

Meeting Minutes

City Council Neighborhoods Subcommittee Meeting

July 22, 2025 | 9:00 a.m.

City Hall 5th Floor Large Conference Room

175 S. Arizona Ave., Chandler, AZ



Call to Order

The meeting was called to order by Councilmember Poston at 9:03 a.m.

Roll Call

Subcommittee Attendance

Vice Mayor Christine Ellis (Virtual)
Councilmember Matt Orlando
Councilmember Jane Poston

Staff Attendance

Andy Bass, Deputy City Manager
Leah Powell, Neighborhood Resources Director
Thomas Allen, Assistant City Attorney
Guy Jaques, Neighborhood Preservation Senior
Manager
Tawna Mower, Neighborhood Preservation
Analyst

Public Attendance

Thayne Martin
Ken Sain

Discussion

1. Discussion of Bird Feeding Ordinances in Other Cities and Applicability to Chandler

LEAH POWELL, Neighborhood Resources Director, introduced herself and Guy Jaques, and stated that the City of Chandler has no current ordinances which speak directly to the issues of bird feeding, with its associated consequences, and the possibility of health concerns and property damage. She added that the infestation and public nuisance ordinances are the only ones that can currently be used. She said the city is always looking for more effective tools to address community concerns. She then proceeded with the prepared Bird Feeding presentation (full presentation available in attachments).

COUNCILMEMBER POSTON asked about voluntary compliance and what people are doing now, how they're complying, and if they need to stop feeding birds.

POWELL answered that voluntary compliance is one option. There are also pigeon-proof feeders, so residents may still be feeding birds but not attracting pigeons, stating they've helped with a pilot program of supplying pigeon-proof feeders and have not received any complaints at that particular residence since then.

COUNCILMEMBER POSTON asked whether they still have birds in their backyard but not pigeons, due to the pigeon proof feeders.

POWELL responded that she is unsure of the number of birds in the backyard, but they have not received additional complaints about that property. Additionally, the property owner may have complied with multiple items, such as weeds, or other issues, as well as the bird feeding issue. In some cases, there is no other code violation remaining, there may not be enough additional evidence to only keep the case open regarding bird feeding and there may have been no additional complaints, so therefore, the case would be closed.

COUNCILMEMBER ORLANDO asked out of the 45 complaints how many were repeats, or if each complaint was logged as a single complaint.

GUY JAQUES responded that the majority of these are single complaints.

COUNCILMEMBER ORLANDO asked whether there are ever repeats, with the same person calling several times.

JAQUES responded that there are some repeats and that staff conduct visits on but there is not much evidence under the current codes that can be used, so these complaints are often deemed unfounded.

VICE MAYOR ELLIS asked Ms. Powell for an explanation of the type of bird, wondering if this was specific to pigeons and whether other kinds of other birds are considered problematic.

POWELL responded that there are other types of wild birds, including doves and sparrows.

VICE MAYOR ELLIS asked whether residents would still be permitted to feed birds at lakes in their neighborhoods.

POWELL responded that the discussion today is for only single-family homes.

JAQUES continued with the prepared presentation.

COUNCILMEMBER POSTON asked how Code Enforcement staff define the accumulation of bird waste, and when we hear "infestation", is that from birds or other animals that follow them.

POWELL responded that infestation comes into play when it is excessive, more than others.

JAQUES added especially due to the nature of birds, roosting in roof areas and rafters, etc. and not leaving.

VICE MAYOR ELLIS asked for the percentage of those who comply voluntarily, based on the number of complaints that are received.

JAQUES answered that, of the complaints that we show in violation, 100% had voluntary compliance.

JAQUES then returned to the presentation.

VICE MAYOR ELLIS asked if the requirement of three witnesses would be to enforce or to investigate.

JAQUES responded that this would pertain to investigating.

POWELL returned to the presentation.

VICE MAYOR ELLIS asked, referring to the "Recommendations" slide, if that is the proposed actions.

POWELL responded potentially, but the creation of an ordinance would require further discussion and consideration of items on this list.

