

# Meeting Minutes

## City Council Regular Meeting

November 7, 2024 | 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 OD Harris  
Councilmember Angel Encinas  
Councilmember Christine Ellis  
Councilmember Mark Stewart  
Councilmember Matt Orlando  
Councilmember Jane Poston

#### Appointee Attendance

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

### Invocation

The invocation was given by Rev. Steve Foss, First Baptist Church.

### Pledge of Allegiance

The Pledge of Allegiance was led by Vice Mayor Harris.

### Consent Agenda and Discussion

Discussion was held on Item 9.

#### City Manager

1. Agreement No. CM4-920-4664, Multi-Language Translation Technology, Services, and Support

Move City Council approve Agreement No. CM4-920-4664, with TranslateLive, LLC, for multi-language translation technology, services, and support, in an amount not to exceed \$85,000, for the period of one year, beginning November 1, 2024, through October 31, 2025, with the option of up to four one-year extensions.

### **Community Services**

2. Job Order Project Agreement No. PR2501.401 with DNG Construction, LLC, Pursuant to Job Order Master Agreement No. JOC2403.401, for the Apache Park Restroom Replacement  
Move City Council award Job Order Project Agreement No. PR2501.401 to DNG Construction, LLC, pursuant to Job Order Master Agreement No. JOC2403.401, for the Apache Park Restroom Replacement, in an amount not to exceed \$445,248.
3. Purchase of Tree Care and Maintenance Services  
Move City Council approve the purchase of tree care and maintenance services from West Coast Arborists, Inc., utilizing Maricopa County Contract No. 220273-S and City of Tempe Contract No. T24-087-01, in an amount not to exceed \$100,000, for a one-year period, November 8, 2024, through November 7, 2025.
4. Purchase of Chippers  
Move City Council approve the purchase of three chippers, from Global Machinery, LTD, utilizing the Sourcewell Contract No.050119-BAN, in the amount of \$177,089.40.

### **Cultural Development**

5. Purchase of Electronic Messaging Monument Sign and Display, from Airpark Signs & Graphics, Inc., for the Center for the Arts  
Move City Council approve the purchase of an electronic messaging monument sign from Airpark Signs & Graphics, Inc., utilizing the City of Peoria Contract No. ACON23619F, in an amount not to exceed \$178,420.92.

### **Development Services**

6. Introduction and Tentative Adoption of Ordinance No. 5108, 2024 International Building Code and 2023 National Electrical Code  
Move City Council introduce and tentatively adopt Ordinance No. 5108, adopting the 2024 editions of the International Building, Plumbing, Mechanical, Residential, Fuel Gas, Energy Conservation, Existing Building, and Swimming Pool and Spa Codes, and the 2023 edition of the National Electrical Code, with local amendments.
7. Introduction and Tentative Adoption of Ordinance No. 5113, City Code Amendments, PLH24-0025 City Code Amendments-State Housing Mandates, amending Chapter 14 Animals, Chapter 35 Land Use and Zoning, and Chapter 48 Subdivisions, Pertaining to State Bills Signed Within the 2024 Legislative Session

Move City Council introduce and tentatively adopt Ordinance No. 5113 approving PLH24-0025 City Code Amendments-State Housing Mandates, text amendments pertaining to backyard chickens, accessory dwelling units, final plats, and establishing review timelines for residential zoning applications, as recommended by Planning and Zoning Commission.

8. Resolution No. 5847, Authorizing an Amended and Restated License Agreement Between Zayo Group, LLC, and the City of Chandler for Use of Public Property for the Establishment of Class 4 and Class 5 Telecommunications Systems

Move City Council pass and adopt Resolution No. 5847, authorizing the Mayor to execute the amended and restated license agreement between Zayo Group, 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 Telecommunications Systems.

9. Resolution No. 5848, adopting PLH24-0036 Commercial Building Adaptive Reuse Policy, State Mandate Pertaining to House Bill 2297 Adopted During the 2024 Legislative Session, Establishing Objective Standards to Allow Multi-family Residential Development or Adaptive Reuse of Existing Commercial, Office, or Mixed-use Buildings Without Requiring a Public Hearing

Move City Council pass and adopt Resolution No. 5848 approving PLH24-0036 Commercial Building Adaptive Reuse Policy, city policy establishing objective standards to allow multi-family residential development or adaptive reuse of existing commercial, office, or mixed-use buildings on parcels at least one (1) acre in size but not larger than twenty (20) acres without requiring a public hearing, if the developer provides ten (10) percent of the total dwelling units for either moderate-income or low-income housing for at least twenty (20) years, as recommended by Planning and Zoning Commission.

