

City of Glendale

5850 West Glendale Avenue
Glendale, AZ 85301



Meeting Minutes - Final

Tuesday, December 1, 2015

1:30 PM

Workshop

Council Chambers - Room B3

City Council Workshop

Mayor Jerry Weiers

Vice Mayor Ian Hugh

Councilmember Jamie Aldama

Councilmember Samuel Chavira

Councilmember Ray Malnar

Councilmember Lauren Tolmachoff

Councilmember Bart Turner

CALL TO ORDER

- Present** 6 - Vice Mayor Ian Hugh, Councilmember Jamie Aldama, Councilmember Samuel Chavira, Councilmember Ray Malnar, Councilmember Lauren Tolmachoff, and Councilmember Bart Turner
- Absent** 1 - Mayor Jerry Weiers

[Councilmember Chavira participated telephonically.]

Also present were Richard Bowers, Acting City Manager; Tom Duensing, Interim Assistant City Manager; Michael Bailey, City Attorney; and Pamela Hanna, City Clerk.

WORKSHOP SESSION

1. [15-775](#) COUNCIL ITEM OF SPECIAL INTEREST: DEVELOPING A BROADER PLAN TO ADDRESS THE CONDITION OF VACANT PROPERTIES
Staff Contact and Presenter: Sam McAllen, Director, Development Services

Staff Presenter: Tim Boling, Code Compliance Administrator

Mr. McAllen introduced Tim Boling, the City's Code Compliance Administrator. He said this item is in response to Councilmember Aldama's Council Item of Special Interest regarding developing a broader plan to address code violations on vacant properties. He said since the time of Councilmember Aldama request, the city now has added two Code Compliance inspectors. Also, a full time employee and a CDBG funded employee, both of whom are going through training. He said City Codes apply to vacant and occupied properties and include lots with and without structures on them. Mr. McAllen said usually the city receives a notice of possible code violations from citizens and follows up on those complaints, and enforcement actions are taken when a violation is observed. He said the State of Arizona has provided cities with the authority to create ordinances and to abate and lien vacant properties if the responsible party does not voluntarily correct the violations. This State provision has been incorporated into Glendale City Code and the Code Compliance Department enforces these codes, and this is called the Clean and Lien Program. He explained generally, the city does receive voluntary compliance in correcting the violations. He said the city notifies the property owner of the violations, provides an estimated cost to correct the violations and provides the owner a minimum of 30 days to correct the violation. If the violations are not resolved by the property owner, the Code Compliance Department will coordinate cleanup of the property, and the property owner is invoiced to recoup the costs of the cleanup. If the invoice is not paid, the City places a lien on the property to recoup the costs.

Mr. Boling said about 7,000 cases were resolved by the Code Compliance Department in the last fiscal year, and 115 of those cases were Clean and Lien projects. The cleanup costs were about \$23,000. He said 68% of those were complaint based. He explained Code Compliance will often do a partial cleanup on some of the more difficult cases to reduce blight in the neighborhoods. Mr. Boling provided a map of the specific areas each Code inspector is responsible for. He provided information on how the inspectors are assigned. Mr. Boling said actions taken over the last fiscal year include a CDBG funded

inspector, an increase in Clean and Lien funds, and recruiting volunteers to remove illegal signs to free up inspectors' time. He said Code Compliance is also promoting awareness of and reporting violations, holding a Code Compliance information session, and participating with Glendale University, as well as completing an application for CDBG funds for an inspector for FY16-17.

Councilmember Tolmachoff remembered there were funds available in previous budgets for citizens who did not have the means to bring their properties into compliance. She asked if the money was available this year.

Mr. McAllen said they found out that the CDBG funding reclassification no longer allowed to be used to fund the cleanup of properties. He said they were allowed to use the funds to hire an inspector, but not for cleanup. He also said he asked for additional funds to support the cleanup process. He said they have about \$25,000 for the year for the Clean and Lien program, but are already at \$10,000 for this fiscal year.

Councilmember Tolmachoff said now the program is being funded out of the General Fund. She asked if funds were still available for residents to use to assist with cleanup of their property.

