

Meeting Minutes

City Council Regular Meeting

October 16, 2025 | 6:00 p.m.
Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ



Call to Order

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

Roll Call

Council Attendance

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

Appointee Attendance

John Pombier, Acting City Manager
Tawn Kao, Acting City Attorney
Dana DeLong, City Clerk

Absent

Councilmember Jennifer Hawkins - excused

Invocation

The invocation was given by Pastor Esther Green, Chandler Seventh-day Adventist Church.

Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Harris.

Scheduled Public Appearances

1. Recognition: World Champions of the International Academic Decathlon
MAYOR HARTKE recognized Chandler Unified School District's World Champions of the International Academic Decathlon who won top honors at the International Academic Decathlon World Youth Forum Future Liberal Arts Leadership Summit 2025.

JOANN WUTHRICH, Basha High School Academic Decathlon Coach, shared the team is happy for the opportunity to represent Chandler, Arizona.

2. Recognition: Operation Back to School Sponsors

MAYOR HARTKE invited Jessica Rodriguez and George Macedon to recognize For Our City Chandler's Operation Back to School sponsors.

MS. RODRIGUEZ thanked title sponsors Compass Christian Church, Scheels, City of Chandler, Blue Cross Blue Shield, and dedicated committee members and volunteers for their support in making the event a success.

3. Recognition: League of Arizona Cities and Towns Legislative Recognition

MAYOR HARTKE recognized Representative Julie Willoughby, Representative Stacey Travers, and Senator Mitzi Epstein for championing the perspectives of the Chandler community. Each legislator was recognized by the League of Arizona Cities and Towns for their support for local Arizona cities and towns.

TOM SAVAGE, Legislative Director of League of Arizona Cities and Towns, thanked the legislators for their support of cities and towns and looked forward to continuing working with them in the next legislative session.

4. Proclamation: Cybersecurity Awareness Month

MAYOR HARTKE read the proclamation and invited the IT Security team to accept.

BRAD THOMAS, IT Chief Information Security Officer, thanked Mayor and Council and city staff for their support.

Consent Agenda and Discussion

Airport

1. Resolution No. 5941, Authorization of an Airport Development Grant with Arizona Department of Transportation (ADOT)
Move City Council pass and adopt Resolution No. 5941 authorizing the City to enter into an agreement with the Arizona Department of Transportation to accept an Airport Development Grant in a total amount not to exceed \$50,000 for the rehabilitation of Runway 4R-22L at the Chandler Municipal Airport.

Budget and Policy

2. Adoption of Notice of Intention to Increase Certain Water, Wastewater, Reclaimed Water, and Solid Waste Rates and Set the Date for Public Hearing
Move to adopt the Notice of Intention to Increase Certain Water, Wastewater, Reclaimed Water, and Solid Waste Rates and set the date for Public Hearing on January 8, 2026.

City Clerk

3. Boards and Commissions Member Appointments
Move City Council approve the Board and Commission appointments as recommended.

City Manager

4. Resolution No. 5942, Authorizing the Submittal of a Pass-Through Gaming Tribal Revenue Sharing Awarded Grant Application for Dignity Health Foundation on Behalf of Salt River Pima-Maricopa Indian Community
Move City Council pass and adopt Resolution No. 5942 approving an intergovernmental agreement between the Salt River Pima-Maricopa Indian Community and the City of Chandler for the distribution of a pass-through Indian gaming revenue sharing grant in the amount of \$50,000 to Dignity Health Foundation-East Valley; and authorizing submission of a related pass-through awarded grant application to provide medication, physical and occupational therapy, life-saving IV antibiotics, and durable medical equipment for underserved patients served by Dignity Health hospitals in the East Valley.
5. Agreement for Website Content Accessibility Audit and Assessment Consultant Services
Move City Council approve Agreement No. CAPA5-918-4936, with AccessAbility Officer, for website content accessibility audit and assessment consultant services, in an amount not to exceed \$150,000, for a one-year period, beginning October 16, 2025, through October 15, 2026, with the option of up to four one-year extensions.

Community Services

6. Purchase of Playground Products, Services, and Shade Structures for the Parks Division
Move City Council approve the purchase of playground products, services and shade structures, from Altitude Recreation, Inc.; Arizona Recreation Design, Inc.; Dave Bang Associates, Inc.; Exerplay, Inc.; FlexGround, LLC; Miracle Playground Sales; Play it Safe Playgrounds & Park Equipment, Inc., and Shade 'N Net of Arizona, Inc. utilizing 1Government Procurement Alliance (1GPA) Agreement No. 23-07P; and American Play Systems; Arizona Recreation Design, Inc.; Dave Bang Associates, Inc.; Exerplay, Inc.; and Play it Safe Playgrounds and Park Equipment, Inc., utilizing Mohave Educational Services Cooperative Agreement No. 24K-various-0222; and Shade 'N Net of Arizona, Inc.; Shade Industries, Inc.; and USA Shade & Fabric Structures utilizing Mohave Educational Services Cooperative Agreement No. 20Q-various-0402; and Turboscape Blower Services, LLC, utilizing City of Mesa Agreement No. 2023021 and City of Glendale Agreement No. 24-53; and Gametime, Inc. utilizing Omnia Partners Agreement No. 2017001134; and Arizona Correctional Industries utilizing State of Arizona Agreement No. CTR070553 for playground products, services, and shade structures for the Parks Division, in a combined amount not to exceed \$1,550,000.
7. Purchase of Pool Repairs for the Hamilton Aquatic Center
Move City Council approve the purchase of pool repairs at the Hamilton Aquatic Center, from Shasta Industries, Inc., in an amount not to exceed \$1,379,800.