DUANE LIDMAN, 2315 W. PALOMINO DR., spoke in opposition to HB 2297 which requires cities to allow multifamily residential or adaptive reuse of office or mixed-use buildings without requiring an additional use permit, planned unit development, rezoning application, or public hearing.

VICE MAYOR HARRIS asked about the mandated approval of the item.

KELLY SCHWAB, City Attorney, explained that as a city, Chandler is formed pursuant to the Arizona Revised Statutes and is subject to the laws created by the Arizona state legislature. Last legislative session, the legislature passed a bill the purpose of which is to create more opportunities for affordable housing and it requires cities to amend laws to allow multifamily housing by right superseding the public hearing process and other conditions required by cities. As an entity subject to legislative preemption, Chandler must comply with state law.

VICE MAYOR HARRIS asked what would happen if Chandler was not in compliance with state law.

MS. SCHWAB said if Chandler was not in compliance with state law, Chandler would be subject to litigation and would need to comply.

COUNCILMEMBER STEWART said this item would also amend Chandler code to ensure applicants meet city standards.

MS. SCHWAB said as part of the item, any authority granted to cities was used to protect the property in areas affected to the best extent possible.

10. Use Permit and Entertainment Use Permit, PLH24-0031 Sneakerheadz Restaurant and Lounge, Located at 3002 N Arizona Avenue, Suites 18 and 19, Generally Located at the Northwest Corner of Arizona Avenue and Elliot Road  
Move City Council approve Use Permit and Entertainment Use Permit PLH24-0031 Sneakerheadz Restaurant and Lounge, for a Series 6 Bar Liquor License and for an Entertainment Use Permit to allow outdoor patio speakers and televisions for sporting events and live indoor entertainment including disc jockeys, live musical performances, karaoke, and comedy, subject to the conditions recommended by the Planning and Zoning Commission.
11. Final Plat PLT24-0009 Viviendo, Located at the Southeast Corner of Ocotillo Road and McQueen Road  
Move City Council approve Final Plat PLT24-0009, Viviendo, as recommended by staff.

### **Facilities and Fleet**

12. Purchase of Doors, Locking Systems, Door Hardware and Operable Walls from C & I Show Hardware & Security Systems, Inc.  
Move City Council approve the purchase of doors, locking systems, door hardware and operable walls from C & I Show Hardware & Security Systems, Inc., utilizing the City of Peoria Contract No. ACON23822, in an amount not to exceed \$200,000.
13. 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 \$500,000.

### **Fire Department**

14. Introduction and Tentative Adoption of Ordinance No. 5111 Amending the Code of the City of Chandler, Chapter 28, Fire Prevention, by Repealing the International Fire Code, 2021 Edition, and by Adopting the 2024 International Fire Code and by Amending the Exception Provisions to the Code  
Move that City Council introduce and tentatively adopt Ordinance No. 5111; Declaring the documents known as the "International Fire Code, 2024 Edition" and "2024 Amendments to Chapter 28, Fire Prevention," as Public Records; Amending the Code of the City of Chandler, Chapter 28, Fire Prevention, by Repealing the International Fire Code, 2021 Edition, by Adopting the 2024 International Fire Code, and by Amending and Clarifying the Exception

Provisions to the Code; Providing for Repeal of Conflicting Ordinances; Providing for Penalties; Providing for Severability; and Establishing an Effective Date.

15. Agreement No. FD3-200-4486, Amendment No. 2, with 030530 Uniforms, LLC, dba Ace Uniforms of Phoenix, for Fire Uniforms  
Move City Council approve Agreement No. FD3-200-4486, Amendment No. 2, with 030530 Uniforms, LLC, dba Ace Uniforms of Phoenix, for fire uniforms, in an amount not to exceed \$125,000, for the period of six months, November 15, 2024, through May 14, 2025.

