

Meeting Minutes

City Council Regular Meeting

November 9, 2023 | 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 6:00 p.m.

Roll Call

Council Attendance

Mayor Kevin Hartke
*Vice Mayor Matt Orlando
Councilmember OD Harris
Councilmember Mark Stewart
Councilmember Christine Ellis
Councilmember Jane Poston
Councilmember Angel Encinas

Appointee Attendance

Josh Wright, City Manager
Kelly Schwab, City Attorney
Dana DeLong, City Clerk

*Vice Mayor Orlando attended telephonically.

Invocation

The invocation was given by Reverend Dr. Roy Cheriyan, International Assembly of God.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Stewart.

Consent Agenda and Discussion

City Clerk

1. Board and Commission Appointments
Move to approve the Council meeting minutes of the Work Session of April 19, 2023, Study Session of April 19, 2023, the Special Meeting - Micro Retreat of April 21, 2023, the Special Meeting of April 22, 2023, and the Regular Meeting of April 22, 2023.

Community Services

2. Purchase of Library Bookmobile/Techmobile
Move City Council approve the purchase of a Library Bookmobile/Techmobile, from Farber Specialty Vehicles, utilizing Omnia Contract No. 128867, in the amount of \$634,519.
3. Agreement No. CS3-918-4620, Tree Inventory and Urban Forest Management Plan
Move City Council approve Agreement No. CS3-918-4620, with ArborPro, Inc., for the tree inventory and urban forest management plan, in an amount not to exceed \$145,000.
4. Agreement No. C20-910-4120, Amendment No. 4, with UBM Enterprise, Inc., for Park Restroom Cleaning Services
Move City Council approve Agreement No. CS0-910-4120, Amendment No. 4 with UBM Enterprise, Inc., for park restroom cleaning services, in an amount not to exceed \$178,225, for the period of one year, December 1, 2023, through November 30, 2024.
5. Agreement No. 4561, with Active Network, LLC, for Recreation Registration System
Move City Council approve Agreement No. 4561, with Active Network, LLC, for the recreation registration system for the period of three years, in an amount not to exceed \$175,000 in year one, beginning November 1, 2023, through October 31, 2026

Cultural Development

6. 2024-2029 Ostrich Festival License Agreement among the City of Chandler, the Chandler Chamber of Commerce, and Steve LeVine Entertainment, LLC
Move City Council approve the 2024-2029 Amended and Restated Ostrich Festival License Agreement for Chandler Ostrich Festival among the City of Chandler, the Chandler Chamber of Commerce, and Steve LeVine Entertainment, LLC.
7. Purchase of Tree Grates and Landscape Fencing
Move City Council approve the purchase of tree grates and landscape fencing to be located along Arizona Avenue, from Iron Age Designs, in the amount of \$205,539.

Development Services

8. Ordinance No. 5072 Rezoning, PLH23-0035 Galveston Commercial, 4100 W. Galveston St., Generally Located 1/2 Mile North of the Northwest Corner of McClintock Drive and Chandler Boulevard
Move City Council introduce and tentatively adopt Ordinance No. 5072 approving Rezoning PLH23-0035 Galveston Commercial, amending existing PAD zoning to allow medical office uses, subject to the conditions as recommended by Planning and Zoning Commission.

9. Resolution No. 5750, Authorizing a License Agreement between Ubiquity Arizona, LLC, and the City of Chandler
Move City Council pass and adopt Resolution No. 5750, authorizing the Mayor to execute the license agreement between Ubiquity Arizona, LLC, and the City of Chandler for the use of facilities in the City's rights-of-way and public places to establish Class 4 and Class 5 Communications Systems, and authorizing the City Manager or designee to execute other documents as needed to give effect to the agreement.
10. Resolution No. 5611 Approving a Development Agreement with Keystone at Hazelwood, LLC, Relating to Real Property Located at the Southeast Corner of Chandler Heights Road and 124th Street