8. Professional Services Agreement No. PR2503.101, with BerryDunn for Citywide Recreation and Library Strategic Master Plan Consultant Services
Move City Council award Professional Services Agreement No. PR2503.101 to BerryDunn for Citywide Recreation and Library Strategic Master Plan Consultant Services, in an amount not to exceed \$339,797.28.
9. Purchase of Park Herbicide Application Services for the Parks Division
Move City Council approve Agreement No. CS4-988-4669, Amendment No. 2, for parks herbicide application services, with BrightView Landscape Services, Inc., in an amount not to exceed \$335,798.77, for a one-year term, November 1, 2025, through October 31, 2026.
10. Purchase of Park Mowing Services for the Parks Division
Move City Council approve Agreement No. CS4-988-4668, Amendment No. 2, for park mowing services, with Artistic Land Management, Inc., in an amount not to exceed \$647,818.71 a one-year term, November 1, 2025, through October 31, 2026.

Development Services

11. Resolution No. 5938, PLH24-0030 Downtown Region Area Plan, Generally Bounded by Ray Road, McQueen Road, Santan 202 Freeway and Alma School Road (Continued from the Council Meeting of September 18, 2025)
Move City Council pass and adopt Resolution No. 5938, PLH24-0030 Downtown Region Area Plan establishing future land uses, conceptual design guidelines and other goals and policies replacing the Downtown-South Arizona Avenue Corridor Area Plan.
12. Use Permit, PLH25-0019 Ponderosa, 318 S Bracken Lane, Generally Located ½ Mile South of Chandler Boulevard and 1/4 Mile East of Price Road
Move City Council approve Use Permit, PLH25-0019 Ponderosa, to allow continued co-location of an ancillary Medical Marijuana Facility in conjunction with its affiliated onsite Medical Marijuana Cultivation Site and Medical Marijuana Infusion Food Establishment subject to the conditions as recommended by the Planning and Zoning
13. Preliminary Development Plan, PLH25-0011 CRMC Medical Office Building, Located on the Chandler Regional Medical Center Campus, at the Southeast Corner of Frye Road and Dobson Road
Move City Council approve Preliminary Development Plan PLH25-0011 CRMC Medical Office Building for the site layout and building architecture for a new 100,249 square-foot Medical Office Building at the Chandler Regional Medical Center Campus, subject to the conditions as recommended by Planning and Zoning Commission.
14. Resolution No. 5952 First Amendment to the Development Agreement between Lincoln Property Company Commercial LLC, and the City of Chandler, Approving Modifications to the Agreement for the Properties Located at 2500 West Frye Road

Move City Council pass and adopt Resolution No. 5952 approving the First Amendment to the Development Agreement between Lincoln Property Company Commercial, LLC, and its Permitted Assigns, ("Successor Developer") and the City of Chandler ("City") for the Development of Property Generally Located at the Northwest Corner of Frye Road and Ellis Street.

Facilities and Fleet

15. **Agreement for Electrical Maintenance, Repair, and Installation Services for City Facilities**
Move City Council approve Agreement No. BF4-910-4768, Amendment No. 1, with ABM Electrical Power Services, LLC, Arizona Facility Services, B&D Industries, Inc., Commercial Comm and Electric, Inc., Henry Bros., Inc., dba DECA Southwest, D.P. Electric, Inc., Hawkeye Electric, Inc., and Kearney Electric, Inc., for electrical maintenance, repair, and installation services, in an amount not to exceed \$2,045,000, for the period of one year, beginning December 9, 2025, through December 8, 2026, with the option of up to four additional one-year extensions.
16. **Purchase and Installation of New Theater Seating at the Chandler Center for the Arts**
Move City Council approve the purchase and installation of new theater seating at the Chandler Center for the Arts, from Irwin Seating Company, utilizing the Omnia Partners Contract No. R240106, in the amount of \$604,400.
17. **Purchase of Building and Energy Management Control System Services**
Move City Council approve the purchase of building and energy management control system services, from Mesa Energy Systems, Inc., utilizing the State of Arizona Contract No. CTR062668, for an amount not to exceed \$360,000.

Human Resources

18. **Resolution No. 5948, Renewal Request to Industrial Commission of Arizona for Continued Exemption from Requirement to Post Security for Self-Insured Workers' Compensation Program**
Move City Council pass and adopt Resolution No. 5948, renewing the City's request to the Industrial Commission of Arizona for continued exemption from the requirement to post a security bond under its Self-Insurance Workers' Compensation Program.

Information Technology

19. **Purchase of Wi-Fi Equipment & Services for 12 City Facilities**
Move City Council approve the purchase of Wi-Fi 6 equipment & professional services from Hye Tech Network and Security Solutions, LLC, utilizing the 1GPA Contract No. 22-02PV-08, and Surveillance Systems Integration, Inc., utilizing the State of Arizona Contract No. CTR076065, in an amount not to exceed \$501,434.
20. **Agreement for Financial & Human Capital Management Software Solution & Implementation Services**

Move City Council approve Agreement No. IT4-920-4771, with Workday, Inc., for the financial and human capital management software solution, for a ten-year term, beginning October 31, 2025, through October 30, 2035, in an amount not to exceed \$1,192,990 in the first year, and with Cognizent Worldwide Limited, for implementation services for the financial and human capital management software solution, in an amount not to exceed \$6,464,130.

21. 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. R240202, in an amount not to exceed \$196,067, for the period of one year, beginning January 31, 2026, through January 30, 2027.

22. Purchase of Information Technology Temporary Staffing Services

Move City Council approve the purchase of information technology temporary staffing services, from Computer Aid, Inc., utilizing the Sourcewell Contract No. 071321, increasing the approved spending amount by \$2,030,420.

23. Agreement for Information Technology Professional Services for the Enterprise Resource Planning Replacement Project

Move City Council approve Agreement No. 4997, with SAR Systems, Inc., for information technology professional services for the enterprise resource planning replacement project, in an amount not to exceed \$4,000,000.