### **Human Resources**

16. Agreement No. HR2-948-4453, Amendment No. 1, with Blue Cross Blue Shield of Arizona, for Group Medical and Pharmacy Program Administration  
Move City Council approve Agreement No. HR2-948-4453, Amendment No. 1, with Blue Cross Blue Shield of Arizona, for Group Medical and Pharmacy Program Administration, in an amount not to exceed \$2,190,000 per year, for the period of two years, beginning January 1, 2025, through December 31, 2026.
17. Agreement No. HR2-948-4496, Amendment No. 1, with ReliaStar Life Insurance Company, for Basic and Voluntary Life and Accidental Death and Dismemberment Insurance  
Move City Council approve Agreement No. HR2-948-4496, Amendment No. 1, with ReliaStar Life Insurance Company, for basic and voluntary life and accidental death and dismemberment insurance, in an amount not to exceed \$960,000, for the period of one year, beginning January 1, 2025, through December 31, 2025.

### **Information Technology**

18. Agreement No. IT9-208-4034, Amendment No. 5, Fleet Management System  
Move City Council approve Agreement No. IT9-208-4034, Amendment No. 5, with CCG Systems, Inc., dba FASTER Asset Solutions, for the fleet management system, in an amount not to exceed \$163,479, for the period of one year, beginning September 30, 2024, through September 29, 2025.

### **Management Services**

19. Agreement No. WH4-801-4646, Amendment No. 1, for Traffic Signs and Related Items  
Move City Council approve Agreement No. WH4-801-4646, Amendment No. 1, for traffic signs and related items, with Interwest Safety Supply, LLC, in an amount not to exceed \$150,000, for the period of November 1, 2024, through October 31, 2025.
20. License Series 6, Bar Liquor License Application for Juanita Alicia Esparza, Agent, Sneaker Heads Sports Bar, LLC, DBA Snkrheadz Restaurant and Lounge  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 308204, a Series 6, Bar Liquor License, for Juanita Alicia Esparza, Agent, Sneaker Heads Sports Bar, LLC, DBA Snkrheadz Restaurant and Lounge,

located at 3002 N. Arizona Avenue, Suite 18, and approval of the City of Chandler, Series 6, Bar Liquor License No. 308148.

21. License Series 12, Restaurant Liquor License Application for Theresa June Morse, Agent, The Original Fish Taco Arizona, LLC, DBA Rubio's Baja Grill #50  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 308171, a Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, The Original Fish Taco Arizona, LLC, DBA Rubio's Baja Grill #50, located at 5055 W. Ray Road, Suite 3, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 308206.
22. License Series 12, Restaurant Liquor License Application for Theresa June Morse, Agent, The Original Fish Taco Arizona, LLC, DBA Rubio's Fresh Mexican Grill #197  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 308179, a Series 12, Restaurant Liquor License, for Theresa June Morse, Agent, The Original Fish Taco Arizona, LLC, DBA Rubio's Fresh Mexican Grill #197, located at 2970 E. Germann Road, Suite 6, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 308258.
23. License Series 12, Restaurant Liquor License Application for Jay Guohong Deng, Agent, Two Pot Brother, LLC, DBA Top One Hot Pot and Asian Cuisine  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 306756, a Series 12, Restaurant Liquor License, for Jay Guohong Deng, Agent, Two Pot Brother, LLC, DBA Top One Hot Pot and Asian Cuisine, located at 4990 S. Gilbert Road, Suite 8, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 307887.
24. License Series 12, Restaurant Liquor License Application for Andrea Dahlman Lewkowitz, Agent, Harkins Chandler Crossroads, LLC, DBA Harkins Theater at Chandler Crossroads  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 307410, a Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, Harkins Chandler Crossroads, LLC, DBA Harkins Theater at Chandler Crossroads, located at 2980 E. Germann Road, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 113895.
25. License Series 12, Restaurant Liquor License Application for Andrea Dahlman Lewkowitz, Agent, Harkins Chandler Fashion Center Cinemas, LLC, DBA Harkins Chandler Fashion Center  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 307527, a Series 12, Restaurant Liquor License, for Andrea Dahlman Lewkowitz, Agent, Harkins Chandler Fashion Center Cinemas, LLC, DBA Harkins Chandler Fashion Center, located at 3159 W. Chandler Boulevard, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 41704.

## Police Department

26. Agreement No. PD5-968-4833, with ACT Towing, Inc., dba All City Towing, for Police Towing Services  
Move City Council approve Agreement No. PD5-968-4833, with ACT Towing, Inc., dba All City Towing, for police towing services, for a period of two years, January 1, 2025, through December 31, 2026, with the option of up to two additional two-year extensions.
27. Purchase of BriefCam Analytics Protect Software and Equipment  
Move City Council approve the purchase of BriefCam Analytics Protect software and equipment, utilizing the Maricopa County Contract No. 210237-C, with Safeware, Inc., in an amount not to exceed \$198,465.

