



# CITY COUNCIL AGENDA

CITY COUNCIL CHAMBERS . 11465 WEST CIVIC CENTER DRIVE . AVONDALE, AZ 85323

---

**WORK SESSION**  
**February 6, 2017**  
**6:00 PM**

---

## CALL TO ORDER BY MAYOR

### 1 ROLL CALL BY THE CITY CLERK

### 2. FESTIVAL FIELDS PHASE II CONCEPTS

City Council will review and provide input on four conceptual drawings developed by J2 Engineering and Environmental Design for the development of Phase II of Festival Fields. These drawings were prepared based on citizen input and feedback received during one public meeting and Resident Appreciation Night. For information, discussion and direction.

### 3. POLICE DEPARTMENT UPDATE

City Council will receive an update from the Police Department regarding an overview of the department including highlights, priorities, and direction. For information only.

### 4 ADJOURNMENT

Respectfully submitted,

A handwritten signature in black ink that reads 'Carmen Martinez'.

Carmen Martinez  
City Clerk

Council Members of the City of Avondale will attend either in person or by telephone conference call.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Notice is hereby given that pursuant to A.R.S. 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council may be audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

De acuerdo con la ley A.R.S. 1-602.A.9, y sujeto a ciertas excepciones legales, se da aviso que los padres tienen derecho a

dar su consentimiento antes de que el Estado o cualquier otra entidad politica haga grabaciones de video o audio de un menor de edad. Las juntas del Concejo de la Ciudad pueden ser grabadas y por consecuencia, existe la posibilidad de que si hay menores de edad presentes estos aparezcan en estos videos o grabaciones de audio. Los padres puedan ejercitar su derecho si presentan su consentimiento por escrito a la Secretaria de la Ciudad, o pueden asegurarse que los ninos no sten presentes durante la grabacion de la junta. Si hay algun menor de edad presente durante la grabacion, la Ciudad dara por entendido que los padres han renunciado sus derechos de acuerdo a la ley contenida A.R.S. 1-602.A.9.



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Festival Fields Phase II Concepts

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council

**FROM:** Kirk Haines, Parks, Recreation & Libraries Director (623) 333-2411

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

To receive feedback and input from the City Council regarding four conceptual drawings that were designed by J2 Engineering and Environmental Design for Phase II development at Festival Fields.

**BACKGROUND:**

The planning and design for Festival Fields started in 2005 and construction of Phase I was completed in 2008. Phase I included four lighted softball fields, one lighted multi-purpose field, concession/restroom building, 296 parking spaces, utility infrastructure, landscaping and site retention. A second phase of the park was conceptually designed in 2008 that added another 30 acres of park amenities and parking lots. This process will update the design conceived in 2008 to assure that it will meet current needs.

In order to plan for appropriate site amenities and to meet current programming needs, public input is necessary to allow residents and stakeholders to provide information into the future park development. The public input process achieves a City Council strategic goal to connect with the community. It provides an opportunity to involve Avondale residents and to align the conceptual plan with community interests.

Staff hired J2 Engineering and Environmental Design (J2) in May of 2016 to lead the public input process, develop the conceptual design alternatives and provide cost estimates for each concept.

**DISCUSSION:**

The first public meeting was conducted on Wednesday, August 3, 2016 at the Avondale Community Center. The public meeting was advertised and more than twenty different stakeholders representing youth and adult soccer, football, baseball and softball programs were given special invitations to attend the meeting, as well as forms to fill out if they were unable to attend. Unfortunately, only three community members attended this first meeting - the president of the Avondale Little League, the Chair of the Parks, Recreation & Library Board (new Council Member) Pat Dennis, and our new City Council Member Veronica Malone. Much of the dialogue from the public meeting centered around youth baseball fields.

The other major source of public input was received through an "intercept" at the Billy Moore Days special event. This technique involved setting up an information booth and requesting feedback from special event attendees.

J2 will provide information during their presentation that outlines many of the preferences received from participants during the intercept process. Overall, the participation was exceptional as more than 430 residents participated in this process. Many residents conveyed a sense of appreciation to the consultants for asking for their opinion. Dean Chambers, the project manager from J2 stated "overall this was the most positive public input event that I have ever been involved in in my 36 years of practice."

The data from Billy Moore Days was used to inform the development of four conceptual site alternatives. The four options were shared with the Parks, Recreation & Libraries Board at the January 11, 2017 meeting. The Board indicated their support for more lighted youth ball fields to meet the current need for this activity. The Board also requested additional time to process the alternatives and provide additional written comments. Since this feedback is still forthcoming, they will be presented as part of the work session presentation.

City Council feedback and direction is requested to proceed with a preferred conceptual design. The preferred concept can then be posted online for additional comment and feedback prior to final approval. The final conceptual design will be used as a tool for the next phase of design and development for Phase II park construction.

### **STRATEGIC PLAN ALIGNMENT:**

**INITIATIVE:** Create and support diverse recreational and educational opportunities.

**GOAL:** Provide multi-generational recreation events and programs.

**ACTION ITEM:** Renovate and expand Festival Fields; complete the Festival Fields Conceptual Plans; and hold 3 public meetings to complete the Festival Fields conceptual plans.

### **BUDGET IMPACT:**

There is no immediate budget impact as City Council reviews the four park alternatives. However, each park plan has a cost estimate that will have budget impact in the Capital Improvement Program for future years, as well as an operational cost impact to the annual budget.

### **RECOMMENDATION:**

City Council is requested to provide feedback and information about the four conceptual plans so the design consultant is able to make appropriate changes and create a single preferred conceptual park plan.

### **ATTACHMENTS:**

#### **Description**

[Public Input Information During RAN:GAIN](#)

[Festival Fields Four Conceptual Plans](#)

# Billy Moore Days

## Festival Fields | Community Park | *Public Input*

During the Billy Moore Days RAN:GAIN event October 21, 2016 a booth was set up to engage the citizens of Avondale and gather their opinions about future facilities they need/desire for Festival Fields Community Park. Over four hundred thirty (430+) citizens of all ages participated. The method used to gather the information was a series of three Community Input Boards with pictures of facilities and activities which may occur in the future areas of the park. Each person received five dots to place on the boards. (See following pages for the original boards and dot vote result boards.)



**Dot Vote:** “What would you like to see at Festival Fields Park?”

# Billy Moore Days

Festival Fields | Community Park | **Public Input**

## Comments from participants: (paraphrased)

- *"You are asking me my opinion, of what I would like to have at the park? Thank you for asking!"*
- *"Hey honey, they are asking us what we would like to see in the park!"*
- *Parents to children: "Yes, you get to vote!"*
- *"We are new residents to Avondale. This is great. No one ever asked us what we thought before we moved here."*
- *"Hey look, they have fishing on here. I want to fish!"*
- *"I want to skate!"*
- *"I want to play basketball."*
- *"The park would be a great place for concerts and fireworks!"*
- *"A playground would be great for the kids."*
- *"I would like a nice place to walk."*
- *"Wow, a dog park would be great here."*
- *"Splash Pad!!!!!!!!!!!!!!!"*
- *"Thank you for asking."*

# Billy Moore Days

Festival Fields | Community Park | **Public Input**

## LEISURE



Shaded Seating



Community Garden



Open Space Lawn



Bicycling



Fishing



Horseshoes

## SPORTING



Ballfields



Pickleball Courts



Football / Soccer Fields



Sand Volleyball Courts



Basketball Courts



Tennis Courts

# Billy Moore Days

Festival Fields | Community Park | **Public Input**

**LEISURE**

- Shaded Seating
- Community Garden
- Open Space Lawn
- Bicycling
- Fishing
- Horseshoes