Management Services

24. License Series 12, Restaurant Liquor License Application for Xue Qiu Lin, Agent, Lin Gourment, LLC, DBA Fujisan Sushi and Hibachi

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 357892, a Series 12, Restaurant Liquor License, for Xue Qiu Lin, Agent, Lin Gourment, LLC, DBA Fujisan Sushi and Hibachi, located at 2100 S. Gilbert Road, Suite 1, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 310405.

25. License Series 12, Restaurant Liquor License Application for Ampronchai Wilaikaeo, Agent, Siri-Am, LLC, DBA Savor Thai

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 357575, a Series 12, Restaurant Liquor License, for Ampronchai Wilaikaeo, Agent, Siri-Am, LLC, DBA Savor Thai, located at 4040 S. Arizona Avenue, Suite 7, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 309013.

Police Department

26. Resolution No. 5928 Agreement with Arizona Department of Administration for the Purchase of Peregrine Software
Move City Council pass and adopt Resolution No. 5928, authorizing the acceptance of \$111,725 from the Arizona Department of Administration, as set forth in Senate Bill 1147 and authorizing an appropriation transfer of \$111,725 from General Fund, Non-Departmental, Contingency Account to General Fund, Real Time Communications, Software Account to allow for the expenditure of state funds to purchase Peregrine software.

Public Works and Utilities

27. Replacement of a Backhoe for the Transportation Division
Move City Council approve the purchase of a backhoe, from Empire Machinery, Inc., utilizing State of Arizona Contract No. CTR052847, in the amount of \$183,079.37.
28. Replacement of a Water Truck for the Transportation Division
Move City Council approve the purchase of a water truck, from Inland Kenworth, Inc., utilizing Sourcewell Contract No.032824-KTC, in the amount of \$171,105.50.
29. Replacement of a Dump Truck for the Transportation Division
Move City Council approve the purchase of a dump truck, from Inland Kenworth, Inc., utilizing Sourcewell Contract No.032824-KTC, in the amount of \$210,230.53.
30. Professional Services Agreement No. WA2408.451, with Wilson Engineers, LLC, for the Brooks Crossing Water Production Facility Pressure Reducing Valve Addition, Construction Management Services
Move City Council award Professional Services Agreement No. WA2408.451 to Wilson Engineers, LLC for the Brooks Crossing Water Production Facility Pressure Reducing Valve Addition, Construction Management Services, in an amount not to exceed \$115,790.
31. Job Order Project Agreement No. WA2408.401, with MGC Contractors, Inc., Pursuant to Job Order Master Agreement No. JOC2411.401, for the Installation of a Pressure Reducing Valve Addition at the Brooks Crossing Water Production Facility
Move City Council award Job Order Project Agreement No. WA2408.401, to MGC Contractors, Inc., pursuant to Job Order Master Agreement No. JOC2411.401, for the Brooks Crossing Water Production Facility Pressure Reducing Valve Addition, in an amount not to exceed \$960,686.14.
32. Introduction and Tentative Adoption of Ordinance No. 5136 Granting a Non-Exclusive Power Distribution Easement to Arizona Public Service Company, as Part of the Frye Road Protected Bike Lane Project ST2106.
Move City Council introduce and tentatively adopt Ordinance No. 5136 granting a non-exclusive power distribution easement to Arizona Public Service Company (APS), an Arizona corporation, at no cost, as part of the Frye Road Protected Bike Lane Project ST2106.

33. Professional Services Agreement No. WA2100.251, Amendment No. 1, with Archer Western Construction, LLC, for the Water System Upgrades Program at the Pecos Surface Water Treatment Plant Pre-Construction Services
Move City Council award Professional Services Contract No. WA2100.251, Amendment No. 1, to Archer Western Construction, LLC, for the Water System Upgrades Program Pre-Construction Services, in the amount of \$356,673, for a revised agreement amount not to exceed \$1,270,638.
34. Purchase and Installation of Granular Activated Carbon for Water Treatment Processes
Move City Council approve the purchase and installation of granular activated carbon, from Calgon Carbon Corporation, utilizing City of Phoenix Contract No. 133070, in an amount not to exceed \$1,085,870.
35. Replacement of a Dump Truck for the Water Distribution Division
Move City Council approve the purchase of a dump truck, from Inland Kenworth, Inc., utilizing Sourcewell Contract No. 032824-KTC, in the amount of \$210,230.53.
36. Purchase of Maintenance, Repair, and Operations Supplies and Related Services for Water and Wastewater Divisions
Move City Council approve the purchase of MRO supplies and related services, from WESCO Distribution, Inc., utilizing Omnia Partners Contract No. R240809, in an amount not to exceed \$1,155,000.
37. Agreement No. PW3-925-4631, Amendment No. 6, with Hazen and Sawyer, P.C., for the Water System Upgrades Program Consulting Services at the Pecos Surface Water Treatment Plant
Move City Council approve Agreement No. PW3-925-4631, Amendment No. 6, with Hazen and Sawyer, P.C., for the Water System Upgrades Program Consultant Services, increasing the agreement amount by \$2,596,700.
38. Construction Manager at Risk (CMAR) Construction Services Agreement No. WA2100.402 with Archer Western for the Water System Upgrades Program at the Pecos Surface Water Treatment Plant
Move City Council award CMAR Construction Services Agreement No. WA2100.402 to Archer Western, for the Water System Upgrades Program at the Pecos Surface Water Treatment Plant in an amount not to exceed \$12,909,632.07.
39. Resolution No. 5945, Approving a Follow-Up Notice of Abandonment to the Gila River Indian Community Related to the Lone Butte Wastewater Treatment Plant and Red Tail Hawk Health Center
Move City Council pass and adopt Resolution No. 5945 approving and authorizing the Mayor to execute a Follow-Up Notice of Abandonment to the Gila River Indian Community

(GRIC) related to the Lone Butte Wastewater Treatment Plant and Red Tail Hawk Health Center.