## Public Works and Utilities

28. Resolution No. 5812 Authorizing the Acquisition of Approximately 0.9197 Acres (40,062 Square Feet) of Vacant Land Located East of the Northeast Corner of Cooper Road and Hunt Highway at Market Value, Plus Closing Costs and Escrow Fees  
Move City Council pass and adopt Resolution No. 5812 authorizing the acquisition of approximately 0.9197 acres (40,062 square feet) of vacant land located east of the northeast corner of Cooper Road and Hunt Highway at market value, plus closing costs and escrow fees; authorizing the city's real estate administrator to sign, on behalf of the city, the purchase agreement, and any other documents necessary to facilitate these acquisitions; authorizing eminent domain proceedings as needed to acquire said real property and obtain immediate possession thereof; and authorizing relocation assistance as may be required by law.

COUNCILMEMBER POSTON declared a conflict of interest and recused herself from voting.

29. Agreement No. PW4-920-4773, Utility Services Customer Portal  
Move City Council approve Agreement No. PW4-920-4773, with i3-Milestone, LLC, a subsidiary of i3 Verticals, LLC, for the utility services customer portal, in an amount not to exceed \$640,200.
30. Agreement No. PW3-925-4631, Amendment No. 4, with Hazen and Sawyer, P.C., for the Water System Upgrades Program Consultant Services  
Move City Council approve Agreement No. PW3-925-4631, Amendment No. 4, with Hazen and Sawyer, P.C., for the Water System Upgrades Program Consultant Services, increasing the agreement amount by \$11,598,345.
31. Construction Manager at Risk Pre-Construction Services Agreement No. WA2100.251, with Archer Western Construction, LLC, for the Water System Upgrades Program  
Move City Council award CMAR Pre-Construction Services Agreement No. WA2100.251, to Archer Western Constuction, LLC, for the Water System Upgrades Program, in an amount not to exceed \$913,965.

32. Construction Manager at Risk Construction Services Agreement No. WA2100.401, with Archer Western Construction, LLC, for the Water System Upgrades Program  
Move City Council award CMAR Construction Services Agreement No. WA2100.401, to Archer Western Construction, LLC, for the Water System Upgrades Program, in an amount not to exceed \$2,094,455.
33. Professional Services Agreement No. WW2501.451, with Consultant Engineering, Inc., for the Sewer Rehabilitation for Frye Road Bike Lanes Construction Management Services  
Move City Council award Professional Services Agreement No. WW2501.451, to Consultant Engineering, Inc., for the Sewer Rehabilitation for Frye Road Bike Lanes Construction Management Services, in an amount not to exceed \$183,895.
34. Job Order Project Agreement No. WW2501.402, with Archer Western Construction, LLC, Pursuant to Job Order Master Agreement No. JOC2415.401, for the Sewer Rehabilitation for Frye Road Bike Lanes  
Move City Council award Job Order Project Agreement No. WW2501.402, to Archer Western Construction, LLC, Pursuant to Job Order Master Agreement No. JOC2415.401, for the Sewer Rehabilitation for Frye Road Bike Lanes, in an amount not to exceed \$1,106,391.09.
35. Professional Services Agreement No. SW2102.451, with Sunrise Engineering, LLC, for the Solid Waste Complex Recycle Collection Area Relocation Construction Management Services  
Move City Council award Professional Services Agreement No. SW2102.451, to Sunrise Engineering, LLC, for the Solid Waste Complex Recycle Collection Area Relocation Construction Management Services, in an amount not to exceed \$123,640.
36. Job Order Project Agreement No. SW2102.401, with SDB, Inc., Pursuant to Job Order Master Agreement No. JOC2402.401, for the Solid Waste Complex Recycle Collection Area Relocation  
Move City Council award Job Order Project Agreement No. SW2102.401, to SDB, Inc., Pursuant to Job Order Master Agreement No. JOC2402.401, for the Solid Waste Complex Recycle Collection Area Relocation, in an amount not to exceed \$1,928,681.32.
37. Professional Services Agreement No. WW2206.453, with Wilson Engineers, LLC, for the Hamilton Street Reclaimed Water Transmission Main (Queen Creek Road to Ryan Road) Construction Management Services  
Move City Council award Professional Services Agreement No. WW2206.453, to Wilson Engineers, LLC, for the Hamilton Street Reclaimed Water Transmission Main (Queen Creek Road to Ryan Road) Construction Management Services, in an amount not to exceed \$910,840.



