for approval and will be submitted to HUD on or before December 27, 2020.

The FY 2019-2020 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. The report summarizes the City's accomplishments for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs. It also includes accomplishments of social service programs funded with the City's General Fund dollars.

In FY 2019-2020, CDBG-funded code enforcement activities continued to address indicators of decline through enhanced code enforcement in the City's neighborhoods where there is a higher

percentage of households with low and moderate income. Code enforcement efforts resulted in 18,175 property inspections, 1,134 violations and 747 notices issued. The vast majority of households came into compliance without the need to issue a citation.

Maintaining housing affordability continues to be a priority for the City. The CDBG funded Home Rehabilitation Program assists existing homeowners with repairs so they can continue living in their homes. In FY 2019-2020, ten homes were rehabilitated in partnership with FSL Home Improvements. The provision of this program serves to improve the living conditions of residents, while stabilizing neighborhoods.

The City continued to utilize HOME funds to provide housing through Tenant-Based Rental Assistance (TBRA) for households experiencing homelessness. The program, which is administered by the Chandler Public Housing Authority (PHA), served 40 households in FY 2019-2020.

In FY 2019-2020, Chandler continued to focus its efforts to assist individuals and families experiencing homelessness. AZCEND and Save the Family provided case management and counseling services to 94 Chandler individuals and families experiencing homelessness living in transitional housing. AZCEND's Housing and Stability Specialist provided case management services to 849 individuals experiencing homelessness living in rapid rehousing.

During the FY 2019-2020, the City allocated \$1,193,735 of general fund resources to leverage federal funds to address additional needs and support 40 programs, including transportation for 140 veterans, and services to alleviate crisis and meet basic needs of 115,043 Chandler residents. The City also supported programs such as AZCEND's Chandler Interfaith Homeless Emergency Lodging Program (I-HELP) that provided overnight emergency shelter for 218 individuals at faith communities throughout Chandler.

With the onset of the Coronavirus Pandemic in March, 2020, additional CDBG funds were received to prepare for, prevent and respond to coronavirus. The City utilized a portion of these funds to assist families and individuals with rent and utility assistance, to expand services for home-delivered meals to seniors and individuals with a disability, and to increase direct client services for individuals and families experiencing homelessness.

#### INFORMATIONAL:

1. Regular Meeting Minutes of the September 16, 2020, Planning and Zoning Commission meeting.
2. Study Session Minutes of the September 16, 2020, Planning and Zoning Commission meeting.

#### UNSCHEDULED PUBLIC APPEARANCES

None.

#### CURRENT EVENTS

##### A. Mayor's Announcements

MAYOR HARTKE said earlier in the week he joined the Economic Development staff and the Chandler Chamber to distribute the first set of PPE kits with the I Choose Chandler PPE kits. It was a great opportunity to learn more about the needs of the businesses and many were appreciative of this program.

MAYOR HARTKE said civic engagement is vital to address the needs of the community. The new program CIVIC would help residents engage with the City and would be an interactive 10 session program to provide residents a behind the scenes look at City services. The free program would begin in January 2021 and at each session residents would meet City leaders, tour facilities, and interactive sessions. Mayor Hartke encouraged residents to apply online.

MAYOR HARTKE talked about the November 3<sup>rd</sup> City of Chandler election and said as of November 5, 2020 voter turnout was at 73.43% with 123,796 Chandler voters casting ballots out of a voter population of 168,598. Mayor Hartke said this was a tremendous response and thanked the citizens for exercising their civic duty. Mayor Hartke announced the Southwest Gas franchise passed.

MAYOR HARTKE wished everyone a Happy Thanksgiving.

#### B. Councilmember's Announcements

COUNCILMEMBER STEWART announced the Chandler Museum Store was opening this week and would have one of a kind local pieces. There are deals each week and on November 29 they would be celebrating Museum Store Sunday, a worldwide initiative to encourage residents to be patrons of their local museum stores.

COUNCILMEMBER STEWART said the ballot counting process is going exactly as planned, but many took their ballots directly to the polls and it takes time to verify the ballots. Councilmember Stewart said the sharpie issue is a non-issue and the machines are able to read them.

COUNCILMEMBER McCLYMONDS said the Chandler Fire Department is collecting toys to help brighten the holiday season for Chandler children. The toy drive would be held at Chandler Fashion Center from 2-8 pm December 5, 2020. There would be a holiday wonderland built by the Chandler firefighters. Toy and gift card donations may be sent to the Fire Department headquarters.

