

***PLEASE NOTE: Since the Glendale City Council does not take formal action at the Workshops, Workshop minutes are not approved by the City Council.**

**MINUTES
CITY OF GLENDALE
CITY COUNCIL WORKSHOP
AUGUST 21, 2007
1:30 P.M.**

PRESENT: Mayor Elaine M. Scruggs, Vice Mayor Manuel D. Martinez, and Councilmembers Joyce V. Clark, Steven E. Frate, David M. Goulet, Yvonne J. Knaack, and H. Phillip Lieberman

ALSO PRESENT: Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Craig Tindall, City Attorney; and Pamela Hanna, City Clerk

1. COUNCIL ITEMS OF SPECIAL INTEREST

CITY STAFF PRESENTING THIS ITEM: Ms. Pam Kavanaugh, Assistant City Manager

This is the quarterly opportunity for the City Council to identify topics of interest they would like the City Manager to research and assess for placement on a future workshop agenda.

In the fall of 2002, the Council approved a procedural guideline allowing for topics of special interest to be identified by the Council on a quarterly basis for follow-up by the City Manager.

Staff requests Council to identify items of interest for follow-up by staff during the next quarter.

Items of special interest previously identified at the May 1, 2007 Workshop were discussed.

Chief Steven Conrad reported to the council on Graffiti Enforcement.

Chief Steven Conrad reported to the council on a possible Public Safety Memorial.

Councilmember Martinez presented information regarding a Council Code of Ethics.

Deputy City Manager Gloria Santiago-Espino reported to the Council on an Arts District.

Councilmember Knaack relayed information regarding utilizing an independent facilitator for appointed officials' annual reviews.

Battalion Chief Jeff Levario gave information about a change in the Cardiopulmonary Resuscitation (CPR) technique.

New items for staff to research:

Councilmember Lieberman requested information on the current status of the Sugar Beet Factory.

Councilmember Frate requested information on controlling abandoned shopping carts, which would be at no cost to the city.

Graffiti Enforcement and Reduction Efforts

Chief Conrad provided information on Graffiti Enforcement. He cited an informational memo that had been sent to the Councilmember's for their review. He said that there were already a number of departments within the city that were working to address the graffiti problem and suggested the police department get more involved with these departments. He stated that though they do make some arrests, enforcement could be more aggressive. He commented that this was an important problem that needs to be addressed to make the city safer.

Chief Conrad stated that they had selected one of their officers who had been a member of the neighborhood response squad to perform the duties of a graffiti liaison officer. He said this officer would be responsible for graffiti reports and to identify repeat offenders and prosecute them. He explained that in the past, their resources were limited; therefore this issue had not been given top priority. He provided information on the number of graffiti calls received. He said last year there had been 526 graffiti related calls and this year 269 thus far. Essentially, they would be putting together a city wide task force to insure they achieved results. He cited examples that would be used such as marketing the "Together Against Graffiti" program (reward program), Public Awareness Campaign and a neighborhood program to paint over graffiti.

Chief Conrad informed them of the new criminal penalties for graffiti related crimes. He explained that the Arizona Revised Statute treats graffiti as criminal damage. He stated that the punishment would depend on the amount of damage, age, prior convictions or possibly the type of building damaged. He added that possession of graffiti implements was part of the city ordinance; however it had not been used in at least two years. He stated that they had all the necessary laws to combat this problem and only needed to make it a top priority.

Councilmember Goulet stated his support in moving forward and dealing with this problem. He noted that he wanted to thank Mr. Stewart Kent and his department for their work in combating this exasperating issue. He asked Chief Conrad where the revenue would come from to deal with this issue and how much would be needed. Chief Conrad stated that he envision using the confiscated funds from the RICO account. He added that other cities using the TAG program hadn't paid out a lot of money.

Councilmember Goulet asked if there would be a pro-rated amount or a different payment to correspond with the offense. Chief Conrad stated that yes; typically there would be a sliding scale for provision of information which usually needs to end with an arrest and conviction to be paid.

Councilmember Knaack thanked them for all they were doing to combat this growing

problem. She stated that graffiti has an intimidation component. Most people see this as crime coming into their neighborhoods. She said that schools should become more involved as well as the utility company's becoming more proactive with graffiti on their equipment and property. She said that this was a good first step in dealing with this important problem.