Mr. McAllen said there was a change in the way the federal government allowed expenditures to take place. He said the Neighborhood Resource group also goes into the community and helps initiate cleanup and takes care of properties that individuals have a hard time maintaining. He said they don't have a hard time assisting citizens that need help, but they do have problems with property owners who do not want to take care of their property.

Councilmember Tolmachoff said she wanted to make sure the resources had not changed.

Councilmember Aldama thanked Mr. McAllen for the work they do with the staff they have. He said he did not hear of any plans in place to clean up the commercial properties. He discussed staffing levels in the Code Compliance Department over the last several years, noting staffing has gone down from 20 to about 14 employees out in the field. He said they can service the city at a level that is appropriate to the staffing. He explained Code Compliance is a priority for his constituents. He wants to see a plan for the vacant properties, but with the staffing knows Code Compliance is unable to do that. He said they need to look at adequately staffing Code Compliance to address violations in the city. He asked if they can utilize volunteers to police the community to assist Code Compliance.

Mr. McAllen said use of volunteers is a big part of their plan, as they are limited financially. He said they are fully staffed and all staff are fully trained. He said inspectors have been made aware of concerns regarding vacant properties and it will be part of the training at Glendale University. He said they do need more volunteers and addressing concerns early makes a big impact. He mentioned illegal signs being an issue and said they like to utilize volunteers for these types of projects. He said they are also addressing calls and said complaint calls are a priority. They try and address those within 48 hours. He noted volunteers save the city both time and money.

Councilmember Aldama asked where they go from here about the vacant properties that still have not been addressed.

Mr. McAllen said they put additional people on the street in mid-October. There is a CDBG funded employee who looks for vacant properties as her primary focus area. He said they are also always recruiting volunteers to assist them. He said in the past, employees systematically went up and down every street. He said information is available on the city website and they provide training to any volunteers.

Councilmember Aldama said many code violations occur after regular business hours and on weekends. He asked if working hours can be more flexible.

Mr. McAllen said they do flex their hours and will adjust staffing hours depending on the calls received and when violations are occurring. Due to fiscal restraints, they do try and lump several of these types of calls together to reach as many issues as possible. They encourage citizens to call and report the location and time incidents are occurring so they can adjust staffing schedules.

Councilmember Turner went over the staffing levels and what the primary focus of each inspector was.

Mr. McAllen said he was correct and said there were 10 staff members enforcing compliance and talking with citizens each business day.

Councilmember Turner spoke about the map that was provided showing the zones the inspectors are working in. He said it seemed some of the assignments had changed. He asked if staff rotated working different zones.

Mr. McAllen said some of it is based on available staffing and once all staff was fully trained, they wanted to make the grids where the inspectors worked a little smaller so they get to know residents and the neighborhood. He said they also try and base it on calls for service and the number of cases.

Councilmember Turner said it is good to have inspectors who are familiar with neighborhoods and also to move inspectors around to get a fresh set of eyes. He said one of the biggest problems these neighborhoods face are properties where there has been a residential fire.

Mr. McAllen said those types of properties fall under the Building Safety Department and Code Compliance usually does not address that. They make sure the property is secured, and then Building Safety takes over to address that property.

Councilmember Turner said he has seen residential fire properties remain blight in the neighborhood for two or three years. He asked about the possibility of putting pressure on an insurance company to get the issue resolved so the property can be cleaned up.

Mr. McAllen said they do receive information from properties owners that insurance issues delay cleaning up the property.

Councilmember Turner said ongoing maintenance and cleanup of foreclosures is also an issue with constituents. He spoke about his concern about hazardous materials getting dumped in the landfill during cleanup of these foreclosed properties. He asked if ongoing issues with the months' long foreclosure process present any special issues.

Mr. McAllen said foreclosed properties are a challenge, but there has been a reduction in the number of those properties over the last few years. He explained in the past, they were allowed to use federal funds to abate a property in an appropriately zoned federal area one time, so if issues arise again on this property, it may cost the city some money. There are still some foreclosed properties in the city and they are candidates for the Clean and Lien program.

Councilmember Turner said he wanted to make sure constituents know that just because the property is foreclosed does not make it a lost cause. He said the city will do what it can to assist with bringing these properties into compliance.

Mr. McAllen said the condition of the property impacts the neighborhood and they do what they can to remedy the situation.