**SPORTING**

- Ballfields
- Pickleball Courts
- Football / Soccer Fields
- Sand Volleyball Courts
- Basketball Courts
- Tennis Courts

Avondale | **Festival Fields Park** | October 31, 2019

# Billy Moore Days

Festival Fields | Community Park | **Public Input**

## GATHERING



Large Group Ramada / Pavilion



Group Picnic Ramada



Picnic Ramada



Tensile Shade Structures



Trailhead



Horse Trailer Parking

## EVENTS



Concert Stage



Amphitheater Performances



Fireworks Display



Festival Event Space



Food Trucks / Vendors



Dog Agility

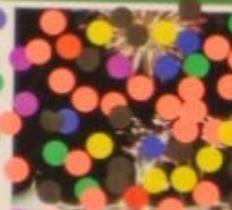
# Billy Moore Days

Festival Fields | Community Park | **Public Input**

**GATHERING**

 <p>Large Group Ramada / Pavilion</p>	 <p>Group Picnic Ramada</p>	 <p>Picnic Ramada</p>
 <p>Tensile Shade Structures</p>	 <p>Trailhead</p>	 <p>Horse Trailer Parking</p>

**EVENTS**

 <p>Concert Stage</p>	 <p>Amphitheater Performances</p>	 <p>Networks Display</p>
 <p>Festival Event Space</p>	 <p>Food Trucks / Vendors</p>	 <p>Dog Agility</p>

Avondale  Festival Fields Park October 21, 2018

# Billy Moore Days

Festival Fields | Community Park | **Public Input**

## FITNESS / ADVENTURE



Fitness Course Equipment



Soft Surface Path



Multi-use Walking Path



BMX Park



Challenge Course



Skate Park

## PLAY-SOCIALIZING



Spray / Splash Pad



Adventure Playground



Interpretive Play



Dog Park



Pick-Up Games



Disc Golf

# Billy Moore Days

Festival Fields | Community Park | **Public Input**

**FITNESS / ADVENTURE**

- Fitness Court Equipment
- Soft Surface Path
- Multi-use Walking Path
- MX Park
- Challenge Course
- Skate Park

**PLAY-SOCIALIZING**

- Open Field
- Adventure Playground
- Interactive Play
- Dog Park
- Pick-Up Games
- Disc Golf

Avondale | Festival Fields Park | October 21, 2018

FESTIVAL FIELDS PHASE II CONCEPTS

DUE TO ITS SIZE, THIS DOCUMENT  
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39688>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Police Department Update

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council

**FROM:** Dale Nannenga, Chief of Police (623) 333-7207

**THROUGH:** Gina Montes, Assistant City Manager, and David Fitzhugh, City Manager

**PURPOSE:**

Staff from the Police Department will present an update to the City Council regarding an overview of the department including highlights, priorities, and direction.

**BACKGROUND:**

With a staff of 183 employees, which includes 122 sworn police officers and 61 professional staff positions, the Police Department is responsible for delivering public safety-related services to the community. Additionally, the department includes 30 volunteers, 4 part-time employees, and has operational oversight of the Southwest Family Advocacy Center. Public Safety services are provided to the community through the two organizational divisions within the department. The Operations Division delivers proactive and reactive patrols throughout the city, responds to calls for service from the public, and investigates and enforces criminal and traffic laws. The Support Services Division includes community services, such as crime prevention education, the Communications Bureau, the Detention Facility, Volunteer programs and the Professional Standards Bureau, which includes training, hiring, and recruitment. All of these services work towards providing a safer environment for our citizens to live, work, and raise their families.

**DISCUSSION:**

Staff will share an overview of the department and include highlights and activities of the past year. The presentation will also provide insight on the progress of the key action items of the City Council's current initiatives. We will provide additional information as to how the police department has integrated the initiatives into our departmental strategic plan in order to affect community safety in a positive manner.

Some key highlights of the past year include:

- Created a Police Explorer post as an outreach initiative for youth in our community.
- Completed the 3-year implementation of new Tasers for the department.
- Implemented a testing period for on-officer body worn cameras in Patrol.
- Reorganization of the Professional Services Bureau to put more emphasis on recruiting, hiring and training.
- Increase staffing on the Community Action Team.
- Partnered with the Estrella Mountain Community College to create a Service Learning Program, which allows volunteers to work with the department while earning college credit.
- Expansion of the Southwest Family Advocacy Center.

The key action items in addressing City initiatives include:

- Community Safety - Reducing property crimes and ensuring the safe movement of traffic.
- Community Engagement – Participating in citizen academies, creating a police explorer program and providing volunteer opportunities.
- Use of Technology to Connect with the Community – Continue to implement the on-officer body camera program, promote positive news stories, and continued use of social media.

The presentation will also include current developments in the law enforcement profession and what those concepts mean for the police department. The President's Task Force on 21st Century Policing outlines recommended actions for police agencies and other segments of the criminal justice system to reference as a model to help create a trusting relationship with the communities they serve.

Staff will discuss programs that assist the police department in establishing the community trust such as:

- The use of social media to connect with the community and to share programs, safety tips and events taking place in the department and the city.
- New concepts on the use of force and how to use technology to make officers more safe by providing less lethal options and how body worn cameras provide a benefit to both the officer and the community.
- Mental health and wellness initiatives that are being developed to assist officers, both in providing services to the community and how to use wellness programs for officers during their careers.

**BUDGET IMPACT:**

None

**RECOMMENDATION:**

For Information Only



# CITY COUNCIL AGENDA

CITY COUNCIL CHAMBERS . 11465 WEST CIVIC CENTER DRIVE . AVONDALE, AZ 85323

---

**REGULAR MEETING**  
**February 6, 2017**  
**7:00 PM**

---

**CALL TO ORDER BY MAYOR**  
**PLEDGE OF ALLEGIANCE**  
**MOMENT OF REFLECTION**

**1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK**

**2 CITY MANAGER'S REPORT**

**a. INTRODUCTION OF NEW EMPLOYEES - POLICE DEPARTMENT**

- Officer Phil Cirrito
- Officer Jose Loera
- Officer Maylet Miranda
- Officer Nathan Mosher
- Officer Caleb Newman

**b. INTRODUCTION OF NEW EMPLOYEES - FIRE DEPARTMENT**

- Jason Napier, Fire Marshal
- Melina Joya, State Training
- Jeff Johnston, State Training

**3 UNSCHEDULED PUBLIC APPEARANCES**

(Limit three minutes per person. Please state your name.)

**4 CONSENT AGENDA**

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

**a. APPROVAL OF MINUTES**

1. [Work Session of January 17, 2017](#)
2. [Regular Meeting of January 17, 2017](#)

**b. SPECIAL EVENT LIQUOR LICENSE - FRIENDS OF AVONDALE LIBRARIES - CASINO NIGHT**

City Council will consider a request to approve a special event liquor license application submitted by Ms. Ava Gutwein for a fundraising event to be held on Saturday, February 25, 2017 at the Avondale Civic Center Library located at 11350 W. Civic Center Drive. The Council will take appropriate action.