Move City Council pass and adopt Resolution No. 5611 Approving a Development Agreement with Keystone at Hazelwood, LLC, Relating to Real Property Located at the Southeast Corner of Chandler Heights Road and 124th Street
11. Job Order Project Agreement No. DS2201.401 with Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Veterans Oasis
Move City Council award Job Order Project Agreement No. DS2201.401 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Veterans Oasis, in an amount not to exceed \$936,605.
12. Job Order Project Agreement No. DS2201.402 with Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Public Safety
Move City Council award Job Order Project Agreement No. DS2201.402 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1904.401, for the Outside Plant Fiber Telecommunications Remote Buildings – Public Safety, in an amount not to exceed \$794,886.20.
13. Use Permit, PLH23-0043 Pizza Hut, for a Series 7 Beer and Wine Bar License, located at 1000 N. Arizona Avenue, at the northwest corner of Arizona Avenue and Ray Road
Move City Council approve Use Permit, PLH23-0043 Pizza Hut, subject to the conditions recommended by Planning and Zoning Commission.
14. Use Permit, PLH23-0030 Vega Duplex, 200 South Dakota Street, generally located ¼ mile south and west of Chandler Boulevard and Arizona Avenue

Move City Council approve Use Permit, Vega Duplex PLH23-0030, to allow a new two-family dwelling on a property currently zoned MF-2 multiple-family residential, subject to the conditions recommended by Planning and Zoning Commission.

Economic Development

15. Resolution No. 5743 Approving the First Amended Chandler Infill Incentive Plan and the First Amended Chandler Infill Incentive District
Move City Council approve Resolution No. 5743 approving the First Amended Chandler Infill Incentive Plan and the First Amended Chandler Infill Incentive District.

Facilities and Fleet

16. Purchase of HVAC Equipment, Installation, and Services from TD Industries; Johnson Controls, Inc.; Daikin Applied Americas, Inc.; and Trane U.S., Inc.
Move City Council approve the purchase of Heat, Ventilation, and Cooling (HVAC) equipment, installation, and services, utilizing the Omnia Partners Contract No. R200403, with TDI Industries, Inc.; Contract No. R200402, with Johnson Controls, Inc.; Contract No. R200401, with Daikin Applied Americas, Inc.; and Contract No. 15-JLP-023, with Trane U.S., Inc., in a combined amount not to exceed \$985,000.
17. Purchase of Doors, Locking Systems, Door Hardware and Operable Walls from C&I Show Hardware
Move City Council approve the purchase of doors, locking systems, door hardware and operable walls from C&I Show Hardware, utilizing State of Arizona Contract No. CTR047674, in an amount not to exceed \$200,000.
18. Purchase of Exhaust System Cleaning and Maintenance Services
Move City Council approve the purchase of exhaust system cleaning and maintenance services, from KM Facility Services, utilizing City of Phoenix Contract No. CON156401-001, in an amount not to exceed \$250,000.
19. Purchase of Energy Management Control System Services
Move City Council approve the purchase of energy management control system services, from Mesa Energy Systems, Inc., utilizing the State of Arizona Contract No. CTR062668, in an amount not to exceed \$250,000.
20. Purchase of Painting and Related Services
Move City Council approve the purchase of painting and related services, from Ghaster Painting & Coatings, Inc., utilizing the 1GPA Contract No. 23-11PV-04, in an amount not to exceed \$395,000.

21. Agreement No. FF2-926-4522, Amendment No. 1, for City Facilities Disaster Recovery and Remediation Services
Move City Council approve Agreement No. FF2-926-4522, Amendment No. 1, with EHS Restoration, LLC, East Valley Disaster Services, Inc., Phoenix Environmental Group, LLC, and Titan Restoration of AZ, LLC, for city facilities disaster recovery and remediation services, in an amount not to exceed \$250,000, for the period of one year, beginning December 15, 2023, through December 14, 2024.

Fire Department

22. Resolution No. 5742 Adopting an Educational Services Agreement with Maricopa County Community College District
Move City Council pass and adopt Resolution No. 5742, authorizing the Chandler Fire Department (CFD) to enter into an Educational Services Agreement with Maricopa County Community College District (MCCCD) to offer college credit to CFD Paramedic students for college courses, and authorizing the City Manager, or designee, to perform all necessary provisions of the agreement.
23. Resolution No. 5741 Authorizing a Grant Agreement with the Governor's Office of Highway Safety to Continue the Child Safety Seat Clinic Program
Move City Council pass and adopt Resolution No. 5741 approving a Grant Agreement with the Governor's Office of Highway Safety for the Federal Fiscal Year (FFY) 2024 award in the area of Occupant Protection, to continue the Child Safety Seat Clinic Program, in the amount of \$37,089.