Councilmember Turner said they city's monthly bulk trash pickup helps keep blight down in the neighborhoods. He asked if there could be better coordination between the staff in the bulk trash pickup and Code Enforcement Department to get information out to residents to eliminate some of the blight in neighborhoods and the need for residents to make a trip to the landfill.

Mr. McAllen said the inspectors have the bulk trash schedule with them and provide them to residents frequently. He said when they coordinate cleanups in neighborhoods, they always try and coordinate with the bulk trash pickup schedule.

Councilmember Turner said one of his most frequent complaints is with the continuous yard sales. He suggested using volunteers to track yard sales. Once those sales have been tracked, Code Enforcement can step in with letters and other notifications and be more proactive on this issue.

Mr. McAllen said they will work with the Prosecutor's Office to determine if volunteers can be used. He also provided information to the public on how many yard sales are allowed in a 12 month period.

Councilmember Malnar liked the idea of using volunteers to assist Code Enforcement. He asked about the duties of the volunteers so he can provide this information to his constituents.

Mr. McAllen provided information about how they have utilized volunteers in the past, to include filing and removing illegal signs. He encouraged citizens to report incidents they see in their community.

Councilmember Malnar asked how many volunteers the department has at this time.

Mr. McAllen said they do not have any volunteers at this time. He said they are recruiting now for interested parties. He said they need additional eyes to maximize their effectiveness.

Councilmember Malnar asked if the names of volunteers are kept confidential.

Mr. McAllen said volunteers and staff are sworn to confidentiality and sign a statement to that effect.

Councilmember Malnar said it might be a good idea to mention that in the Council Newsletters.

Councilmember Turner asked if flag signs are handled on a proactive basis.

Mr. McAllen said most of the times those calls are handled on a reactive basis, but that depends on which district the activity is taking place in. He said zoning in some areas of the city allows those types of signs. He said they work with the Planning Division to make sure this is truly a violation before enforcement action is taken.

Councilmember Aldama said he had a concern about boarded up homes being approved by Code Enforcement as secure. He explained the neighbors are not happy with these homes that might sit for years in this condition. He asked how these properties are addressed.

Mr. McAllen said the property must be secured and the boarding painted and weatherproofed. He said a change to the Code is necessary to make these properties a violation.

Councilmember Aldama said there are only 10 staff members in Code Compliance out in the field.

Mr. McAllen said that is correct.

Councilmember Aldama encouraged the Council to look at staffing. He spoke about flexing staff hours to cover many more hours during the day to utilize staffing to its fullest potential.

Mr. McAllen said they do flex staff schedules and field staff is available when the violations are most easily seen. He said staff also works evenings and weekends to address concerns. He said he has safety concerns about flexing schedules to work late in the evenings as there is only one person in a vehicle. He said staff is responsive and they respond to calls within 48 hours.

Councilmember Aldama said he is looking for a more robust volunteer group that can use city vehicles and get vacant property addressed. He said there might be retirees or veterans who would like to volunteer their time. He said Council needs to look at adequately staffing these departments to address blight in the community.

Vice Mayor Hugh said they can talk about these Code issues for a long time and mentioned several common issues that come up with Code Compliance. He said the Council might want to look at an ordinance change to address some of these issues.

2. [15-777](#)

COUNCIL ITEM OF SPECIAL INTEREST: SERVICE LINE WARRANTY PROGRAM

Staff Contact: Craig A. Johnson, P.E., Director, Water Services

Staff Presenter: Craig A. Johnson, P.E., Director, Water Services

Staff Presenter: John Henny, Deputy Water Services Director

Mr. Johnson said this item was to address the questions that came up during the last discussion of service line warranties. Mr. Johnson introduced John Henny, Deputy Water

Services Director. He said staff is asking for Council guidance on using the city logo to endorse marketing of private service line warranties to residents.

Mr. Henny explained the service line warranty is a private warranty that homeowners can purchase that covers leaking water and sewer lines that the customer is responsible for. He said participation in this program is optional. No directly related costs have been identified for the city to participate, but indirect costs have been identified for staff time to manage the contract and review marketing materials. Mr. Henny said the city's obligation includes entering into an agreement, and authorizing the city logo on billing and marketing materials sent to residents. He said indirect costs include assigning staff to manage the contract and review and approve marketing materials as necessary and obtaining signatures of city officials.

