AGENDA

I. CALL TO ORDER / DECLARATION OF QUORUM
With a quorum present, Madam Chair Holmes called the meeting to order at 7:34 pm

II. APPROVAL OF MEETING MINUTES OF MARCH 3, 2014
Alderman Fiske motioned approval and Alderman Braithwaite seconded. Alderman Grover moved approval. Alderman Braithwaite seconded. A voice vote was taken to approve the March 3, 2014 minutes and it was approved 4-0.

Citizen Comments
Priscilla Giles stated that Evanston prides itself on its diversity and on going green. The City Council has interpreted going green and diversity as increasing unemployment and decreasing humanitarianism. Going green seems to be getting rid of parks and getting more money for developers.

III. ITEMS FOR DISCUSSION

IV. TOWNSHIP OF EVANSTON
HHT1 Township Monthly Bills
Alderman Braithwaite moved approval of the Township Monthly Bills. Alderman Fiske seconded. A voice vote was taken to approve the Township Monthly Bills and it was approved 4-0.

V. ITEMS FOR CONSIDERATION
HH1 Review of February & March Police Complaints
Alderman Braithwaite moved approval. Alderman Fiske seconded. A voice vote was taken to accept the February & March Police Complaints and it was approved 4-0.
Gail Lovinger spoke on behalf of the C.A.R.E. Board. She is a 25 year resident of Evanston and has been a dog adoption counselor for more than 21 years and is a current member of the C.A.R.E. Board. She addressed three major issues. First, she wanted clarification on what they need about the process. Second, wanted to present some concerns about the draft policy themselves and finally to address some unintended consequences of these policies.

Ms. Lovinger stated that there were two points of clarifications needed. They have been asked if they were willing to enter into negotiation with the City to continue to stay at the shelter. The term negotiation implied a give and take with some discussion and compromise. Their understanding with this process was that a policy would be presented and C.A.R.E. could take it or leave it. It there are things that are open for negotiation then they would like to know what could actually be negotiated and in what context.

The second area in need of clarification that Ms. Lovinger pointed out was that this committee specified that whatever was drawn up for C.A.R.E. would be used with other organizations if C.A.R.E. decides not to stay. There appears to be two policies. One is called the partnership arrangement and one is the animal control policy. In fact, the animal control policy speaks more to the relationship with the volunteer organization than the partnership policy. They would like clarification that if indeed C.A.R.E. decides not to continue with the City is it still the City’s intent that any volunteer organization also be asked to meet the same requirements in those two policies.

Ms. Lovinger continued that in terms of the draft policy per se, the first issue that was brought to the committee was the lack of a true partnership as they read it. Essentially for the privileges of a one year agreement to provide care and adoption services for the animals of the shelter the VAO would be responsible for all capital costs. That would include the software for the shelter that the Chief Animal Warden would choose which would be the property of the City of Evanston and which most volunteers would have limited access to. It would also include building alterations that the ASPCA recommends based the current facility and behavior evaluation. It would also include paying the training cost to have the animal wardens learn how to do behavior evaluations and to get certified as well as the ongoing cost for the ASPCA to regularly evaluate how those evaluations are being done. In addition, the volunteer organization would pay for all routine medical costs but extraordinary costs as well which C.A.R.E. has always paid for. Unaddressed in the terms are all of the supplies that C.A.R.E. has always paid for and uncertainty as to who’s responsibility that would be. It doesn’t feel like a partnership when the volunteer organization has no input on decision making and to participate in activities directly related to adoptions and training. The arrangement that was proposed is one-sided; the VOA has no authority but will be expected to pay for the decisions made by others and to finance the general operations.

The second point that Ms. Lovinger referred to in the draft policy was the shelter operations fund. What will it pay for? There was nothing in it that specifies what this fund was going to be used for since the vast majority of the cost would be put on VAO.

The third concern that was raised was that it creates two classes of volunteers. There is the rescue team that will get special privileges and even a special place to work in the shelter and then all of the other volunteers. The voluntary organization will be an independent organization and the City shouldn’t dictate how they should be structured. The quickest way for moral to go down would be to treat people differently which this proposed to do.