38. Construction Agreement No. WW2206.403, with Revolution Industrial, LLC, for the Hamilton Street Reclaimed Water Transmission Main (Queen Creek Road to Ryan Road)  
Move City Council award Construction Agreement No. WW2206.403, to Revolution Industrial, LLC, for the Hamilton Street Reclaimed Water Transmission Main (Queen Creek Road to Ryan Road), in an amount not to exceed \$5,900,084.73.
39. Construction Manager at Risk Pre-Construction Services Agreement No. WW2402.251, with B&F Contracting, Inc., for the Loop 101/202 Redundant 66-inch Sewer Line  
Move City Council award CMAR Pre-Construction Services Agreement No. WW2402.251, to B&F Contracting, Inc., for the Loop 101/202 Redundant 66-inch Sewer Line, in an amount not to exceed \$504,949.47.

## Consent Agenda Motion and Vote

Councilmember Orlando moved to approve the Consent Agenda of the November 7, 2024, Regular City Council Meeting; Seconded by Councilmember Encinas.

Motion carried unanimously (7-0), with the exception of Item No. 28 which passed 6-0, Councilmember Poston declaring a conflict of interest.

## Action Agenda

40. Resolution No. 5846 Amending the Citywide Fee Schedule relating to the Community Services, Cultural Development, Development Services, Fire, and Public Works & Utilities Departments  
Move City Council pass and adopt Resolution No. 5846 amending the Citywide Fee Schedule relating to the Community Services, Cultural Development, Development Services, Fire, and Public Works & Utilities Departments, with fee changes effective January 1, 2025.

MATT DUNBAR, Budget and Policy Director, presented the following presentation.

- Resolution #5846 Amending the Citywide Fee Schedule
- Overview- Annual Review
  - Departments review fees annually to verify if any updates are needed for administrative changes for clarity or to clean up old fees or language, ensure cost recovery, charge for exclusive use of city spaces, makes resident recommended changes, or encourage compliance or assist in issue resolution
  - The effective date will be at the beginning of the new calendar year (January 1, 2025)
- Overview – Fee Characteristics
  - Fees assessed for use of facilities or services benefiting specific groups
    - Ensures fees are charged to those removing public space from availability to the public for private use
  - Fees reflect full or partial recovery of cost to provide those service
  - Authority to charge a fee must exist in City Code (fee amounts/specifics are set by resolution)

- Overview – Schedule
- Departments Proposing Fee Updates
  - Community Services
  - Cultural Development
  - Development Services
  - Fire
  - Public Works & Utilities
- Overview – Discussions and Public Meetings
  - Prior to moving many of these fee items forward for action, discussions were held to receive direction
    - Community Services Fees
      - Quality of Life Subcommittee in April 2023
      - Parks & Recreation Board in April 2023
      - Council work session in October 2023
    - Fire Department Fees
      - Community Safety Subcommittee in March 2024
    - Development Services Fees
      - Council work session on coordination of road construction projects and proposed permit and fees in May 2024
- Community Services
- Community Services: Aquatics (Administrative)
  - Would add a residency requirement for discounted punch passes
  - Adds a new discounted punch pass for senior entrance rates
  - Would change the swim team fee from per guard to \$5 per lane
  - Removes the Red Cross Learn to Swim fee and guard certification fees
  - (p. 1 of Summary / p. 17 of Draft Citywide Fee Schedule)
- Community Services: Parks (Exclusive Use)
  - Would be a 25% increase to Pavilion Rentals of all sizes due to rising staff & maintenance costs
  - Would be a 25% increase to Ball Field Reservations due to rising staff & maintenance costs
  - Add slight increases to field preparation regular and after hours, and field staffing due to rising costs
  - (p. 1-3 of Summary / p. 19-20 of Draft Citywide Fee Schedule)
- Community Services: Recreation Facilities (Exclusive Use)
  - Would be a 15% increase to Multipurpose Room rental fees (Small, Medium, Large)
  - Would change the Set-Up Fee for Room Reservations from \$25/hr to \$50/hr for residents, \$34/hr to \$68/hr for non-residents, and \$38/hr to \$75/hr for commercial rentals
  - (p. 3 of Summary / p. 21-22 of Draft Citywide Fee Schedule)
- Community Services: Recreation Fitness Pass (Resident Requested)
  - Would add a 6-month fitness pass option for all age groups (Teen, Adult, Active Adult, & Youth)