Councilmember Frate thanked Chief Conrad for all the information given out today. He asked Chief Conrad to determine the dollar amounts on the graffiti crimes. Chief Conrad stated that they would expect the property owner to provide them with that information. Councilmember Frate stated that it was a great benefit to be able to share information between agencies.

Councilmember Clark commented that she had purchased some graffiti cameras with her Council budget. She said the cameras were extremely sensitive and were working well. She stated that thankfully there had been no graffiti crimes recorded. She added that they still had some adjustments to make to the cameras regarding their sensitivity to surrounding noise and light movement. She stated her agreement with Councilmember Knaack as to the graffiti defining and being an intimidating factor in the neighborhoods. She suggested a mass clean-up effort in the months of January and February, 2008, in which the city will be having major events.

Vice Mayor Martinez asked if there were other programs regarding graffiti cameras. Chief Conrad stated that they had not utilized graffiti cameras; however other cities have experimented with movable cameras on trucks. He noted that he was interested in viewing the results from the cameras installed by Councilmember Clark. He also noted that having an officer assigned on this issue would make a big difference in finding new ways of fighting graffiti crime, such as picture technology. Vice Mayor Martinez discussed areas where graffiti was more prevalent. He suggested ADOT possibly becoming involved.

Vice Mayor Martinez asked about a law restricting spray paint sales. Mr. Ken Reedy stated that there was a law already on the books regarding spray paint storage in stores. Vice Mayor Martinez suggested enforcing the law and spreading the word on graffiti busting.

Mayor Scruggs stated that it would not be an easy feat for stores to change the way they sell paint. She said should the Council decide to enforce it, the stores should be given time to change their store layouts. She added that this change could have its own set of problems to the city and the store owners.

Councilmember Lieberman discussed how some offenders get caught because they use their gang sign initials. He noted that he knows of a few stores that do have their paints locked up and encourages people to request other stores comply, since the law is on the books.

Councilmember Knaack commented that Home Depot does have the locks in place; however, graffiti was also done with materials other than spray paint. She said it was a dilemma because you can't lock everything up.

Councilmember Goulet asked Judge Finn who would collect the fines and where would the money go? She stated that if there was a victim involved needing restitution it was taken very seriously by any court system involved. She went on to say that the Glendale City Court staff was responsible for collecting all fines and restitution. She noted that there were two full time officers that only worked on executing warrants for

failure to pay. She said they averaged \$60,000 to \$80,000 a month in delinquent fines and restitution. She noted that this figure was a total for all criminal damage, not only graffiti damage.

Councilmember Clark asked if the Council agreed with her suggestion to enhance the graffiti removal efforts during January and February.

Mayor Scruggs commented that if they were going to do something like that, they should be doing it year round not just when major events were planned. She said that they should be doing it for the citizens, not just for visitors.

Councilmember Knaack agreed with Mayor Scruggs, however having the city cleaned up because of a rash of graffiti done prior to a major event, was acceptable.

Councilmember Clark stated that she too would like to see it done year round; however the resources had not been there before. She likened it to when people have a party at their house and want to put their best forward.

Vice Mayor Martinez asked how much it would cost to have graffiti clean-up year round. Mr. Beasley stated that the Council first had to decide whether the clean-up was for commercial and/or residential, then they would determine where the money would come from.

Mayor Scruggs asked Mr. Beasley to look into this issue and have information ready for the workshop after the Special Sales Tax Election. She said at that time they could discuss reassigning money that would not be spent by the general fund. She added that at that time, they could make a decision on only having the clean-up in January and February, or year round, depending on the cost. She reiterated that since the graffiti was an intimidating factor for the community, they should first think of the citizens of Glendale.

Mr. Beasley agreed to bring it forward at the workshop in September. He said the Council could then make a decision on which items were priorities.

Councilmember Frate commented that we need to be more proactive about addressing the graffiti and the offenders instead of just adding more people to fight this problem we need to make better use of them.

Councilmember Lieberman commented that if anyone was interested in helping clean-up and paint over graffiti, they could call him and he would help them with the materials.