VICE MAYOR ELLIS asked Ms. Powell to expand on the bullet point "Create Witness Requirements."

POWELL replied that those cities are recognizing it not as a neighbor-to-neighbor issue, but more of what is impacting the greater neighborhood, which becomes a public nuisance.

COUNCILMEMBER POSTON questioned whether the three-witness petition would be something that Code Enforcement could utilize as an extra tool, such as if there were three people signing the petition it could escalate it to a public nuisance more easily, as opposed to something coming from just one neighbor.

POWELL replied that, yes, and has run into this before where code complaints came in from multiple households.

JAQUES added that a public nuisance violation has already been used in these types of situations, when it was affecting multiple residents.

POWELL continued the presentation.

VICE MAYOR ELLIS asked, regarding "Discussion Items" slide, bullet #1, when you say that we need to distinguish between...what are you talking about...birds? If ordinance is reaching for birds, shouldn't it just be birds across the board?

POWELL responded, yes, when it comes to keeping domestic or captive birds, we are asking if we want to have language that speaks to that.

COUNCILMEMBER ORLANDO asked what Tempe's ordinance says, as you are eyeing that model.

JAQUES reads Tempe ordinance 21-3(b)21: "The keeping or feeding of outdoor birds that by frequent public defecation on private or public property, annoys or disturbs a neighborhood or any number of persons; provided, that an action for a violation of this subsection shall not be initiated, unless a petition is received signed by at least three (3) witnesses in separate households with independent knowledge of the nuisance. The petition requirements may be waived if the circumstances and evidence otherwise support grounds for enforcement."

COUNCILMEMBER ORLANDO replied, stating if they do not distinguish between domestic or captive why would we.

POWELL answered that we just want it to be part of the discussion, as it does exist in other cities' code, just covering all the bases.

COUNCILMEMBER POSTON clarified that this Tempe ordinance is specifying wild birds as an issue due to the amount of feces, etc., or are we also looking at hummingbird feeders and so forth.

POWELL replied that it would be a public nuisance due to the cause of excessive defecation, which would not usually apply to birds such as hummingbirds.

POWELL returned to the presentation.

COUNCILMEMBER POSTON asked how this affects chickens, now we have the state ordinance allowing that, is there anything we need to look at in that regard.

POWELL replied that this has not yet been investigated, but that they would work with legal to ensure any new ordinance would not be contradictory to any current ordinances. Additionally, they have not asked other cities if their bird feeding ordinances have affected those in their cities with chickens.

COUNCILMEMBER POSTON asked if when talking to the other cities, whether they had said their ordinances have worked.

JAKUES responded that Mesa did say that their ordinance has worked for them, it is pigeons only, but they have had some success with enforcing it.

VICE MAYOR ELLIS asked, when talking about chickens, does Tempe have an ordinance for chickens and have they had a conflict.

POWELL stated that it can be checked into, but Tempe's ordinance does have language about frequent defecation on either public or private property, as another consideration.

COUNCILMEMBER ORLANDO asked if there are any concerns that those who are already feeding chickens are attracting other birds with that feed and are causing more of this type of hazard. As

it is now legal to feed chickens, are there stipulations for chicken owners, regarding fencing or other requirements, that keep that from happening.

POWELL replied that there are regulations about the coops, however the challenge is that we cannot go into backyards without being invited to view the coop.

JAQUES responded we have had zero chicken complaints.

COUNCILMEMBER POSTON asked if there were any other questions.

THOMAS ALLEN, Assistant City Attorney, asked whether the Tempe ordinance prohibits all bird feeding and is that what we are looking at.

POWELL responded, yes, and reads the Tempe code again, verbatim.

ALLEN replied that if we draft an ordinance, we may be able to address the root of the problem, which is not the bird feeding but the nuisance it creates. If the nuisance really is the accumulation of bird droppings on people's property, maybe we can focus on the nuisance part of the code language regarding birds, accumulation of bird droppings, and so forth, creating a less heavy regulation way to approach it.

