

# Meeting Minutes

## City Council Regular Meeting

August 26, 2021 | 6:00 p.m.  
Chandler City Council Chambers  
88 E. Chicago St., Chandler, AZ



### Call to Order

The meeting was called to order by Mayor Kevin Hartke at 6:01 p.m.

### Roll Call

#### Council Attendance

Mayor Kevin Hartke  
Vice Mayor Mark Stewart  
Councilmember OD Harris  
Councilmember Terry Roe  
Councilmember René Lopez  
Councilmember Christine Ellis  
Councilmember Matt Orlando

#### Appointee Attendance

Joshua Wright, City Manager  
Dawn Lang, Deputy City Manager/CFO  
Kelly Schwab, City Attorney  
Dana DeLong, City Clerk

MAYOR HARTKE asked for a moment of silence for the 11 marines and sailor killed in Afghanistan, the additional military personnel that were wounded, and the four men injured in the fire blast in west Chandler. Mayor Hartke thanked the Governor's Office, Congressman Stanton, Supervisor Sellers, and others reaching out for their concern.

### Invocation

The invocation was given by Pastor Bill Kirkpatrick, New Heights Church.

### Pledge of Allegiance

The Pledge of Allegiance was led by Girl Scout Troop 3599.

### Consent Agenda and Discussion

#### City Clerk

1. August 2021 City Council Meeting Minutes

Move City Council approve the Council Meeting minutes of the Work Session of August 9, 2021, Study Session of August 9, 2021, Work Session of August 12, 2021, and Regular Meeting of August 12, 2021.

2. Professional Services Agreement with Voatz, Inc., for the Mobile Voting Pilot Program  
Move City Council approve the professional services agreement with Voatz, Inc., to conduct a mobile voting pilot program, in an amount not to exceed \$50,000.

### City Manager

3. Shared Mobility Licensing Program  
Move City Council pass and adopt Resolution No. 5507 approving the Shared Mobility Licensing Program
4. Agreement No. CM8-962-3970, Amendment No. 1, with Lyft, Inc., for the First Mile, Last Mile Program  
Move City Council approve Agreement No. CM8-962-3970, Amendment No. 1, with Lyft, Inc., for the First Mile, Last Mile Program in an amount not to exceed \$49,000, for the period of one year, beginning July 21, 2021, through July, 2022.

### Communications and Public Affairs

5. Sole Source Purchase of Audio/Video Upgrades to Council Chambers and City Hall Courtyard  
Move City Council approve the sole source purchase of audio/video upgrades to Council Chambers and City Hall Courtyard from Technology Providers, Inc., in the amount of \$95,603.

### Community Services

6. Purchase of John Deere Utility Tractor  
Move City Council approve the utilization of State of Arizona Contract No. ADSP018-202498, for the purchase of a John Deere 5075E Utility Tractor, from Deere & Company, in the amount of \$51,436.30.
7. Purchase of John Deere Rotary Mower  
Move City Council approve the utilization of State of Arizona Contract No. ADSP018-202498, for the purchase of a John Deere 1600 Turbo Series Rotary Mower, from Deere & Company, in the amount of \$64,987.68.

### Cultural Development

8. Resolution No. 5506, Approving a Consent to Assignment and Assumption Agreement between DT Chandler, LLC, and AZ Management & Investments, LLC, for the Cinema Portion of the Overstreet Development in Downtown Chandler, Located at the Southwest Corner of Arizona Avenue and Chandler Boulevard  
Move City Council pass and adopt Resolution No. 5506, approving a consent to Assignment and Assumption Agreement between DT Chandler, LLC, and AZ Management & Investments, LLC, for the Cinema portion of the Overstreet development in downtown Chandler, located at the southwest corner of Arizona Avenue and Chandler Boulevard.
9. Resolution No. 5509, Authorizing the Purchase of the Overstreet Parking Garage located at 150 N. Oregon Street, Pursuant to the Development Agreement and Parking Structure Lease Agreement with DT Chandler, LLC  
Move City Council adopt Resolution No. 5509, authorizing the Purchase of the Overstreet Parking Garage located at 150 N. Oregon Street, pursuant to the Development Agreement and Parking Structure Lease Agreement with DT Chandler, LLC, and authorizing City Manager or Designee to execute all agreements and other documents necessary to complete the purchase.