Mr. Henny said there is outreach to the public on their areas of responsibility. There will be an article in the 2016 Clean and Green newsletter, which is sent to all residents, an update on the Water Services website as well as a website link on a future water bill. Mr. Henny also explained based on initial discussions with three private warranty providers, the approximate revenue opportunities include one-time revenue of \$40,000 to \$90,000 which may be paid to the city over a 3 year period. On-going revenue will be based upon enrollment and will be about \$.50 to \$.90 per policy per month. Mr. Henny provided some information to the Council on several warranty companies that do business nationwide. He went over the programs currently offered by Tucson, Avondale, Mesa and Phoenix. He said Tempe has a self-funded program that is administered in-house. He said the typical cost to the homeowner for a waterline policy is \$4.99 to \$6.99 per month, and the cost for a sewer line policy is about \$6.99 to \$10.00 per month. Staff's Initial conversation with three private warranty providers indicate that fees established would be the same city-wide. Mr. Henny said these are private homeowner warranty policies, and this agreement with the City would be considered a marketing partnership. Also, staff hasn't identified any direct costs to the city in this partnership, however, there may be indirect costs, but those have not yet been identified. This program does offer potential revenue opportunities to the City and five Arizona cities currently have a service line warranty program.

Councilmember Tolmachoff asked about the City of Tempe self-funded, self-administered program.

Mr. Johnson said the City of Tempe has plumbing companies under contract and homeowners have to purchase a policy to receive the service. Tempe will cover up to \$4,000 to \$5,000 of that repair cost for that customer. He said this program is new to the city, but Tempe is positive about breaking even on these costs in the future.

Councilmember Tolmachoff asked if Tempe's policy is voluntary.

Mr. Johnson said Tempe's program is voluntary and is offered through a number of contracted plumbers.

Councilmember Tolmachoff asked what is the average cost to repair a break in a water or sewer line.

Mr. Henny said costs vary widely, and can range from \$2,000 to \$7,000, depending on where the break occurs. He said most water repairs typically cost about \$1,200 to \$2,000.

Councilmember Tolmachoff asked how many citizens have encountered this type of repair in the last year.

Mr. Henny said on the City's sewer side, there were around 180 to 200 calls. He said on the water side, they don't necessarily track customer calls, but we get about 200 to 300 calls in a year.

Councilmember Turner said there is value in educating customers on their responsibility and the availability these warranty policies. He said he would like to provide contact information for the companies to residents. He is concerned about providing the City seal as it becomes an endorsement of the product and quality of work, and didn't think this is what the Council wanted to take on. He said he is intrigued with the Tempe model and would like to look at it in a few years to see how that program is going. He said indirect costs would eat up whatever direct revenue the City would get. He said based on enrollment in the other cities, it doesn't look like Glendale would get much of a revenue stream from a program like this, and any revenue would come from the customer. He didn't see the City going in this direction.

Councilmember Aldama said the City should be careful about endorsing any particular company. He said he is interested in the Tempe program and would like to see how it goes. He said Council should determine when it is appropriate to use the City logo first. He said this service could help residents in his district, but he is not comfortable with putting the City's logo on this program.

Councilmember Malnar said he likes the Tempe model and is looking out for the constituents. He said it is important to educate the residents on their responsibilities for water and sewer on their property. He said once residents understand their responsibilities, he felt they might have significant participation in the program if it has a reasonable cost. He said using the logo might help people understand the city is behind such a program, but they still need to be careful.

Vice Mayor Hugh said he shared the same concerns. He said water and sewer rates have started to climb and residents do complain about that. He asked what type of costs the City would be looking at if they took on such a program itself. He spoke about the big increases in water rates in the last few years and asked if the City might be able to cover this internally.

Mr. Johnson said right now they don't have the information about the cost of putting such a program in place, and would have to get with Tempe to discuss this. He said they would also have to go out to bid to get plumbers on board, have staff to manage the contract and take incoming calls. He said staff already takes calls and provides information and advice to citizens when they call about water and sewer issues. He said this program will add to service costs, but he doesn't know at this time what that cost would be. He said adding this service level probably wouldn't cost that much in light of what staff already does.