Information Technology

24. Enterprise License Agreement with Environmental Systems Research, Inc. (ESRI)
Move City Council approve Agreement No. 4695, with Environmental Systems Research, Inc. (ESRI), for an enterprise license for Geographic Information System (GIS) software, in the amount of \$591,159.36 for a three-year period, beginning March 12, 2024, through March 11, 2027.
25. Purchase of Oracle Annual Support and Maintenance Services
Move City Council approve the purchase of Oracle annual support and maintenance services, from Mythics, Inc., utilizing the Omnia Partners Contract No. R190801, in the amount of \$123,038, for the period of one year, January 31, 2024, through January 30, 2025.

Management Services

26. New License Series 6, Bar Liquor License Application for Keith Brian Turner, Agent, Tee Willy Enterprises, LLC, DBA Stinger's Golf Club
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 259046, a Series 6, Bar Liquor License, for Keith Brian

Turner, Agent, Tee Willy Enterprises, LLC, DBA Stinger's Golf Club, located at 900 E. Pecos Road, Suite 1, and approval of the City of Chandler, Series 6, Bar Liquor License No. 305986.

27. New License Series 12, Restaurant Liquor License Application for Mai Thi Nguyen, Agent, Pho Mai AZ, LLC, DBA Pho Mai
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 258586, a Series 12, Restaurant Liquor License, for Mai Thi Nguyen, Agent, Pho Mai AZ, LLC, DBA Pho Mai, located at 393 W. Warner Road, Suite 103, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 202727.

Neighborhood Resources

28. Resolution No. 5747 Approving Amendment No. 5 to the Intergovernmental Agreement Between Maricopa County Administered by its Human Services Department and City of Chandler to Accept Federal HOME Investment Partnerships Program Funds in the Amount of \$442,726; Reallocate 2019 HOME Investment Partnerships Program Funds in the Amount of \$141,585, and Extend the Expenditure Term to September 30, 2025
Move City Council pass and adopt Resolution No. 5747, Approving Amendment No. 5 to the Intergovernmental Agreement Between Maricopa County Administered by its Human Services Department and City of Chandler to Accept Federal HOME Investment Partnerships Program Funds in the Amount of \$442,726; Reallocate 2019 HOME Investment Partnerships Program Funds in the Amount of \$141,585, and Extend the Expenditure Term to September 30, 2025; Authorizing the Adjustment of the Performance Timeline to the HOME Investment Partnerships American Rescue Plan Program Funds; Authorizing the City Manager to Sign All Related Documents and Assurances on Behalf of the City of Chandler; and Further Authorizing the City Manager to Take All Action Necessary or Prudent to Implement the City's HOME Investment Partnerships and HOME Investment Partnerships American Rescue Plan Program Activities.
29. Resolution No. 5752, Intergovernmental Agreement Between Maricopa County and the City of Chandler to Accept American Rescue Program Funds for Affordable Housing Projects
Move City Council pass and adopt Resolution No. 5752 Approving the Intergovernmental Agreement Between Maricopa County, Administered by its Human Services Department, and the City of Chandler to Accept American Rescue Program Funds in the amount of \$10,000,000, Authorizing the City Manager to Sign all Related Documents and Assurances on Behalf of the City of Chandler; and Further Authorizing the City Manager to Take all Action Necessary or Prudent to Implement the City's Affordable Housing Projects.

Police Department

30. Purchase of DUI Command Center
Move City Council approve the purchase of a DUI Command Center (DUICC), from LDV, Inc., utilizing HGAC Contract No. AM10-23, in the amount of \$668,203.

