



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

### **Regular Meeting**

Thursday, April 8, 2021

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 8, 2021.

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	Vice Mayor
OD Harris	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Christine Ellis	Councilmember
Matt Orlando	Councilmember

Also in attendance:

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

INVOCATION: The invocation was given by Reverend Denise Burns, Chandler Church of the Nazarene.

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

### CONSENT AGENDA – DISCUSSION

MAYOR HARTKE said the photo radar item has been postponed and would be rescheduled to a future meeting.

MAYOR HARTKE had comments on Consent Agenda Item No. 4.

#### 4. FY 2020-21 One-time Exceptional Performance Awards for Employees

MAYOR HARTKE said at the beginning of the pandemic, Council worked with staff to reduce spending and put a hiring and travel freeze in place. Mayor Hartke said these measures were taken over the past year as there was uncertainty over the results of the pandemic. Mayor Hartke said this is a one-time performance award to all regular full time and part time employees except for Council. Mayor Hartke said there were several million dollars in savings because of 120 vacant positions due to the hiring freeze.

that were not filled. Out of the vacancy savings this item would reinvest the dollars back into the employees. Mayor Hartke thanked staff for their work over the pandemic and meeting the demands and challenges to ensure the residents' quality of life and their access to services were unaffected.

MAYOR HARTKE said the following comment was received for Consent Agenda Item No. 7.

IVETTETTE AGUILAR, Harrison St, Chandler, Arizona, 85225, submitted the following comment:

*Thank you to the Serene States builder for allowing neighbors to provide feedback regarding their residential project and actively listen to the privacy concerns and implement the suggestions given. Special thanks to Mark Stewart and Matt Orlando, who actively took up this cause when brought to their attention and became great facilitators. Ivette Aguilar*

COUNCILMEMBER LOPEZ thanked the volunteers for the City that serve on the Boards and Commissions, who provide input and guidance in many facets of the City. Councilmember Lopez said they keep the City running efficiently and effectively.

#### CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE APRIL 8, 2021, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ELLIS.

KELLY SCWAB, City Attorney, asked if the motion included the additional stipulations on Consent Agenda Item No. 7.

COUNCILMEMBER ORLANDO said yes.

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

#### CONSENT AGENDA ITEMS

1. Resolution No. 5452 Authorizing a Grant Agreement with the Federal Aviation Administration (FAA) to Accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) Grant  
Move City Council pass and adopt Resolution No. 5452 authorizing a grant agreement with the Federal Aviation Administration to accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) grant not to exceed \$57,162 for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreement and all other documents necessary to effect the agreement.

#### BACKGROUND FROM COUNCIL MEMO:

On December 27, 2020, the President signed the Consolidated Appropriations Act of 2021. Division M of that Act is the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA). Title IV of CRRSA provides approximately \$2 billion in economic relief to eligible US airports to prevent, prepare for, and respond to the COVID-19 public health emergency. CRRSA includes a set aside amount for airports in the federal contract tower (FCT) program, of which Chandler is included. On February 12, 2021, the FAA announced that Chandler will be receiving a grant in the amount of \$57,162. The funding is allocated between a non-primary amount of \$23,000 and an FCT amount of \$34,162. The funding may be used for airport operational

expenses, however, the FCT funding must be used for costs associated with supporting the contract tower operations. The expenses can include including sanitation program expenses, payroll, operational, and debt service costs.

Staff recommends City Council pass and adopt Resolution No. 5452 authorizing a grant agreement with the Federal Aviation Administration (FAA) to accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) grant not to exceed \$57,162 for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreement and all other documents necessary to effect the agreement.

Financial Implications:

No City matching funds are required to accept this grant.

2. March 2021 City Council Minutes  
Move City Council approve the meeting minutes of the Study Session and the Regular Meeting of March 22, 2021, and the Work Session - Budget Workshop and Regular Meeting of March 25, 2021.
3. Board and Commission Appointments  
Move City Council approve the Board and Commission appointments as recommended.

BACKGROUND FROM COUNCIL MEMO:

Airport Commission

Reappoint Dave Siegel

Appoint Chad Wakefield

Arts Commission

Reappoint Michelle Hirsch

Appoint Linnsey Amores

Board of Adjustment

Reappoint Manuel Ramirez

Reappoint Chad Wakefield

Board of Appeals

Reappoint Jeff Cullumber

Citizen's Panel for Review of Police Complaints and Use of Force

Reappoint Betty McGee

Reappoint Holly Mesnard

Reappoint Sandra Woods

Appoint Christopher Heo

Cultural Foundation

Reappoint Susan Baker

Reappoint Mike Halle

Reappoint Christian Lopez

Reappoint Julia Marreel

Domestic Violence Commisison

Appoint Polly Knape, Arizona's Children Association

Appoint Chelsea Grieve

Appoint Teresa Ferguson

Economic Development Advisory Board

Reappoint Julie Trujillo

Reappoint Cecilia Ashe

Reappoint Mike Spangenberg

Reappoint Nick Woodruff

Appoint Chase Farnsworth

Appoint Kari Zurn

Health Care Benefits Trust Board

Reappoint Val Gale

Historic Preservation Commission

Reappoint Matt Eberle

Reappoint Jeff Velasquez

Housing and Human Services Commission

Reappoint Heather Mattisson

Appoint Ryan Magel

Appoint Julie Martin

Human Relations Commission

Reappoint Jacob Bello

Appoint Garry Ong

Appoint Pamela Morris

Industrial Development Authority

Reappoint Charles Ertl

Reappoint Lee Kroll

Reappoint Shannon Wilson

Library Board

Reappoint Karla Palafox

Reappoint Maria Munoz

Appoint Dylan Martin

Appoint Michael McElhany

Mayor's Committee for People with Disabilities

Reappoint Marguerite Smith

Reappoint Ted Maish

Reappoint Janet Rosen

Merit Board

Reappoint Lon Miller

Museum Foundation

Reappoint Maris Ann Thomas

Reappoint Joshua Askey

Reappoint Martin Sepulveda

Reappoint Michelle Reid

Appoint Calvenea Malloy

Neighborhood Advisory Committee

Reappoint Amber Hutchinson

Reappoint Peter Cwik

Parks and Recreation Board

Reappoint Tim Johnson

Appoint John David

Planning and Zoning Commission

Reappoint Matt Eberle

Reappoint Gregg Pekau

Transportation Commission

Reappoint Ron Hardin

Appoint David Heineking

Workers' Compensation Trust Board

Reappoint Val Gale

4. FY 2020-21 One-time Exceptional Performance Awards for Employees  
Move City Council approve a one-time exceptional performance award of \$3,000 to each full-time employee and \$1,500 to each part-time employee, employed as of December 31, 2020, and remaining employed through March 27, 2021, for an estimated cost of \$5,530,000 across all Funds; and \$3,060,000 in Fund Contingency Transfers to only be used should vacancy savings appropriation not be sufficient in a specific Fund/Cost Center combination, including General Fund of \$2,800,000, to various Cost Centers within General Fund, Special Revenue Funds (i.e. Grant-217, Community Development Block Grant (CDBG)-219, Public Housing Authority (PHA)-224, 227, 230, 232, 233) and Self Insurance Funds (i.e. Workers Compensation-736, Insured Liability-737, Uninsured Liability-738, Short Term Disability-739, and Medical-741); Water Fund 605 of \$200,000; and Solid Waste Fund 625 of \$60,000.