Consent Agenda Motion and Vote

Councilmember Orlando moved to approve the Consent Agenda of the October 16, 2025, Regular City Council Meeting; Seconded by Vice Mayor Ellis.

Motion carried unanimously (6-0), with the exception of Item 2, which passed by majority 4-2, Councilmember Orlando and Councilmember Poston dissenting.

Informational

40. Special Event Liquor Licenses and Temporary and Permanent Extensions of Liquor License Premises Administratively Approved

41. Contracts and Agreements Administratively Approved, Month of September 2025

Unscheduled Public Appearances

KYRSTEN SINEMA, AZ, shared that she is working on the AI Infrastructure Coalition to ensure American AI is globally dominant. She supported developing local AI data hubs that may be coming forward to Council for approval.

JOY MARTIN, 457 N. NEWPORT ST., CHANDLER, spoke, suggesting Council pursue an ordinance regarding large-scale bird feeding in residential areas. She shared a neighbor feeds birds which leads to neighborhood issues.

MAYOR HARTKE directed City Manager to present Council with an update.

JIMMIE KLATT 1813 E BUENA VISTA DR., CHANDLER, spoke about Sun Bird Golf Club residents experiencing ineffective stormwater drains in the neighborhood. He said this problem has occurred for three years and leads to a public health issue.

MAYOR HARTKE directed City Manager to present Council with an update.

BROOK BEALL, 85 W. TEAKWOOD PL., CHANDLER, spoke regarding crimes categorized as class three misdemeanors including criminal trespass of individuals riding e-bikes or motorized vehicles on the canal.

SHANNON HAYES, 630 W. YELLOWSTONE WAY, CHANDLER, spoke regarding eviction filings in Chandler. Individuals who do not appear in court receive an automatic eviction judgement against them. Investing in prevention programs saves money and protects what makes Chandler home. She supported funding a pilot program and coordinated prevention system within the city.

MAYOR HARTKE directed City Manager to present Council with an update.

VICE MAYOR ELLIS said she would like to see more information about collaboration on resources.

COUNCILMEMBER HARRIS asked to ensure Council receives Ms. Hayes' report.

Current Events

Mayor's Announcements

MAYOR HARTKE shared he had the opportunity to represent Chandler at SEMICON West 2025, a microelectronics exhibition which highlighted Chandler as a leader in semiconductor advancement and innovation. He shared Intel opened Fab 52 in Chandler, producing chips. Chandler is proud to have many high-tech innovative and forward-thinking companies that invest in the community.

MAYOR HARTKE wished everyone a happy Diwali.

Council's Announcements

COUNCILMEMBER POSTON shared that October is breast cancer awareness month. This month is a time to support those currently in treatment, celebrate survivors, and remember those affected. She encouraged everyone to spread awareness and get tested.

VICE MAYOR ELLIS shared information about the Domestic Violence Awareness Month Candlelight Vigil on Friday, October 17, starting at 6:00 p.m. in the City Hall courtyard.

VICE MAYOR ELLIS shared that students from Frye Elementary School visited City Hall and Council Chambers. She thanked the staff for hosting events like this one and supporting Chandler students.

VICE MAYOR ELLIS said election day is November 4 for the charter and bond election. Ballots are sent by mail to Chandler residents; voters can return their completed ballots at City Hall.

VICE MAYOR ELLIS mentioned there will be ongoing opportunities for public engagement regarding the FY 26-27 budget. Survey information will be released soon; residents can submit comments to influence how resources are allocated.

COUNCILMEMBER ORLANDO invited everyone to the Halloween Spooktacular event on Friday, October 31, starting at 5:30 p.m. at Dr. A. J. Chandler Park Stage Plaza.

COUNCILMEMBER HARRIS said the city hosted Governor Hobbs at the opening of the next-gen 911 center in the police department dispatch center. This is a statewide project to improve response times and enhance location accuracy, strengthening public safety.

COUNCILMEMBER HARRIS spoke regarding the Military Appreciation Breakfast event on Friday, November 7, starting at 8:30 a.m. at the Chandler Community Center. Registration will open soon.

COUNCILMEMBER HARRIS announced the Ready, Set, Go Foundation will host the 4th Annual Mental Health Awareness Walk on Saturday, October 25, starting at 8:00 a.m. in Downtown Chandler. October is National Mental Health Awareness Month.

City Manager's Announcements

JOHN POMBIER, Acting City Manager, introduced Riann Balch as the Neighborhood Resources Director and Marge Zilla as the Strategic Initiatives Director.

Adjourn

The meeting was adjourned at 7:07 p.m.

ATTEST: _____
City Clerk

Mayor

Approval Date of Minutes: November 10, 2025

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 16th day of October 2025. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this _____ day of November, 2025.

City Clerk

City of Chandler Council – Condensed Public Comment (3-Minute Version)

Speaker: Jimmie Klatt

Date: October 16, 2025

Subject: SunBird Golf Club – Standing Stormwater and Public Health Failures

Mayor Hartke, Acting City Manager Pombier, Councilmembers, and
Counsel Schwab,

Good evening. For over three years, SunBird residents have documented the same recurring problem — standing stormwater that remains for days after every rain, breeding mosquitoes, creating odors, and threatening the health of hundreds of senior homeowners.

Each year, your staff has said the same thing: “We’re working with the property owner.” With respect — that phrase has become a polite substitute for doing nothing.