Mayor Scruggs asked if they were permitted to paint over graffiti on private property. Mr. Tindall stated that they needed permission from the property owner; however there was a provision in the code to abate in certain situations.

Mayor Scruggs inquired about the items on the agenda for today only listing three items for discussion. Ms. Kavanaugh stated that after reviewing the tapes these were the priority items. Mayor Scruggs stated that there had been one other item which specifically directed Councilmember Knaack's attention to an item and report back. She also noted that each special item of interest brought forward by a Councilmember should and would be discussed even if no direction was given.

Public Safety Memorial

Chief Conrad presented the next item. He said they put together a committee of police, fire and labor unions to give direction on the Public Safety Memorial and naming the Public Safety Training Facility after fallen Officer, Anthony Holly. He presented three reasons for opposing this directive. He stated that the facility was a regional facility, not just a Glendale facility and would not want to offend others that had fallen in the line of duty. Secondly, he said that the city has a practice of not naming buildings after public safety employees who have lost their lives in the line of duty. Lastly, he stated that the family of Officer Holly did not want the facility named after him, but rather preferred to have some sort of memorial in the city dedicated to the memories of fallen fire fighters and officers. He stated that in terms of the Public Memorial, they had reached many ideas which carried different prices depending on how large or small. He added that they had come to a consensus to have the Memorial located in the downtown area, in a visible location, with easy access for annual memorial ceremonies. He noted that typically, these efforts were done by community fundraisers. He suggested putting together a committee that involved the affected families, businesses, and Glendale citizens.

Councilmember Clark commented that she was disappointed that the idea was rejected of naming the facilities after fallen community heroes. She stated that she agreed with the idea of engaging the community and families in the development efforts of a memorial. She added that she would like this to be the people's memorial, rather than a city driven initiative.

Mayor Scruggs commented that she too agreed with community involvement, however would like the memorial to be paid out of the public arts fund. She noted that the memorial would also have to be maintained and the city would have that responsibility. She added that the city owed it to the many fallen heroes.

Vice Mayor Martinez agreed with Mayor Scruggs that the city pay for the memorial but family and community involvement be encouraged.

Councilmember Lieberman suggested having both city and public funds used; however the city should be the primary entity when funding this project since the money was already there.

Chief Conrad commented on a fundraising event being initiated for employees to travel to Washington for a ceremony in which fallen officers are recognized, including Officer Holly.

Mayor Scruggs commented that fundraising should be going to help the families instead of using it to build memorials, such as with the most recent police tragedy.

Councilmember Goulet remarked on the memo prepared by Chief Conrad. He stated that it had been very helpful and informative. He said he would like to start the planning for the memorial now with dates and deadlines.

Councilmember Clark discussed getting the community involved in fund raising as part of bringing the community together for a good cause. She said if the funds fall short the city would help pay for it. She said she would like to have the community become involved in something of such value.

Councilmember Frate suggested possibly raising funds for a scholarship instead of the memorial. He said when he first suggested the idea of a memorial, he thought the funding would be taken out of the public arts commission fund. He stated this would insure the memorial would start to be built sooner rather than later.

Mayor Scruggs said that the majority of the Council was in favor of using city funds. She asked if it was legal to accept donations from the citizens for this project. Mr. Tindall stated that there was no legal prohibition for the city to accept donations.

Councilmember Knaack commented that she would also like to see it completed in a timely manner, however also feels the need for citizen involvement if they so choose.

Mayor Scruggs read a letter written by Anthony Holly's mother. In it she thanks the sentiment of people wanting to have her son's name on the Training Facility, however believes since the facility was a regional facility, it did not seem appropriate. She also expressed concerns with her son's name being used for political reasons. For this and similar issues, she feels that a memorial honoring all fallen police officers and fire personnel was better suited.

Councilmember Clark stated that when suggesting this idea, she had only thought of a way to honor a fallen officer. She said it was never thought of as a political issue to exploit. She regrets that it has come to seem that way to Anthony Holly's family.

Mayor Scruggs called for a majority consensus from the Council on this issue.

Vice Mayor Martinez stated that they should proceed with the recommendation to have a committee headed by the city with family and citizen involvement. Additionally, it would be funded by the city through the arts fund and supplemented with citizen donation.