BACKGROUND FROM COUNCIL MEMO:

In FY 2020-21, based on the potential impacts of the COVID-19 pandemic, a decision was made to hold ongoing market increases for general employees until the City was able to fully realize the

impact the pandemic would have on City revenues and operations. As has been reported through budget briefings, the City of Chandler has performed better than the revised budget during this unprecedented time. Additionally, vacant City positions were held for several months as part of the budget considerations, which placed additional responsibilities on employees. In a typical year, the City anticipates vacancy savings of 1.5% of total personnel costs. During FY 2020-21, Chandler is estimating vacancy savings of over 3.0% (\$5M) in General Fund or over 4% (\$8M) in all funds due to the high number of vacant positions. In addition to the pandemic, other challenges were faced by the City and its employees. Team Chandler rose to the occasion and maintained a high level of service to Chandler residents while keeping City operations and services functioning.

In light of City employees' outstanding performance over the past year, I am recommending employees who were employed as of December 31, 2020, and who have remained employed through March 27, 2021, receive a one-time exceptional performance award to be included in the April 15, 2021, regular pay check. This award includes 1,522 full-time employees at \$3,000 each and 29 regular part-time employees at \$1,500 each. The total cost, with employer benefits, is estimated to be \$5,530,000 in one-time funding across all funds. Although vacancy savings exists from budgeted positions, Fund Contingency Transfers totaling \$3,060,000 are needed in various funds to ensure adequate appropriation in the cost centers where payments will be applied. If approved, a City-wide communication will be provided prior to the payment with additional details.

5. Final Adoption of Ordinance No. 4961, PLH20-0023 Pecos and McQueen Retail Rezoning

Move City Council adopt Ordinance No. 4961, approving PLH20-0023 Pecos and McQueen Retail located at the southwest corner of Pecos and McQueen roads, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to the conditions as recommended by Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

The site is approximately 3.5 acres. The applicant is currently working with the City to acquire an approximate 2,660 sq. ft. City of Chandler-owned parcel located at the immediate corner of the intersection (an ordinance authorizing the sale of this parcel also appears as a separate item on this agenda). Site is currently vacant

Ordinance introduced and tentatively adopted on March 25, 2021.

Surrounding Land Use Data:

North	Pecos Rd., then commercial	South	Single-family residential
East	McQueen Rd., then single-family residential and vacant commercial	West	Single-family residential

General Plan and Area Plan Designations:

	Existing	Proposed
General Plan	Neighborhoods	No change
Chandler Airpark Area Plan	Neighborhood Commercial	No change

Proposed Development

Site Area	3.5 acres plus future acquisition of approximate 2,660 sq. ft. City parcel
Building Area	Pad A: 2,306 sq. ft. (restaurant) Pad B: 2,800 sq. ft. (restaurant) Pad C: 13,000 sq. ft. (daycare) Total : 18,106 sq. ft.
Building Height (max.)	22 ft.
Building Setbacks	Required: Arterial landscaped intersection 50 ft. by 250 ft Proposed: 35 ft. min. by 223 ft. along Pecos Rd. 23 ft. min. by 250 ft. along McQueen Rd. West:     20ft. Accessory structure 50 ft. Main building South:    50 ft.
Parking Required	101 parking spaces
Parking Provided	112 parking spaces
Building Architecture	Contemporary with stucco, brick veneer, metal railings, and steel
Comprehensive Sign Program	One development sign, two monument signs, wall-mounted signs

Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the Chandler Airpark Area Plan designation of Neighborhood Commercial. The General Plan land use designation allows Neighborhood Commercial uses within developments located at arterial intersections to serve commercial needs of low-density residential communities.

The site layout provides three pad sites, including two proposed restaurants and a daycare. Pad site A is proposed as a Starbucks drive-through. Pad site B is proposed as a future restaurant/drive-through and a daycare is proposed for Pad C. Building architecture is contemporary. Building and site layout comply with the intent of the Commercial Design Standards.

Late-hour business policy defines any restaurant that opens its doors to the public one or more hours between midnight and 6 a.m., one or more days a week. Also, the policy is applicable when commercial development is within 300 ft. of existing residential zoning. The proposed Starbucks anticipates business hours from 4:30 a.m. to 10 p.m., daily. These hours and building distance of approximately 206 ft. to the west residentially-zoned parcels require approval of the proposed businesses hours from 4:30 a.m. to 6 a.m. Mitigation proposed includes an 8 ft. tall solid wall along the entire site perimeter and several landscaped areas.

The applicant requests relief from the Zoning Code requirement that initial construction include a minimum of 12,000 sq. ft. of building area in Phase One. The request is to allow the flexibility to construct Pads B and C in future phases. Development Booklet Attachment A (see attached) identifies improvements that will be completed during phase one, which includes Pad A and all

site improvements including landscaping, driveways, and parking except for Pad B building area on the south and Pad C and associated parking area to the north of Pad C. Pad sites B and C would be covered with decomposed granite until market conditions allow development.

The second request is to reduce the 50 ft. by 250 ft. landscape intersection along both Pecos and McQueen roads. The reduced landscaped intersection allows the two drive-through pad sites additional distance from existing residential and the proposed daycare. The applicant is currently working with the City's Real Estate division to purchase the City owned parcel of approximately 2,660 sq. ft. located at the immediate corner of the site.

Staff supports the requested waivers due to the infill nature of the site, site acreage and driveway location constraints. Staff finds the proposal to be consistent with the goals of the General Plan and recommends approval subject to conditions.

#### Traffic Analysis

A Traffic Impact Analysis was prepared to analyze existing conditions and traffic with the proposed development. Based on the analysis, traffic impacts of the proposed development could be mitigated by making adjustments to the existing traffic signal timing at the McQueen Road/Pecos Road intersection to maintain acceptable levels of service. Additionally, the Transportation Engineering Division will continue to work with the applicant to establish a circulation plan for the Day Care/Pre-K. This is being done in an effort to document pick-up/drop-off procedures and minimize potential implications to the adjacent public roadways that have occurred with similar land uses. Staff recommends a stipulation to address the future daycare's drop off/pick up circulation plan.

#### Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A virtual neighborhood meeting was held on July 21, 2020. Ten residents attended virtually to obtain project information. Questions and concerns voiced relate to traffic, construction timing, existing irrigation ditch, drive through locations, vehicle exhaust, land uses, and children's safety (daycare). No opposition to the request was stated. Planning staff received letters from residents in opposition to the proposed Starbucks stating they would rather support local businesses.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 3, 2021

Motion to Approve

In Favor: 5 Opposed: 1 (Pekau) Absent: 1 (Kimble)

At the January 20, 2021, Planning and Zoning Commission meeting, the case was continued to conduct a Design Review Committee (DRC). On February 3, 2021, the DRC provided the applicant suggestions on revising the site plan which include shifting Pad sites A and B further away from the proposed daycare. The applicant requested further continuance to the March 3, 2021, Planning and Zoning Commission meeting to allow additional time to address the DRC's guidance. At the March 3 meeting, the Planning and Zoning Commission modified Preliminary Development Plan stipulation number 9 by adding "e", effectively requiring all offsite and onsite improvements



during phase one except for building pads B and C. The drive-through lane for Pad B is included as an exception to the required phase one improvements.