Your own ordinances, City Code §§ 45-3 and 45-8 and Ordinance 5113, are clear. Retention basins must drain within 36 hours, property owners must maintain their dry wells, and the City has the authority to enter a site, drain standing water, and recover costs.

These are not suggestions. They are mandates.

SunBird Golf Club has ignored them for decades. Its 60-plus dry wells and nine ponds are non-functional, uninspected, and unreconstructed. This is no longer a drainage system — it’s a stagnant lagoon of neglect.

Under A.R.S. § 9-276(A)(3) and A.R.S. § 36-601(A)(1), mosquito-breeding water is a public-health nuisance. Once the City has actual notice — and you do — discretionary immunity no longer applies. Inaction becomes operational negligence.

I'm not here to debate or threaten. I'm here to insist that the City of Chandler exercise the authority it already has.

Drain the standing water. Enforce your ordinances. Protect your citizens.

Residents have followed every rule. The courts have ruled that the HOA has no jurisdiction over golf-course property. The responsibility rests squarely with this City and with SunBird Golf Inc.

If the City's motto is "If you see something, say something," then tonight, I'm saying something — clearly and on the record.

Please act before someone becomes ill, or worse.

Thank you.

City of Chandler Council – Public Comment

Speaker: Jimmie Klatt

Date: October 16th, 2025

Subject: Ongoing Stormwater and Public-Health Failures at SunBird Golf Club

Mayor Hartke, Acting City Manager Pombier, Councilmembers, and Counsel Schwab,

Good evening, and thank you for allowing me to speak.

I stand before you today not merely as a resident of SunBird, but as a citizen who has exhausted every reasonable means to compel compliance with your own stormwater laws — laws that this very body adopted to protect the public from exactly what we now endure.

For more than three years, residents have provided irrefutable evidence — photographs, reports, and city correspondence — documenting chronic stormwater retention failures at SunBird Golf Club. The water sits for days, sometimes a week or more, breeding mosquitoes, foul odors, and visible decay.

And for three years, the City's response has been the same: "We are working with the property owner."

With respect, that has become a polite euphemism for doing nothing.

1. Legal and Factual Context

The City of Chandler's own Code — §§ 45-3 and 45-8, as amended under Ordinance No. 5087 and reaffirmed by Ordinance 5113 (2024) — is clear:

- Retention basins must drain within 36 hours;
- Property owners must maintain dry wells and stormwater systems in full

working order;

- And the City has authority to enter a property, drain a basin, and recover costs when the owner fails to comply.

These are not suggestions. They are mandates.

SunBird Golf Club has failed every one of them. For over forty years, its 60-plus dry wells and nine ponds have never been reconstructed, inspected, or certified as functional. What exists today is not a drainage system — it is a stagnant lagoon of non-compliance.

2. The City's Role and Duty

The City has acknowledged the problem, inspected it, and repeatedly corresponded with the golf-course owners.

Under A.R.S. § 9-276(A)(3) and A.R.S. § 36-601(A)(1), that acknowledgment creates not just authority, but duty.

Once a public-health hazard is known, the City no longer operates in the realm of discretionary policy — it enters the realm of operational responsibility.

Your immunity under A.R.S. § 12-820.01 ends where actual notice begins. At this point, continued inaction is not a policy choice — it is administrative negligence.

3. The Human and Environmental Impact

Let's move past the legal jargon. This is not an academic exercise.

It is a community of senior homeowners who live beside stagnant water breeding disease vectors. I have personally been bitten while documenting these conditions.

The CDC calls this a vector-borne public-health hazard.

Your own City Code defines it as a public nuisance.

Do we really want to stand here a few months from now discussing West Nile infections or bacterial contamination and wonder why we didn't act sooner?

4. The Path Forward

I am asking — no, urging — the City Council to exercise the authority it already has.

Under City Code § 45-3(B), Chandler may drain any basin that fails the 36-hour requirement and bill the responsible property owner.

The City needs to:

1. Order immediate drainage of all standing water at SunBird Golf Club;
2. Issue citations and enforcement notices under Ordinance 5113; and
3. Require reconstruction or replacement of the non-functioning dry wells and retention basins, per the 2023 Engineering & Design Standards Manual.

This is not punitive — it is protective. It is about safeguarding health, property, and the rule of law.

5. Closing

Mayor, Councilmembers — enough is enough.

Residents have followed every rule. The HOA has been judicially separated from the golf course by Judge Gordon's 2025 ruling. The only remaining jurisdiction is yours.

The City of Chandler cannot keep saying "we're working with the property owner" while standing water sits 100 hours after every rain.

If the City's motto is "If you see something, say something," then tonight, I am saying something — loudly, clearly, and on the record.

Before someone becomes ill or worse, the City must act.
Drain the water. Enforce your ordinances. Protect your citizens.

Thank you.

City of Chandler Council – Public Comment

Speaker: Jimmie Klatt

Date: October 16th, 2025

Subject: Ongoing Stormwater and Public-Health Failures at SunBird Golf Club

Mayor Hartke, Acting City Manager Pombier, Councilmembers, and Counsel Schwab,

Good evening, and thank you for allowing me to speak.

I stand before you today not merely as a resident of SunBird, but as a citizen who has exhausted every reasonable means to compel compliance with your own stormwater laws — laws that this very body adopted to protect the public from exactly what we now endure.

For more than three years, residents have provided irrefutable evidence — photographs, reports, and city correspondence — documenting chronic stormwater retention failures at SunBird Golf Club. The water sits for days, sometimes a week or more, breeding mosquitoes, foul odors, and visible decay.

And for three years, the City's response has been the same: "We are working with the property owner."

With respect, that has become a polite euphemism for doing nothing.