Councilmember Goulet recommended a timeline of when this should occur. He said he did not want to wait for months to start on this project.

Councilmember Lieberman remarked that he agreed with a citizens committee working with the Arts Commission.

Mayor Scruggs suggested also including the police and fire for their ideas on this issue. She also asked that before the Arts Commission selects any art pieces, they have Council's input in a workshop setting. Councilmember Lieberman stated that they would also like to be involved in selecting the location.

Councilmember Frate commented that not everyone will be pleased with the choice because people differ in their opinion of art.

Mayor Scruggs stated that everyone was in agreement with the direction given today to move forward on this item.

Council Code of Ethics

Vice Mayor Martinez presented his finding on the Council Code of Ethics. He cited a memo from him to all Councilmember's had received on the subject. He said the memo in part stated that a number of code of ethics refer to providing a bases of fair ethical and accountable government in order to promote public confidence in the integrity of local government. He provided examples of Codes of Ethics that other cities had used.

Vice Mayor Martinez discussed the reasons given at the May 1st workshop. He stated that at that meeting, it was discussed and adopting a code of ethics seemed logical. This would help in the way the Council interacts with one another and also provide accountability. He said that he would like this process to investigate alleged violations of the code, which could result in censure.

Vice Mayor Martinez stated that Mayor Scruggs had directed him to research the issue and come up with a plan. He stated that he had enlisted the help of Dr. Nalbandian and Dr. Fredrickson, experts in the field of ethics. He suggested having this discussion at the retreat scheduled in the fall, specifically November the 26th and 27th. He said he believes this would be very beneficial to the Council not only in theory but also in the day to day practices. He thanked Ms. Kristen Kennedy, Council Services Administrator, for her help with this issue.

Councilmember Lieberman stated that he was in agreement with the retreat date and plan of action.

Mayor Scruggs discussed the action plan once it was agreed upon by all with the direction of the facilitators and Council's involvement. She noted that the next step would be for it to be reviewed by the city attorneys.

Councilmember Frate stated his support on this item. He suggested they move forward with it.

Mayor Scruggs stated that all Councilmembers were in agreement to move forward on this issue as presented by Vice Mayor Martinez.

Mayor Scruggs reviewed the procedures regarding the Council items of special interest.

Arts District

Ms. Gloria Santiago provided information on examples of art districts in other areas of the country.

Councilmember Clark stated she wanted to offer an opportunity to expand and focus on redeveloping downtown areas. She said this would help the under performing businesses in some areas. She stated that if the Council was interested in pursuing this further, they could look at those areas.

Councilmember Goulet asked Ms. Santiago if any consideration was given on the impact to the CC&D. Ms. Santiago said that they only looked at established districts. She said if the Council decided to proceed with this, they would go through the proper procedures. Councilmember Goulet asked how likely was this to be successful and attract enough interest. Ms. Santiago stated they would follow the procedures in researching the issue.

Vice Mayor Martinez asked if there would be cost associated with this program. Ms. Santiago stated that there could be cost involved, however she would need to do more research. Vice Mayor Martinez stated that this could possibly be something that could work, though the odds were against it. Ms. Santiago stated that the downtown area was already marketed as an arts area. She added that they could possibly do a better job in marketing the arts aspect. Vice Mayor Martinez agreed that would be better instead of trying to build up something from the beginning.

Councilmember Lieberman agreed that it should stay in the downtown area. He discussed other venues that are now going on regarding art in the city.

Councilmember Frate commented that the museums downtown really did not need further competition because of low attendance. He added that he was not sure they were ready for this project; however it was possible down the road.

Councilmember Clark reiterated that an arts district could help those establishments that were suffering. She discussed ways different artists could come share their works. She said she was not thinking of another museum or theater.

Councilmember Knaack commented that they would need to proceed with caution because they do not want to make people think it was a ploy to bring people downtown. She noted that she also sees this as an ongoing expense to the city.

Mayor Scruggs said she did not have enough information to make an informed decision. She asked Mr. Beasley to put together some figures with the help of the appropriate agencies, committees and departments. She asked for this item to be brought back at a later time for further review.

Councilmember Clark agreed with the Mayor's direction.

Councilmember Frate commented that they might also have to consider how people would perceive having artists on the streets and on private property.