#### Recommended Conditions of Approval

##### Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, 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. 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.
  3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
  4. Late hour businesses shall not be open to the public from 10 p.m. to 4:30 a.m., seven days a week.
6. Introduction of Ordinance No. 4968, PLH20-0063 McKinley Glenn (Staff Requests Continuance to the May 13, 2021, City Council Meeting)  
Move City Council continue PLH20-0063 McKinley Glenn, located east of the southeast corner of Chandler Heights and Cooper roads to the May 13, 2021, Council meeting, as recommended by Planning and Zoning Commission.

#### BACKGROUND FROM COUNCIL MEMO:

At the March 17, 2021, Planning and Zoning Commission Meeting, staff recommended a continuance to allow the applicant more time to complete the preliminary plat for the proposed development.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 17, 2021

Motion to Approve continuance to the April 21, 2021, Planning & Zoning Commission meeting

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

7. Introduction of Ordinance No. 4967, PLH20-0052/PLT20-0039 Serene Estates
- ##### Rezoning
- Move City Council introduce and tentatively adopt Ordinance No. 4967 approving PLH20-0052 Serene Estates, Rezoning from Neighborhood Commercial (C-1) to Planned Area Development for single-family residential, located northwest of the northwest corner of Galveston and Hartford streets, subject to the conditions as recommended by Planning and Zoning Commission.
- ##### Preliminary Development Plan
- Move City Council approve Preliminary Development Plan PLH20-0052 Serene Estates for subdivision layout and housing product, located northwest of the northwest corner of Galveston and Hartford streets, subject to the conditions as recommended by Planning and Zoning Commission.
- ##### Preliminary Plat

Move City Council approve Preliminary Plat PLT20-0039 Serene Estates, located northwest of the northwest corner of Galveston and Hartford streets, subject to the condition recommended by Planning and Zoning Commission.

**BACKGROUND FROM COUNCIL MEMO:**

Approximately 2.3 net acres and undeveloped. Site zoned C-1, allowing for commercial uses to support the immediate neighborhood. Subject site wraps an existing commercial corner with a laundromat, convenience store, and restaurant. A Use Permit to allow a U-Haul facility on a portion of the subject site was denied in 2012. General Plan designates the site as Neighborhoods and is considered infill. Project consist of 15 lots totaling 6.4 du/ac

**Surrounding Land Use Data:**

North	Alley then single family	South	Galveston Street then single-family and two-story apartments
East	Hartford Street then two-story apartments	West	Alley then single family

**General Plan and Area Plan Designations:**

	Existing	Proposed
General Plan	Neighborhoods	No Change

**Proposed Development**

	Single family subdivision
# of Lots	15 single family lots
Density	6.4 dwelling units per acre
Building Setbacks (min.)	Front – 8.6 ft. to livable, 20 ft. to garage from back of sidewalk Sides – 5 ft. & 5 ft. Rear - 10 ft., designated lots in exhibit allow for single-story, attached patios to encroach 5 ft. into 10 ft. setback
Lot Size	Lots range from 3,612 sq. ft. to 6,748 sq. ft.
Lot Coverage (max.)	65 percent
Building Height (max.)	All homes two-story; 28 ft. to midpoint of peak
Architecture Theme	Contemporary and Farmhouse
Number of Elevations	6
House Size	1,795 sq. ft. to 2,292 sq. ft.
Number of Floor Plans	3
Parking Spaces	Each lot provides a two-vehicle garage with driveways On-street parking provided on both sides of street; subdivision is not gated

**Review and Recommendation**

Planning staff finds the proposal consistent with the General Plan. Due to the infill nature of the site, the lots are smaller than adjacent single-family homes to the west and north. However, a twenty-foot alley separates the existing homes and the proposed development. The proposed two-story product is an appropriate transition from the neighborhood commercial to the single family lots. The proposed single family subdivision will provide a public local street through the

development, which allows for parking on both sides of the street for guests and residents. An amenity is not proposed due to size constraints of providing a public street, but a public park (Navarrete Park) and two schools are within walking distance of the proposed development.

Due to the infill nature of the site, the Residential Development Standards (RDS) for subdivision layout are not applicable. However, the RDS guidelines remain applicable to the architectural design of the homes. The proposed single family residential subdivision meets the intent of development standards and residential design guidelines. In order to provide private covered patios for each lot, eight lots request to encroach five (5) feet into the rear yard setback to provide an adequate patio cover. Some of these lots have the ability to build the private patio in the side yard with the appropriate floor plan. As recommended by Planning staff, all lots are required to provide a covered patio in either the rear or side yard at the time of construction. Staff finds the proposal to be consistent with the goals of the General Plan and Planning & Zoning Commission recommends approval subject to conditions.

#### Public / Neighborhood Notification

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 a digital neighborhood meeting on February 10, 2021. Ten (10) households attended the virtual meeting; two residents asked questions about the proposal. One resident asked about the proposed walls along the alley, construction timelines and cost of homes. The other resident had concerns with two-story homes adjacent to single-story homes regarding privacy issues, as well as concerns with having a Homeowner's Association (HOA) for the new subdivision as they thought it meant excluding the proposed subdivision from the City's rules.

Planning staff has received one phone call after the neighborhood meeting from the concerned resident who attended the meeting and asked questions. Staff discussed their concerns regarding: the proposed architecture of the homes is "too modern" for the surrounding neighborhood; two-story homes adjacent to single-story; and the resident thought the property should develop as a community center or library for the neighborhood children. The resident is opposed to the request and has surveyed adjacent homeowners: four letters are attached. Additionally, a video was made by the resident and emailed to Mayor and Council. Planning staff has received a letter of support from a resident who attended the neighborhood meeting: their statement of support is attached.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 17, 2021

Motion to Approve

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

During the Planning and Zoning Commission Study Session, additional Preliminary Development Plan stipulations 10-15 were added to enhance the proposed housing elevations and add monument signs at both entries. Both items will be reviewed by staff administratively.

#### Recommended Conditions of Approval

Rezoning

Planning and Zoning Commission recommends the City Council approve of rezoning from C-1 to PAD for single family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Serene Estates" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0052, 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 Chandler City Council.
2. 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.
3. 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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. Minimum setbacks shall be as provided below and further detailed in the development booklet:

Front yard setbacks	8.6 ft. to livable; 20 ft. to garage from back of sidewalk
Side yard setbacks	5 ft. and 5 ft.
Rear yard setback	10 ft., designated lots in "Exhibit B" allow for single-story, attached patios to encroach 5 ft. into 10 ft. setback

#### Preliminary Development Plan

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 "Serene Estates" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0052, 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 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. 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. 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.

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. All lots shall provide a cover patio in either the rear or side yard at the time of construction.
10. Add more articulation to roof such as a dormer to 2072 farmhouse plan.
11. Left elevation on both 1795 plans shall be enhanced to create more articulation.
12. The front elevation of the 1795 contemporary plan shall break up the horizontal element of the porch roof to create vertical elements.
13. Plan 2292 contemporary shall create more articulation on the rear to mimic the front elevation.
14. Monument signs shall be added to both entrances to be architecturally compatible with the materials and colors of the homes.
15. Same elevation shall not be built side by side.

#### Preliminary Plat

Planning and Zoning Commission recommends 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.
8. Use Permit and Entertainment Use Permit, PLH20-0054 BAR @118W  
Move City Council approve Use Permit and Entertainment Use Permit, PLH20-0054 Bar @118W, located at 118 W. Boston Street, subject to the conditions recommended by Planning and Zoning Commission.