#### Development Services

10. Final Adoption of Ordinance No. 4978, PLH21-0015 Old Stone Ranch Phase 4 Rezoning  
Move City Council adopt Ordinance No. 4978, approving PLH21-0015 Old Stone Ranch Phase 4, Rezoning from Agricultural (AG-1) District to Planned Area Development (PAD) for Single-family Residential located west of the northwest corner of Chandler Heights and Lindsay roads, subject to the conditions as recommended by Planning and Zoning Commission.
11. Final Adoption of Ordinance No. 4980, PLH20-0059 Price & Queen Creek Campus Rezoning  
Move City Council adopt Ordinance No. 4980, approving PLH20-0059 Price & Queen Creek Campus, Rezoning from AG-1 to PAD for office, manufacturing, and ancillary commercial uses with a Mid-Rise Overlay for building heights up to 150 feet located at the northeast corner of Price and Queen Creek roads subject to the conditions as recommended by Planning and Zoning Commission.
12. Introduction and Tentative Adoption of Ordinance No. 4981, PLH21-0018 Mission Center LLC

Move City Council introduce and tentatively adopt Ordinance No. 4981 approving PLH21-0018 Mission Center LLC, rezoning from Planned Industrial District (I-1) to Planned Industrial District/Planned Area Development (I-1/PAD) for light industrial uses and limited commercial uses, located at 3350 N. Arizona Avenue, approximately one quarter of a mile north of the northwest corner of Elliot Road and Arizona Avenue, subject to the conditions as recommended by Planning and Zoning Commission.

13. Introduction and Tentative Adoption of Ordinance No. 4982, PLH20-0003/PLT20-0005 Arbor Square

Rezoning

Move City Council introduce and tentatively adopt Ordinance No.4982, approving PLH20-0003 Arbor Square Rezoning from Planned Area Development (PAD) for single-family residential to PAD Amended for single-family residential for a single-family neighborhood located 1/2 mile east and 1/5 mile north of the intersection of Warner and Alma School roads subject to the conditions as recommended by Planning and Zoning Commission

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH20-0003 Arbor Square for subdivision layout and building architecture, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Plat

Move City Council approve Preliminary Plat PLT20-0005 Arbor Square subject to the condition recommended by Planning and Zoning Commission.

14. Continuance of Introduction and Tentative Adoption of Ordinance No. 4984, PLH21-0023/PLH21-0005/PLT21-0004 The Village at Hamilton Park

Move City Council continue Ordinance No. 4984, PLH21-0023/PLH21-0005/PLT21-0004 The Village at Hamilton Park, located at the Southwest corner of Willis and McQueen Roads, to the September 23, 2021, City Council Meeting, as recommended by Planning and Zoning Commission.

15. Use Permit, PLH21-0053 d'Vine Gourmet

Move City Council approve Use Permit, PLH21-0053 d'Vine Gourmet, for a Series 7 Beer and Wine Bar License to allow the sale of beer and wine for on-site tasting and off-site consumption, located at 72 S San Marcos Place, approximately one quarter of a mile south of Chandler Boulevard on the west side of Arizona Avenue, subject to the conditions recommended by Planning and Zoning Commission.

Fire Department

16. Agreement No. FD7-200-3793, Amendment No. 4, for Fire Uniforms  
Move City Council approve Agreement No. FD7-200-3793, Amendment No. 4, with Municipal Emergency Services, Inc., for fire uniforms, in an amount not to exceed \$175,000, for the period of September 15, 2021, through September 14, 2022.

### Management Services

17. Resolution No. 5456, Authorizing the Issuance and Sale of Not To Exceed \$150,000,000 in Excise Tax Revenue Refunding Obligations, Taxable Series 2021  
Move City Council pass and adopt Resolution No. 5456, prepared by the City's bond counsel firm of Gust Rosenfeld, P.L.C, authorizing the issuance and sale of not to exceed \$150,000,000 in Excise Tax Revenue Refunding Obligations, Taxable Series 2021.
18. Resolution No. 5457, Authorizing the Issuance and Sale of Not to Exceed \$75,000,000 in General Obligation (GO) Refunding Bonds, Taxable Series 2021  
Move City Council pass and adopt Resolution No. 5457, prepared by City's bond counsel firm of Gust Rosenfeld, P.L.C., authorizing the issuance and sale of not to exceed \$75,000,000 in GO Refunding Bonds, Taxable Series 2021.
19. Resolution No. 5510, Authorizing and Providing for the Issuance and Sale of Not to Exceed \$34,000,000 in General Obligation (GO) Bonds, Series 2021  
Move City Council pass and adopt Resolution No. 5510, authorizing and providing for the issuance and sale of not to exceed \$34,000,000 in General Obligation (GO) Bonds, Series 2021, and authorizing the Management Services Director to determine whether it is in the City's best interest to sell the GO Bonds in a competitive bid or through a negotiated sale.
20. Agreement No. WH2-914-4361, with Consolidated Electrical Distributors, Inc., DBA Arizona Electric Supply, for Electrical Supplies  
Move City Council approve Agreement No. WH2-914-4361, with Consolidated Electrical Distributors, Inc., DBA Arizona Electric Supply, for electrical supplies, in an amount not to exceed \$400,000, for the period of September 1, 2021, through August 31, 2022.
21. New License Series 12, Restaurant Liquor License Application for Calitacos Restaurant 2, LLC, DBA Calitacos  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 152939, a Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, Calitacos Restaurant 2, LLC, DBA Calitacos, located at 225 W. Warner Road, Suite 1-2, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301414.