- Would add a 6-month fitness pass option for multiple family sizes
- (p. 3-4 of Summary / p. 22-23 of Draft Citywide Fee Schedule)
- Community Services: Tennis Center (Exclusive Use)
  - Would change the per 1 ½ hour charge in the A.M. from \$2.50/person to \$3.00 for residents and \$4.00/person to \$4.50 for non-residents
  - Would change the per 1 ½ hour charge in the P.M. with lights from \$3.50/person to \$4.00 for residents and \$5.00/person to \$5.50 for non-residents
  - (p. 4 of Summary / p. 26-27 of Draft Citywide Fee Schedule)
- Cultural Development
- Cultural Development: Special Events (Cost Recovery)
  - Would update the trash can rental fee from \$17 to \$20 for residents and \$23 to \$27 for non-residents
  - (p. 4 of Summary / p. 24 of Draft Citywide Fee Schedule)
- Development Services
- Development Services: Transportation Engineering (Compliance)
  - Would add a new permit fee for Traffic Control & Lane Restriction permits of \$315
  - Adds a refundable deposit fee for authorized temporary traffic control permits of:
    - 1% for projects \$0-\$100,000 (minimum of \$1,000)
    - 2% for projects \$100,001-\$300,000
    - 3% for projects \$300,001-\$500,000
    - 4% for projects \$500,001-\$750,000
    - 5% for projects \$750,001-\$1,000,000
    - 6% for projects over \$1,000,000 (not to exceed \$100,000)
  - (p. 5 of Summary / p. 33 of Draft Citywide Fee Schedule)
- Fire
- Fire: Fire Inspections (Compliance)
  - Would remove the \$40 re-inspection fee and add a new re-inspection fee of \$100 for a second inspection if the business remains non-compliant, \$150 for a third inspection if the business remains non-compliant, and \$200 for a fourth and any additional inspections if the business remains non-compliant
  - (p. 5 of Summary / p. 39 of Draft Citywide Fee Schedule)
- Public Works & Utilities
  - Public Works & Utilities: Water Distribution (Cost Recovery)
    - Would change the refundable Hydrant Meter deposit from \$1,450 per device to \$3,100 per device to reflect the actual cost of replacement
    - (p. 6 of Summary / p. 43 of Draft Citywide Fee Schedule)
- Questions?

VICE MAYOR HARRIS asked about the Community Services Aquatics fees that students may be charged with.

MR. DUNBAR said residents would receive a discounted punch card pass fee, a reduction in cost. Other charges in Community Services for pavilion use are typically for family or business use. The

increase in cost is associated with the cost of providing service to private pavilion use. One other change for youth recreation is the addition of a six-month youth recreation pass.

VICE MAYOR HARRIS asked what value is expected by increasing the cost of these Community Services fees.

MR. DUNBAR said the total in all the categories is an expected \$820,000. Community Services fees make up a small portion of that total. Pavilion rental fees were estimated to have a \$20,000 to \$30,000 impact to the city budget. That fee recommendation is not to generate city revenue but to keep expenditures in line with current costs.

MAYOR HARTKE asked if residents of Chandler receive a discount on rentals, and if children's aquatic education is free.

MR. DUNBAR said there is a discounted rental rate for residents.

JOHN SEFTON, Community Services Director, explained that the fee for swim lessons is \$15, and the department works to create options for free and low-cost lessons. The proposed fee schedule change does not impact aquatic education for children.

MAYOR HARTKE spoke of the importance of access to aquatic education for children.

COUNCILMEMBER ORLANDO asked if the fees for lighted ball fields will be increased.

MR. SEFTON said the only proposed fee change related is for lighted tennis court rental fees, with no impact to ball field rental fees.

COUNCILMEMBER ORLANDO asked about the newly proposed traffic control lane and restriction permit fees.

DANA ALVIDREZ, City Transportation Engineer, explained that the proposed permit fees are in response to resident feedback and to encourage construction compliance. The fee covers cost recovery for review, inspections, and will incentivize quick work in the public roadway.

COUNCILMEMBER ORLANDO said this will have a positive impact for Chandler's residents.

COUNCILMEMBER ENCINAS asked where Chandler stood compared to other municipalities in the Community Services fees.