1. Legal and Factual Context

The City of Chandler's own Code — §§ 45-3 and 45-8, as amended under Ordinance No. 5087 and reaffirmed by Ordinance 5113 (2024) — is clear:

- Retention basins must drain within 36 hours;

- Property owners must maintain dry wells and stormwater systems in full working order;
- And the City has authority to enter a property, drain a basin, and recover costs when the owner fails to comply.

These are not suggestions. They are mandates.

SunBird Golf Club has failed every one of them. For over forty years, its 60-plus dry wells and nine ponds have never been reconstructed, inspected, or certified as functional. What exists today is not a drainage system — it is a stagnant lagoon of non-compliance.

2. The City's Role and Duty

The City has acknowledged the problem, inspected it, and repeatedly corresponded with the golf-course owners.

Under A.R.S. § 9-276(A)(3) and A.R.S. § 36-601(A)(1), that acknowledgment creates not just authority, but duty.

Once a public-health hazard is known, the City no longer operates in the realm of discretionary policy — it enters the realm of operational responsibility.

Your immunity under A.R.S. § 12-820.01 ends where actual notice begins. At this point, continued inaction is not a policy choice — it is administrative negligence.

3. The Human and Environmental Impact

Let's move past the legal jargon. This is not an academic exercise.

It is a community of senior homeowners who live beside stagnant water breeding disease vectors. I have personally been bitten while documenting

these conditions.

The CDC calls this a vector-borne public-health hazard.

Your own City Code defines it as a public nuisance.

Do we really want to stand here a few months from now discussing West Nile infections or bacterial contamination and wonder why we didn't act sooner?

4. The Path Forward

I am asking — no, urging — the City Council to exercise the authority it already has.

Under City Code § 45-3(B), Chandler may drain any basin that fails the 36-hour requirement and bill the responsible property owner.

The City needs to:

1. Order immediate drainage of all standing water at SunBird Golf Club;
2. Issue citations and enforcement notices under Ordinance 5113; and
3. Require reconstruction or replacement of the non-functioning dry wells and retention basins, per the 2023 Engineering & Design Standards Manual.

This is not punitive — it is protective. It is about safeguarding health, property, and the rule of law.

5. Closing

Mayor, Councilmembers — enough is enough.

Residents have followed every rule. The HOA has been judicially separated from the golf course by Judge Gordon's 2025 ruling. The only remaining jurisdiction is yours.

Pages:

3 of 4

The City of Chandler cannot keep saying “we’re working with the property owner” while standing water sits 100 hours after every rain.

If the City’s motto is “If you see something, say something,” then tonight, I am saying something — loudly, clearly, and on the record.

Before someone becomes ill or worse, the City must act.

Drain the water. Enforce your ordinances. Protect your citizens.

Thank you.



Jimmie Jimmie <jimmie000@gmail.com>

Subject: Ongoing Habitual Stormwater Drainage Failures at SunBird Golf Club

2 messages

Jimmie <jimmie000@gmail.com>

Sun, Oct 12, 2025 at 12:28 PM

To: EnvironmentalManagement <environmentalmanagement@chandleraz.gov>, Kenya Lugo <kenya.lugo@chandleraz.gov>

Bcc: Patti Klatt <Pklatt123@gmail.com>, Jimmie Jimmie <jimmie000@gmail.com>

12 October 2025

City of Chandler

Stormwater Compliance / Environmental Services Department

Dear Ms. Lugo-Waite and Compliance Staff,

I am again submitting a formal complaint regarding the chronic, unaddressed stormwater retention and drainage failures at the **SunBird Golf Club**, a private commercial property within the City of Chandler's jurisdiction. For over three years, residents have documented standing water lasting several days following each rainfall event, in clear violation of the **City of Chandler Stormwater Management Ordinance (Chapter 45, §§ 45-1 through 45-12)**.

Documented History (Again)

- **2022–Present:** Multiple residents, including myself, have submitted photographic evidence and written complaints documenting stormwater ponding persisting for days after rainfall events.
- **City Response:** Environmental Services staff have acknowledged the issue and repeatedly informed SunBird Golf Inc. of its responsibility to comply with city ordinances.
 - **Neglected Infrastructure:** The golf course has not maintained, repaired, or reconstructed any of its approximately **60 dry wells and nine retention ponds**, most of which have been **nonfunctional for over 40 years**.
 - **Third-Party Confirmation:** Ancon Services provided a written proposal to vacuum and haul retained stormwater off-site as an emergency measure. This proposal demonstrates the severity of the non-compliance—the property's basins no longer infiltrate water as required and require industrial removal methods.

Applicable City Ordinances (2022–Present) (Again)**1. Chandler City Code §§ 45-1 – 45-8 – Stormwater Drainage and Pollution Prevention.**

- § 45-3 requires that all stormwater basins **drain within 36 hours** and grants the City authority to **enter property and drain non-compliant basins at the owner's expense**.
- § 45-8 prohibits alteration or failure to maintain stormwater systems and defines such neglect as a **public nuisance** subject to enforcement and civil penalty.
- These provisions were reaffirmed and expanded under **Ordinance No. 5087 (adopted July 15 2024)**, renaming Chapter 45 as "Stormwater Drainage and Pollution Prevention" and

adding §§ 45-1 through 45-12. This ordinance codifies that failing to maintain retention and drainage facilities constitutes a violation enforceable through administrative fines, civil actions, or criminal penalties.

Together, these provisions clearly empower the City of Chandler to compel SunBird Golf Inc. to reconstruct, repair, or otherwise bring its stormwater infrastructure into full compliance.

Continued Non-Compliance and Health Impacts (Again)

Despite these laws, the SunBird Golf Club's retention areas have remained unmanaged and noncompliant for over four decades. Each monsoon season produces **week-long stagnant pools** rather than properly drained basins. I have personally been bitten by mosquitoes while photographing these areas, and the standing water continues to pose a **public health hazard**.