Public Works and Utilities

31. Resolution No. 5753, Approving Amendment No. 2 to the New River and Agua Fria Underground Storage Project Intergovernmental Agreement
Move City Council pass and adopt Resolution No. 5753, approving Amendment No. 2 to the New River and Agua Fria Underground Storage Project Intergovernmental Agreement; and authorizing the Mayor to sign the agreement and all related documents on behalf of the city.
32. Resolution No. 5754, Groundwater Savings Facility Storage Agreement with New Magma Irrigation and Drainage District
Move City Council pass and adopt Resolution No. 5754, approving a Groundwater Savings Facility Agreement between New Magma Irrigation and Drainage District and the City of Chandler
33. Agreement No. PW0-745-4121, Amendment No. 4, with Choice Maintenance & Asphalt Services, LLC, for Asphalt Rubber Crack Seal Services
Move City Council approve Agreement No. PW0-745-4121, Amendment No. 4, with Choice Maintenance & Asphalt Services, LLC, for asphalt rubber crack seal services, in an amount not to exceed \$515,860, for a one-year term, January 1, 2024, through December 31, 2024.
34. Purchase of Asphalt Crack Sealant
Move City Council approve the purchase of asphalt crack sealant, from Superior Supply, Inc., utilizing the Arizona Department of Transportation (ADOT) Contract No. CTR066733, in an amount not to exceed \$275,000.
35. Purchase of Water Meter Repair and Replacement Services
Move City Council approve the purchase of water meter repair and replacement services, from Metering Services, Inc., utilizing City of Tempe Contract No. WUD21-015-01, in an amount not to exceed \$400,000.
36. Purchase of Street Sweeper
Move City Council approve the purchase of a street sweeper, from Nescon, LLC, utilizing Maricopa County Contract No. 190170-S, in the amount of \$348,826.55.
37. Purchase of Traffic Bucket Truck
Move City Council approve the purchase of a Versalift bucket truck, from Utility Crane & Equipment, Inc., utilizing Sourcewell Contract No. 110421-TIM, in the amount of \$237,285.

Consent Agenda Motion and Vote

Councilmember Harris moved to approve the Consent Agenda of the November 9, 2023, Regular City Council Meeting; Seconded by Councilmember Ellis.

Motion carried unanimously (7-0).

Action Agenda Item No. 38 and Discussion

38. Introduction and Tentative Adoption of Ordinance No. 4992 Amending Chapter 14 of the City Code to Expand the Definition of Animal Cruelty and Allow Seizure of Animals When There is Evidence of Abuse

Move City Council introduce and tentatively adopt Ordinance No. 4992 amending Chapter 14 of the City Code to more specifically define animal cruelty; to include a new offense for animal hoarding; to strengthen the City's unlawful restraint law; to allow peace officers to seize animals for cruelty, hoarding, or unlawful restraint; to provide for the disposition of displaced animals; and to authorize post seizure hearings to determine the lawfulness of any seizure and forfeiture of any animal subjected to cruelty, hoarding, or unlawful restraint.

KELLY SCHWAB, City Attorney, presented the following presentation.

- City Code Chapter 14 Updates
- Timeline
- Police and Law departments began discussing potential Chapter 14 amendments several years ago
- May 2022 – hearing held on animal seizure case in Chandler Municipal Court
 - Court Administrator provided input on the post-seizure hearing process to make it more consistent with best practices
- February 2023 – August 2023 – revisions were circulated for consideration and edits among the Law Department and Police Department
- August 2023 – draft ordinance amending Chapter 14 was submitted to City Manager's office for initial review
- Outreach
- Staff provided draft Chapter 14 amendments to several animal welfare organizations for review and/or comment:
 - Arizona Humane Society (reviewed and commented; suggestions were considered and incorporated where appropriate)
 - Arizona State Veterinary Medical Examining Board (declined to comment)
 - AZ Pet Project (commented on enforcement policies and their concerns were addressed)
 - Maricopa County Animal Care and Control (reviewed, but declined to comment)
 - Arizona Animal Welfare League (declined to review)
 - PAC911 AZ Nonprofit Network of Animal Rescues (reviewed and commented)
- Posted on City website for public comment, received and reviewed.
- Current Challenges

- Current chapter 14 outdated language:
 - Too narrowly defines animal cruelty
 - Does not adequately address the issue of animals seized for safekeeping purposes in non-cruelty cases
 - Current Code does not provide adequate regulations relating to the hoarding of animals in unsafe and/or unsanitary conditions
 - Post-seizure hearings currently are based on State law and do not provide adequate procedures in addressing lawfulness of the seizure in Chandler Municipal Court
- Background
- City's role when an animal is seized
 - Officer provides the owner of the animal with a Notice of Animal Seizure
 - Officer contacts Arizona Humane Society (AHS) to provide transportation, housing, and care for animals
 - Officer files proof of services with the Chandler Municipal Court
 - Owner of the animal can contest the seizure in the Chandler Municipal Court
- Police response protocols
 - Officers use Fourth Amendment principles for animal cruelty seizures
 - Consent to search exception requires consent from the property owner to enter the property
- Background
- Potential charges for different forms of abuse
 - Common cases of animal cruelty are designated as class 1 misdemeanors
 - More serious cases of cruel neglect or abandonment resulting in serious physical injury to the animal are designated as class 6 felonies
 - Most serious cases of abuse such as intentionally or knowingly subjecting a domestic animal to cruel mistreatment is a class 5 felony
- Other Municipalities
- Cities that have implemented a dedicated animal hoarding ordinance, setting a minimum threshold of 10 or more animals:
 - Marana
 - Phoenix
- Cities that have ordinances similar to a hoarding regulation but do not directly regulate animal based on the number of animals
 - Scottsdale
 - Goodyear
 - Peoria
 - Flagstaff
- Cities that grant authorization for the seizure of animals in cases associated with hoarding:
 - Gilbert
 - Glendale
 - Surprise