The final issue in terms of the policy has to deal with the expansion of the adoption hours. The ASPCA report asked for the hours to be expanded in the evening and not during the day and she stated that
she was unsure where this was coming from. Their volunteers work full-time and most people that come in to adopt also work full-time. She asked what was the evidence-based reasoning for saying that the shelter would need to be open during those hours and how a volunteer-based organization would be able to accommodate that. Those are the major issues with the policy itself.

Finally Ms. Lovinger spoke to the unintended consequences. First, the goal of having every dog out within 30 days and holding the VAO responsible for making sure the animals get out of the shelter would mean that essentially there would no longer be a shelter where people come to adopt dogs. It would become an animal control facility. If you look at the animal dog intake, the dog return to owner and at how long it will take to adopt dogs there would not be dogs at the shelter to adopt out. There doesn’t seem to be the same 30 day limit on cats and they don’t know what the plan would be for the adoption of cats and the requirements.

Ms. Lovinger stated that the second unintended consequence would be a missed opportunity because the City of Evanston had a great opportunity to have the discussion about what kind of dogs do they want to have in its community and to be responsible for. This should have been a discussion about what behavior would be appropriate and acceptable in a community like Evanston. In these discussions they weren’t able to bring up the fact that dogs attack other dogs and bite people and in extraordinary cases of dogs killing people. We had a chance to discuss what kind of standards the City of Evanston has and what would be appropriate. There process has provided no guidance. When the next group of people go in to evaluate dogs there are no guidelines as to what makes a dog that should or shouldn’t go out. It doesn’t address the City’s responsibility of to the safety of the community and other animals in the community. Their understanding was that the final policy will go to City Council tomorrow. When that happens C.A.R.E. will sit down to review what has been approved in the contexts of their mission and goals and will then be able to respond to the City.

Wally Bobkiewicz, City Manager, referred to the recommendations on page 92 of the packet and requested that the committee receive the report, approve the Animal Control Policy, approve the Animal Organization Volunteer Partnership Policy, direct the City Manager to create an Evanston Animal Shelter Fund to receive donations for the animal shelter, introduce Ordinance 54-0-14 creating the Animal Board of Care and Control, to receive the following report from the corporation counsel on legal options regarding donations received to support the animal shelter and to provide direction to the City Manager regarding City reimbursement costs regarding volunteer rescue activities. There were some changes made to the Animal Control Policy with an additional section regarding cats and some additional language regarding the use of donations which is in section 7 of the policy. All of these were items the committee had asked for more information about.

Mr. Bobkiewicz stated that the second piece is the position of C.A.R.E moving forward. At the last meeting they did not choose to elaborate at all beyond the email that was sent. They have provided a memorandum on page 94 of the packet which goes through their position on where they are with things now. Based on the information in the letter he was still unsure where things were at. He indicated that if C.A.R.E wanted a one year agreement then he would ask to be directed to negotiate with them and come back to the council on April 28 for approval. If C.A.R.E. declines an agreement then he was seeking authorization to send a notice to C.A.R.E. ceasing the relationship with the City of Evanston Animal Shelter and to work with them to vacate by no later than 5:00 pm on Friday, May 9, 2014 and to issues a request for qualifications for interest in working at the Evanston Animal Shelter.

Based on citizen comments Mr. Bobkiewicz stated that the operations of the animal shelter were his responsibility. He said that no one has worked for the City longer than Linda Teckler and understood their concern from how it was operated in the past but all questions should be directed to him and not Ms. Teckler.
Alderman Fiske moved to approve the Animal Control Policy and the Volunteer Animal Organization Partnership Policy, to direct the City Manager to create an animal shelter fund, to introduce Ordinance 54-0-14 for creating the Animal Care of Board and Control and to continue discussions with the corporation counsel regarding the legal options about the donations received to support the Evanston Animal Shelter. Alderman Braithwaite seconded.

Mr. Bobkiewicz indicated the only thing that was changed that was in writing was in regards to the corporation counsel report.