22. License Series 12, Restaurant Liquor License Application for Martys BBQ, LLC, DBA Twisted Cactus Brew & BBQ  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 154808, a Series 12, Restaurant Liquor License, for Jeffrey Craig Miller, Agent, Martys BBQ, LLC, DBA Twisted Cactus Brew & BBQ, located at 4080 W. Ray Road, Suite 26, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 301307.
23. License Series 10, Beer and Wine Store Liquor License Application for Chandler Gas & Store, LLC, DBA Arco AM/PM  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 154806, a Series 10, Beer and Wine Store Liquor License, for Amy S. Nations, Agent, Chandler Gas & Store, LLC, DBA Arco AM/PM, located at 1735 S. Cooper Road, and approval of the City of Chandler, Series 10, Beer and Wine Store Liquor License No. 301383.
24. Liquor License Series 7, Beer and Wine Bar Liquor License Application for D'Vine Gourmet  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 154880, a Series 7, Beer and Wine Bar Liquor License, for Denise Kathleen McCreery, Agent, D'Vine Gourmet, located at 72 S. San Marcos Place, and approval of the City of Chandler, Series 7, Beer and Wine Bar Liquor License No. 301356.

#### Police Department

25. Maricopa County Detention Services for Fiscal Year (FY) 2021-2022  
Move City Council approve the use of Maricopa County detention services, for the booking and housing of inmates, in an aggregate amount not to exceed \$1,477,573, for one year, July 1, 2021, through June 30, 2022.
26. Agreement PD2-680-4356, Police Duty Gear  
Move City Council approve Agreement No. PD2-680-4356, with 030530 Uniforms, LLC, dba Ace Uniforms of Phoenix, for police duty gear, in an amount not to exceed \$80,000, for the period of August 31, 2021, through August 30, 2022.

#### Public Works and Utilities

27. Final Adoption of Ordinance No. 4979, Repealing Ordinance No. 4964 (Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos

Road to WNDG, LLC, an Arizona Limited Liability Corporation) and Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos Road to Copperstate West, Inc., for the Sum of \$500.00

Move City Council approve final adoption of Ordinance No. 4979, repealing Ordinance 4964 (authorizing the sale of a parcel of City-Owned land at the southwest corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona limited liability company) and authorizing the sale of a parcel of land at the southwest corner of McQueen Road and Pecos Road to Copperstate West, Inc. for the sum of \$500.

28. Introduction of Ordinance No. 4976, Correcting the Legal Description for a Non-Exclusive Power Distribution Easement Granted to Salt River Project to Accommodate the Development of Lantana Ranch Park at McQueen Road and Appleby Road  
Move City Council introduce and tentatively adopt Ordinance No. 4976, correcting the legal description for a non-exclusive power distribution easement granted to Salt River Project to accommodate the development of Lantana Ranch Park at McQueen Road and Appleby Road.
29. Resolution No. 5472, Approving an Intergovernmental Agreement Between the City of Chandler and Maricopa County, Acting Through the Maricopa County Department of Transportation, Regarding Cost Sharing for Improvements to Lindsay Road from Via De Palmas to Riggs Road  
Move City Council pass and adopt Resolution No. 5472, approving an Intergovernmental Agreement between the City of Chandler and Maricopa County, acting through the Maricopa County Department of Transportation, regarding cost sharing for improvements to Lindsay Road from Via De Palmas to Riggs Road in the amount of \$1,301,229.
30. Resolution No. 5486, Approving an Amended and Restated Water Transportation Agreement Between Salt River Valley Water Users' Association and the City of Chandler  
Move City Council pass and adopt Resolution No. 5486, approving an amended and restated Water Transportation Agreement between Salt River Valley Water Users' Association and the City of Chandler.
31. Agreement No. PW0-745-4122, Amendment No. 2, with The Fishel Construction Company, for Concrete Repair Maintenance Services  
Move City Council approve Agreement No. PW0-745-4122, Amendment No. 2, with The Fishel Construction Company, for concrete repair maintenance services, in an amount not to exceed \$800,000, adding funds to the existing term, January 1, 2021, through December 31, 2021.