- c. LIQUOR LICENSE - SERIES 12 (RESTAURANT) - BLAZE PIZZA # 1140**  
City Council will consider a request to approve an application submitted by Amy Nations for a Series 12 (Restaurant) License to sell all spirituous liquors at Blaze Piza #1140 located at 10155 W McDowell Road, Suite 103 in Avondale. The Council will take appropriate action.
- d. LIQUOR LICENSE - SERIES 12 (RESTAURANT) - ROSATI'S SPORTS PUB**  
City Council will consider a request to approve an application submitted by Mr. Dennis Neal Kindred for a Series 12 (Restaurant) liquor license to sell all spirituous liquors at Rosati's Sports Pub to be located at 1729 N. Dysart Rd. Ste 107-109 in Avondale. The Council will take appropriate action.
- e. VEHICLE REPLACEMENT APPROPRIATION RE-ALIGNMENT**  
City Council will consider a request to approve a transfer of appropriation between vehicle replacement funds to better align appropriation with the replacement schedule. The Council will take the appropriate action.
- f. MINOR LAND DIVISION: 701 AND 705 S. 2ND ST (PL-16-0101)**  
City Council will consider a request for approval of a Minor Land Division/Lot Line Adjustment for 701 and 705 S. 2nd Street to relocate the lot line dividing two parent parcels from an east/west direction to a north/south direction. The Council will take appropriate action.
- g. COOPERATIVE PURCHASING AGREEMENT - PAVEMENT RESTORATION INC.**  
City Council will consider a request to approve a Cooperative Purchasing Agreement with Pavement Restoration, Inc., for application of surface rejuvenation treatments on various City of Avondale streets in a maximum aggregate amount of \$340,000 over the term of the agreement and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- h. REIMBURSEMENT AGREEMENT - ALGODON AG REVOCABLE LAND TRUST FOR THE THOMAS ROAD IMPROVEMENT PROJECT**  
City Council will consider a request to approve a Reimbursement Agreement with Algodon AG Revocable Land Trust to reimburse the City for portions of work included in the Thomas Road Improvement Project and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- i. PROFESSIONAL SERVICES AGREEMENT - NORRIS DESIGN AZ, LLC FOR PARKS, RECREATION & LIBRARIES DEPARTMENT MASTER PLAN**  
City Council will consider a request to approve a Professional Services Agreement with Norris Design in the amount of \$80,950 to update the existing Parks, Recreation Facilities & Trails Master Plan and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- j. PROFESSIONAL SERVICES AGREEMENT - WILSON & COMPANY, INC. - 2017 TRANSPORTATION PLAN UPDATE**  
City Council will consider a request to approve a Professional Services Agreement with Wilson & Company, Inc. Engineers & Architects, Inc. to render services for the 2017 Transportation Plan Update for an amount not to exceed \$140,804 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**k. RESOLUTION 3367-217 - AMENDMENT 2 TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY - 2014-2015 HOME**

City Council will consider a resolution authorizing Amendment 2 to the Intergovernmental Agreement with Maricopa County related to the 2014-2015 Home Investment Partnership Program to extend the term of the agreement and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**l. ORDINANCE 1617-217 - AGRICULTURAL LEASE - KEN SHEELY RANCHES PARTNERS**

City Council will consider an ordinance authorizing the lease of real property located at Avondale Boulevard and City Center Drive and authorizes the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

**5 APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES AND TO THE POSITIONS OF CHAIR AND VICE CHAIR OF THE BOARD OF ADJUSTMENT AND THE PLANNING COMMISSION**

City Council will consider the City Council subcommittee's recommendations for the appointment of members of the city's boards, commissions and committees as well as staff's recommendation for the appointment of members to the positions of chair and vice chair of the Board of Adjustment and the Planning Commission. Newly appointed members have been invited to be sworn in. The Council will take appropriate action.

**6 UPDATE ON THE VOLUNTEERS IN SERVICE TO AMERICA (VISTA) PROGRAM**

City Council will receive an update on the status of the VISTA program which provides capacity-building support for the City of Avondale's priorities in education, volunteer engagement and crime prevention and discuss options for a contract renewal. For information, discussion and possible direction.

**7 DISCUSSION ITEMS**

Council will discuss items listed below and possibly give direction to city staff to research and prepare item for future meeting.

**a. CITY COUNCIL HANDBOOK SECTION 10.3.B - CITY COUNCIL/STAFF RELATIONSHIP**

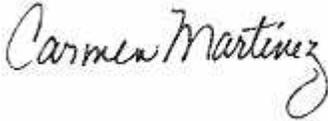
City Council will consider a request to modify the City Council Handbook by deleting Section 10.3 (b) City Council/Staff Relationship. This item is for discussion and possible direction.

**8 EXECUTIVE SESSION**

The Council may hold an executive session pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(4) for discussion or consultation with the City's Attorney in order to consider its position and instruct the City's Attorney regarding Ironshore Indemnity, Inc. v. City of Avondale et al.

## 9 ADJOURNMENT

Respectfully submitted,



Carmen Martinez  
City Clerk

Council Members of the City of Avondale will attend either in person or by telephone conference call.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Notice is hereby given that pursuant to A.R.S. 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council may be audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

De acuerdo con la ley A.R.S. 1-602.A.9, y sujeto a ciertas excepciones legales, se da aviso que los padres tienen derecho a dar su consentimiento antes de que el Estado o cualquier otra entidad política haga grabaciones de video o audio de un menor de edad. Las juntas del Concejo de la Ciudad pueden ser grabadas y por consecuencia, existe la posibilidad de que si hay menores de edad presentes estos aparezcan en estos videos o grabaciones de audio. Los padres puedan ejercitar su derecho si presentan su consentimiento por escrito a la Secretaria de la Ciudad, o pueden asegurarse que los niños no estén presentes durante la grabación de la junta. Si hay algún menor de edad presente durante la grabación, la Ciudad dará por entendido que los padres han renunciado sus derechos de acuerdo a la ley contenida A.R.S. 1-602.A.9.

Minutes of the Work Session held January 17, 2017 at 6:00 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Mayor Kenneth N. Weise and Council Members

Sandi Nielson, Vice Mayor  
Pat Dennis  
Bryan Kilgore  
Veronica Malone  
Mike Pineda  
Lorenzo Sierra

**ALSO PRESENT**

David Fitzhugh, City Manager  
Kevin Artz, Assistant City Manager  
Gina Montes, Assistant City Manager  
Jessica Blazina, Intergovernmental Affairs Manager  
Pier Simeri, Community Relations/Public Affairs  
DeAnn Franklin, Web Services Coordinator  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

**1 ROLL CALL BY THE CITY CLERK**

**2 CITY OF AVONDALE 2017 FEDERAL AND STATE LEGISLATIVE AGENDA**

Jessica Blazina, Intergovernmental Affairs Manager, provided an update on federal and state legislative priorities as identified by staff and City Council. On Monday, January 9, 2017, the first regular session of Arizona's 53rd Legislature was declared in session and Governor Ducey gave his State of the State address, which largely focused on K-12 education. The House and the Senate have new leadership; both President Yarbrough and Speaker Mesnard are considered moderates who have worked to create relationships on both sides of the aisle. Representatives of District 19 expect a smoother time than in previous years.

Ms. Blazina stated that the guiding principles of Avondale's legislative agenda are left very broad to provide flexibility when dealing with the fast-changing conditions in the Legislature. Primary concerns include the preservation of local funding mechanisms, the maintenance of local taxing authority, and unfunded mandates. Avondale has unique needs that are best addressed through local government.