VICE MAYOR LOPEZ said Chandler City offices would be closed in observation of Veteran's Day on November 11, 2020. Vice Mayor Lopez thanked those who have served. The Diversity Office and Chandler Museum have created the Chandler Veterans Path of Honor featuring 20 veterans and would be held November 6 through the 30, 2020 at Veteran's Oasis Park.

COUNCILMEMBER HUANG said Chandler's nonprofits has a rich tradition of holiday giving such as toy drives, food banks, and gift sharing. COVID-19 impacts have increased the need for support among Chandler's vulnerable families. Councilmember Huang encouraged residents to support the community in any way they can. Councilmember Huang said a list of ways to help is available on the City's website.

COUNCILMEMBER HUANG said there was record high voter turnout at the election and asked for residents to have confidence in the poll workers as they are diligent and are doing their jobs.

Councilmember Huang encouraged residents to support each other even if they support different people.

COUNCILMEMBER ROE thanked staff for their work. Councilmember Roe said he participated in the grand opening of the Aldi store along with the Chandler Chamber. Councilmember Roe encouraged residents to see what they have to offer.

COUNCILMEMBER ROE said in October, nearly \$500 were raised for the Acts of Kindness program which supports a variety of human services programs to low income residents. Councilmember Roe said staff participated in AZCEND's Dress the Turkey fund drive and donated 74 turkeys and 2,000 pounds of canned goods and nonperishable items. Councilmember Roe wished everyone happy holidays.

COUNCILMEMBER ORLANDO encouraged people to shop during Small Business Saturday and shopping local is important for the survival of small businesses and also the economy. For every \$100 spent at a local business an average of \$43 dollars remains in the economy compared to \$13 when spent at a non-locally owned business.

#### C. City Manager's Announcements

None.

ADJOURNMENT: The meeting was adjourned at 8:35 p.m.

ATTEST:

Dana R. DeHoy  
City Clerk

Kevin Hanthe  
Mayor

Approval Date of Minutes: December 7, 2020

#### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Chandler, Arizona, held on the 5th day of November, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2020.



Dana R. DeHoy  
City Clerk





## **CITY OF CHANDLER COUNCIL MEETING MINUTES**

Special Meeting

Monday, November 23, 2020

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, November 23, 2020, in the Council Chambers, Council Conference Room, 88 E. Chicago Street, Chandler, Arizona

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:00 P.M.

The following members were present:

Kevin Hartke	Mayor
René Lopez	Vice-Mayor
Mark Stewart	Councilmember
Jeremy McClymonds	Councilmember
Sam Huang	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

Staff present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Joshua Wright, Assistant City Manager; Randy Jue, Assistant City Attorney; Thomas Allen, Assistant City Attorney

1. CANVASS the official results of the City of Chandler General Election of November 3, 2020.

DANA DeLONG, City Clerk, said the City had one question on the General Election ballot, which was for the voters to consider a gas franchise agreement with Southwest Gas. The City of Chandler voter turnout was 84.43% with 142,350 voters casting their vote. The ballot question was approved with 73,402 voting yes and 40,062 voting against the franchise. The franchise agreement that was approved by Council in March 2020, and now approved by the voters would take effect in January 2021.

MAYOR HARTKE asked how long the franchise agreement was for.

MS. DeLONG said 25 years.

VICE MAYOR LOPEZ MOVED TO ACCEPT THE OFFICIAL RESULTS OF THE NOVEMBER 3, 2020, GENERAL ELECTION FOR THE CITY OF CHANDLER; SECONDED BY COUNCILMEMBER STEWART.

MOTION CARRIED UNANIMOUSLY. (7-0)

2. Set an Executive Session

COUNCILMEMBER ORLANDO MOVED TO HOLD AN EXECUTIVE SESSION MEETING IMMEDIATELY FOLLOWING THE SPECIAL MEETING; SECONDED BY VICE MAYOR LOPEZ.

MOTION CARRIED UNANIMOUSLY. (7-0)

ADJOURNMENT: The Special Meeting was adjourned at approximately 4:03 p.m.

ATTEST: *Dana R. DeHa*  
City Clerk

*Kevin Hanke*  
Mayor

Approval Date of Minutes: December 7, 2020

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 23<sup>rd</sup> day of November, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2020.



*Dana R. DeHa*  
City Clerk