

# Meeting Minutes

## City Council Special Meeting

September 1, 2021 | 8:15 a.m.  
Cameron Conference Room  
Arizona Biltmore  
2400 E. Missouri Ave., Phoenix, AZ



### Call to Order

The meeting was called to order by Mayor Kevin Hartke at 8:15 a.m.

### Roll Call

#### Council Attendance

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

#### Appointee Attendance

Josh Wright, Acting City Manager  
Kelly Schwab, City Attorney

#### Others in Attendance

Representative Jennifer Pawlik  
Representative Jennifer Jermaine  
Representative Mitzi Epstein  
Senator Sean Bowie  
Madeline Ramirez, Assistant to Senator Bowie  
Ryan Peters, Strategic Initiatives Director  
Alexis Apodaca, Governmental Relations Coordinator

### Discussion

1. Welcome and Introductions – Mayor Kevin Hartke

MAYOR HARTKE welcomed everyone and said Chandler has had a busy year including hiring a new City Manager and a Presiding City Magistrate. Mayor Hartke said they are also starting a Veterans Commission to address their needs in the community. Mayor Hartke said the City is

working through what the Intel expansion will mean in terms of utilities. Mayor Hartke said Chandler has done a lot of water planning but there are a lot of concerns in the State about water. Mayor Hartke is also working with MAG on transportation policy and Prop 400.

2. 2021 Legislative Session – Chandler City Council & Legislators
3. Chandler Updates – Chandler City Council

MAYOR HARTKE said they have been working with the Governor to secure an \$8 million commitment to the watermain under the Loop 101 202 that did not get caught in time. Mayor Hartke said the infrastructure under there is not good and it would be a significant disruption for Chandler and the entire East Valley. Mayor Hartke said the state income housing tax credit was on the agenda this year and were appreciative that it was passed to address low-income housing. There is concern on the number of law enforcement bills as Chandler likes to retain local control. Mayor Hartke said Chandler has a police oversight board that is advisory and not regulatory and did not think the proposed legislative was appropriate for situations like this. Cities want to get it right the first time instead of spending the next few years tweaking it to work well.

COUNCILMEMBER ORLANDO said there is a dramatic shortage of police officers and public safety in general. Councilmember Orlando asked for them to consider a way to allow retired officers who are eligible, to be allowed to work as a part time officer in the school system. They could free up seven or eight officers. Councilmember Orlando said they have been aggressive in recruiting officers to build up the police force.

REPRESENTATIVE JERMAINE said she has been working with PSPRS to address the restrictions in the law. They have been working with the advisors and lobbyists in order to fix the issue that prohibits them from working 24 months after separation.

COUNCILMEMBER ORLANDO asked what the timeframe was on that.

REPRESENTATIVE JERMAINE said they tried to introduce it last year and it did not get a hearing. It was a House Bill and there was so many election items that there was not time for retirement items in the Government Committee. This needs to be prioritized.

COUNCILMEMBER ORLANDO said he would like to see what the City could do to help.

SENATOR BOWIE asked who the chair was.

REPRESENTATIVE JERMAINE said the chair was John Kavanaugh and he is retired law enforcement so he should understand. Schools have a similar program called Smart Schools where retirees can continue to work. The problem was fixed in ASRS but not PSPRS so there needs to be a similar fix.



SENATOR BOWIE said they have talked to Southwest Gas regarding the explosion that happened in west Chandler and asked if there were any additional updates on the investigation.

MAYOR HARTKE said he did tour the outside of the site and it has been declared that natural gas was the issue. Southwest Gas has sent a number of things over to test as they still do not know what happened or the conditions that caused this to happen. Mayor Hartke said there are bigger issues concerning why this happened and if it could happen somewhere else which Southwest Gas is also concerned about. There were four people who were dramatically hurt in the explosion. There is also concern regarding the library as there were beams that were shifted in the roof because of the force of the explosion so the library has been closed while they review the structural issues. Mayor Hartke said the whole area by the gym may need to be rebuilt. Mayor Hartke said the issue that caused the leak happened underground and the ground took away the sulfur smell and that is why no one smelled the leak but there are still a lot of questions around this event.

REPRESENTATIVE EPSTEIN would like the legislators to receive the press releases directly and wondered if it calls for legislation to prevent this from happening in the future.

MAYOR HARTKE said the video was released from the library's vantage point.

They discussed that Southwest Gas has said every three years they do a leak survey and said there are questions about whether that should be done more often.

MAYOR HARTKE said this happened in our City but Southwest Gas has lines all over.

VICE MAYOR STEWART asked if there are natural gas alarms.

MAYOR HARTKE said it is usually the smell.

SENATOR BOWIE thanked Chandler Fire and Police for responding.

Discussion was held on the five cities that responded instantly because of the regional system. The crisis response team that Chandler is a part of is really the gold standard and should be rolled out across the State.

MAYOR HARTKE said it is great how people respond to each other.

REPRESENTATIVE PAWLIK asked for an update on the Intel expansion as they have received a lot of correspondence from residents. There has been a lot of concerns from the Pinelake community by the railroad tracks about the voltage and the lines not being undergrounded.



MAYOR HARTKE said the City Manager just had a meeting with the neighbors and the HOA and they have been in close communication with SRP.

JOSHUA WRIGHT, City Manager, said it is a small section about 8/10ths of a mile where there are already powerlines there. Mr. Wright said the City's preference from the beginning has been to underground as much as possible. This section did not have a clear engineering solution but the City has committed to those neighbors to do another review to see what solutions there might be. Intel is on some pretty tight deadlines and SRP is trying to meet those goals. Mr. Wright said we are trying to work around all of the constraints, but it has been a positive conversation to find a solution.