Vice Mayor Hugh said he wasn't sure if Council had a clear direction to provide.

Mr. Johnson asked if Council could provide direction if they wanted to proceed with the public/private partnership for using the city logo and moving forward with these agreements.

Councilmember Tolmachoff said she is not comfortable with lending the City logo as an endorsement, and it might put the City in a dangerous position. She asked if all three of the companies mentioned were available to Glendale residents.

Mr. Johnson said anyone could call any of the companies listed or obtain other listings for a service line warranty.

Councilmember Tolmachoff said citizen education should be the first step. She asked how service line break calls are handled.

Mr. Henny said when a call is received about a water or sewer line issue, staff will be sent out to verify where the blockage is. If the blockage is on the customer's side, staff will advise the customer and the customer will typically hire a licensed plumber to investigate and fix the problem.

Councilmember Turner said it seems they have consensus to not move forward with the joint marketing program with the warranty companies. He said there might be consensus to monitor the Tempe program and see how that program moves forward. He said he would like to investigate taking the Tempe program a step forward and incorporating the cost into a water bill and provide that service, and the city would cover the costs using outside plumbing companies to do the work.

Councilmember Aldama said it is interesting the larger cities are using this program. He asked if staff reached out to any of these cities about these programs.

Mr. Henny said Service Line Warranties of America is endorsed by the National League of Cities and they have reached out and brought this program to the cities. He said staff did reach out to find out who was running the program within the city, what type of call volume the city has had, and lessons learned.

Councilmember Aldama said the Council has to determine when to use its logo and he is interested in what is happening in Tempe. He said he cannot support this right now because Council has not determined when it is appropriate to use the City logo.

Councilmember Tolmachoff asked about the education process used in some of the other cities.

Mr. Henny said SLWA does two campaigns a year with the endorsement of the city and the city logo, they do mailings to each customer. During that process, residents are made aware of their responsibilities. Cities can also educate customers about their responsibilities.

Councilmember Malnar asked if the City promotes any of the services now through the website or in newsletters.

Mr. Henney said currently the City does not promote these services.

Councilmember Malnar asked if that information could be provided to residents without offering an endorsement.

Mr. Henny said staff has explored this before and have considered putting a statement on

the website advising residents that these types of warranties can be purchased.

Councilmember Malnar said he would not have a problem moving in that direction.

Mr. Johnson said staff will check with the Attorney's Office and Materials Management to see if putting vendor names on the website constitutes an endorsement. He also said vendors can get on the City's vendor's list so residents are aware of them.

Councilmember Aldama asked if a resident can just call these companies to obtain a service line warranty from them.

Mr. Johnson said Service Line Warranties of America may only want to do business through cities, but the other vendors will speak with potential customers directly.

Councilmember Aldama wanted constituents to be clear that Service Line Warranties of America may not take individual customers, but the other vendors will.

Councilmember Tolmachoff said for low cost the city could begin the education process through the City's website and Council Newsletters. She said it is a big expense for a homeowner to fix a water or sewer line issue.

Vice Mayor Hugh said the consensus is Council does not want to use the City logo right now, but Council would like to begin educating the public.

Mr. Johnson said they will put together an education program for residents.

CITY MANAGER'S REPORT

Acting City Manager Bowers had nothing to report.

CITY ATTORNEY'S REPORT

City Attorney Bailey had nothing to report, but reminded Council they had an Executive Session planned.

COUNCIL ITEMS OF SPECIAL INTEREST

The City Council had no new requests for Council Items of Special Interest.

Councilmember Turner said this was an informative workshop and complimented staff on their helpful presentations.

MOTION TO GO INTO EXECUTIVE SESSION

A motion was made by Councilmember Turner, seconded by Councilmember Tolmachoff, to enter into Executive Session. The motion carried by the following vote:

Aye: 6 - Vice Mayor Hugh, Councilmember Aldama, Councilmember Chavira, Councilmember Malnar, Councilmember Tolmachoff, and Councilmember Turner

Absent: 1 - Mayor Weiers

EXECUTIVE SESSION

The City Council entered into Executive Session at 2:48 p.m.

ADJOURNMENT

The City Council adjourned at 3:29 p.m.