Ms. Blazina outlined Avondale's key issues. Fiscal sustainability requires the maintenance of shared revenues from sales and income taxes. Avondale receives approximately 35% of its General Fund budget from the shared revenue stream, which is used to provide critical services to residents. Avondale opposes any reduction in state shared revenue distributions. The Legislature is encouraged to evaluate all fiscal impacts that unfunded mandates might have on communities. Avondale supports state legislation and administrative programs that provide funding for local and regional transportation; will work to protect the Highway User Revenue Fund (HURF); and will oppose efforts to reduce or sweep funding intended for cities.

Ms. Blazina said Avondale supports initiatives to preserve and enhance the ability of local governments to plan for and respond to emergencies, and prefers that decisions regarding firearms in public buildings should reside with local decision making authorities. Avondale

supports efforts to enhance the range of economic development tools designed to encourage development.

The League of Arizona Cities has policy committees that meet quarterly to vet potential legislation. Proposed fixes are forwarded to the League Resolutions Committee, which meets annually to review suggestions and form resolutions that make up the Municipal Policy Statement.

Ms. Blazina next turned to federal activity. The 115th Congress convened on January 2, 2017, and inauguration day is January 20. President Elect Trump will likely propose an infrastructure package shortly after taking the oath of office. Avondale supports the Marketplace Fairness Act, which would allow local governments to benefit from online purchases. Avondale will work to ensure that municipal bonds remain a viable economic tool, and that grant opportunities supporting city objectives are pursued. The budget will be monitored closely to ensure that it has favorable consequences for municipalities.

Vice Mayor Nielson inquired about a texting while driving bill. Ms. Blazina explained that Senator Kavanagh introduced a bill that would prohibit any text communications by charging such violations as a secondary offense. This bill has been rejected in the past, but has a chance to move forward this year.

Council Member Dennis inquired about the potential impact that sweeping of HURF would have on Avondale and the Maricopa Association of Governments (MAG). Ms. Blazina responded that Governor Ducey is proposing that the entire account be swept. There may be provisions elsewhere in the budget that would allow ADOT to keep a large portion of that money. If that happens, ADOT would use their funds for state highway projects. Council Member Dennis asked how would scheduled projects such as the Loop 303 or 202 be completed. Mr. Fitzhugh clarified that HURF includes gasoline and use-fuel taxes, motor-carrier taxes, vehicle-license taxes, motor vehicle registration fees and other miscellaneous fees. It does not include federal funds. Mayor Weise noted that MAG's budget is in surplus and that the Loop 202 is running under budget. MAG has issued a proposal on how they want to spend the surplus Prop 400 money. Avondale's focus is on getting State Route 30 funded.

Council Member Dennis asked about federal transportation opportunities. Ms. Blazina said Avondale retains Capital Edge, a federal lobbyist who advocates for federal projects that would benefit Avondale. Council Member Dennis said shovel-ready projects are more likely to be funded than those that require additional planning. Mr. Fitzhugh noted that the current regional transportation plan funded by Prop 400 identifies money for the interchange at Fairway Drive/El Mirage Road. Avondale is working with MAG to move that project up from its 2021/22 time frame. Staff is reviewing all projects currently on the books to ensure that they are all shovel ready.

In response to an inquiry from Council Member Sierra, Ms. Blazina explained that the influx of freshmen representatives in the Legislature should not impact Avondale, as the city's senator and representatives remain the same. There is optimism that both houses will work together on the budget this year. Council Member Sierra inquired about funding for the community college districts. Ms. Blazina responded that there is a big push this year to provide more funding to community colleges. Council Member Sierra also inquired about the

state's reaction to Prop 206, the minimum wage law. Ms. Blazina said the Governor has been silent on the issue, but the Legislature is contemplating modifications to the measure that voters approved in November.

### **3 PREVIEW OF NEW WWW.AVONDALEAZ.GOV CITY WEBSITE**

Pier Simeri, Community Relations/Public Affairs Director, provided an overview of the new City of Avondale website. Vision Internet has officially turned the site over to the City, though some work remains to be done before launch in February. The website is a critical component for the City, acting as a virtual city hall for visitors and residents. The current website has served well, but is built on an old platform that has increasingly presented functionality obstacles. Analytics, focus groups, and surveys helped staff understand the public's main uses for the site. A core team was responsible for developing the new one. Each department will be responsible for updating their own information, and there will be an overall administrator.

DeAnn Franklin presented the new website to City Council and reviewed its features. All cities will be required to maintain a secured .gov site to ensure credibility and integrity. www.avondale.org will work in tandem with www.avondaleaz.gov so that either domain will lead to the same place. The library's subsite will now be incorporated into the main City site. Mobile users will enjoy an enhanced mobile home page. An enhanced search function allows users to find what they need quickly. My Avondale Services is an interactive map that allows new residents to view all services provided in the area they live. The parallax design, full width images and creative call to action buttons combine to make it a more engaging website.

Vice Mayor Nielson inquired about links to schools in Avondale. Ms. Simeri said the schools will be listed, and the interactive map will show all the schools in proximity to the user. Council Member Kilgore liked the idea to give Avondale residents a chance to display their photography. He said the site is energetic and attractive. The call to action buttons are effective. Residents will appreciate My Avondale Services. He suggested that some users might benefit from a quick tutorial to show them how to navigate the site. Ms. Franklin said a user guide and video will be provided for that purpose.

Council Member Dennis said the old site was frustrating to use and asked if the call to action buttons are set or if they would change periodically. Ms. Franklin replied that the design will remain static but the content will change periodically. She felt the social services section should have a higher profile on the new website and suggested adding a more direct point for residents to access those services. Council Member Pineda admired the consistency of the new site. Some people might find it hard to use at first but would eventually be able to figure it out. He inquired about the use of analytics to modify the website, he suggested also modifying periodically to highlight regional or national events such as Small Business Week. Ms. Franklin said quarterly meetings will be held to review the analytics and conduct routine updates so that the most desired information is more readily available to users, rather than having to be searched for. Council Member Malone said she likes the site and looks forward to its launch. In response to a questions from Council Member Malone, Ms. Franklin commented that the website will be modified to make services most needed by the users to be readily available.

Council Member Sierra said the style is fresh, but questioned its shelf life. Ms. Franklin responded that the rule of thumb with digital design trends is about four years. Vision Internet will be able to update the site according to future trends. Council Member Sierra asked whether the new site will be Americans with Disabilities Act compliant, or would have a Spanish-language mirror. Ms. Franklin said the site is fully ADA compliant and added that a Google Translate button is available which allows users to translate the contents into a variety of languages. Council Member Sierra suggested that the website offer business analytics to assist any company that is considering a relocation.

Mayor Weise asked about the percentage of users who access the site through mobile. Ms. Franklin explained that more than half are mobile users. Mayor Weise said the photos really benefit the community. He likes the fact that the icons can change according to seasonal demand, but that the colors remain consistent. Ms. Franklin concluded by saying that the City will have a much greater ability to customize the new website as needed without having to contact Vision Internet each time.

#### 4 ADJOURNMENT

There being no further business before the Council, Council Member Kilgore moved to adjourn the meeting; Council Member Dennis seconded the motion. Motion carried unanimously.

City Council meeting adjourned at 7:01 p.m.

---

Mayor Kenn Weise

---

Carmen Martinez, MMC  
City Clerk

#### CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Council of the City of Avondale held on the 17<sup>th</sup> day of January. I further certify that the meeting was duly called and held and that the quorum was present.