Alderman Fiske indicated that she did that because of one of the comments made which was a possible discussion of whether or not there has been a partnership that would affect the disposition of funds that were solicited by C.A.R.E.

Alderman Holmes stated that it was right to incorporate it into the motion but should could if they moved forward with the City Manager’s seven points.

Alderman Fiske said to leave it as is then with the seven points as written.

Alderman Tendam wanted a second motion for engaging C.A.R.E. about the donations.

Alderman Fiske spoke to her motion saying that this has been a long process and discussions with C.A.R.E. have gone on for about 15 months now. We’ve had difficulty getting an decision out of C.A.R.E. and it has been like pulling teeth. There has never been any time during those 15 months that we haven’t prefaced those comments with the fact that we don’t appreciate the time of every single volunteers. She knows that through the discussions with C.A.R.E. behind closed door with the Mayor, Chief, and others that C.A.R.E. seems to have a vision for its organization that is different than what we must do as a municipal shelter. She stated that she doesn’t disrespect it at all but it is not what is appropriate for the Evanston Animal Shelter. She acknowledged the strength that it took for those volunteers to stand up to ask why so many dogs had been euthanized. She has one of the dogs that was slated for euthanasia and it is very well behaved. There is a problem with the shelter that we have to address and this is how we have to address it with the C.A.R.E. leadership and not at all directed at the volunteers. She believes that it is time to end this and time to have a vision for the shelter that respects the City, the volunteers, and the animals and it appropriate to move on tonight.

Alderman Braithwaite said that after taking his dog to the animal shelter over the weekend that it was eye-opening for him. He didn’t understand the evaluation process which he hoped would help him understand why volunteers couldn’t get along. He stated that unfortunately he did get a clear understanding of the process and all of the wonderful volunteers at the shelter. He shared that his vote will be one of the most difficult for him ever have to vote on because it isn’t about right or wrong or the vision it is about two family of volunteers that could not get along. It was very disturbing to him.

Alderman Holmes commented that they are making the recommendation to City Council. That is all they are doing. No one can predict what will happen there and she wanted to make sure that it was clear for everyone involved. Sure there will be more discussion at City Council.

Alderman Tendam stated that he came into this relatively recently when the special committee was formed. He shared that he wanted to have a clear mind and wasn’t going to be influenced by discussions of the past. He was able to get caught up on all the different issues and C.A.R.E. gave him a lot of background information. He spoke to a lot of volunteers on both sides and a vast majority were just questioning what was going on and they weren’t in favor or against the C.A.R.E organization. They were simply trying to find a quick resolution to this and not become a discussion in the media and the blogs which made the situation much worse than it had to be. He stated that it became clear it was a contaminated relationship and more people came forward that were formal volunteers and those stories he took to heart. He has been involved and his vote hasn’t changed. The relationship is
broken beyond repair and believes they should advance forward. At the beginning he didn’t distinguish between volunteers because they all care about the animals. He thanks the volunteers present, past and future.

Alderman Holmes indicated that she was happy the City Manager said it lies within his office and he was hired to take care of these things. She shared there are two sides and somewhere in the middle lies the truth. She would be remised to say that no matter how it turns out we have to have respect, cooperation, appreciation, and communication that that will allow any partnership to work. The City Manager is aware and everyone has fault in this and we have learned. We want to move forward and all the animal lovers out there know we want the best shelter.

A voice vote was taken to on Alderman Fiske’s motion to move recommendations 1-7 on to City Council and it was approved 4-0.

Mr. Bobkiewicz stated that there was the issue of C.A.R.E. There are two additional recommendations as to whether C.A.R.E. would like to negotiate another one year agreement or if they decline.

Alderman Holmes indicated that if she had heard correctly from Ms. Lovinger said during the citizen comments was that C.A.R.E. wanted to hear what the Council wanted to say before they make a decision as to how they would like to move forward. Alderman Holmes asked if they needed to make a recommendation tonight.

Mr. Bobkiewicz indicated that a vote should be taken to provide direction to the City Council to what the wishes are of this committee. Based on Ms. Lovinger’s comments tonight they have raised substantive issues and if it is the committee’s wish to take a vote on the one year agreement which would make sure that it doesn’t get stalled at the City Council level.