- Tempe
 - Tucson
- Proposed Changes
- More clearly define “Animal Cruelty” to include specific situations such as:
 - Failing to provide medical attention necessary to prevent unreasonable suffering
 - Intentionally leaving an animal unattended in a motor vehicle
 - Allow any dog to interfere, kill or cause physical injury to a service animal
- Add section on Animal Hoarding
 - If person possesses animals under circumstances injurious to the health or welfare of any animal
 - Abandonment
 - Unsanitary, overcrowded, other inhumane conditions
 - Failure to provided medical care
 - Failure to provide suitable water and necessary food appropriate for the species
- Proposed Changes
- Add Language to section on unlawful restraint of dog
 - Collar not properly fitted to the dog
 - Length is shorter than 10 feet
 - Places the dog in unsafe or unsanitary conditions
 - Causes injury to the dog
 - Does not allow dog to access food, water, shade and shelter
- Update language on authority to seize and impound animals subjected to cruelty
 - Peace officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of the animal
- Next Steps
- October 23, 2023: Community Safety Subcommittee
- November 9, 2023: Introduction Ordinance Amending Chapter 14
- December 4, 2023: Final Adoption of Ordinance Amending Chapter 14
- January 2024: Ordinance Effective Date
- Questions?

COUNCILMEMBER HARRIS said the ordinance is a crucial step towards strengthening animal welfare laws in the city. The efforts address animal cruelty and emphasize the importance of providing basic amenities for dogs, including safe and clean parks, water fountains, and proper leash use. The city's investments in essential improvements to dog parks reaffirm their significance in promoting animal welfare and community benefits. Councilmember Harris expressed support for the ordinance and its continued progress.

COUNCILMEMBER ELLIS said that some community members have raised a valid concern about the lack of a shelter facility to house captured dogs. We need to partner with such facilities to ensure the welfare of the dogs that we encounter and capture.

MS. SCHWAB said we have a contract with the Arizona Humane Society to assist us with animals in need. They provide transportation, care, and holding services, and we pay them for this. Our police department works closely with the Humane Society, and depending on how the animals are picked up, they may end up at the Maricopa County Animal Shelter.

COUNCILMEMBER ELLIS asked about the procedure for managing situations involving dogs. Specifically, they asked how the police and community partners work together to pick up dogs found on private property.

MS. SCHWAB said that we can contact our partner, the Humane Society Maricopa County Animal Control, for any issues related to animals in the county. They are usually available to respond, but if not, we can rely on some dedicated officers in our police force who can temporarily hold the animals until the Humane Society arrives.

COUNCILMEMBER ELLIS asked to partner with local nonprofits or individuals with relevant experience instead of relying solely on large organizations like the Human Society.

MS. SCHWAB said we have a contract directly with the Humane Society, the partner we are familiar with. I am unaware of any other partners, but to my knowledge, we exclusively work with the Humane Society.

VICE MAYOR ORLANDO said we need to clarify the language in certain sections, like 14-8 and 12, as the language is ambiguous, some of these sections date back to 1990. Vice Mayor Orlando requested that the staff review and amend those sections' language to ensure clarity.

MAYOR HARTKE said we can review and revise any other aspects that may require attention in the future. Our council has the advantage of frequent meetings, which allows us to address any necessary Charter amendments in a timely manner.

MS. SCHWAB said we have a team that is helping after hours. We also have an emergency animal clinic to assist with treating and caring for these animals.

MAYOR HARTKE added that we have the necessary tools to mediate situations effectively and respond promptly. Although there is always room for improvement, this is a place where we can acquire more tools to address hoarding and cruelty from the city's perspective.