---

City Clerk

Minutes of the Regular Meeting held January 17, 2017 at 7:10 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Mayor Kenneth N. Weise and Council Members

Sandi Nielson, Vice Mayor  
Pat Dennis  
Bryan Kilgore  
Veronica Malone  
Mike Pineda  
Lorenzo Sierra

**ALSO PRESENT**

David Fitzhugh, City Manager  
Gina Montes, Assistant City Manager  
Kevin Artz, Assistant City Manager  
Dale Nannenga, Police Chief  
Debra Olson, Southwest Family Advocacy Center Director  
Stephanie Small, Neighborhood and Family Services Director  
Matthew Hess, CDBG Program Manager  
Rick Williams, Planner II  
Jeffrey Fairman, Economic Development Specialist  
Jessica Blazina, Assistant Director/Intergovernmental Affairs  
Sandy Lopez, Council Assistant  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

**1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK**

City Clerk Carmen Martinez read the Statement of Participation.

**2 UNSCHEDULED PUBLIC APPEARANCES**

There were no requests to speak.

**3 CONSENT AGENDA**

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

**a. APPROVAL OF MINUTES**

1. Work Session of December 12, 2016
2. Regular Meeting of December 19, 2016
3. Regular Meeting of January 2, 2017

**d. COOPERATIVE PURCHASING AGREEMENT - SUNLAND ASPHALT**

A request to approve a Cooperative Purchasing Agreement with Sunland Asphalt for asphalt and concrete improvements to the Care 1st/Resource Center and Senior Center parking lots and an overlay for 105<sup>th</sup> Avenue in Glenarm Farms for a maximum aggregate amount of \$156,000.00, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

**e. COOPERATIVE PURCHASING AGREEMENT - D.H. PACE COMPANY, INC.**

A request to approve a Cooperative Purchasing Agreement with DH Pace Company, Inc. to provide locking systems for doors and related hardware services for city facilities in an annual aggregate amount not to exceed \$50,000.00 and a maximum aggregate amount not to exceed \$250,000 over the term of the contract and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**g. RESOLUTION 3361-117 - INTERGOVERNMENTAL AGREEMENT FOR WASTE COLLECTION AND TRANSPORTATION**

A request to approve an Intergovernmental Agreement for with various cities for Waste Collection and Transportation Mutual Aid and authorize the Mayor or City Manager and City Clerk to execute the required documents.

**k. RESOLUTION 3366-117 - INTERGOVERNMENTAL AGREEMENT - CITY OF PHOENIX FOR TRANSACTION PRIVILEGE TAX COLLECTION SOFTWARE**

A resolution approving an Intergovernmental Agreement with the City of Phoenix for transaction privilege tax collection software and maintenance services. The City Council will take the appropriate action.

Council Member Dennis requested to pull items 3b, 3c, 3f, 3h, 3i and 3j from the consent agenda to be considered separately.

Vice Mayor Nielson moved to approve consent agenda items 3a, 3d, 3e, 3g and 3k, including Resolutions 3361-117 and 3366-117. Council Member Pineda seconded the motion.

**ROLL CALL VOTE AS FOLLOWS:**

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**b. LIQUOR LICENSE - SERIES 12 (RESTAURANT) - MANNY'S MEXICAN FOOD**

A request to approve an application for a Series 12 (Restaurant) Liquor License submitted by Ms. Juanita Esparza to be used at Manny's Mexican Food located at 12345 W Indian School Road in Avondale.

Council Member Dennis inquired whether the Applicant's back tax issue was resolved. Mr. Fitzhugh explained that the Applicant paid a 38% portion of the back tax today as a good faith payment, and staff is working with them to develop a payment plan for the remainder. Should the payments not be made, the City would have recourse to withhold the renewal in 2018 pending resolution of the tax issue. Council Member Dennis requested that staff make a statement to the Liquor Board saying that applications should

be reviewed for accuracy prior to being sent to the City Council. Mr. Fitzhugh noted that the Applicant submitted an amended application to correct erroneous items.

In response to Council Member Sierra's inquiry, Andrew McGuire, City Attorney, explained that City Council's action is a recommendation to the Liquor Board that sometimes has bearing, but often does not. City Council's decision can be based on any issues within the realm of what is deemed acceptable to the Board, and not paying taxes is one of them.

Council Member Pineda felt that the good faith payment shows that the Applicant deserves a second chance. Approval of the license would make it more likely that they could afford to pay the back taxes. Mayor Weise noted that this has been a long-time Avondale business that has been an active part of the community.

Council Member Dennis moved to approve the application for a Series 12 Liquor License submitted by Ms. Juanita Esparza to be used at Manny's Mexican Food located at 12345 W. Indian School Road in Avondale. Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**c. LIQUOR LICENSE - SERIES 12 (RESTAURANT) - MI COCINA MEXICAN FOOD**

A request to approve an application submitted by Ms. Claudia Castro for a Series 12 (Restaurant) liquor license to sell all spirituous liquors at Mi Cocina Mexican Food Restaurant located at 10575 W Indian School Road Ste 107 and 108 in Avondale.

Council Member Dennis reiterated her point that accuracy and completeness of application information is important. Mr. Fitzhugh noted that an amended application was submitted reflecting the correct lease charge. Staff will pay particular attention to this issue to avoid problems in the future.

Council Member Pineda moved to approve an application for a Series 12 (Restaurant) liquor license to sell all spirituous liquors at Mi Cocina Mexican Food Restaurant located at 10575 W Indian School Road Ste 107 and 108 in Avondale. Council Member Malone seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye

Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**f. RESOLUTION 3360-117 - AUTHORIZING SIGNATORIES ON CITY BANK ACCOUNTS AND DECLARING AN EMERGENCY**

A resolution authorizing signatories on City Bank Accounts and authorizing certain city officials to authorize electronic payments and transfers of funds and declaring an emergency. Council will take the appropriate action.

Council Member Dennis questioned the need for continuing the methodology reflected in this resolution. She said this is something small cities tend to do and sees it as an honorary action; then commented there are likely costs involved with creating new signature plates. Mr. Fitzhugh said staff does not have a firm position on this matter. In 2014, a recommendation was made to limit the number of signatures on checks. City Council discussed it and voted to continue with the practice of including the Mayor and Vice Mayor's signatures along with that of pertinent staff. This is purely a policy decision on the part of City Council.

Council Member Malone asked whether changing the signatories each time there is a new City Council affects staff processes. Mr. Fitzhugh said it does not. Mayor Weise said he does not feel strongly either way. Council Members Kilgore, Sierra and Pineda said they had no problem with the policy staying as is. Council Members Dennis, Malone and Nielson felt that staff should sign the checks.

Council Member Pineda moved to adopt Resolution 3360-1117 authorizing signatories on city bank accounts and declaring an emergency. Council Member Malone seconded the motion.

**ROLL CALL VOTE AS FOLLOWS:**

Council Member Pineda	Aye
Council Member Dennis	Nay
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried 6-1.

**h. RESOLUTION 3363-117 - INTERGOVERNMENTAL AGREEMENT – ARIZONA DEPARTMENT OF PUBLIC SAFETY**

A resolution approving an Intergovernmental Agreement with the Arizona Department of Public Safety Victims of Crime Act to receive funding for two mental health therapist positions to focus on providing victims counseling services free of charge at the Southwest

Family Advocacy Center (SFAC) and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Dennis requested background information on the SFAC, specifically the division of cost between the four entities collaborating on the project. Chief Nannenga said SFAC is a partnership between Avondale, Buckeye, Goodyear, and Maricopa County. The steering committee is run by the four chiefs who meet monthly. All costs are split four ways. Other funds within the organization are being used to address the grant match. Mr. Fitzhugh added that this is a continuation of a grant from 2015/16. The position is allocated for in the budget and will be there again next year.