Alderman Fiske expressed that it was interesting to hear from Ms. Lovinger tonight and frustrating because the agreement has been out for two weeks and have not had a response from them until now. There wasn’t anything that said they wouldn’t be comfortable with whether they would be the decision makers. She didn’t hear anything from that as to whether or not they understand that they would no be doing animal evaluations any longer. That would be put in the hands of the animal warden and who she designates. She did hear a number of things that Ms. Lovinger said that they did not feel comfortable with and she feels there is an absence of some positive indication that they are on board with this agreement. It is time for us to say that this is over. The discussion has been taking place for so long and everyone has commented on the draft agreement but she is not willing to go back and start over where we were a year ago which produced no results with negotiations with C.A.R.E. This has been a painful, emotional and drawn out experience for everyone in the community and to suggest we may go behind closed doors to have further conversations with C.A.R.E. is not something she is willing to do. If there is a decision to move in that direction the meeting be open door. That is why the committee asked Ms. Gelb to stand up at the last meeting to tell us what she thought about the draft agreement and she wouldn’t do that. It is time to change gears and say this is not working and go ahead with a strategy and an organization that would fulfill our mission for the shelter. She would strong suggest that the committee has the courage to say no. Someone had mentioned that there were board elections for C.A.R.E. and Alderman Rainey asked when was the last time the President was on a ballot to be elected by volunteers and what the vote was.

Ms. Lovinger stated she believed it was in 2010. It was from the recommended by the nominating committee and approved by the volunteers.

Alderman Braithwaite referred to page 92 and second paragraph which indicated that the City Manager would negotiate an agreement with C.A.R.E and return to City Council on April 28 if they wished. He specified that when he met with the volunteers over the weekend. He understood why everyone wants
to see an end to this and believes they are all on the same page but what he read was that the committee gave until the 28th. He didn’t see a deadline for the organization other than that date.

Alderman Holmes she is responded to the Ms. Lovinger’s comments that indicated they wanted to wait until they see what the City Council would say. She wanted to respond to that and we could make a recommendation but how can we recommend there be an negotiation or not based on her statements tonight.

Mr. Bobkiewicz stated that they raised issues that seem to be incompatible with the discussions that the committee has had. If they are waiting for the City Council to make changes to the policy that the committee is recommending to make them more compatible, he doesn’t foresee that happening. His concern if all the policies are approved then what would be the next step? He doesn’t want to move forward without a recommendation.

Alderman Tendam stated that the only thing that would be acceptable by C.A.R.E. is for the agreement to be sent back to staff to incorporate some of the issues that were raised. He didn’t believe that was in the plans. He shared this is the 11th hour and we need to finish this business. The fact that now is when C.A.R.E chose to make their remarks is a loss they incurred since the draft agreement has been opened to everyone for comment.

Alderman Fiske agreed with Alderman Tendam. The plan was to move this to City Council tomorrow night and it is late in the day for the C.A.R.E. Board to be stepping up and trying to keep this going. This is the decision time and why we were elected. What we are recommending to City Council is going to approved or not approved tomorrow night. We don’t have a discussion to after something has been voted on. This is why we were trying to get Ms. Gelb to come up to the podium last time in order to work on it together and it is how the system works.

Alderman Braithwaite agreed that they need to move forward, we have gone through the process for creating a policy and that on Tuesday they will be voting on that policy. He also agreed and he communicated that there would be a period for them to respond. It is clear what the City’s expectations are and he is not sure that C.A.R.E. will change. He specified that this policy will be a clear direction for C.A.R.E. to say yes or no to and it sets up a clear expectation for another organization to come in. He believed they should be given the time to the 28th to respond.

Alderman Holmes stated for this committee we have to address the second portion of it. We have to say that since we didn’t have a clear yes or no from C.A.R.E. in terms of whether they want to negotiate that we would have to make a recommendation that we cannot move forward with them.

Mr. Bobkiewicz expressed that it was the design of the third paragraph of the page 92 that if that is not the case then he would be authorized to cease the relationship and work with C.A.R.E. to vacate the shelter and to issue a request for qualifications. He stated those would be next steps.