32. Agreement No. PW2-936-4357, with Capital Pump and Equipment, LLC; Foster Electric Motor Service, Inc.; Hennesy Mechanical Sales, LLC; James, Cooke & Hobson, Inc.; Keller Electrical Industries, LLC; KP Ventures Well Drilling & Pump Co, LLC; Layne Christensen Company; Phoenix Pumps, Inc.; Pumpman Phoenix/Scott's AZ Electric Motor Repair; Southwest Waterworks Contractors PM, LLC, dba Pumpman Waterworks; TW Associates, Inc.; and Weber Water Resources, LLC, for Water and Wastewater Equipment Maintenance and Repair Services  
Move City Council approve Agreement No. PW2-936-4357, with Capital Pump and Equipment, LLC; Foster Electric Motor Service, Inc.; Hennesy Mechanical Sales, LLC; James, Cooke & Hobson, Inc.; Keller Electrical Industries, LLC; KP Ventures Well Drilling & Pump Co, LLC; Layne Christensen Company; Phoenix Pumps, Inc.; Pumpman Phoenix/Scott's AZ Electric Motor Repair; Southwest Waterworks Contractors PM, LLC, dba Pumpman Waterworks; TW Associates, Inc.; and Weber Water Resources, LLC, for water and wastewater equipment maintenance and repair services, in a combined amount not to exceed \$6,640,000, for a two-year period, September 1, 2021, through August 31, 2023, with the option of up to two additional two-year extensions.
33. Agreement No. PW2-962-4328 with Ancon Services, Inc., and Simon Family Enterprise, Inc., for Sewer Line Cleaning and Debris Removal  
Move City Council approve Agreement No. PW2-962-4328 with Ancon Services, Inc., and Simon Family Enterprise, Inc., for sewer line cleaning and debris removal, in a combined amount not to exceed \$998,000, for a two-year period, September 1, 2021, through August 31, 2023, with the option of up to two additional two-year extensions.
34. Agreement No. WW0-885-4192, Amendment No. 1, with Carbon Activated Corporation, for Activated Carbon  
Move City Council approve Agreement No. WW0-885-4192, Amendment No. 1, with Carbon Activated Corporation, for activated carbon, in an amount not to exceed \$300,000, for a one-year period, October 1, 2021, through September 30, 2022.
35. Purchase of Refrigerated Liquid Carbon Dioxide  
Move City Council approve the purchase of refrigerated liquid carbon dioxide, from Reliant Gases, Ltd., utilizing City of Glendale Contract No. C20-0792, in an amount not to exceed \$234,000, and authorize the City Manager or designee to sign a linking agreement with Reliant Gases, Ltd.
36. Sole Source Purchase of Analytical Equipment, Parts, and Services

Move City Council approve the sole source purchase of analytical equipment, parts, and services from Rosemount Analytical, Inc., in an amount not to exceed \$195,000.

37. Sole Source Purchase of Chemicals

Move City Council approve the sole source purchase of chemicals, from SUEZ Water Technologies & Solutions, Inc., in an amount not to exceed \$160,000.

38. Sole Source Purchase of Supervisory Control and Data Acquisition (SCADA) System Upgrades

Move City Council approve the sole source purchase of SCADA system upgrades from WonderWare West, in the amount of \$85,478.

39. Professional Services Agreement No. PD1901.271, Amendment No. 1, with Arrington Watkins Architects, LLC, for Police Station Main Lobby and Records Room Renovation  
Move City Council Award Post Design Services Contract No. PD1901.271, Amendment No. 1, to Arrington Watkins Architects, LLC, for Police Station Main Lobby and Records Room Renovation, in the amount of \$12,000, for a revised contract amount not to exceed of \$41,530.

40. Professional Services Agreement No. WA2102.101, with Entellus, Inc., for the Germann Road Waterline Corridor Study Design Services  
Move City Council Award Professional Services Agreement No. WA2102.101 to Entellus, Inc., for the Germann Road Waterline Corridor Study Design Services, in an amount not to exceed \$442,400.