#### BACKGROUND FROM COUNCIL MEMO:

Zoned as City Center District (CCD). Zoning Code requires Use Permit approval for bar or cocktail lounge in all zoning districts. Zoning Code requires Entertainment Use Permit approval when outdoor speakers and/or live entertainment is provided and the establishment is located within 1,320 feet of residential property. The subject site is located approximately 292 feet east of existing residential properties.

#### Surrounding Land Use Data:

North	Abandoned building (CCD)	South	Commercial stores and restaurants (CCD)
East	Eyelash extensions & offices (CCD)	West	Chiropractic office (CCD)

#### Proposed Development:

Building/Suite Area	757 sq. ft. building & 1,150 sq. ft. courtyard
# of employees	10-12 employees
Hours of operation	10:00AM-2:00AM Daily
Hours of entertainment	5 small outdoor speakers will provide background music during hours of operation 10:00 AM-2:00 AM No live entertainment will be provided
# of seats	Approximately 29 indoor seats and 25 patio seats

#### Review and Recommendation:

Planning staff finds the use permit request for a bar compatible with the surrounding uses. The hours of operation do conflict with the commercial and office uses. The omission of live entertainment will further help the bar blend into the commercial/office strip. The entertainment use permit is for background music only in their courtyard. The bar expects to be busier at night after 5:00 P.M., when the commercial and office uses are closed for the night. The establishment shall provide a contact phone number for a responsible person to any interested neighbors and property owners to resolve any noise complaints that may occur. Planning staff finds the proposal to be consistent with the goals of the General Plan and Area Plan and Planning & Zoning Commission recommends approval subject to conditions.

#### General Plan and Area Plan Designations

2016 General Plan	Neighborhood & Downtown Chandler Growth Area
Downtown - South Arizona Avenue Area Plan	Urban commercial & Future Growth Area

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. The General Plan Downtown Chandler Growth Area is called out as a destination for arts, entertainment, tourism, specialty retail, and special events.

Planning staff also finds the proposal to be consistent with policies of the Downtown-South Arizona Avenue Area Plan as urban commercial denotes areas that are appropriate for retail, restaurant, and personal services. The future growth area denotes that the area is intended for future expansion of the cultural and entertainment category, which includes support uses such as performing arts, art galleries, hotels, retail, restaurant, dance clubs, cinemas, and amusement arcades.

#### Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on March 3, 2021, via Zoom. There was one attendee. One neighbor was concerned about live entertainment potentially being provided; the applicant advised the neighbor that there will be none. 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 March 17, 2021

Motion to Approve

In Favor: 4 Opposed: 0 Absent: 2 (Pekau & Rose)

#### Recommended Conditions of Approval

Planning staff finds the request is in compliance with the General Plan and the Planning & Zoning Commission recommends approval of Use Permit for bar and Entertainment Use Permit for speakers on outside courtyard, subject to the following conditions:

1. Substantial expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval for a bar.
  2. Substantial 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.
  3. The Use Permit is non-transferable to any other location.
  4. The Entertainment Use Permit is non-transferable to any other location.
  5. The site shall be maintained in a clean and orderly manner.
  6. 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.
  7. 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.
  8. The Use Permit for a bar shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit for a bar beyond the expiration date shall require reapplication to and approval by the City of Chandler.
  9. 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.
9. Preliminary Development Plan, PLH20-0067 The Johnathan  
Move City Council approve Preliminary Development Plan, PLH20-0067 The Johnathan, located at 55 N. Arizona Place, subject to the conditions as recommended by Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

38,400 Square Foot Site, 105,000 Square Foot Building. Subject site zoned Planned Area Development (PAD) for Office, Retail and Parking Garage Development in 1997. The original Preliminary Development Plan (PL98-0142 Chandler Office Center) for signage was approved in 1999.

Surrounding Land Use Data:

North	Across Buffalo Street: Vacant lot zoned CCD	South	Across Commonwealth Avenue: Existing building zoned PAD
East	City Facilities including Library and Development Services Building	West	Across Arizona Place: City Park Zoned CCD

Proposed Development: Signage

	Existing (PL98-0142)	Proposed
Type of signage	Major Tenant: 17,500 square feet of leased space or more Minor Tenant: First-floor occupancy and 5,000 square feet or more of leased space	Major Tenant: 15,000 square feet of leased space or more Minor Tenant: 15,000 square feet or less of leased space Retail Sign: Retail Tenants

		Center ID Sign: The Johnathan Entry Wall Sign: The Johnathan
Maximum number of signs allowed per tenant	Major Tenant: Two (2) Minor Tenant: One (1)	Major Tenant: Two (2) Minor Tenant: One (1) Retail Tenant: One (1) Center ID Sign: One (1) Entry Wall Sign: One (1)
Maximum number of signs allowed on the building concurrently	Four (4)	Major Tenant: Four (4) Minor Tenant: Four (4) Retail: Six(6) Center ID: One (1) Entry Wall: One (1)
Signage type location	Major Tenant: -Between 2nd and 3rd floor & above the 5th floor Minor Tenant: Between 2nd and 3rd floor	Major Tenant: Above the 5th floor Minor Tenant: Above 2nd floor (If a minor tenant is located on the 3rd floor, their sign may be placed on the upper sign band) Retail Sign: Above colonnade Center ID Sign: Above first-floor entry wall Entry Wall Sign: Mounted on entry block wall
Maximum Sign Dimensions	Major Tenant & Minor Tenant: - Minimum letter height of 24" and maximum letter height of 36" -Maximum sign width varies by sign band location	Major Tenant: 36" x 504" Minor Tenant: 24" x 301.6" Retail Tenant: 20" x 176.3" Center ID Sign: 20" x 216.8" Entry Wall Sign: 18" x 81"
Sign Material & Finish	Major Tenant: -Non-illuminated letters to fabricated from a brush stainless steel reverse pan channel letter/logo with 5" deep returns -Illuminated letters Logo with brushed stainless steel returns and ¾" stainless steel trim caps -Letter style and logo are subject to landlord approval Minor Tenant: -5" deep-pan channel letters -Logo with brushed stainless steel returns and ¾" stainless steel trim caps -Letter style and logo are subject to landlord approval	Major Tenant: 3" deep individual pan channel letters Letter style and logo are subject to the landlord Minor Tenant: 3" deep individual pan channel letters Letter style and logo are subject to the landlord Retail Tenant: 3" deep individual pan channel letters with finished backs Letter style and logo are subject to the landlord Center ID Sign: 3" deep, panel channel lettering. Returns finished backs and thin trim retailer painted white Entry Wall Sign: 1/4" thick flat cut out aluminum lettering painted



		black
Illumination	Signs located above the 5th floor are to be non-illuminated & Signs located between the 2nd and 3rd floor are to be illuminated Major Tenant: Internal illumination (white neon) Minor Tenant: Internal illumination (white neon)	Major Tenant: Halo illuminated with white LED Minor Tenant: Halo illuminated with white LED Retail Tenant: Non illuminated Center ID Sign: Face illuminated with white LED Entry Wall Sign: Non illuminated

**Review and Recommendation:**

Changes to the signage have not occurred since originally approved in 1999. The Preliminary Development Plan (PDP) to amend the existing sign plan comes at a time when the building is being updated to provide a more modern look. Planning staff finds that the request for the amendment to the existing Comprehensive Sign Plan meets the intent of the Sign Code and the proposed signage is architecturally integrated with the building and provides an updated appearance that is harmonious with the building's remodel.