POWELL stated that, if easier to enforce, that would be welcome.

COUNCILMEMBER ORLANDO asked what if there is a lot of chirping and noise.

ALLEN responded that would also fall under public nuisance.

COUNCILMEMBER POSTON opened comments up to the public.

THAYNE MARTIN, Chandler resident, thanked the councilmembers and other staff for putting his tax dollars to work, and for all they do. Stated that he likes the direction that things are going and relayed that understands this is a challenge, He shared that he is a bird lover and has had a pet parrot for many years. Due to the issues that he has been having with his neighbor's excessive feeding of wild birds, he is unable to use his own property without undue expense. Mr. Martin asked how an infestation is defined. He also shared that no one has come to his property to look at what he is dealing with. He asked how he was supposed to protect his property. The issue is

that this is not a small bird feeder, and that flocks come every day. Bird waste is excessive on his street, compared to the next street over. Neighbors have 10 lbs. of feed out there at any given time with 200 birds there every morning. That is the issue, and it is just getting worse. Once you feed birds, more birds come. He shares that bird waste stains, ruins backyard furniture. He then asked whether the City could look at the size of the feeder.

COUNCILMEMBER POSTON thanked Mr. Martin for coming and asked if we could set up a time with Code Enforcement staff to come see his backyard.

MARTIN granted permission for the visit, stating that they would need to be there in the morning so they would be able to see the big flock, as they will be gone later in the day.

COUNCILMEMBER POSTON replied that Code Enforcement staff would arrange the details with Mr. Martin after the meeting.

The consensus of the council subcommittee meeting was that Ms. Powell and Mr. Jaques would continue to research and bring back additional information to the councilmembers at a future subcommittee work session, to be determined.

2. Update on the City of Chandler Community Cat Management Program

COUNCILMEMBER POSTON turned time over to Ms. Powell for the TNR update.

POWELL began her presentation (attached).

COUNCILMEMBER ORLANDO asked whether mobile staff would be included under the \$30,000 already allocated.

POWELL replied that about \$5000 of the \$30,000 is held back, which would be used for the mobile clinic, so all would continue to be covered under the \$30,000.

COUNCILMEMBER ORLANDO stated he wants to be sure that the neutering and spaying would be done first, as this is our goal, and then asked if a resident has feral cats in their yard and they call the help number, what happens.

POWELL responded that Saving One Life would educate that resident about the program, as well as try to garner their service as a volunteer for their neighborhood.

COUNCILMEMBER ORLANDO asked whether the TNR information has been included in our water bill information.

POWELL replied that this information has been on the water bill and in the City Scope at least once per year.

COUNCILMEMBER ORLANDO asked how Saving One Life goes about getting more volunteers.

POWELL shared that they actively recruit through social media, attending City of Chandler events, and more.

COUNCILMEMBER ORLANDO asked how we are promoting the food program or relaying information for dropping off food donations.

POWELL responded that they could look at that with Saving One Life, to possibly come up with a food donation program and advertise that, utilizing what works easiest for them.

COUNCILMEMBER ORLANDO asked whether there is a call for volunteers on the website.

POWELL replied that the Saving One Life website does call for volunteers.

COUNCILMEMBER ORLANDO inquired as to the cat population, how are we determining population reduction, how do we know the TNR program is being successful.

POWELL answered that she recalled one specific volunteer sharing that there used to be 200 cats in a particular neighborhood and that number is now less. That is all we know at this point, the data is challenging, as we have noticed that the same neighborhoods are utilizing the program over and over, which might be good because that may be where the problem is. Or is it that we aren't reaching more neighborhoods. Is the data telling us that this is where the program should be or that the program is working in one spot but needs to be more spread throughout the City.

VICE MAYOR ELLIS asked whether we should be looking at an organization (SOL) that cannot expand, or at other organizations that could cast a wider net to get this thing under control. We

can only do that if the organization can handle that wider net, so why would we stay with this organization.

