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OCT 27 2008



**Chandler • Arizona**  
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**MEMORANDUM PUBLIC WORKS – COUNCIL MEMO PWE09-002**

**DATE:** OCTOBER 30, 2008

**TO:** MAYOR AND COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
R.J. ZEDER, PUBLIC WORKS DIRECTOR

**FROM:** SHEINA HUGHES, ASSISTANT PUBLIC WORKS DIRECTOR/  
CITY ENGINEER

**SUBJECT:** ORDINANCE NO. 4104 AMENDING CHAPTER 47 OF THE CHANDLER CITY CODE BY REPEALING SUBSECTION 47-7.3 OF SECTION 47-7, RELATING TO THE STREET CLEANUP FEE; BY REPEALING SUBSECTIONS 47-15.1 AND 47-15.2 OF SECTION 47-15, RELATING TO THE TRAFFIC SIGNAL SYSTEM DEVELOPMENT FEE; AND BY RENUMBERING SUBSECTION 47-15.3 OF SECTION 47-15, RELATING TO TRAFFIC SIGNAL AND STREETLIGHT REIMBURSEMENT AGREEMENTS.

RECOMMENDATION: Staff recommends that Council introduce and tentatively approve Ordinance No. 4104 amending Chapter 47 of the Chandler City Code by repealing Subsection 47-7.3 of Section 47-7, relating to the street cleanup fee; by repealing Subsections 47-15.1 and 47-15.2 of Section 47-15, relating to the traffic signal system development fee; and by renumbering Subsection 47-15.3 of Section 47-15, relating to traffic signal and streetlight reimbursement agreements.

BACKGROUND/DISCUSSION: Staff has been reviewing a number of developer-based processes and the fees associated with these processes. The City of Chandler had created a number of fees in the 1980's to address a number of development concerns. A number of these fees are no longer relevant and in this fiscal era it appears to be prudent to eliminate a number of non-revenue generating fees. Some of these fees were codified, while others have been adopted through a Council process. The attached ordinance address those fees adopted by code for street cleaning and traffic signals.

The street cleaning fees were instituted in 1985, at a time when dust control and track out was an issue that City was trying to address. Recent mandates by the U. S. Environment Protection Agency have a number of agencies assisting with the dust control efforts. Maricopa County has taken the lead and is the agency that fines the development community. The current City fees of \$100 non-refundable plus 21.60 per acre refundable fees are assessed at the time of permitting. Developer's compliance on dust control issues has changed dramatically within the last two years per Maricopa County enforcement. These fees are being collected and refunded without the City having to expend resources. This ordinance will eliminate the fee in its entirety.

In the late 1980's, a number of fees associated with Streetlights and Traffic Signals were initiated. The Street Light Energization fee (\$93.58) and Street Light Tax (\$4.65) were fees that the City collected from the development community and paid to Salt River Power (SRP) for new streetlights. These fees were a pass-through cost that required both City and SRP to generate and pay invoices. SRP adopted a new process that has the developer paying this fee directly to a supplier and has eliminated the need to collect this fee. This fee is listed in the City's Fee Schedule and will be removed.

The Traffic Signal fee was developed based on the 1986 Transportation Master Plan and with the completion of the signalized arterial-to-arterial intersections is no longer applicable. This ordinance will eliminate the fee in its entirety.

FINANCIAL IMPLICATIONS:

Cost: N/A  
Savings: Administrative time in collecting and refunding fees.  
Long Term Costs: N/A

PROPOSED MOTION: Move that Council introduce and tentatively approve Ordinance No. 4104 amending Chapter 47 of the Chandler City Code by repealing Subsection 47-7.3 of Section 47-7, relating to the street cleanup fee; by repealing Subsections 47-15.1 and 47-15.2 of Section 47-15, relating to the traffic signal system development fee; and by renumbering Subsection 47-15.3 of Section 47-15, relating to traffic signal and streetlight reimbursement agreements.

Attachments: Ordinance No. 4104

**ORDINANCE NO. 4104**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING CHAPTER 47 OF THE CHANDLER CITY CODE BY REPEALING SUBSECTION 47-7.3 OF SECTION 47-7, RELATING TO THE STREET CLEANUP FEE; BY REPEALING SUBSECTIONS 47-15.1 AND 47-15.2 OF SECTION 47-15, RELATING TO THE TRAFFIC SIGNAL SYSTEM DEVELOPMENT FEE; AND BY RENUMBERING SUBSECTION 47-15.3 OF SECTION 47-15, RELATING TO TRAFFIC SIGNAL AND STREETLIGHT REIMBURSEMENT AGREEMENTS.**

BE IT ORDAINED by the City Council of the City of Chandler, Arizona, that Chapter 47 of the Chandler City Code is amended as follows:

SECTION I. Subsection 47-7.3 of Section 47-7, relating to the street cleanup fee, is repealed in its entirety.

SECTION II. Subsections 47-15.1 and 47-15.2 of Section 47-15, relating to the traffic signal system development fee, are repealed in their entirety.

SECTION III. Subsection 47-15.3 of Section 47-15, relating to traffic signal and streetlight reimbursement agreements, is renumbered as new Subsection 47-15.1 of Section 47-15.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4104 duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY *GAB*