**Public / Neighborhood Notification**

The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on March 9, 2021. No neighbors were in attendance. Planning staff received one (1) comment in support of the request. As of the writing of this memo, Planning staff is not aware of any opposition to the request.

Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 17, 2021

Motion to Approve

In Favor: 5 Opposed: 0 Absent: 2 (Rose & Pekau)

**Recommended Conditions of Approval**

Planning staff finds the request is in compliance with the General Plan and the Planning and Zoning Commission recommends approval of the Preliminary Development Plan, subject to the following conditions:

1. Signage shall be in substantial conformance with the elevations, entitled Exhibits and kept on file in the City of Chandler Planning Division, in File No. PLH20-0067, 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.

10. Resolution No. 5458, Authorizing Support for a Foreign Trade Zone Application for Viavi Solutions, Inc.; Manufacturing Facility to be Located at 3455 South McQueen Road  
Move to approve Resolution No. 5458, authorizing support for a Foreign Trade Zone application for Viavi Solutions, Inc.; manufacturing facility to be located at 3455 South McQueen Road; authorizing support for a property tax reclassification from class one to class six for all new personal property; authorizing a development agreement between Viavi and the City of Chandler;

authorizing the execution of an Intergovernmental Agreement between the City of Chandler and the City of Phoenix; and authorizing the Mayor to sign the Resolution and related documents as approved by the City Attorney.

**BACKGROUND FROM COUNCIL MEMO:**

Viavi is a manufacturer of network testing, measurement, assurance and light management and optical coatings products and technologies. Viavi has more than 50 locations throughout the world and over 3,600 employees. The company generated more than \$1 billion in revenue during its last fiscal year and is listed on the Nasdaq under ticker symbol "VIAV." In late 2020, the City's Economic Development Division began engaging with Viavi regarding two separate projects: a new manufacturing operation and a headquarters relocation out of San Jose, California.

Viavi has undertaken a competitive site selection process to evaluate multiple metropolitan areas outside of Arizona and multiple cities within Metro Phoenix. The company has short-listed an existing industrial building in Chandler, located at 3455 South McQueen Road. The building is under consideration for both the manufacturing project and the headquarters project. Over the next three years, these two combined projects have the potential to bring 233 jobs to Chandler at an average salary of \$139,820. In addition, Viavi anticipates making a capital investment of \$96,311,609. Viavi has expressed that obtaining Foreign Trade Zone (FTZ) status for the property is a primary factor in its site selection process. FTZ status confers certain benefits to exporters, including paying reduced duty rates on manufactured products. Within Arizona, activated FTZ sites also are eligible for a property tax reclassification benefit. Real and personal property can be reclassified from class one to class six property, which carries a lower assessment ratio (5% instead of 18%).

Viavi has requested City support to obtain FTZ status and the property tax reclassification benefit. In consideration of this support, the company has agreed to only pursue reclassification for new personal property that would be located within its Chandler FTZ site. Additionally, the development agreement stipulates that Viavi's headquarters must be located in Chandler for a minimum of five years. To obtain the property tax reclassification benefit, the company must provide concurrence letters from each taxing jurisdiction that would be affected by the reclassification. Viavi's FTZ consultant is responsible for requesting these concurrence letters and this process has begun. The consultant has received a concurrence letter from Chandler Unified School District stating their support for this property tax reclassification. The resolution included with this Council item would serve as the City of Chandler's concurrence letter.

To obtain FTZ status, an application must eventually be submitted to the federal Foreign Trade Zones Board. The application would first be submitted to the City of Phoenix, which serves as grantee for FTZ No. 75, covering Chandler and other areas in Metro Phoenix. If Chandler City Council approves this resolution with authorization to enter into an intergovernmental agreement with the City of Phoenix, the next step would be for the City of Phoenix to submit Viavi's application to the Foreign Trade Zones Board requesting the designation of an FTZ subzone at the site under consideration in Chandler.

Financial Implications:

Property tax reclassification from class one to class six for all new personal property. This is a statutory benefit available in Arizona for companies that receive Foreign Trade Zone status.

11. Agreement No. IT8-920-3889, Amendment No. 3, with Neudesic, LLC, for Annual Application Support Services  
Move City Council approve Agreement No. IT8-920-3889, Amendment No. 3, with Neudesic, LLC, for annual application support services, in the amount of \$123,000, for the period of May 1, 2021, through April 30, 2022.

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 displays 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, LLC is the vendor that provides application support and maintenance for this system.

12. Purchase of Microsoft Software Licenses from CDW-G  
Move City Council approve the purchase of Microsoft software licenses, from CDW-G, using the Omnia Partners Contract No. 2018011-01 in an amount not to exceed \$723,139.

BACKGROUND FROM COUNCIL MEMO:

The Information Technology Department is seeking the renewal of the Enterprise Agreement with Microsoft, which includes licensing for Citywide subscriptions for 365, SQL licensing for critical application services, Biztalk licenses for application integrations, Windows 10 licensing for desktop/laptop computers, Windows Server licensing for Infrastructure and Applications, and Sharepoint licensing for departmental applications.

13. License Series 11, Hotel/Motel Liquor License application for Sonesta International Hotels Corporation, dba Sonesta Select Phoenix Chandler  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 135943, a Series 11, Hotel/Motel Liquor License, for Andrea Dahlman Lewkowitz, Agent, Sonesta International Hotels Corporation, dba Sonesta Select Phoenix Chandler, located at 920 N. 54th Street, and approval of the City of Chandler Series 11, Hotel/Motel Liquor License No. 300649 L11.

BACKGROUND FROM COUNCIL MEMO:

This application for a liquor license was posted for hearing on April 8, 2021. 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. The property was previously known as Courtyard by Marriott Phoenix Chandler.

14. Final Adoption of Ordinance No. 4964 Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos Road  
Move City Council approve final adoption of Ordinance No. 4964 authorizing the sale of a parcel of City-owned land at southwest corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona Limited Liability Company.

BACKGROUND FROM COUNCIL MEMO:

WNDG, LLC, is developing a retail center at the southwest corner of McQueen and Pecos roads. Consideration of the applicant's rezoning appears as a separate item on this City Council agenda. There is a small City-owned parcel at this location that was previously used as a wastewater lift station. WNDG, LLC, has offered to pay the City five hundred dollars (\$500.00) for the parcel so that it can be added into their development. This amount is a typical value the City pays for remnant parcels when acquiring portions within existing roadways. This parcel is an uneconomic remnant of little value and must be maintained by the City at the expense of its citizens. WNDG, LLC, will landscape the parcel and maintain it in the future. Staff has reviewed and approved the legal description and recommends City Council approve the sale of the property to WNDG, LLC. This Ordinance was introduced and tentatively adopted on March 25, 2021.

15. Project Agreement No. WW2003.401 with Garney Companies, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping  
Move City Council award Project Agreement No. WW2003.401 to Garney Companies, Inc., Pursuant to Job Order Contract No. JOC1914.401, for the Airport Water Reclamation Facility Headworks Drain Piping, in an amount not to exceed \$391,070.