MR. WRIGHT said SRP has talked to Union Pacific and the area is a permit not an easement so it could be complicated depending on what Union Pacific is willing to do.

REPRESENTATIVE PAWLK said she is trying to meet with Union Pacific on the issue and has heard that the railroads can be difficult to deal with.

COUNCILMEMBER LOPEZ said it took eight years to do concrete modifications for a bike crossing.

RYAN PETERS said Union Pacific typically will not look at plans until it is approved by the Line Siting Commission, and they do not have jurisdiction over whether something is underground or not. It is hard to get something approved without that information and then to even get the railroad to look at it.

REPRESENTATIVE PAWLIK asked if it would be helpful to pull in Congressman Stanton because he is on the congressional transportation committee which has oversight.

COUNCILMEMBER ORLANDO said the residents want more information and why it was determined to do this route. Councilmember Orlando said there may be other options today that they did not have before and then cost will be a driver as well. Councilmember Orlando said the residents are also contacting the Arizona Corporation Commission and Intel's Board of Directors.

COUNCILMEMBER LOPEZ said there were a lot of citizens at the Council meeting, and they are open to the discussion, and everyone seems receptive. Councilmember Lopez said they need to get power from A to B and they need to figure out how to do it and make the impact as minimal as possible. Councilmember Lopez said when they go back to the table it needs to be the last time as Intel has a master plan.

MAYOR HARTKE said Intel has the capacity to put several more Fabs that would require more power. Mayor Hartke said his concern was if this gets rejected that they would consider



overhead along Ocotillo and that is something nobody wants. SRP has been working with the City to mitigate neighbor's concerns and find a good solution.

MR. PETERS said all of these considerations and input would be submitted when they go to the Corporation Commission.

COUNCILMEMBER LOPEZ encouraged residents to go the Arizona Corporation Commission meeting to ensure their voice is heard.

REPRESENTATIVE EPSTEIN said Maricopa County has an ozone problem and they need to do something about it. She chaired the sustainability work group and they started looking at garbage and fire trucks being electric because there is substantial cost savings for maintenance and the trucks are quiet. There are a lot of really great metrics to improve the situation and the fire trucks are ready and encouraged the City to look into it. These trucks run all day long so we can start to have an impact.

MAYOR HARTKE said Waste Management is doing natural gas which is a good step forward.

VICE MAYOR STEWART asked if there were any tax credits coming up for electric vehicles.

REPRESENTATIVE EPSTEIN said electric transportation is going to happen but the problem is the power stations that need to generate the power. She said in the budget package there was funding to begin building more electric vehicle charging stations.

COUNCILMEMBER LOPEZ said the City asks developers to put in charging stations.

REPRESENTATIVE EPSTEIN said there are conversations between manufactures because Tesla owns most of the charging stations and Tesla's plugs are different from all of the other plugs. There is conversations on building adapters and how to standardize things.

SENATOR BOWIE said another issue has been short term rentals and there were two bills this year, neither of which got through. Senator Bowie asked how short-term rentals were going in Chandler.

MAYOR HARTKE said the legislation that was passed a year ago was a relief to have some authority to address noise. Mayor Hartke said the State has a housing shortage and to have someone turn these houses into party houses it is a problem.

REPRESENTATIVE EPSTEIN asked if Chandler consider doing different zoning to help with this issue.

MAYOR HARTKE said they would consider any tool that would help with this.

COUNCILMEMBER ELLIS said she was not sure about telling people what they could do with their property but there have been complaints about noise specifically fireworks. Councilmember Ellis said she would like to address the use of fireworks especially since it can be difficult for those with mental health issues.

REPRESENTATIVE JERMAINE said the fireworks play into climate issues and having the extra sulfur in the air. Maricopa County has come down pretty hard saying they would like the timeframe to set off fireworks shortened. She said there is a bill ready to go.

MAYOR HARTKE said they would be supportive of that and curtail the excessive use of fireworks.

MR. PETERS said on the short term rental issue another concern is a timeshare of short term rentals that is starting to happen in other states. Mr. Peters said it is adding more to the issue and the City would like as much control as possible over this.

REPRESENTATIVE JERMAINIE said they also need to determine when it crosses over from a small family business to a corporate venture and how that impacts property tax rates. She said there is the option to count it by transactions which changes the tax brackets could be beneficial.

SENATOR BOWIE asked about low-income housing and homelessness in Chandler.

MAYOR HARTKE said they have hired a number of homeless navigators to understand why someone is experiencing homelessness and find solutions specific to their needs. Mayor Hartke said they are also furthering the mental health court in Chandler to hopefully help as well. Housing is an issue overall and they do not have a handle on it. They are looking at possibilities, but it is hard to address the need across the Valley.

COUNCILMEMBER ELLIS said she serves on the Domestic Violence Commission and there are concerns about when the victims go to the shelter the perpetrator is allowed to see the children in the shelter and that defeats the purpose. A bill would be introduced to have supervised visitation off the property in a different area and asked they take the time to look into it. The people who are in the shelters oftentimes go back to the situation because of the children but if they are able to stay safely in the shelter, they can find a way to move forward with their lives.

REPRESENTATIVE JERMAINE said there is an issue in the family courts as the judges do not get the same training as they do in other courts. They are working with the Arizona Supreme Court Domestic Violence Council and the AG's office to see if they can get the family court judges that training. This is an administrative process so it should go pretty quickly.



4. Conclusion

MAYOR HARTKE thanked everyone for attending and looked forward to their next conversation.

## Adjourn

The meeting was adjourned at 9:01 am.

ATTEST: *Dana R. D'Song*  
City Clerk

*Kevin Hartke*  
Mayor

Approval Date of Minutes: October 11, 2021

## Certification

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 1st day of September, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 11th day of October, 2021.

*Dana R. D'Song*  
City Clerk