MR. SEFTON said Chandler is comparable to other municipalities' rates; Chandler's rates tend towards the middle of the distribution. The department strives to offer competitive pricing while analyzing specific needs. It is different to compare categories.

COUNCILMEMBER POSTON asked how close in comparison the cost to residents and the cost of service is, and if any costs to residents are higher than costs of service.

MR. DUNBAR said in most cases, Chandler does not recover full cost. The majority of the fees are subsidized through taxpayer dollars. The hydrant meter deposit is full cost but is refundable if users return the hydrant meter undamaged.

COUNCILMEMBER POSTON confirmed that Chandler subsidizes some of these costs.

MR. DUNBAR said that was correct.

COUNCILMEMBER STEWART shared concerns with raising Community Services fees.

## **Motion**

COUNCILMEMBER STEWART moved to amend the motion to maintain our Parks and Recreation Fees at the current levels for 2025 and ensure any items on the agenda that enhance affordability, which you have some of those on here, for those residents that remains unchanged, considering we have a \$16 million surplus it is essential that we support measures that keep our services accessible and affordable this approach will allow us to continue to offer these valuable Community Services to the community without added financial burdens reflecting our commitment to supporting residents during challenging times and responsibly managing our budget. Seconded by Vice Mayor Harris.

COUNCILMEMBER ORLANDO asked about what fees would be affected.

COUNCILMEMBER STEWART said all of the Community Services fees on the presentation.

COUNCILMEMBER ELLIS shared that discussions were held in subcommittee meetings to ensure residents are taken care of while balancing rising costs to provide service.

VICE MAYOR HARRIS stated concern for raising Community Services fees which impact the quality of life of our residents.

MAYOR HARTKE asked about what kind of outreach was conducted.

MR. DUNBAR said communication has been through City Council subcommittee meetings, work sessions, and the Parks and Recreation Board. Other departments may have conducted their own outreach.

MAYOR HARTKE asked if these concerns were raised in subcommittee meetings.

MR. SEFTON said for any aquatics related items, the department has worked with leaders from swim teams and the CYSA program to address these for around 18 months. There are nominal

increases to accomplish the offset of subsidy. There have been significant increases in costs with staff, supplies, and usage. There has been extensive outreach with user groups which helped generate the staff recommendation in the item tonight.

COUNCILMEMBER ELLIS said the subject of fee changes for Community Services were discussed at length in the subcommittee.

## **Vote**

The motion to maintain our Parks and Recreation Fees at the current levels for 2025 failed by lack of majority, (2-5; Mayor Hartke, Councilmembers Encinas, Ellis, Orlando, and Poston dissenting).

COUNCILMEMBER POSTON said raising fees is the last thing Council wants to do and staff has put in the work to make this proposed item equitable. Discussions in subcommittees were productive. Fees are in place for items that are taken out of public use for private use such as pavilion rentals. Raising fees incrementally helps avoid large fee increases for residents in the future.

VICE MAYOR HARRIS said there should be no new fees for residents who already face high costs of living. Chandler has a responsibility to taxpayers to ensure they are not paying additional dollars.

VICE MAYOR HARRIS made a motion to not increase any new fees on residents as it pertains to this particular amendment.

KELLY SCHWAB, City Attorney, asked for clarification and if this motion was the same as previously made by Councilmember Stewart.

VICE MAYOR HARRIS said the motion is for no new increases to residents that is specifically experiencing having to pay for any of the services within Community Services. The motion is specifically talking about the resident fees not the non-resident fees. For residents there should be no new increase in fees for residents only.

MAYOR HARTKE asked if this is a different motion.

MS. SCHWAB said there can only be one motion to amend. There has not been a motion to approve this item. There was a motion to not raise fees to Community Services items, but there has not been a motion to approve or not approve the item. The motions are not amending anything they are proposing limits on the fees that ultimately the Council will have to vote on. The first motion proposal failed – the current motion may stand as it is not an amendment to a primary motion.

VICE MAYOR HARRIS made a motion to not increase any new fees on residents as it pertains to this particular amendment; Seconded by Councilmember Stewart.

COUNCILMEMBER STEWART asked to table this item for further consideration.

VICE MAYOR HARRIS withdrew the previous motion, and made a motion to table this amendment item to the next meeting; Seconded by Councilmember Stewart.

MAYOR HARTKE asked what is the timeliness of this particular item.