BACKGROUND FROM COUNCIL MEMO:

The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, has been in operation since 1997. As wastewater enters the headworks building, it passes through filter screens to remove large debris utilizing a network of concrete channels. 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 removal and replacement of valves, piping, and appurtenances associated with the channel drainage system in the AWRF headworks building. The work will be coordinated with AWRF staff to minimize disruption to the treatment process. The contract completion time is 180 calendar days following Notice to Proceed. A related Professional Services Agreement with Brown and Caldwell, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services, is also scheduled for this City Council meeting.

16. Professional Services Agreement No. WW2003.451, with Brown and Caldwell, Inc., for Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services  
Move City Council award Professional Services Agreement No. WW2003.451, to Brown and Caldwell, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services, in an amount not to exceed \$55,050.

BACKGROUND FROM COUNCIL MEMO:

The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, has been in operation since 1997. As wastewater enters the headworks building, it passes through filter screens to remove large debris utilizing a network of concrete channels. 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 contractor oversight, construction administration and inspection, AWRF staff coordination, schedule review, construction meetings, shop drawings and submittals, preparation of final as-built drawings, and project close-out. The contract completion time is 210 calendar days following Notice to Proceed. A related Construction Contract with Garney Companies, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping, is also scheduled for this City Council meeting.

DISCUSSION AND POSSIBLE ACTION

17. Council Public Safety Subcommittee discussion on Public Safety: Crime Statistics, Call Volume, Impact of COVID-19 and Future Staffing and Resource Needs, as requested by Councilmember Orlando.

MAYOR HARTKE introduced the discussion item and said Council has a strong commitment to ensuring that the public safety departments are staffed and have resources. Mayor Hartke said they want to ensure they have staff needed for this budget as well as in future years.

COUNCILMEMBER ORLANDO thanked public safety staff as they have encountered a lot over the past year and it has not gotten easier for them. Councilmember Orlando said COVID-19 exposed a lot of deficiencies and concerns within the City so it is not unique that we are the only City that has done a dynamic change in their thought processes. Councilmember Orlando said the issues faced over the last year were exacerbated such as mental health, social issues, and COVID-19 in its entirety. Councilmember Orlando said Councilmember Harris, Councilmember Roe, and himself listened to the Chiefs during the Subcommittee meeting and said there are dynamic changes happening. Councilmember Orlando said he thought it was a compelling issue that needed to be heard by Council and the public.

SEAN DUGGAN, Police Chief, presented the following presentation.

- Chandler Police Department Update
- City of Chandler Population
  - 12% increase in population in the last ten years
- Chandler Police Department Historical Crime Rate
  - Chandler Part I Crime Rate per 1,000 Population
  - 40% decrease in Part I crimes per 1,000 population in the last ten years
- Chandler Police Department Historical Crime Index
  - Chandler UCR Part I Crime Index
  - 33% Decrease in total Part I crimes in the last ten years
- Chandler Police Department Part I Crime
  - 2020 UCR Part I Crime Index Breakdown

- In 2020 90% of Part I crimes in the City of Chandler were non-violent
- City of Chandler Shooting Incident Counts
  - 110 Shooting victims in Chandler in 2020
  - Victims Shot 26 24%
  - Victims Deceased 9 8%
  - Chandler Shooting Incidents
    - 2016 – 47
    - 2017 - 54
    - 2018 – 49
    - 2019 – 59
    - 2020 - 75
- City of Chandler Sexual Assaults
  - 2014 – 60
  - 2015 -79
  - 2016 -124
  - 2017 – 130
  - 2018 – 149
  - 2019 -134
  - 2020 – 123
- Challenges
  - Gun Violence
  - Sex Crimes
  - Homelessness (1,331 CFS)
  - Mental Health (978 CFS including 574 mental health petitions)
    - 65% increase from 2015
  - Internet Based Crimes
    - Internet Crimes Against Children (ICAC)
    - Human Trafficking
    - Financial Crimes
    - Identity Theft, etc.
  - Protests (30x)
- Chandler Police Sworn Staffing
  - 2008/2009 – 334
  - 2009/2010 – 332
  - 2010/2011 – 327
  - 2011/2012 – 317
  - 2012/2013 – 320
  - 2013/2014 – 320
  - 2014/2015 – 320
  - 2015/2016 – 324
  - 2016/2017 – 324
  - 2017/2018 – 328
  - 2018/2019 -332
  - 2019/2020 – 332
  - 2020/2021 – 334
  -

- Staffing Analysis Recommendations
  - Recommended Aug 2016: 149 Patrol Officers
  - Assigned Patrol Officers 2016: 134 Patrol Officers
  - Difference: 15 Patrol Officers
- Patrol Staffing Response Plan
  - Effective 2017
    - Three sworn positions added to patrol (civilianized range/housing positions)
    - Three vacant traffic section positions reassigned to patrol
    - One sworn PDIT position reassigned to patrol
    - Three new sworn positions from approved DP assigned to patrol
    - One vacant PDIT position reclassified to officer and assigned to patrol
  - Effective 2018
    - Two City positions reclassified to police officers assigned to patrol
    - As on March 2018: 13 additional officers assigned to patrol
  - Summer 2019
    - Two additional officers added to patrol
      - One SRO reassigned to patrol in June
      - One additional DP officer position assigned to patrol in July
  - Final 2019
    - Fifteen officers added to patrol 2016-2019 for total complement of 149
- Staffing Past/Present
  - Added 14 officers 4 SRO's to sworn complement (2015-2019)
  - 15 officers to patrol (2019)
  - Created Beat-18 in southern part of the City (2018)
  - Staffing needs (2021)
    - Detective Support: Sex Crimes, Gangs, Computer Crimes, HT, Robbery/Homicide (Strategic Plan)
    - Bike/ Neighborhood Response team (Strategic Plan)
    - Mental Health Unit (Strategic Plan)
    - Training
    - PDIT
    - Communications Section (911 PSAP)
    - Support Services (Crime Analysis, Forensics, Property and Records)
    - Detention

COUNCILMEMBER ORLANDO asked where the staff was pulled from for the Gun Task Force.

CHIEF DUGGAN said three came from patrol, a supervisor and two officers, and two were detectives.

COUNCILMEMBER ORLANDO said there are less officers now because they have been pulled to work a strategic area.

CHIEF DUGGAN said yes, two less on patrol.

COUNCILMEMBER ORLANDO said the two detectives were also pulled in a different area.

CHIEF DUGGAN said yes, they were gang detectives.

COUNCILMEMBER ORLANDO said over the years they have been staffing these task forces, but they have had to take staff from the existing base to staff these. There are not enough officers to cover their beats and still do these other tasks without a lot of overtime.

CHIEF DUGGAN said there are still ways to cover the beats, but this issue is that people are tired. Chief Duggan said the issue is no longer money, but it is pressing people to work more. It has been an exhausting year.

COUNCILMEMBER ORLANDO asked how many officers are eligible to retire.

CHIEF DUGGAN said 82 to 84 officers have 20 years or more of service.

COUNCILMEMBER ORLANDO said his concern was taking officers off of their beat to handle other issues, the overtime, and the over working.

CHIEF DUGGAN said every day they are prioritizing to handle what needs to be done with their limited resources. The top priority in the City is to handle their gun crimes.

COUNCILMEMBER ORLANDO asked how many over hires are in process.

CHIEF DUGGAN said five positions funded and another 10 are available.

COUNCILMEMBER ORLANDO said they have been reactive instead of proactive.