While the golf course reportedly agreed to "pump retained stormwater exceeding 30 hours to another area of the property," this practice is wholly inadequate. There are numerous retention areas across the golf course that **cannot and do not drain properly**, even with intermittent pumping.

This "rotating pump method" fails to meet the City's 36-hour drainage standard and **does not constitute reasonable compliance** under the ordinance.

The only viable and lawful solution is to **rebuild or replace the golf course's 40+ dry wells and nine retention ponds** to meet the design infiltration standards required under City Code § 45-8 and the 2023 Engineering and Design Standards Manual.

Supporting Legal and Technical Basis

As recognized by Arizona courts and municipal standards:

- In *Boruch v. State of Arizona* (Ariz. Ct. App. 2017), the court held that failure to provide adequate stormwater infrastructure—relying instead on ad hoc measures—may warrant injunctive relief requiring proper construction and maintenance of stormwater facilities.
- Chandler's own code (§ 45-3) authorizes the City to **drain basins exceeding 36 hours and recover associated costs from the property owner**.
- Industry and county standards (e.g., Maricopa County and Tempe) require that **retention facilities drain completely within 36 hours** or be reconstructed. Emergency pumping is an interim measure, not an alternative to compliance.
- Pinal County mandates replacement of any dry well that fails to drain water within 36 hours, reinforcing that the appropriate remedy for long-term nonfunctioning infrastructure is **reconstruction, not spot pumping**.

Request for Immediate Action

Accordingly, I formally request that the **City of Chandler Stormwater Compliance Division** take the following immediate actions:

1. **Issue formal citations and enforcement orders under Ordinance 5087 and Chapter 45** for failure to maintain and restore stormwater drainage systems.
2. **Exercise the City's authority under § 45-3 to drain and remove all standing stormwater**

currently retained beyond the 36-hour limit, and to **bill all costs of cleanup and hauling directly to SunBird Golf Inc.** pursuant to the Ancon Services hauling proposal already on record. (Again)

- 3. Require full reconstruction or replacement** of the property's nonfunctioning dry wells and ponds consistent with the **City of Chandler Engineering & Design Standards Manual (2023 Edition)** to ensure future compliance.

Conclusion

The continued tolerance of these violations undermines public health, contradicts the City's own ordinances, and perpetuates unsafe stormwater conditions in a residential community. Residents have demonstrated extraordinary patience and cooperation. The City of Chandler now bears both the **statutory authority and the civic responsibility** to enforce compliance decisively.

Please provide written confirmation of the enforcement action plan, including inspection scheduling and contractor direction, within 10 business days of this notice.

Respectfully submitted,

Jimmie Klatt

SunBird Homeowner

1813 E Buena Vista Dr. Chandler, AZ 85249

9 attachments



20251012_115141_Sunbird Golf, Inc..jpg
1506K



20251012_115151_Sunbird Golf, Inc..jpg
2282K



20251012_114923_Sunbird Golf, Inc..jpg
2800K



20251012_115609_Sunbird Golf, Inc..jpg
3949K



20251012_115401_Sunbird Golf, Inc..jpg
5149K



20251012_113850_Sunbird Golf, Inc..jpg
1865K



20251012_114434_Sunbird Golf, Inc..jpg
1611K



20251012_114051_Sunbird Golf, Inc..jpg
2224K



20251012_114729_Sunbird Golf, Inc..jpg
2854K

Kenya Lugo <kenya.lugo@chandleraz.gov>

Tue, Oct 14, 2025 at 10:12 AM

To: Jimmie <jimmie000@gmail.com>

Cc: EnvironmentalManagement <EnvironmentalManagement@chandleraz.gov>

Good morning, Mr. Klatt,

Thank you for your concern, we are working with the property owner to find solutions.

Thank You,

Kenya Lugo-Waite

Environmental Services Manager

City of Chandler | Management Services

480-782-2387 Direct

602-881-9772 Cell



From: Jimmie <jimmie000@gmail.com>

Sent: Sunday, October 12, 2025 12:29 PM

To: EnvironmentalManagement <EnvironmentalManagement@chandleraz.gov>; Kenya Lugo

<kenya.lugo@chandleraz.gov>

Subject: Subject: Ongoing Habitual Stormwater Drainage Failures at SunBird Golf Club

This Message Is From an External Sender

Report Suspicious

This message came from outside your organization.

[Quoted text hidden]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.



Jimmie Jimmie <jimmie000@gmail.com>

Sunbird Golf Inc., Continuation of City of Chandler Ordinance Violation

2 messages

Jimmie <jimmie000@gmail.com>

Wed, Oct 15, 2025 at 11:05 AM

To: Kenya Lugo <kenya.lugo@chandleraz.gov>, EnvironmentalManagement
<environmentalmanagement@chandleraz.gov>

Bcc: Patti Klatt <Pklatt123@gmail.com>, Jimmie Jimmie <jimmie000@gmail.com>

Email to City of Chandler – Standing Stormwater Continues

Date: 16 October 2025

To: Kenya Lugo-Waite, Environmental Services Manager
City of Chandler

Subject: SunBird Golf Course – Standing Stormwater Continues

Good morning Kenya,

1. Based on your last email, the City will continue working with the golf course property owners — as it has for years — without any measurable success.
2. During these ongoing discussions, the City of Chandler still has an obligation to correct the standing stormwater hazard by removing it from the golf course until the City and Sunbird Golf, Inc. decides to permanently correct the issue and comply with the City of Chandler's own stormwater ordinance.
3. I will continue to proceed accordingly, but I sincerely hope this matter will not have to be litigated before someone becomes seriously ill or dies as a result of the ongoing mosquito infestation and stagnant stormwater conditions. The health risks are no longer limited to mosquito exposure alone — standing water of this duration also increases the likelihood of bacterial growth, vector-borne disease, and soil contamination in adjacent residential areas.
4. Attached are **additional** photos taken over the past two days — all showing standing water continues, exceeding five days.