Debra Olson said Southwest Family Advocacy Center has worked with other agencies in the past to provide counseling services, but they were unable to continue. These services were not offered for two years until a grant made it possible to resume them.

Vice Mayor Nielson moved to adopt Resolution 3363-117 approving an Intergovernmental Agreement with the Arizona Department of Public Safety Victims of Crime Act to receive funding for two mental health therapist positions to focus on providing victims counseling services free of charge at the Southwest Family Advocacy Center and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. Council Member Dennis seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**i. RESOLUTION 3364-117 - INTERGOVERNMENTAL AGREEMENT – ARIZONA DEPARTMENT OF PUBLIC SAFETY**

A resolution approving an Intergovernmental Agreement with the Arizona Department of Public Safety awarding Victims of Crime Act funds to the City of Avondale for a case management software program to be used at the Southwest Family Advocacy Center (SFAC) and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Dennis said her question regarding this item was answered under Item 3h and since she now understands the cost not paid by the grant is split among the four entities, she does not have a problem with this item.

Vice Mayor Nielson moved to adopt Resolution 3364-117 approving an Intergovernmental Agreement with the Arizona Department of Public Safety awarding Victims of Crime Act funds to the City of Avondale for a case management software program to be used at the Southwest Family Advocacy Center and authorize the Mayor or City Manager and City

Clerk to execute the necessary documents. Council Member Malone seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**j. RESOLUTION 3365-117 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATED TO THE HOME PROGRAM**

A resolution authorizing an intergovernmental agreement with Maricopa County to allow the City to receive an allocation of Federal funding under the HOME Investment Partnership Program in the amount of \$134,098 for the 2016-2017 fiscal year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Dennis requested more information on the HOME program. Matthew Hess, CDBG Program Manager, explained that this year, HOME funds will be used to complete two substantial home repairs and assist one first time homebuyer. Avondale is a member of the Maricopa Home Consortium, a group of nine entities that band together to obtain HOME funding for which they would not be eligible individually. Avondale receives about a 5% pro-rated share of the County allocation which is distributed according to the city's CDBG share. The program assists low income residents to make home repairs and purchase first homes. Avondale also receives about \$575,000 in CDBG funds each year. Homebuyer recipients are chosen by the program administrator, Trellis, as mandated by HUD on a first come, first served basis. Repair recipients are maintained by staff. Outreach is conducted in the community. Everyone income qualified can participate, and there are currently 25 people on the wait list.

Council Member Kilgore said the City of Avondale makes very good use of the housing funding it receives and on occasion has been awarded funds that other entities have not been able to expend. Mr. Hess added that last year the city also received reallocation of program income from the County. Council Member Pineda concurred that it is a wonderful service. Council Member Dennis said programs like these are assets to the community and need to be defended.

Council Member Kilgore moved to adopt Resolution 3365-117 approving an Intergovernmental Agreement with Maricopa County to allow the City to receive an allocation of Federal funding under the HOME Investment Partnership Program in the amount of \$134,098 for the 2016-2017 fiscal year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. Council Member Dennis seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**4 PUBLIC HEARING AND ORDINANCE 1616-117 - AVALON APARTMENTS REZONE FROM R1-6 TO PLANNED AREA DEVELOPMENT**

A public hearing and an ordinance rezoning approximately 20 acres of land located at 2005 N. 103rd. Avenue from R1-6 Single-Family Residential to Planned Area Development (PAD) for a 400-unit apartment complex.

Rick Williams, Planner II, said the 20-acre subject site is surrounded by Rio Vista ES to the north, Harbor Shores to the west and Gateway Pavilions to the south. The General Plan designates the surrounding area as High-Density Residential, Freeway Commercial, Education and Medium Density-Residential. The property was annexed in 1989 and zoned R-1 Single-Family Residential. In 1991, Avondale reclassified it as R1-6. The site is mostly vacant now, but was CJS Film Studios until 2004. By rezoning to R-4 the site would be able to accommodate a 400-unit apartment complex. In addition to the PAD, the Applicant is requesting three deviations from the standard development standards, including reductions in site setbacks, the rear setback, and the number of required enclosed garages. The proposed plan will consist of 22 buildings of one, two, and three stories. A main circular entrance allows ingress/egress. Two gated access points will provide exit only and emergency access. There will be two community pools in the site. The rooflines will vary.

Mr. Williams explained that the 2030 General Plan established a target density for this area of 12 dwelling units per acre, with a maximum of 30. The Applicant is requesting an increase from 12 units to 20, based on the offered amenities of active and passive open space totaling 26.6%, compared to the required 20%. The use is consistent with the surrounding area, and meets the objectives set forth in the Freeway Corridor Specific Plan by promoting a pedestrian-friendly environment. The nearest edge of the closest building to the school will be 130 feet, regardless of whether the requested setback is approved or not. The nearest edge of the closest building to Gateway Pavilions would be 326 feet, with or without the setback. The request is to also reduce the rear setback to zero, considering that to the east of the site is a 60-foot RID access road and canal, and a 200-foot wide City well easement. Staff supports the setback reductions.

Mr. Williams noted that the current Zoning Ordinance requires that 25% of the total parking, minus guest parking, be enclosed garage spaces. Based on that requirement, that would mean 172 garages. While the garages create extra revenue, the reality is that the majority of renters use them for storage, which has an adverse affect on parking. The percentage of covered spaces offered in the plan is roughly equivalent to two of the more recent apartments approved by the City.

Staff finds that the proposed use supports the City's plans and is adequately buffered from surrounding uses. Parking is sufficient, and the complex offers enhanced landscaping and multiple open space amenities. Notices for a neighborhood meeting were mailed to owners within 1,000 feet, and that meeting was held on October 25, 2016. One citizen attended and indicated his full support.

The Planning Commission heard the proposal on December 15. The topic of a deceleration lane into the project was discussed. Traffic impacts will be further evaluated now that the site plan has been formally submitted. If warranted, a deceleration lane will be added as a requirement. Concern was also expressed about the school setback, but the school board has indicated that they have no issues with the proposed development. The Commission questioned the project's conformity to the General Plan, and inquired about design aspects of the proposal, emphasizing the need for additional roof articulation and embellishments. The City's design review process will continue to address such issues. The Commission ultimately recommended approval by a five to zero vote. Staff recommends approval subject to standard stipulations.

Mayor Weise opened the public hearing.

Ben Graff, 2025 E. Arizona Biltmore Circle, representing Applicant, Brett Heers, Lervick, LLC, said Avalon Apartments is a development of luxury quality that has not met with any opposition from the neighborhood. This development conforms to the General Plan. Direct keyed access to Gateway Pavilions will be available. Lervick, LLC will manage the complex. The proposal met the approval of both school districts. He said staff has been working for the past year to ensure that this will be a good project. It will attract families to the city who may decide later to make Avondale their permanent home because they have become familiar with the area.

Mr. Williams responded to a question from Ms. Michelle McBolin regarding traffic impacts. He used a diagram to demonstrate that the complex will have one ingress/egress gateway and two exit only/emergency entrances on 103rd Avenue. There will be no vehicle portals to the north, east, or south.

