CALL TO ORDER
Chairman Nowakowski called the Public Safety and Veterans Subcommittee meeting to order at 9:00 a.m. with Mayor Williams, Vice Mayor Waring and Councilwoman Mendoza present.

CALL TO PUBLIC
None

MINUTES OF MEETINGS

1. For Approval or Correction, the Minutes of the Public Safety and Veterans Subcommittee Meeting on January 9, 2019
Mayor Williams made a motion to approve the minutes of the Public Safety and Veterans Subcommittee meeting on Jan. 9, 2019 and Vice Mayor Waring seconded. The motion passed unanimously 4-0, with Councilmembers Williams, Waring, Nowakowski and Mendoza in favor.

CONSENT ACTION (ITEMS 2-4)
Mayor Williams made a motion to approve consent items two through four and Vice Mayor seconded. The motion passed unanimously 4-0, with Councilmembers Williams, Waring, Nowakowski and Mendoza in favor.

2. 2019 Homeland Security Grant Program Funds
Mayor moved waring seconded unanimous

3. Authorization to Purchase a Mobile Gunshot Detection System for the Police Department

4. Authorization to Enter Into Intergovernmental Agreements with Arizona Law Enforcement Agencies Through the Internet Crimes Against Children Task Force
DISCUSSION AND POSSIBLE ACTION (ITEMS 5-6)

5. Pigeon Nuisance
Neighborhood Services Director Spencer Self along with Preservation Deputy Director Bob Lozier presented to the Subcommittee about the pigeon nuisance affecting the City.

Mr. Self stated pigeons can be considered a nuisance and mentioned their bodily waste was acidic. He stated that in large numbers, they can be detrimental to the structural integrity of buildings. He gave different examples of ordinances dealing with pigeon nuisance in surrounding cities and explained the drawback of establishing a stricter ordinance pertaining to feeding pigeons within the City.

Mr. Lozier spoke to the Subcommittee about the City’s current animal ordinance. He stated the ordinance focused on keeping and maintaining animals within the residential properties. He stated the code currently does not have any language about feeding pigeons at large and spoke about the different options the Subcommittee can adopt to deal with the feeding of pigeons.

Mayor Williams stated she did not want residents to stop feeding wild birds, but the pigeon nuisance is out of hand and that it was a health concern. She requested staff to draft some language to address the feeding of pigeons.

Councilwoman Mendoza asked if staff will have an educational component to the changing of the ordinance. Mr. Self answered that staff will hold educational workshops to make the community aware of the new changes.

Chairman Nowakowski thanked Mayor Williams for her work in the protection and fair treatment of animals. He asked staff to draft the language and bring it to full Council for further discussion and action.

6. Update on Texting Ordinance and Information on State-Wide Legislative Efforts
Assistant Police Chief Michael Kurtenbach and Government Relations Management Assistant II Yesenia Dhott presented to the Subcommittee on the current texting ordinance.

Chief Kurtenbach stated the current code only banned written messages and mentioned it was a nonmoving civil traffic violation. He said between the years of 2008 to 2018 there were 189 documented violations.

Ms. Dhott stated there were 20 municipalities that have ordinances in place that deal with distracted driving. She said there were currently six proposals in the State level that will address distracted driving and explained each one in greater detail.

Mayor Williams asked if staff had a recommendation on what the City should follow. Ms. Dhott stated that as the bills are being passed, her recommendation was for the City to
support the state wide ban of texting and driving while also including pieces of current City ordinance language.

Mayor Williams stated Senate Bill (SB) 1165 seemed to be all encompassing and recommended the item be moved to Council for full recommendation.

Chairman Nowakowski agreed with Mayor Williams’ recommendation and stated having a State statute would be beneficial rather than having multiple laws that vary by municipality. He asked if the proposed bill would allow officers to stop drivers who are seen using their phones. Chief Kurtenbach answered he was correct.

Councilwoman Mendoza asked if SB1165 addressed any class 2 misdemeanor violations. Ms. Dhott answered that the bill will address violations as a civil penalty and the fee would increase with each violation.

Councilwoman Mendoza asked if the bill addressed instances where a driver who is texting takes the life of another individual. Ms. Dhott answered it did not cover those instances.

Councilwoman Mendoza mentioned the proposed bill stated the device can be used at a complete stop and asked if that was also the case when an individual was stopped at a red light. Ms. Dhott answered she was correct.

Vice Mayor Waring asked how can staff determine whether an individual was texting while driving if that individual caused a major accident and seriously injured someone. Chief Kurtenbach stated that in that case, staff would go further into a criminal investigation to determine if the individual in questioning was texting and driving.

Councilwoman Mendoza asked how soon staff believes there will be a bill addressing the usage of electronics while operating a vehicle on the Governor’s desk. Ms. Dhott answered it was difficult to know exactly when a bill will make its way to the Governor’s desk, but she would guess the bill will appear at the end of March or beginning of April 2019.

Chairman Nowakowski asked Vice Mayor Waring if he knew how fast a bill can be passed. Vice Mayor Waring answered the bill may move forward quickly, but there was always a chance that it may be stopped at any time.

Councilwoman Mendoza asked if the bill passed, would the City make an effort to educate the residents on the new law. Ms. Dhott answered that there will be a wait period if the bill passed where the Department of Transportation would be required to put up signage that will notify drivers of the new law. She added that staff would collaborate to bring awareness to the new laws that were being passed.
Chairman Nowakowski thanked staff for their work and stated his support for the new legislation regarding texting and driving. He stated it was a great idea that staff go and advocate for a state wide law that would ban texting and driving.

CALL TO THE PUBLIC
None

FUTURE AGENDA ITEMS
Assistant City Manager Milton Dohoney stated there will be a document in the packet regarding civilian review. He also stated there will be a towing update and items regarding the City’s relationship with Franklin school and an update on the results of hiring police assistants.

ADJOURN
Chairman Nowakowski adjourned the meeting at 9:35 a.m.

Respectfully submitted,

Rogelio Espinoza Huerta
Management Intern