41. Professional Services Agreement No. WW1901.105, with Rider Levett Bucknall, Ltd., for the Reclaimed Water Interconnect Facility Cost Estimating Services  
Move City Council Award Professional Services Agreement No. WW1901.105, to Rider Levett Bucknall, Ltd., for the Reclaimed Water Interconnect Facility Cost Estimating Services, in an amount not to exceed \$58,751.12.

## **Consent Agenda Motion and Vote**

Councilmember Orlando moved to approve the Consent Agenda of the August 26, 2021, Regular City Council Meeting; Seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

## **Public Hearing**

## 42. Public Hearing, Results of Biennial Impact Fee Audit

### Open Public Hearing

MAYOR HARTKE opened the public hearing.

### Staff Presentation

JULIE BUELT, Senior Financial Analyst, presented the following presentation.

- Background
  - ARS 9-463.05, Requirement for Cities with Impact Fees:
    - Form Advisory Committee or
    - Perform biennial Audit of Impact Fee Program
  - Note: All Arizona communities collecting SDF's perform the audit versus forming an Advisory Committee
- Biennial Audit
  - Conducted by Heinfeld, Meech and Co.
  - Third Audit completed by City after new legislation
  - Covers FY 2018-19 and FY 2019-20
- Audit Procedures
  - Compare growth projections to Land Use Assumptions (LUA) and Infrastructure Improvements Plan (IIP)
  - Review progress of IIP projects
  - Review fee collections and capital project expenditures
- Results
  - No findings or inequities reported
  - Biennial audit requirement met
  - No formal action required by Council

### Council Discussion

MAYOR HARTKE asked if there was any Council discussion.

VICE MAYOR STEWART asked if there were any complaints from any development partners.

MS. BUELT said that is not part of the audit, but she has not heard anything. Ms. Buelt said Development Services charges the fees and the fees have gone down in the last several updates, so no one has really complained since fees are higher elsewhere.

COUNCILMEMBER ORLANDO asked why the audit is done.

MS. BUELT said the audit is required by state statute or an advisory committee. The advisory committee is difficult to comply with because of everything that is required in statute so all cities have gone the route of the audit.

COUNCILMEMBER ORLANDO asked how much the audit cost.

MS. BUELT said \$14,000.

COUNCILMEMBER ORLANDO asked how often the audit is done.

MS. BUELT said every two years and the impact fees pay for the audit.

COUNCILMEMBER ORLANDO asked when the next impact fee update is scheduled to be done.

MS. BUELT said staff would come to Council next month to select the consultant and begin the next five-year update as required.

#### Discussion from the Audience

MAYOR HARTKE asked if there was any discussion from the audience. There was none.

#### Close Public Hearing

MAYOR HARTKE closed the public hearing.

## Informational

43. Study Session & Regular Minutes of July 21, 2021, Planning and Zoning Commission

## Unscheduled Public Appearances

MAYOR HARTKE said comments were received and called for residents to speak.

AJAY JOSHI, 436 E. Tonto Pl., Chandler, said he has lived in Chandler over 30 years. Mr. Joshi asked they be treated equally like every Chandler resident and asked why Pinelake Estates, Reserve at Fulton Ranch, and Southshore be subjected to high voltage power lines, declining property values, and health hazards. Mr. Joshi asked Council to revisit the item to bury the power lines and keep the community beautiful and safe.

ALLISON GARRARD, 429 E. Horseshoe Dr., Chandler, said campaign promises are important and that is why Council holds the seat they are in. Ms. Garrard said Councilmember Orlando promised to enhance and preserve existing neighborhoods, parks and recreational amenities, and programs for a better quality of life and he is personally passionate about working with residents on their neighborhood issues. Ms. Garrard said they voted for Councilmember Orlando and now needs his help to preserve their neighborhood. Ms. Garrard read a tweet from Vice Mayor Stewart regarding the Intel project and undergrounding a portion of the SRP powerlines to keep the area safe and beautiful. Ms. Garrard said the residents in the area of the proposed above ground

powerlines are not happy and saying it is out of their hands does not work for the 500 families that live in the area. Ms. Garrard said SRP held their open houses and all the residents heard were rehearsed answers, half-truths, and pointing fingers at the City. Ms. Garrard said she personally does not benefit from the Intel expansion but yet will bear the burden of it and asked why they do not deserve the same as those along Chandler Heights. Ms. Garrard asked Council to listen to the neighborhoods.