Mayor Scruggs asked if they should hold off on the theater discussion going into the Civic Center. Councilmember Lieberman said that they could hold off until a later time.

Independent Facilitator

Councilmember Knaack provided information on her independent facilitator findings. She said most of her information centered on what other cities currently do. She stated that as it stands, she did not feel comfortable with the evaluation process that was in place. She said there should be an independent evaluation for the City Manager, City Attorney and City Clerk. She added that the facilitator would be chosen through a joint process of the elected body and appointed officials, a process she would like to look in to.

Councilmember Clark asked what the facilitator's specific job would entail. Councilmember Knaack said it was up for discussion. She added that she believes it should be taken a step further than it was currently. She would prefer a more objective view on the matter.

Councilmember Clark asked for more clarification on what the role of the facilitator would be regarding the decision making. She asked if the facilitator would only give direction or just be an advisor. Councilmember Knaack stated that it was all up for discussion on how to proceed.

Vice Mayor Martinez asked what the cost would be for a facilitator. Ms. Rachel Hut, Management Assistant II, responded that the cost would be the standard rate for any facilitator services.

Mayor Scruggs discussed the typical role of the facilitator. She said that they bring order and help the elected body focus on what was important in terms of the importance each appointed officials position. She explained that the facilitator makes it a more professional and understandable process to set goals and realize them.

Councilmember Clark commented that she believes this was already being done with the goal setting process in place.

Vice Mayor Martinez stated that he was comfortable with the current process, however he would not mind exploring this a bit further.

Councilmember Frate stated that he believes this to be beneficial to both sides. He said it was always good to bring in a fresh perspective.

Mayor Scruggs commented that the evaluation process was supposed to be a two-way street to voice concerns on both sides. She said a facilitator could help both sides reach their goals.

Mayor Scruggs invited staff to voice their views.

Mr. Beasley agreed that the evaluation process should be a two-way street. He added that a facilitator could be of benefit to both sides.

Mr. Tindall also agreed. He thought it was important to understand all that has gone on throughout the year. He said he would be in favor of a facilitator.

Ms. Pam Hanna stated that if this would help to focus on accomplishments and future planning, she was in favor of it. She added that she had no issues with the current review process, but was always open to better ways of doing things.

Councilmember Clark said she was happy with the current process and already sees issues with the expectations on having a facilitator, however was willing to experiment with this process.

Councilmember Goulet said he was encouraged with the staff's willingness to participate and added, this would be a professional way to communicate expectations.

Mayor Scruggs directed Councilmember Knaack to continue to take the lead on this issue. She asked for this to come back with additional information to move forward on this item for the October workshop.

Councilmember Lieberman commented that he had not had good experiences with facilitators; however he was willing to also move forward on this issue.

Continuous Chest Compressions

Councilmember Frate asked what the current procedures were regarding chest compression. Battalion Chief Levario stated that if it was cardiac related, it would qualify for the continuous chest compressions. He said they are finding now that a victim would benefit more by having the continuous 200 chest compressions, rather than the 32 followed by mouth to mouth. He noted that they were one of 38 fire departments using this technique.

Councilmember Frate commented that another problem with the current process was that people were hesitant to give mouth to mouth. He also said that there was a survival rate benefit of three to one with this procedure. Battalion Chief Levario stated that he was correct. He added that this was still in the testing stages, however it looked very promising.

Councilmember Lieberman commented that not every person would be able to do the 200 compressions. Battalion Chief Levario said that they could possibly switch off when doing this. He said this technique was faster to getting the victim resituated than stopping to give a breath, which stops the blood flow. He said the testing on this procedure had been going on for a year and a half.

Vice Mayor Martinez asked if this would replace the current CPR program. Battalion Chief Levario stated that he was correct, should this procedure become adopted.

Councilmember Frate thanked Battalion Chief Levario for coming and sharing this information.

New Items

Councilmember Lieberman stated that he wanted the Sugar Beet Factory to become a priority item as far as leasing or renovating it. Mr. Beasley said they had been looking into it.

Councilmember Frate stated that he would like staff to look into an abandoned shopping cart program at no cost to the city.

ADJOURNMENT

The meeting was adjourned at 4:45 p.m.