Respectfully,
Jimmie Klatt

1813 E Buena Vista Dr. Chandler AZ 85249

Phone: 602.679.3783 Email Address: jimmie000@gmail.com

Sunbird Golf Course.eml



Sunbird Golf Course.eml

——— Forwarded message ———

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:01:42 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:01:25 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:01:07 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:00:52 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:00:35 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:00:14 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Wed, 15 Oct 2025 10:24:47 -0700
Subject: Sunbird Golf Course

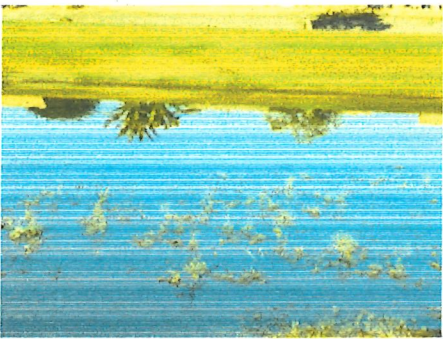
14 attachments



20251014_074840.jpg
1786K



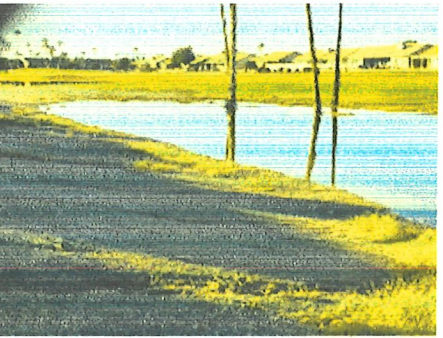
20251014_075056.jpg
2120K



20251014_075100.jpg
1639K



20251014_075107.jpg
3270K



20251014_075110.jpg
3683K



20251014_075118.jpg
1758K



20251014_075344.jpg
2858K

-  **Sunbird Golf Course.eml**
2445K
-  **Sunbird Golf Course.eml**
2902K
-  **Sunbird Golf Course.eml**
2243K
-  **Sunbird Golf Course.eml**
4475K
-  **Sunbird Golf Course.eml**
5041K
-  **Sunbird Golf Course.eml**
2406K
-  **Sunbird Golf Course.eml**
3911K

Jimmie <jimmie000@gmail.com>
To: Sharna <sharna.larson@yahoo.com>

Wed, Oct 15, 2025 at 7:04 PM

FYI
[Quoted text hidden]

----- Forwarded message -----
From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:01:42 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----
From: Jimmie <jimmie000@gmail.com>

To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:01:25 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:01:07 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:00:52 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:00:35 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Tue, 14 Oct 2025 08:00:14 -0700
Subject: Sunbird Golf Course

----- Forwarded message -----

From: Jimmie <jimmie000@gmail.com>
To: Jimmie Jimmie <jimmie000@gmail.com>
Cc:
Bcc:
Date: Wed, 15 Oct 2025 10:24:47 -0700
Subject: Sunbird Golf Course

14 attachments



20251014_074840.jpg
1786K



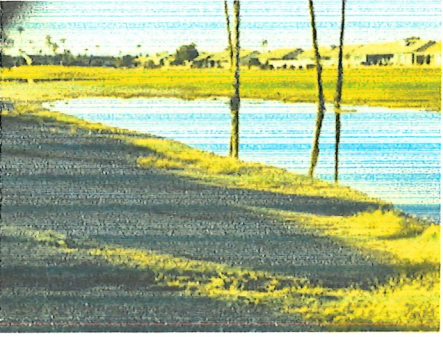
20251014_075056.jpg
2120K



20251014_075100.jpg
1639K



20251014_075107.jpg
3270K



20251014_075110.jpg
3683K



20251014_075118.jpg
1758K



20251014_075344.jpg
2858K

-  **Sunbird Golf Course.eml**
2445K
-  **Sunbird Golf Course.eml**
2902K
-  **Sunbird Golf Course.eml**
2243K
-  **Sunbird Golf Course.eml**
4475K
-  **Sunbird Golf Course.eml**
5041K
-  **Sunbird Golf Course.eml**
2406K
-  **Sunbird Golf Course.eml**
3911K

From: [Logan Cook](#)
To: [Kenya Lugo](#)
Subject: Stormwater cleanup
Date: Friday, May 30, 2025 1:50:10 PM
Attachments: [image001.png](#)
[City of Chandler Sunbird 5.30.25.pdf](#)

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Good afternoon Kenya,

Attached is a quote to vac standing rainwater from the sunbird golf course and haul off-site for disposal. We would plan to set up a vacuum truck near the spillway closest to where the water pools up and use its vacuum as well as a small trash pump to get the water into the truck and haul off to a disposal site.

The quote is a per 10-hour day quote. I am estimating we can haul 3 to 4, five-thousand-gallon tanker loads per day. Of course, the number of loads and time to complete the water removal will vary depending on the amount of water still retained after 30 days. We will just charge time/materials, so if the cleanup does happen to take less than 10 hours, we would only be charging the hours it took to complete + number of loads disposed.

As you and I talked about in the beginning, if you can find a way for us to dump the water into the sewer, at a plant, or any City of Chandler facility, it would take eliminate that disposal cost per load and significantly save on travel time depending on where we could offload within the city.

If you need anything additional, or have questions please reach out!

Thank you for the opportunity to help you with this issue.



Logan Cook

Logistics Coordinator

1777 N. 23rd Ave., Phoenix, AZ 85009

(602) 527-2823

loganc@anconservices.com

SAFETY. FAMILY. ACCOUNTABILITY. LOYALTY. HARD WORK. PRIDE.



