



City of Glendale

5850 West Glendale Avenue
Glendale, AZ 85301

City Council Workshop Agenda

Mayor Jerry Weiers
Vice Mayor Ian Hugh
Councilmember Jamie Aldama
Councilmember Samuel Chavira
Councilmember Ray Malnar
Councilmember Lauren Tolmachoff
Councilmember Bart Turner

Tuesday, March 15, 2016

1:30 PM

Council Chambers

Regular Workshop

One or more members of the City Council may be unable to attend the Workshop or Executive Session Meeting in person and may participate telephonically, pursuant to A.R.S. § 38-431(4).

CALL TO ORDER

WORKSHOP SESSION

1. [16-085](#) COUNCIL ITEM OF SPECIAL INTEREST: ADDRESSING CODE VIOLATIONS ON VACANT PROPERTIES
Staff Contact and Presenter: Sam McAllen, Director, Development Services
Staff Presenter: Tim Boling, Code Compliance Administrator

CITY MANAGER'S REPORT

This report allows the City Manager to update the City Council. The City Council may only acknowledge the contents to this report and is prohibited by state law from discussing or acting on any of the items presented by the City Manager since they are not itemized on the Council Workshop Agenda.

CITY ATTORNEY'S REPORT

This report allows the City Attorney to update the City Council. The City Council may only acknowledge the contents to this report and is prohibited by state law from discussing or acting on any of the items presented by the City Attorney since they are not itemized on the Council Workshop Agenda.

COUNCIL ITEMS OF SPECIAL INTEREST

Councilmembers may indicate topic(s) they would like to have discussed by the Council at a future Workshop and the reason for their interest. The Council does not discuss the new topics at the Workshop where they are introduced.

MOTION TO GO INTO EXECUTIVE SESSION**1. CALL TO ENTER INTO EXECUTIVE SESSION****EXECUTIVE SESSION****1. LEGAL MATTERS**

A. The City Council will meet with the City Attorney for legal advice, discussion and consultation regarding the city's position in pending or contemplated litigation, including settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. § 38-431.03(A)(3)(4))

B. Council will meet to discuss and consider records exempt by law from public inspection and are specifically required to be maintained as confidential by state or federal law. (A.R.S. § 38-431.03(A)(4))

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. § 38-431.03(A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. § 38-431.03(A)(2));
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. § 38-431.03(A)(3));
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. § 38-431.03(A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. § 38-431.03(A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. § 38-431.03(A)(7)).

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. § 38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless the City Council takes a legal action at a properly noticed open meeting to approve of such expenditure prior to incurring any such obligation or indebtedness. A.R.S. § 38-431.07(A)(B).



Legislation Description

File #: 16-085, Version: 1

COUNCIL ITEM OF SPECIAL INTEREST: ADDRESSING CODE VIOLATIONS ON VACANT PROPERTIES

Staff Contact and Presenter: Sam McAllen, Director, Development Services

Staff Presenter: Tim Boling, Code Compliance Administrator

Purpose and Recommended Action

At the January 5, 2016 City Council Workshop, Councilmember Aldama identified a request for a specific plan to address violations on vacant properties citywide and more specifically, in the Ocotillo District. This report provides City Council with information on Code Compliance efforts to address vacant properties and requests City Council direction on proposed options to improve effectiveness.

Background

The Code Compliance Division is responsible for conducting inspections on private property to ensure the property is maintained in compliance with established city standards that have been adopted as city codes. Some of these codes apply to the condition of vacant properties; both vacant unimproved lots and properties with vacant structures on them. In most cases, enforcement action is initiated when staff receives a complaint from a resident identifying a property with possible code violations. Once a violation is observed on a property, staff researches ownership and sends a Compliance Order to the property owner to begin the enforcement process.

Arizona State Statute (ARS) 9-499 provides the legal authority for cities and towns to “compel the owner, lessee or occupant of property to remove from the property and its contiguous sidewalks, streets and alleys any rubbish, trash, weeds or other accumulation of filth, debris or dilapidated buildings that constitute a hazard to public health and safety”. ARS 9-499 also requires that “The notice shall be given not less than thirty days before the day set for compliance and shall include the legal description of the property and the cost of such removal to the city or town if the owner, occupant or lessee does not comply”. In Fiscal Year 2014-15, staff initiated abatement on 115 properties at a total cost of \$23,469; this coordinated abatement process is called our “Clean and Lien Program”. Some of the more egregious violations and violations on large vacant lots were either partially abated, abated in volunteer efforts, or through coordination with Maricopa County Probation Department. Those efforts take a much longer period of time due to the extensive coordination necessary and gathering of resources.

The Code Compliance Division currently has eight (8) inspectors that are assigned to specific geographic portions of the city in which they are responsible for conducting both responsive and proactive inspections. In addition to the current allotment of Code Compliance Inspectors, the Code Compliance Division has successfully applied for and received Community Development Block Grant, CDBG, funding and hired one temporary Code Compliance Inspector. The CDBG funded Inspector conducts proactive residential inspections in low and low/moderate income neighborhoods. The location where the CDBG funded

inspections take place is limited by conditions associated with the appropriation of CDBG funds.

Analysis

Code Compliance staff resolved 7,163 cases in Fiscal Year 2014-15 with about 5% involving a vacant property. On December 1, 2015, Code Compliance staff presented information to City Council regarding outreach efforts to educate residents about how they can play a key role in addressing and eliminating neighborhood code violations. Since that presentation to City Council, Code Compliance staff developed a plan to address the conditions of vacant properties and the negative impact they may have on neighborhoods. The vacant property plan includes:

- Recruiting and designating volunteers to create a vacant property inventory for Code Compliance Inspectors to inspect on a regular basis to ensure the compliance with City codes.
- Using technology and information sharing with City of Glendale Water Services Department to learn about water shut-off requests. Water Service shut-off requests indicate a potential vacant property, which will be added to the vacant property inventory and inspected by Code Compliance on a regular basis to ensure compliance with property maintenance codes.
- Currently, one (1) Code Compliance Inspector is funded with Community Development Block Grant (CDBG) funds. That Inspector performs inspections in low and low-moderate income neighborhoods including the Centerline District. Due to previously awarded CDBG funding and some salary savings, available CDBG funds will be used to hire a part time one-year contract employee to inspect the inventory of vacant properties mentioned above.
- Staff will be bringing a proposal to City Council asking for support to modify the city's current board-up requirements associated with temporarily repairing broken windows at vacant structures. The proposal will require the use of a special polycarbonate material when boarding up structural openings where windows once were present. The material changes the look of the structure and does not attract the public's attention like plywood window coverings. Staff intends to require the polycarbonate material be used on all Code Compliance staff initiated board-ups and any window securement taking place in excess of 90 days.

The combination of these activities will have a positive impact on the visual blight that vacant properties can bring to a neighborhood.

Previous Related Council Action

Staff provided a report to City Council on December 1, 2015 regarding how Code Compliance addresses the City Code violations at vacant properties.

Community Benefit/Public Involvement

Code Compliance remains a very popular topic in Glendale. The ability to address code violations quickly is the best method to sustain vibrant neighborhoods and maintain property values.

Budget and Financial Impacts

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Available and previously awarded CDBG funds will be used to hire a part time one-year contract employee. There are no further budget implications.