Denise Stanfield expressed concern that the lack of exits on three sides could cause safety issues in the event of an emergency. Mr. Williams explained that staff worked with the applicant and the neighboring landlords to secure secondary access. The school does not want traffic crossing their playground. The RID was opposed to building a bridge over the canal. Gateway Pavilions did not support bringing additional traffic through the back of their development. The Police and Fire Departments have signed off on the plan knowing that adequate separation exists between the three portals to meet any public safety emergency that might happen, even should one of the exits becomes blocked.

Mayor Weise closed the public hearing.

Mayor Weise inquired about the east/west dimension of the property. Mr. Williams said it is about 1,600 feet. Vice Mayor Nielson noted that the Planning Commission vetted and approved this project. Even the school says they have enough room to accommodate the children. This project will clean up the area.

Council Member Pineda inquired about the price point of Avalon Apartments compared to nearby apartment complexes. Mr. Graff responded that a one bedroom rental is estimated at

\$740 per month, a two bedroom is just over \$1,000, and a three bedroom is just over \$1,200. The prices are slightly above the other complexes because of the quality of the materials and amenities offered. Council Member Pineda said the project has been well vetted and has encountered no opposition.

Council Member Sierra inquired about outreach to Luke Air Force Base personnel. Mr. Graff said it is premature to do that at this point, but that will definitely be done as a part of the marketing campaign. Council Member Sierra inquired about the project time frame and the transit options near the complex. Mr. Graff explained that construction could start within six months. A bus stop is located by the complex, and the Zoom stops at Gateway Pavilions.

Council Member Dennis felt that the design should feature additional accents if it is to be highlighted as a luxury complex. She inquired whether the lease agreements could restrict tenants from using garages for storage instead of for vehicles. Mr. Graff responded that garages come with an extra monthly cost. The standard requirements of many city codes usually results in projects having more garages than there is demand for. This reduces the number of covered and free spaces that complexes can offer, which leads to parking issues. Lervick also recognizes that demand for units without garages rent first. Leases state that garages are to be used for vehicles, but enforcing this is difficult.

Council Member Dennis said she is not fully comfortable with the reduced garage requirements. She expressed concern that all the portals open onto 103rd Avenue, which could cause problems for those on the east side of the complex in the event of a crisis situation. Mr. Graff responded that one entire meeting with staff was dedicated to discussing access. Given the landlocked nature of the site, any project built there will have to deal with the same issues. He pointed out that many existing developments would encounter the same problem if their exits were intentionally blocked by someone with nefarious purposes. The current plan passes muster for all the most common scenarios. In response to further inquiry from Council Member Dennis, Mr. Graff reiterated that the land to the south is owned by Harkins. While they would be willing to allow temporary disruption to install a water main into the Avalon project, they would not be willing to open a permanent access road between the two properties. Council Member Dennis requested continued conversations with Harkins regarding alternative access to the development.

Council Member Dennis noted two letters from the Tolleson School District written six months apart that contradicted each other. The June 2016 letter said the district did not have the capacity to accommodate the increased density, while the December 2016 letter said it did. Mr. Williams responded that the superintendant changed within that time. The Pendergast School District has also said they could accommodate the increased density.

Council Member Malone expressed concern about all outlets being on 103rd Avenue, especially considering that increased traffic there might impact safe routes to schools. Council Member Dennis felt that traffic calming measures should be taken on 103rd Avenue to mitigate problems. Mayor Weise noted that Rio Vista ES is on the same side of the road as the proposed complex and students will not have to cross any roads. Mr. Williams added that there will be numerous gated exits. The school has expressed no concerns at all. There will be four or five bus trips each morning and evening. The safe route to school is along Encanto Boulevard. The school is excited about the easy access students will have to the campus. Council Member Dennis said the important issue is not the route, but educating children on how to be safe while they walk to school.

Council Member Kilgore said he is in favor of this project as it is a good use of the land and understand the concern about the exists in the event of an emergency. He inquired about the necessary conditions that would justify a deceleration lane. Mr. Graff explained that the current traffic study does not warrant a deceleration lane based on overall traffic counts, trip generation, and the surrounding uses in the area. If that should change in the meantime, staff would have the discretion to require that of the applicant. The site has always been planned for multi-family, so the City's traffic analysis has always predicted that level of density. Mr. Fitzhugh added that the City has no plans to widen the street as it is classified as a collector. It also serves a very limited area, and the neighborhood is largely built out. He added that based on his experience as an engineer, the traffic study will show that the street does have enough capacity. Council Member Kilgore reiterated he is in favor of this project and appreciates that Police and Fire have been involved in the discussions and do not have concerns.

Council Member Dennis expressed concern over kids walking to school and increased traffic in the area. Regarding kids walking to school, Mr. Williams indicated that there are numerous pedestrian exits from the development for children to walk to school. He added that he has spoken to the transportation director for the Pendergast School District who expressed no concerns, he added that they recognize the pedestrian traffic along 103<sup>rd</sup> Avenue, but vehicular traffic is funneled on Encanto Boulevard. Council Member Dennis indicated that any efforts to add to the safety of students walking to school is positive and added that it is not only about the routes themselves, but educating the children about safety.

Council Member Dennis felt that Avondale was relying too heavily on apartments to meet the density goals articulated in the General Plan, and that more emphasis should be placed on condominiums or patio homes to accomplish the same thing. This type of housing would provide families with more options in Avondale. There are very few places to put them to begin with, and this project falls short in that way. Mayor Weise agreed that he would prefer these to be condominiums and townhouses, but the ingress/egress issues would remain, regardless of the development. Avondale has not seen any new apartment stock since 2008. No project is perfect, but this is a quality one.

Mr. Williams provided the Council with a copy of the letter of support for the project from the Pendergast School District which had been inadvertently left out of the Council packet.

Vice Mayor Nielson moved to accept the findings and adopt the Ordinance approving Application PL-16-0115 a request to rezone approximately 20 acres of land from the R1-6 Zoning District to the Planned Area Development (PAD) Zoning District, subject to three recommended stipulations in the staff report. Council Member Kilgore seconded.

Before a complete vote could be taken on that motion, Council Member Dennis requested an amendment to add stipulations regarding safe routes to schools and traffic calming.

Mayor Weise inquired whether safe routes to school could be added administratively. Mr. Fitzhugh responded that staff is already in the process of updating safe routes to school, and this new development will be part of that review. Traffic calming measures have to be evaluated according to needs and requirements. These measures cause issues with traffic flow and emergency vehicle access and have to be considered carefully. The traffic impact study would be the best way to evaluate that need. Mayor Weise felt that since the applicant

has shown a willingness to work with staff, and all of the relevant City departments have said they are okay with this project, the requested amendments would better be handled administratively.

Council Member Dennis commented that adding the stipulation would demonstrate commitment by the developer to ensure safe routes to school are included in the final project.

Council Member Dennis moved to amend the motion to add a safe route to school component to the project and to have the Engineering Department address any necessary traffic mitigation measures. The amendment was seconded by Council Member Malone.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Nay
Vice Mayor Nielson	Nay
Council Member Kilgore	Aye
Council Member Sierra	Nay

Motion carried 4-3.

Council then took a vote on Vice Mayor Nielson's original motion and seconded by Council Member Kilgore as amended.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Nay
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried 6-1.

Vice Mayor Nielson left the meeting at 9:05 pm.