MS. SCHWAB said we have worked with the police, prosecution, and courts involved in these cases. All three departments are comfortable with the tools at hand. We have a legal advisor and city prosecutor available 24/7 to provide guidance.

COUNCILMEMBER ENCINAS said we need to emphasize the accurate and aligned changes. We must revisit the outreach and gather input from animal communities, residents, and collaborating organizations. We need to ensure their support before finalizing the changes.

MS. SCHWAB said she does not have an exact number, but many community members agreed that the changes were good. Some individuals would like to see additional changes, but from an enforcement perspective, they were uncomfortable going further. However, after talking to most of the community, it was concluded that the changes are a good step in the right direction.

COUNCILMEMBER ENCINAS asked how long the public outreach period was open and how the information was disseminated.

MS. SCHWAB said that the ordinance was posted on the website immediately after the subcommittee meeting on October 23rd. The ordinance has been open for comments since then, and some comments have been received as recently as today. Our office and the police department reviewed these comments, and wherever we felt they could be incorporated, they were included as good suggestions.

COUNCILMEMBER ENCINAS said we proposed some language regarding special needs animals, such as equipment tools, and whether it falls under cruelty and asked if we are we addressing this in the proposed changes.

MS. SCHWAB said they did not specifically define special needs equipment but instead emphasized the importance of providing animals with appropriate medical care and treatment to prevent unnecessary suffering. This includes using special equipment if necessary to ensure that the animal is not causing harm to itself. Failure to use appropriate equipment for an animal could result in prosecution.

MAYOR HARTKE said there were comments about chickens, backyard turkeys, and animal cruelty in a recent Neighborhood Services meeting. They also mentioned a possible runaway sloth that is not allowed as an exotic animal. We need to identify any gaps in regulations regarding other animal species.

MS. SCHWAB said that under this ordinance, we can prosecute individuals for subjecting animals to cruel treatment or abuse.

COUNCILMEMBER STEWART thanked the subcommittee, animal rights groups, and the Police Department for creating an ordinance to help animals in need. Councilmember Stewart thanked the public for their support, asked for more education to help people understand its importance, and thanked City Attorney for her hard work.

COUNCILMEMBER ELLIS thanked everyone who worked on the project with such efficiency. Not only that but given the circumstances in our community, we prioritized and pushed this forward.

TERRI HOFFMAN, 6160 W. Gelding Dr., Glendale, AZ 85306, is opposed to item 38, and revisions must be made. Animal rights activists are concerned about current laws and advocate for better ones. Definitions in these laws are crucial and should be accurate. Law enforcement should also be trained on the appropriate use of probable cause. We must be mindful of animal welfare, and stray dogs should not be sold to medical research facilities. There are over 600 rescues in our community that can help.

COUNCILMEMBER HARRIS asked if the state law addresses issues not covered in this ordinance.

MS. SCHWAB said there are different laws for the state and some overlap with the city ordinances. There is no confirmation whether the state law addresses certain aspects that this ordinance does not cover. It is not possible for us to define felonies as that is something only the state can do. Additionally, I want to clarify that the city does not operate an animal shelter, but Maricopa County does. The animals are not being given away or sold for medical research by either Maricopa or the city. Some of our older code provisions contain archaic language, and the Vice Mayor has directed us to update it. The changes to this ordinance provide us with effective tools to address situations where animals are not being treated appropriately. We have worked closely with the courts, prosecution, and police to ensure the new provisions are effective.

COUNCILMEMBER HARRIS asked if it would be appropriate to include a link to the state constitution on animal cruelty and its definition on the Chandleraz.gov website. Although the city works with a group on this issue, adding a link to the State Statute near the website section where the information will be placed for future reference.

MS. SCHWAB said yes, that we can consider doing that.

COUNCILMEMBER HARRIS asked whether we could collaborate with our Police Department to provide adequate training on the proposed ordinance. This training will ensure that they understand the complexities and implications of the ordinance.

JOSH WRIGHT, City Manager, said whenever a new ordinance is passed that impacts the police department's operations, a training process is initiated to ensure everyone is knowledgeable about the law. The department also collaborates with external partners, such as the Humane Society, to ensure they understand the new system. This will also be the case with the new ordinance.

COUNCILMEMBER HARRIS asked if the training is continuous.

MR. WRIGHT said that is correct.