CHIEF DUGGAN said they are trying to get ahead and bring more people on board, but recruitment is a challenge. There are not many people who are willing to be a police officer in this country. Chief Duggan said there are some very talented people who want to do this job, but they are being courted by every agency.

COUNCILMEMBER ELLIS said the public safety staff in the room are well committed to this City and thanked them for their service. Councilmember Ellis said Council understands that the police department needs help and they are ready to do that. Councilmember Ellis said Council is in the process of reviewing the budget and public safety is at the forefront of their discussion. Councilmember Ellis said there are positions available, but finding qualified candidates is difficult and they need to be aggressive in marketing. Councilmember Ellis said she wanted to know how many people they need, where they need them, and when.

CHIEF DUGGAN said they need help today. The pressing concern is ensuring there is a process that gives the City an advantage over the competition. Chief Duggan said they have requested additional background investigators and software to help. It is difficult to give a specific number. Chief Duggan said it would take a number of officers to get them where they need to be.

COUNCILMEMBER ELLIS said when she first was elected she sat with the Chief to see how she could help. Councilmember Ellis said they spoke about different ways to help and ensure the proper person is there



to make those decisions so everyone can go home safe. Councilmember Ellis said she has lived in Chandler for 34 years and has always felt safe because the Police Department does their job well.

CHIEF DUGGAN said he would be happy to work with staff to create a roadmap.

COUNCILMEMBER ELLIS encouraged staff to continue to voice their opinions and continue to show up big.

COUNCILMEMBER ROE said he has many opportunities to talk to police officers and the officers always say they love their job and working for the City. Councilmember Roe said he has heard from all staff that Chandler works shorthanded and they need help. Councilmember Roe said he has been on Council since 2015 and attended each year a budget discussion where they heard from all the divisions about what their needs are. Councilmember Roe listed all of the things that were being requested. Councilmember Roe said the Chief has had the podium each year to say that they need help and Councilmember Roe said he heard each year that they are working it out. Councilmember Roe said he understood some of the City politics, but at the end of the day Chief Duggan is the Chief of Police. Councilmember Roe said he was unhappy to hear about this tonight and wanted to hear about these things along the way. Councilmember Roe said he was a retired officer and patrol is the first place that members are taken from to do specialty assignments. Councilmember Roe said he loves Chandler and that most of them do as well. Councilmember Roe talked about high density housing in Chandler and talked about responding to the calls in these complexes from his experience.

CHIEF DUGGAN said he appreciated Councilmember Roe's comments and said in the past he has stated that patrol is the number one area of focus. Chief Duggan said that is what had to be fixed over the past five years. Chief Duggan said this was not the first time they have asked for resources.

MAYOR HARTKE said they have added a number of homeless navigators in Neighborhood Resources and Police do get a number of homeless calls and asked for them to see how they can better respond. Mayor Hartke said he would be open to more ideas of how they could collaborate and utilize other resources.

VICE MAYOR STEWART said Council and the community is very grateful and happy about what the Police Department does for the community. Vice Mayor Stewart said this presentation was eye opening and would like to get more information about how they got to this place. Vice Mayor Stewart talked about the recession, the PSPRS situation and honoring the commitment the City made, and how the City did not lay anyone off employees when other cities did. Vice Mayor Stewart said this is the first time he has heard this breakdown and is happy he did. Vice Mayor Stewart said there is a process of working with the budget team to see where they can afford to address these issues. Vice Mayor Stewart said he wanted to ensure the City is safe and that is a need that comes first before they address the wants. Vice Mayor Stewart said it is important they continue to communicate.

COUNCILMEMBER LOPEZ said the graphs are very telling about policing in the community and the community in general. Councilmember Lopez said he has interacted a lot about public safety with other cities and Chandler is by far one of the safest cities. Councilmember Lopez said other cities are surprised about the number of sworn officers and the crime rate for the population. It is the attitude and representation of the officers that makes the City feel safe and propagates through the rest of society. Councilmember Lopez said they need to find the root cause of the issue and they need to find the

immediate issue to be addressed. Councilmember Lopez said it seems they don't necessarily have an immediate issue, but rather there is a major risk on the back end when it comes to support for the officers so they can keep officers on patrol. Councilmember Lopez said he wanted to work with staff to see what they can do to compete to get qualified staff and address the shortage.

CHIEF DUGGAN said their immediate need is hiring. Chief Duggan said they do a staffing analysis each year. They are at where they need to be on patrol now, but there is a gap as far as support.

COUNCILMEMBER LOPEZ knows they have had to flex different things and make prioritizations, but now they need to establish a long term plan. Councilmember Lopez said they are seeing the exhaustion that COVID-19 has brought and the impact on families that feel that as well.

COUNCILMEMBER HARRIS thanked the public safety staff for keeping the City safe. Councilmember Harris said their job is to save lives and they want to go back home to their families. Councilmember Harris said the public safety departments take on a lot for the City. Councilmember Harris asked if there have been different categories of crime coming up between 2008 and 2021.

CHIEF DUGGAN said yes, they have seen a proliferation of web based crime where predators online are preying on children and human trafficking. There are a lot more vulnerable people online because of the COVID-19 lock down.

COUNCILMEMBER HARRIS asked if they have seen officers work a lot of overtime.

CHIEF DUGGAN said yes.

COUNCILMEMBER HARRIS asked if they work their regular hours too.

CHIEF DUGGAN said yes, overtime is in addition to their regularly scheduled hours.

COUNCILMEMBER HARRIS asked if they stay beyond their shift to cover or continue.

CHIEF DUGGAN said yes, and they may be asked to come in on their day off.

COUNCILMEMBER HARRIS said last year there were a lot of protests and asked how many hours officers worked per day.

CHIEF DUGGAN said he did not have that breakdown. There was a week in June where the Police Department was fully mobilized working 12 hour shifts and worked 8 days straight. There have been protests August through November every Friday at Chandler Boulevard and Arizona Avenue. Chief Duggan said officers were sent out 13 straight weeks on Thursday nights to Gilbert to assist them. Recently there have been five weeks of protests.

COUNCILMEMBER HARRIS said the officers are expanding their time in other areas and over what they expected when they first joined. Councilmember Harris asked if that took away time from their family and impacts their mental health.

CHIEF DUGGAN said yes. Chief Duggan said they expand and contract as needed and are reliant on people disrupting their lives to come in as necessary.

COUNCILMEMBER HARRIS asked if it was culture of the police to not complain about not having enough staff and instead just focusing on getting the job done.

CHIEF DUGGAN said no, there are complaints every day but they still do the job and they do it remarkably well.

COUNCILMEMBER HARRIS said the officers need support and Chief Duggan has taken a brave stance to tell Council what they need. Councilmember Harris asked Chief Duggan to go back to his team and put together a comprehensive plan addressing the needs and what it would look like over a duration of time. Councilmember Harris asked Chief Duggan to come back to Council with the plan. Councilmember Harris said he did not want tired officers and wanted them to have time with their family. When there are fresh eyes they can get things done much faster. Councilmember Harris said the officers see many difficult things every day and it is important for them to take time for their mental health. Councilmember Harris said he wanted the plan to take into consideration the growing population in Chandler and new businesses coming as well and address the future issues.

COUNCILMEMBER ORLANDO said Council may have mixed emotions about what they heard tonight. Councilmember Orlando said Chief Duggan is only doing his job and he asked him to speak because the issue is important for Council. Councilmember Orlando said they can talk about how they got here, but that is not the issue. The issue is that Chief Duggan needs help and how soon he needs the help. Councilmember Orlando asked how many people were needed this year and the following years.