DENISE KLECKA, 409 E. Horseshoe Dr., Chandler, said she opposed SRP's proposal to construct high voltage powerlines between Pinelakes, Southshore Village, and the Reserve. The width of this area is only 100 feet wide and is a little more than someone's backyard. The height of the towers is almost two times the width of where they would be put amongst 500 homes. There are families and a lot of kids in the neighborhoods, and they will have to live there with the sound of the towners and have them looming over their homes.

BILL LI, 280 E. San Carlos Way, Chandler, said he was an electrical engineer in the semiconductor industry and understood how much power the Intel plant would need. Mr. Li said he was aware of the economic benefits the plant would bring to the City and was in support of the expansion. Mr. Li said he is also a father and the amount of power that goes through those lines, if above ground, with the magnetic field being drawn, is like having the kids play in front of a microwave with a cell phone around their head. If the lines are buried, the ground shields a lot of these hazards. Mr. Li asked Council to think of the health hazards and many people could get sick and asked Council to find a solution.

LAURI REGACHO, 171 E. Havasu Pl., Chandler, asked Council to underground the powerlines. Ms. Regacho said she works in the semiconductor industry and is supportive of the Intel expansion however it is wrong to differentiate the powerlines in their neighborhood from the powerlines being undergrounded. Ms. Regacho said she reviewed the map and Intel's expansion would cost \$20 billion dollars so it seems that Intel could help underground the powerlines. Ms. Regacho read from the SRP media release that Council approved an agreement to fund the difference between building the lines overhead and putting them underground. Ms. Regacho said as a taxpayer they are helping to fund putting them underground and that is what they are asking for the City to do for their neighborhood.

DOUG BRUHN, 426 E. San Carlos Way, Chandler, said he was very disappointed in having to visit Council regarding this and he is already sick from the stress of this issue. Mr. Bruhn asked what gives Council, SRP, and Intel the right to change his quality of life. The 230 kv lines belong on farmland north of Ocotillo Road, not in the middle of 550 homes many of which are new and 1200 students at BASIS. All four SRP open houses were narratives against all other options for their neighborhoods. The SRP Chandler spin regarding health and safety and real estate values was a joke. There were multiple realtors that could negate all SRP comments regarding values. Mr. Bruhn asked that Council treat all residents fairly and to bury all the lines. The 1999 Southeast

Chandler Area Plan did not plan for 230 kv lines and stated there was to be an open forum and more communication.

PATRICIA BRUHN, 426 E. San Carlos Way, said their home is close to the railroad tracks and said she wanted to know what utilities are running under Ocotillo Road and Arizona Road. Ms. Bruhn said they keep hearing that they are totally full, but no direct explanation is given. Ms. Bruhn asked if Council has considered burying the existing lines in Pinelake Estates and there is room where Pinelakes meets the railroad tracks. Ms. Bruhn said as a retired pediatric RN, she is extremely concerned about her grandchildren when they come to visit. Ms. Bruhn asked if Council would want their children and grandchildren to play close to the powerlines. Ms. Bruhn asked Council to find a different route or bury them and asked where Intel's good neighbor policy for them.

SUSAN MUSSELMAN, 248 E. Canyon Way, Chandler, said she wanted the powerlines buried. There is a walkway in their neighborhood and there is a buzzing noise from the powerlines in the neighborhood and there is magnetic interference coming down. Ms. Musselman said she has noticed lots of dead birds even though they are smaller powerlines. There is water in Fulton Ranch and water in the other subdivision and the birds go across. Ms. Musselman said she did not want to see these beautiful birds dead on the ground.

SCOTT BREWER, 410 E. Canyon Way, Chandler, said he worked for Comcast for 20 years and Orbitel Communications, and when they City is looking to expand a road, they are told where to put their cable lines. Mr. Brewer said the Council has the ability to tell people where to put them. Mr. Brewer said he thought the project was a great project to the community, but the neighborhood is being impacted by this.

RICHARD MASON, 517 E. Mead Pl., Chandler, said the City put money up using a beautification to fund to bury the lines along Chandler Heights Road. Mr. Mason asked when the lines get to the railroad tracks and go 200 feet in the air if they became beautiful then. Mr. Mason asked why it was not beautiful before it came to his neighborhood. Mr. Mason said he attended the meeting with SRP and SRP is blaming Council for not having the lines buried. SRP is blaming the railroad tracks and Mr. Mason asked if anyone has contacted the railroad to ask for an easement and he was not given a response. Mr. Mason said SRP said the City has no control over the railroad, but the City does have control over Arizona Ave. Mr. Mason said they are talking about 0.7 miles from Chandler Heights to where it needs to get to the substation and there must be a way to get that amount funded. Mr. Mason said he flies in and out of Chandler Airport and that is Class D airspace and asked if anyone contacted the FAA to find out if these towers would impact the flight line into Chandler Airport.