COUNCILMEMBER POSTON said the Police Department prioritizes training and reiterated that there was a good point made about addressing medical devices or specific health issues related to animals and wants to ensure that this matter is also taken into consideration as they move forward.

Action Agenda Item No. 38 Motion and Vote

Mayor Hartke moved to introduce and tentatively adopt Ordinance No. 4992 amending Chapter 14 of the City Code to more specifically define animal cruelty; to include a new offense for animal hoarding; to strengthen the City's unlawful restraint law; to allow peace officers to seize animals for cruelty, hoarding, or unlawful restraint; to provide for the disposition of displaced animals; and to authorize post seizure hearings to determine the lawfulness of any seizure and forfeiture of any animal subjected to cruelty, hoarding, or unlawful restraint.; Seconded by Councilmember Stewart.

Motion carried unanimously (7-0).

Informational

- 39. Contracts and Agreements Administratively Approved, Month of October 2023
- 40. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

Unscheduled Public Appearances

VICTOR HARDY, 2220 E. Spruce, Chandler AZ, shared as the President of Chandler Men of Action, I have some important news to share. On February 22nd, 2024, we will be hosting our annual African American banquet, and this year, we are pleased to announce that our First Responder Award will be presented to Police Chief Sean Duggan. We are grateful for the hard work and dedication that Chief Duggan has shown throughout his time with the city of Chandler. He has always been there to answer questions, support those in need, and uphold the law. We want to thank him for his outstanding service, and we hope that you will join us in congratulating him at the banquet.

ANKIT SURYA, 850 W. Oriole Way., Chandler AZ., spoke about the following Learning about the state's Advanced Water Purification Road Map inspired me because they are looking ahead to the critical issue of water scarcity that future generations will face. I appreciate their work, particularly their emphasis on protecting public health and the environment and their focus on monitoring, investigating, and tracking chemical pollutants. My intention for being here is to learn about Chandler City's vision and roadmap for water security and how we, as citizens, can engage and

contribute to that body of work. As someone with a background in public health and experience in the healthcare industry, I strongly support the monitoring and investigation of chemicals. Although there may be associated costs, emerging technologies are making significant strides, presenting an opportunity to innovate and encourage public participation in public work. Chandler can set an outstanding example for all of us by investing in public participation and engagement to drive innovation and reduce costs. For instance, Chandler City takes pride in its accreditation from the American Public Works Association, and we can build on that by putting funds towards innovation through public participation and engagement. Phoenix City is currently investing in a billion-dollar plan for 2030, and City of Chandler can compete with them.

Current Events

Mayor's Announcements

MAYOR HARTKE announced the following upcoming events in Chandler "Cheers to Youth" by Chandler Symphony Orchestra on Nov. 12th at 3 PM at Chandler Center for the Arts. Chandler Chick Wagon Cookoff on Nov. 11th at 12 PM. Veterans Day Celebration on Nov. 11th from 4:30 PM - 8 PM. Free concert by U.S. Army Jazz Ambassadors on Nov. 11th at 7:30 PM. Parade of Lights and Tumbleweed Tree Lighting on Dec. 2nd at 4:30 PM.

Council's Announcements

COUNCILMEMBER ENCINAS praised Chandler Police and Detective Eva Zermeno for Hispanic community outreach at San Marcos Elementary. Councilmember Encinas invited all to attend Chandler Pride on Saturday, November 18th, from 3 -8 p.m. Councilmember Encinas highlighted a supply drive yesterday by the Assistance League and Chandler Compadres for San Marcus Elementary School.

COUNCILMEMBER ELLIS extended an invitation to the Mayor and Council to attend Kingston Day on Friday, November 17th. The event includes a Thanksgiving lunch and a Christmas celebration for the seniors residing in Kingston.

COUNCILMEMBER STEWART announced the following event Woof stock on Saturday, November 18th, from 9 am – 1 pm.

COUNCILMEMBER HARRIS recognized Roy Tatum, a resident of Chandler, for his outstanding achievements during the 19th anniversary of the Phoenix Educational Fund and the third Good Marshall College Fund brunch in Phoenix. Roy was presented with the third Good Marshall Award of Merit for his remarkable contribution to the community as a leader, advocate, and entrepreneur.

COUNCILMEMBER HARRIS shared that the Mental Health Walk was a great success with 502 participants. We thank Amazon and all who raised awareness about mental health and learned about resources.