CHIEF DUGGAN said looking at the long term plan it would be dozens.

COUNCILMEMBER ORLANDO asked for the numbers.

CHIEF DUGGAN said any amount would be beneficial. The first priority would be to hire for the vacancies they have right now. That would give 15 people and then they would built on that.

COUNCILMEMBER ORLANDO said there are dollars with the American Recovery Act, that is a four year plan that they could use funds for. Councilmember Orlando said they had done something similar in the 90's. Councilmember Orlando asked the City Manager that on Friday the 23rd to see what could be done for 2021. Councilmember Orlando said the 15 positions are already there and wanted to know what positions are needed in addition to those existing 15.

JOSHUA WRIGHT, Acting City Manager, thanked Council for their discussion. Mr. Wright said it has been a wild year and a year ago they were talking about cutting the budget dramatically. Mr. Wright said they cut \$10.5 million dollars because of what they thought would happen because of COVID-19 and another \$20 million in the current fiscal year. Mr. Wright said they have an opportunity now, as Councilmember Orlando said, to use these anticipated one time dollars to find creative solutions and leverage the dollars to make impacts on these issues. Mr. Wright said they want to find creative solutions to effect ongoing savings in the budget and do this in a logical and sustainable fashion. Mr. Wright said staff has been talking about this issue and would be looking at a holistic solution.

COUNCILMEMBER ORLANDO asked if one time dollars would be used to get ahead of the issue.

MR. WRIGHT said yes, everything is on the table and they are looking creatively at the issue to get ahead of it.

VICE MAYOR STEWART said there have been discussions about staffing and they have a budget process that they work through to see what they can afford now and in the future.

MAYOR HARTKE invited the public to speak on Consent Agenda Item No. 17.

MICHAEL COLLINS, 250 E. Chicago St, Chandler, AZ, President of the Chandler Law Enforcement Association, said he worked for the Police Department for 27 years. Mr. Collins said his concerns over the years are the same as expressed by the Chief. Mr. Collins said the staff are exhausted. They have been made to more with less for a very long time, but they will always show up and be there. Mr. Collins said this problem did not come to light in the last six months, but has been greatly exposed and shown in this last year. Mr. Collins said now that they have identified these issues, the Chandler Law Enforcement Association members are looking for Council direction and support and a solution. Mr. Collins said they are aware of the issues of hiring qualified people and it would not be something that could be resolved in the next few weeks. Mr. Collins wanted to ensure there is a plan in place to address the needs to come.

TOM LOVEJOY, PO Box 261, President of Chandler Lieutenants and Police Sergeants Association, said they are tired and they are looking for hope. Mr. Lovejoy said even if they hired these positions right now they would not see them until next year. Mr. Lovejoy said the pay is average and the things the City offers are average so the candidates go to other agencies. Mr. Lovejoy thanked Councilmember Orlando for bringing this to Council. Mr. Lovejoy said he presented to Council in 2018 asking for help and nothing happened. Mr. Lovejoy said he appreciated Council's dialogue and their commitment. Mr. Lovejoy said the Chief has a plan and will share it. Mr. Lovejoy said he has one Internet Crimes Against Children detective. Normally, there are about 6 tips that come in, but this year there were 61. Mr. Lovejoy said they see the faces of the children that are being impacted and they need Council's help to do something about it. Mr. Lovejoy thanked Councilmember Ellis, Councilmember Harris, and Councilmember Orlando for all they have done. Mr. Lovejoy said they had a similar issue in 1993 and encouraged Council to look at what was done back then.

MAYOR HARTKE said a written comment was received regarding Agenda Item No. 17.

BETH BRIZEL, 6130 W. Shannon St., Chandler, 85225 submitted the following comment:

*Good evening Mayor, Honorable Councilmembers, and Community members. I am Beth Brizel, Co—President of the Community Advisory Board. I'm speaking in consideration of the Chandler police officers and police representatives. I'm asking for your support to increase the police budget to fill vacant positions and hire new officers and civilian personnel to adequately staff the Chandler police department. While growth is important to a city, RESPONSIBLE growth is critical. Continuing to grow the City of Chandler without ensuring adequate essential services such as police, fire, ambulance, and mental health professionals is simply imprudent and potentially harmful to Chandler residents and to our growth as a community. Increasing the number of police officers is critical for the health and safety of our residents.*

*We have an amazing police force and it is unreasonable for us to ask our police staff to continue to operate while being under staffed. Any occupation in which an employee, (especially public safety employees) are overworked affords the opportunity for error. Some occupations even cap the number of hours per week an individual can work in order ensure the safety of its workers. A police officer's role in the community is twofold - First, to protect society and Second, to serve their community. Particular zip codes already have a longer response time than other areas of the city. By not properly staffing the Chandler police force, we are compromising the health, safety, and livability of Chandler residents, particularly in these select zip codes.*

*I, and the Community Advisory Board, stand in support of Council's efforts to secure funding to increase the number of police officers needed to protect and serve the City of Chandler. The first and foremost duty of an elected official is to provide a healthy and safe community for their residents and employees. Therefore we thank you in advance for your vote to increase the police budget in order to hire more police personnel. Your vote to increase the budget will be a good faith effort to preserve the health, safety, and livability standards for all the residents in Chandler.*

#### INFORMATIONAL

18. Study Session & Regular Meeting Minutes of March 3, 2021, Planning and Zoning Commission

#### UNSCHEDULED PUBLIC APPEARANCES

DERRICK HATHAWAY, 1914 W. Cortez Circle, Chandler, 85224, said the police came to his residence in the fall of 2019 for trespassing his residence. Mr. Hathaway had a one year lease paid in full to the property owner. Mr. Hathaway's personal things and vehicle were reported stolen for not allowing access to the property. Mr. Hathaway said he spoke to the Chief and told Mr. Hathaway he did not file a complaint as he would do something about it. Mr. Hathaway said he provided a copy of his lease and supporting documents to the Mayor's Office. Mr. Hathaway said he has tried to maintain a stable living place. Mr. Hathaway said he would like to get the one year lease that he lost paid in full to be paid by the City.

#### CURRENT EVENTS

##### 1. Mayor's Announcements

MAYOR HARTKE said this week is Chandler Gives Week, a time to give back to the non-profits that have worked hard to serve the community through the pandemic. Mayor Hartke said that he and Vice Mayor Stewart have specials at Ginger Monkey for a Charity Cook Off.

##### 2. Council's Announcements

COUNCILMEMBER LOPEZ said the City is joining AMWUA to celebrate Water Awareness Month and Arizona Water Professionals Appreciation Week. Water professionals have played a vital role over the past year and water plays a very important role in our lives. The City treated 23 billion gallons of water to Chandler customers and through innovative program and services, saved over 97 million gallons of water.

COUNCILMEMBER ELLIS thanked everyone for attending the meeting.

3. City Manager's Announcements

MR. WRIGHT thanked Council for their support of staff and they do have the very best people. Mr. Wright said staff has endured a very difficult year, but continued to provide great service to the City.

ADJOURNMENT: The meeting was adjourned at 7:36 p.m.

ATTEST:   
City Clerk

  
Mayor

Approval Date of Minutes: April 22, 2021

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 8th day of April, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of April, 2021.

  
City Clerk