BABA PATRO, 240 E. Havasu Pl., Chandler, said this is his 22 years in the United States and works in IT and said this is the place he wanted to raise his family. Mr. Patro said the neighborhood is very lively and there are many kids who bike on the path by the powerlines. Mr. Patro said he rides

his bike as well everyday and hears the buzzing of the powerlines. Mr. Patro asked for Council to bury the powerlines.

SATISH BANWASI, 250 E. Havasu Pl., Chandler, said the powerlines are less than 250 feet from his house. It is like putting a skyscraper next to his house. If the Council can spend money for 2.7 miles to bring the lines for beautification then why not the remaining 0.7 miles. Mr. Banwasi asked for Council to treat the neighborhood fairly and bury the lines. There are health concerns and no answers from SRP and they are blaming the Council. Mr. Banwasi asked where they can go for answers.

DEREK LOGAN, 445 E. Coconino Pl., Chandler, said he has been President of Pinelake Estates for about 13 years. Mr. Logan said there has been no public process on this item. Mr. Logan read an excerpt from the SRP contract that the City would support SRP's efforts to construct the project as depicted and would oppose conditions inconsistent with this agreement including interactions with the community and intervening and supporting SRP's efforts. Mr. Logan said there was no public process and the agreement says that Council is not going to listen to the community. Mr. Logan said he wanted to work with Council and believed that Council wants to work with the community. Mr. Logan said he read the 1999 Southeast Chandler Area Plan and determined that is the area he wanted to live in and Chandler is one of the best cities in Arizona.

COUNCILMEMBER ORLANDO said he heard a lot of concerns and questions tonight and said he wanted a detailed report from the City Manager on why they cannot underground on Ocotillo Road and wanted to know why, from SRP, that they cannot go under the railroad. Councilmember Orlando said when he was visiting the neighborhood earlier in the week, he also had the same question. Councilmember Orlando asked the City Manager if they have looked at the residential area and asked what is prohibiting the lines from going under Arizona Avenue.

COUNCILMEMBER ELLIS said she wanted the discussion to remain civil. Civility in this City has always been the reason they get things done and to work together. Councilmember Ellis thanked the residents for speaking. Councilmember Ellis said the City Manager has heard the concerns and asked that the City have open dialogue with the residents. Councilmember Ellis said she did not know where the lack of communication happened. Councilmember Ellis said when Council was being told about the item, they were informed that communication had happened and was going to continue to happen and SRP was doing their due diligence.

VICE MAYOR STEWART said staff presented the plan to Council and all Councilmembers communicated that they wanted staff, SRP, and Intel to communicate with the neighbors. Vice Mayor Stewart said he has heard many concerns from the residents and now is hearing that SRP is pointing to Council. Vice Mayor Stewart requested information on what communication has happened with the railroad, the various HOAs, and more information about the health hazards. Vice Mayor Stewart said when his kids played sports and there were powerlines overhead and he

would see the dead birds and could hear the buzzing. It is a real thing. Vice Mayor Stewart wanted more information about what information SRP is saying about the Council.

COUNCILMEMBER HARRIS said there needs to be better communication with the railroad and asked if communication was being sent out about the Line Committee. Councilmember Harris said there is a lack of communication or more information needs to be shared. Councilmember Harris said he wanted a copy of what SRP is providing to residents and would like to see different options for the area. Councilmember Harris said he wanted information regarding the next SRP neighborhood meeting.

VICE MAYOR STEWART said he would encourage SRP to have meetings in person.

COUNCILMEMBER ROE thanked the residents for sharing their thoughts.

COUNCILMEMBER LOPEZ said Council received some high-level information from SRP regarding other options mentioned and wanted more information as well as a work session. Councilmember Lopez said he wanted to ensure Council was properly representing the citizenry.

MAYOR HARTKE said the City Manager was tasked with more information and the variables are routes, time, and money. Mayor Hartke said he did not know what the time is and there is a sense of urgency, but this is our community. Mayor Hartke asked SRP regarding the dollars if this could get stretched out over 10 years and there is a lot of money being discussed regarding infrastructure. If this is infrastructure and where could they explore other options available. It is the right of a local community to talk and get answers.