POWELL replied that during the RFP process there were only two organizations that responded, and Saving One Life is the larger of those two organizations. Ms. Powell also stated that if we want to go ahead with another RFP for the next year, she would like to continue with the Saving One Life contract to keep services going. If the council would like, they could do another RFP to try to get additional organizations, aligning with the timing for the next contract. Ms. Powell stated she does not know that they will get any additional organizations, as was difficult the first time. If could get more organizations, we could explore having two providers, though that would also present additional challenges, such as how to divide up the work load, how much funding to give to each, and so forth, especially if funding does not increase, as then we would really just be dividing up the current monies between two organizations, not enabling paying for more spaying or neutering.

VICE MAYOR ELLIS asked whether we could get additional funds and where do the funds come from. If the money we are allocating is not enough, could that be keeping us from attracting more organizations. Is the funding the problem or are there just not enough companies to work on this type of issue.

POWELL answered that the TNR funds were allocated from the General Funds budget. From when the program started, to where it is today, the actual cost of spaying and neutering has almost doubled, so now the funds are being stretched thinner.

COUNCILMEMBER ORLANDO shared, due to costs increasing for spaying and neutering, maybe it is time to look at additional funding, targeted to specific areas, so that we know we are reducing the population.

COUNCILMEMBER POSTON stated that going back, she knows there was a bit of a rough start with the Saving One Life organization.

POWELL responded that, yes, they did.

COUNCILMEMBER POSTON asked whether the Saving One Life organization works outside of Chandler.

POWELL replied that they are operating in the east valley.

COUNCILMEMBER POSTON asked whether Saving One Life has been contributing by doing fundraising, providing education, and so on. Are they expected to contribute these things in their contacts with other cities. She added that she would like to look at the organization itself and what our expectations of them are.

POWELL responded that she would get more information on this. She knows they work with Tempe but is not sure if they receive any funding from them, or other cities.

COUNCILMEMBER POSTON asked whether the contract runs through the end of this fiscal year.

POWELL responded that it is technically a little bit off, as it was supposed to expire in March or April. However, a three-month extension was done to get us to the end of July 2025. We will then be able to do an amendment to continue the new contract through the end of the current 2026 fiscal year. We did that to give us time to have this conversation and get council direction. There was some carry forward. We have \$30,000 starting on July 1 and will now be in alignment so that that carry forward does not re-occur. It has been tricky as crossed over fiscal years, now trying to get that cleaned up so renewing in alignment with the new fiscal year. So, when we do the contract amendment we will do it through the end of June 2026.

COUNCILMEMBER POSTON asked if there were any final questions.

COUNCILMEMBER ORLANDO referred to the results of almost 500 cats being spayed or neutered in the last 18 months, roughly 22 cats per month. How much does this service cost?

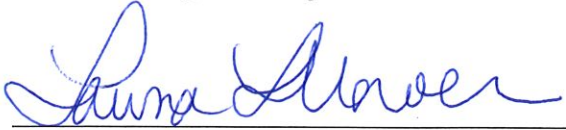
POWELL responded that she believes it is around \$70 for each cat.

The consensus of the council subcommittee was that Ms. Powell will do more research, look at the statistics regarding whether reducing numbers colony-wide and city-wide, will take a look at how Saving One Life is working with other cities, will have conversations with them regarding keeping up with the needs of Chandler neighborhoods, inquire what additional fundraising they do on their own, what type of funding they are getting from other cities, and how the programs operate between them and those other cities. We will put into their contract that we want them to report on the fundraising, as well as do an assessment of the resources that we currently have for the program and whether they are adequate and what else can be done. At that point, if the

direction is to do another RFP, we will work on that in January or February. The subcommittee will plan to continue this conversation in plenty of time prior to the January or February contract renewal timeline that Ms. Powell mentioned, with a goal of 4-6 weeks from now, which would be September or October.

Adjourn

The meeting was adjourned at 10:34 a.m.

A handwritten signature in blue ink, appearing to read "Laura Hoover", written over a horizontal line.

Recording Secretary