MR. DUNBAR said fee changes as proposed were published for the 60-day requirement under state statute. As long as the fees don't change the amounts, the statutory requirements would still be met for publication. Any fees that would remain the same there is not a requirement to post. If one of the fees would be changed or altered, the fees would have to be reposted before having the next discussion.

MAYOR HARTKE said if any fees are changed in this structure, they would have to be reposted for another 60 days.

COUNCILMEMBER ORLANDO for clarification and asked if there was a motion to the resolution presently. There could have been more discussion on this subject. There has been a ten-year time frame where some of these fees have remained the same for ten years.

MS. SCHWAB said there was not a motion to approve the item.

## **Action Agenda Motion and Vote**

Vice Mayor Harris moved to table Item 40; Seconded by Councilmember Stewart.

Motion carried by majority (4-3; Councilmembers Encinas, Orlando, and Poston dissenting).

## **Informational**

41. Claims Report for the Quarter Ended September 30, 2024
42. Contracts and Agreements Administratively Approved, Month of October 2024
43. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

## **Unscheduled Public Appearances**

DEREK LOGAN, Lot 96 Pinelake Estates, spoke about the Landings at Ocotillo by Dominion Apartments application for low-income housing tax credit housing on the county island property. This is not the right place to build multi family housing especially as it is in the short final approach and departure of runway by the nearby airport. The proposed development is not in line with Chandler's Master Plan and Airpark Area Plan. The development will be going before the Maricopa County Board of Supervisors.

LOUANN SEDGWICK, 753 E. Gemini Pl., spoke about Landings at Ocotillo by Dominion Apartments application and thanked Council for their continued support of what is best for Chandler.

## **Current Events**

### **Mayor's Announcements**

MAYOR HARTKE mentioned the Global Ties Arizona Emerging Political Leaders event was a great success, where 22 emerging political leaders from 20 countries were hosted at the Chandler Museum. This event provided a unique opportunity for local community members and Team Chandler to connect with these international leaders on civic engagement and community initiatives. Mayor Hartke thanked the DEI division and members of Team Chandler who participated in the event.

MAYOR HARTKE talked about the retirement celebration held for Assistant Police Chief Ramer and thanked him for his service to Chandler.

MAYOR HARTKE announced the Chandler Video Productions team is eligible for three Rocky Mountain Emmy awards and will be celebrating their achievements.

MAYOR HARTKE wished the community a happy Diwali, and happy Thanksgiving. The Tumbleweed Tree Lighting Ceremony will occur on Saturday, December 7 from 4:30 p.m. to 9:00 p.m. in Downtown Chandler.

### **Council's Announcements**

COUNCILMEMBER ENCINAS shared that students from Chandler High School visited City Hall and thanked staff and Chandler High teachers and advisors.

VICE MAYOR HARRIS announced that the Dr. MLK Jr. Awards Program nomination form is open until Wednesday, December 6. This awards program honors the accomplishments of local residents who contribute significantly to creating a compassionate and socially just community through their dedication to human and civil rights.

VICE MAYOR HARRIS visited the Valley Metro Clean Air Campaign to recognize the efforts of individuals and organizations who are dedicated to improving air quality and recognized Jason Crampton, Transportation Planning Manager, who won the Commuter Icon award.

COUNCILMEMBER STEWART said he had the opportunity to attend the Kovach Employee Event and celebrated the businesses who are the drivers of our local economy.

COUNCILMEMBER STEWART announced the Holiday Traditions in the Park - a family-friendly celebration showcasing the diverse ways the Chandler community celebrates the holidays. This exciting event will highlight the many cultural holiday traditions in Chandler featuring live holiday music and will provide information on how to give back to the community during the holiday



season. The event will occur Saturday, December 14 from 1:00 p.m. to 3:00 p.m. at the Dr. A.J. Chandler Park stage.

COUNCILMEMBER ORLANDO wished everyone a happy Thanksgiving.

COUNCILMEMBER POSTON announced the Woofstock event held Saturday, November 16 from 9:00 a.m. to 1:00 p.m. at Tumbleweed Park including a variety of pet-related vendors and activities.

**City Manager's Announcements**

None.

**Adjourn**

The meeting was adjourned at 7:05 p.m.

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

*Kevin Harbke*  
Mayor

Approval Date of Minutes: December 9, 2024

**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 7th day of November 2024. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9th day of December, 2024.

*Dana R. D'Angelo*  
City Clerk