## **Current Events**

### **Mayor's Announcements**

MAYOR HARTKE said earlier today there was an explosion in the shopping center at the northeast corner of Ray Road and Rural Road. The cause of the explosion is still under investigation. Mayor Hartke thanked the first responders and Southwest Gas for working quickly to ensure homes and businesses remain safe. There is work to be done but they would get to the bottom of this. It is scary in a city anywhere but is grateful for the first responders that the City has.

MAYOR HARTKE said on September 14 there is an HOA roundtable where attendees would be provided an overview of HOAs, governing documents, organizational structure, rights and responsibilities of the board and homeowners. There would be tips and tricks to turn your board to be strong and effective.

MAYOR HARTKE said the US Census Bureau released the first local results of the 2020 census. This includes population, housing unit counts, race, ethnicity, age, and housing vacancy rates. The census results were a population of 275,987 which was higher than projected. Staff is now working

on the US Census Count resolution program to ensure housing and population counts are correctly allocated to the 2020 census tabulation blocks. This effort would begin later this year and results would be available in 2022. Mayor Hartke thanked residents for participating and Vice Mayor Stewart for his role in leading the Census.

### **Council's Announcements**

COUNCILMEMBER HARRIS said his thoughts go out to those in the explosion and those impacted and it devastating to the community. Councilmember Harris thanked everyone who came to the meeting to express their concern and public engagement is the most important. When someone sees something happening, they need to speak up because if they do not then no one knows. Councilmember Harris said they are elected by the people and are here to serve the people.

COUNCILMEMBER LOPEZ said it is unfortunate that the citizenry gets involved when something negative is happening. Councilmember Lopez implored the citizens to stay engaged and stay involved in the City and Council is here to serve the interest of the City.

COUNCILMEMBER LOPEZ said last week the United States Bureau of Reclamation declared we are in a Tier 1 Colorado River shortage in Arizona and the shortage would run in 2022. Councilmember Lopez said he represents the City in the Arizona Municipal Water Users Association Board and ensured that Chandler has spent decades preparing for this. Chandler has been harvesting water for a long time to ensure the City is good for its residents and businesses for generations to come. This shortage would not impact the City at this time as the City's water supply is ample enough to handle the shortage but we can play a role in water conservation and every drop helps fill the bucket. The City would continue to share updates as the situation unfolds.

VICE MAYOR STEWART said the police and fire departments did great on executing as a team during the explosion. Vice Mayor Stewart said they are the best and it shows in these situations.

VICE MAYOR STEWART thanked residents for attending and for their engagement. It helps Council communicate as well.

VICE MAYOR STEWART said there are thousands of Americans left behind in Afghanistan and that weighs on him greatly and they need to get them.

VICE MAYOR STEWART said in three weeks there are Startup Connection Events on September 17 and 18 at the innovation center. There would be angel investors and startup experts to help individuals who want to start their own business. There are many engineers in this City and there are business popping up everywhere. The event is free and encouraged people to register.

COUNCILMEMBER ROE said September 6 is Labor Day and encouraged people to think about how much you are appreciated for your work and continue to be the backbone of this Country.

COUNCILMEMBER ELLIS said there are so many disasters happening around the world and people are dying every second. Councilmember Ellis said tonight their residents are in need and Council is here to serve them.

COUNCILMEMBER ORLANDO said his son is working on getting people out of Afghanistan on the State Department side and they are doing what they can do. Councilmember Orlando said he has had service members reach out and is helping them connect with Congressman Stanton as well as two Senators to get some interpreters out. Councilmember Orlando said they may not be visible all the time, but they are doing many things behind the scenes

COUNCILMEMBER ORLANDO thanked the residents for coming out. Councilmember Orlando said he has been working with residents for five terms now and would continue to do so and make sure his record is on the right course. Councilmember Orlando said his grandchildren also live in the area and he is concerned about it as well. As long as he does not have a conflict of interest, he would continue to do the best he could to mitigate this issue.

### City Manager's Announcements

JOSHUA WRIGHT, City Manager, thanked staff that responded to the incident at Ray Road and Rural Road.

## Adjourn

The meeting was adjourned at 6:55 p.m.

ATTEST: Dana R. Dilling  
City Clerk

Kevin Harbke  
Mayor

Approval Date of Minutes: September 20, 2021

## Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of Regular Meeting of the City Council of Chandler, Arizona, held on the 26th day of August 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20th day of September, 2021.



Dana R. Dilling  
City Clerk