Alderman Holmes said she understood that but they haven’t accepted or declined. They can’t be luke warm. Since they have been neither how can we make a recommendation that they accept or decline?

Alderman Fiske added that she thought Alderman Holmes clarified it very well. She moved that they direct the City Manager not to negotiate an agreement with C.A.R.E.

Alderman Tendam seconded.

Alderman Braithwaite asked how it impacts the item on the agenda tomorrow.

Henry Ford, City Corporation Counsel stated that it would only move on to council as a recommendation for them to vote on that decision.
Alderman Holmes would like to add that she could clarify in her report to council with the third paragraph from page 92 of the packet. We would recommend that the council to not negotiate with C.A.R.E. for a one year extension and asked if that was Alderman Fiske’s motion.

Alderman Fiske agreed that it was.

A voice vote was taken to on Alderman Fiske’s motion not negotiate a one year extension with C.A.R.E and it was approved 3-1. Alderman Braithwaite opposed.

Alderman Tendam asked the City Manager if it would be appropriate to direct staff to address the existing funds.

Mr. Bobkiewicz indicated this would be another issue that once the full City Council has made a determination would have to be done.

Alderman Holmes said that she would incorporate some of Grant Farrar’s, City Attorney, information that was provided prior to now to help the City Council have a full scope of everything involved.

**HH3 26-O-14 Human Rights Ordinance**
Mr. Bobkiewicz requested for the sake of time for this item to be held in committee.

**HH4 10,000 Ripples Public Art**
Jennifer Lasik, Cultural Arts Coordinator, shared that the 10,000 Ripple Public Art will be moving on to phase two and indicated that the history of the project was included in their packet. They were intended to be temporary in the City for 4 months. After that timeframe five were to be would remain in the City and five would be collected by the manufacturer. Ms. Lasik specified the artwork was supposed to be collected in November but was delayed due to the weather. Ms. Lasik requested that he pick up 4 instead of 5 because there has been a request from a group of citizens for one sculpture to be placed in the area of Dempster/Dodge. Initially the plan was to have the Twiggs park sculpture removed but was in a ward where the sculpture is also highly desired. She indicated that until this issue could be resolved she directed the manufacturer to leave to sculptures in Ward 8 with the hopes that the second one could be picked up or moved if the matter comes to a resolution. She spoke with the artist, Indira Johnson and the sculptures each cost approximately $2,000. The recommendation would be for the citizens that would like to have the sculpture in Ward 2 would approach the Public Art Committee as a possible project to be funded so the City would have six sculptures instead of five.

Alderman Fiske moved that it be forwarded on to full City Council. Alderman Braithwaite seconded. A voice vote was taken and it was approved 4-0.

**HH5 Noyes Tenants’ Leases**
Joe McCrae, Deputy City Manager, presented the memo on page 145 of the packet with the staff recommendation for the Noyes Cultural Arts Center. The recommendations that were presented were to extend the leases with the 2013 rates to April 30 2014 and to increase rates by 3% in May to the end of 2014. It was also recommended for staff to look at the security system and to look at placing a reception desk inside the building based on the recommendations of the Noyes Tenants Association with part-time staff and volunteers.

Citizen Comments
Anne Berkeley, Co-Chair of Arts Council, briefly addressed the recommendations on March 3 by Maggie Weis from the Noyes Tenants Association. It was a huge task to put the recommendations together and allows us to begin to address the next steps of the evanstARTs study. They are especially interested in a receptionist or a non-custodian staff present for safety.
Alderman Fiske moved to accept the recommendations made by city staff for Noyes Cultural Arts Center leases. Alderman Braithwaite seconded. A voice vote was taken and it was approved 4-0.

VI. COMMUNICATION
HH6  First Quarter Report for Tenant Base Rental Assistance (TBRA)

VII. ADJOURNMENT
Alderman Fiske moved for adjournment. Alderman Braithwaite seconded. The meeting was adjourned at 9:20 p.m.

Respectfully Submitted,

Melissa Parker
Administrative Secretary