**5 RESOLUTION 3362-117 - ECONOMIC DEVELOPMENT AGREEMENT VITAMIN SHOPPE INDUSTRIES INC.**

A resolution approving an Economic Development Agreement with Vitamin Shoppe Industries Inc. regarding its West Coast Regional Distribution Center and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The City Council will take the appropriate action.

Jeffrey Fairman, Economic Development Specialist, said VSI is a large health and wellness company with over a billion dollars in sales annually. They have 5,000 employees in 44 states, and are leasing the entire Coldwater Depot 3 logistics center to use as a West Coast

distribution center. They want to employ 110 to 125 people in Avondale. The capital investment is at least \$12 million. The use is appropriate for the building and the area and conforms to City plans. It is exactly the type of use targeted for the building. The financial impact will be over \$272 million over ten years. This will include over \$4 million in annual payroll, a lease of almost \$10 million, and sales tax benefits of about \$2.2 million. This figure does not include construction sales taxes.

Mr. Fairman said Avondale offered an incentives package that includes the cost of permitting and inspections and job creation incentives. No incentives will be paid out until after the work is done. The reimbursement will come from the Economic Opportunities Fund. He said VSI has many options for placing this facility in the Valley and in other states, but they chose Avondale.

Council Member Sierra asked whether this project would help accelerate the Fairway interchange project. Mr. Fairman said it would give all entities involved good reasons to ensure that project gets completed on time. Part of VSI's decision involved having that interchange present. Council Member Pineda inquired about tenant improvements. Mr. Fairman said the changes will be dramatic including air conditioning throughout, robotics and many others which represent millions of dollars worth of investment.

Council Member Dennis said she is pleased VSI selected Avondale for this investment. She inquired about accountability when it comes to preference for hiring veterans and Avondale residents. Mr. Fairman responded that VSI encourages their workers to live near all their facilities. An audit process will occur before each payment is made by the City.

In response to a question from Council Member Kilgore, Mr. Fairman confirmed that it is expected that this development will add between 110 and 125 full time jobs to the city. Council Member Kilgore expressed full support for the project. Mayor Weise said this announcement says much about Avondale's staff, and shows that the Avondale can compete when GPEC brings these types of proposals.

Council Member Dennis moved to adopt Resolution 3362-117 approving an Economic Development Agreement with Vitamin Shoppe Industries Inc. regarding its West Coast Regional Distribution Center and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The City Council will take the appropriate action. Council Member Malone seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Excused
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried 6-0.

Due to the time, Mayor Weise suggested moving item 7 to a future meeting.

**7 UPDATE ON THE VOLUNTEERS IN SERVICE TO AMERICA (VISTA) PROGRAM**

An update on the status of the VISTA program which provides capacity-building support for the City of Avondale's priorities in education, volunteer engagement and crime prevention and discuss options for a contract renewal. For information, discussion and possible direction.

Council Member Kilgore moved to table Item 7 until the next City Council meeting. Council Member Malone seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Excused
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried 6-0.

**6 COUNCIL APPOINTMENTS TO REGIONAL AND LOCAL BOARDS, COMMISSIONS, AND COMMITTEES**

Evaluation of current appointments and vacancies on various local and regional boards and committees and appointment of Council Members to fill vacancies to ensure the city is adequately represented.

Jessica Blazina said regional representation on behalf of City Council is beneficial to the city in that it helps maintain Avondale's strong presence in the region. She called for volunteers to fill the existing vacancies.

Mayor Weise stated his intent to serve on the Maricopa Association of Governments (MAG) Transportation Policy Committee, the MAG Regional Council, and the Mayors Education Roundtable.

Mayor Weise indicated that before she left, Vice Mayor Nielson indicated to him she would like to remain on the Southwest Valley Chamber of Commerce Board of Directors.

Prompted by Mayor Weise, Ms. Blazina indicated most boards have a call in policy so if unable to attend a meeting in person, Council Members can participate via telephone call.

Mayor Weise commented he would be remiss if he did not ask Council Members if they would like to continue sitting on the boards they have been participating on. After a short discussion, board and committee assignments are as follows:

Board/Committee	Representative
Valley Metro RPTA Board of Directors	Council Member Dennis
AZ Municipal Water Users Assoc.	Council Member Dennis
SW Valley Chamber of Commerce BOD	Vice Mayor Nielson
Luke West Valley Council	Council Member Kilgore
Maricopa County Human Services Commission	Council Member Malone
WESTMARC Board of Directors	Council Member Sierra
MAG Human Services Coordinating Comm.	Council Member Pineda
MAG Economic Development Council	Council Member Sierra
Southwest Lending Closet	Council Member Dennis
Interfaith Council	Vice Mayor Nielson
Subcommittee for Boards, Commissions and Committees	Council Members Dennis, Kilgore and Pineda
Contributions Assistance Program	Council Members Malone, Pineda and Sierra

Council Member Dennis proposed replacing the School District Ambassador Program with an Education Committee with representatives from both the city and the different school districts to discuss areas of common interest and needs. Mayor Weise explained the Ambassador Program was initiated years ago as a way to open dialogue between City Council and the school districts. The school districts, however, are not quite sure what their role is in the program. If an Education Committee is formed, he felt it would have to be open to charter schools and private schools as well. All of the present Council Members expressed an interest in the proposal and agreed to keep the Ambassador Program open in the meantime until the details could be worked out. Mr. Fitzhugh said the schools would be contacted to find out their level of interest. Council Member Kilgore suggested schools are offered school development hours to incentivize participation.

**8 EXECUTIVE SESSION**

An executive session pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(4) for discussion or consultation with the City's Attorney in order to consider its position and instruct the City's Attorney regarding (i) a lease agreement for city-owned property and (ii) regarding Ironshore Indemnity, Inc. v. City of Avondale et al.

Council Member Kilgore move to adjourn to executive session; Council Member Pineda seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Pineda	Aye
Council Member Dennis	Aye
Council Member Malone	Aye
Mayor Weise	Aye
Vice Mayor Nielson	Excused
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried 6-0.

**9 ADJOURNMENT**

There being no further business before the Council, Council Member Kilgore moved to adjourn the meeting; Council Member Sierra seconded the motion. Motion was carried unanimously.

The meeting was adjourned at 11:30 p.m.

---

Mayor Kenn Weise

---

Carmen Martinez, MMC  
City Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 17<sup>th</sup> day of January 2017. I further certify that the meeting was duly called and held and that the quorum was present.

---

City Clerk



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Special Event Liquor License - Friends of  
Avondale Libraries - Casino Night

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council

**FROM:** Carmen Martinez, City Clerk (623) 333-1214

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

Staff is recommending approval of a special event liquor license application submitted by Ms. Ava Gutwein for a fundraising event to be held on Saturday, February 25, 2017 at the Avondale Civic Center Library located at 11350 W. Civic Center Drive.

**DISCUSSION:**

The City Clerk's Department received a request from Ms. Ava Gutwein on behalf of the Friends of Avondale Libraries and Recreation for approval of a special event liquor license application to be used in conjunction a Casino Night fundraiser scheduled for Saturday, February 25, 2017 at the Avondale Civic Center Library located at 11350 W Civic Center Drive in Avondale. The fees have been paid.

Staff has determined that the applicant is not requesting any city support other than normal city services. The Police and Fire Departments have reviewed the application and are recommending approval. Their comments are attached.

Staff reviewed this application using the 14 factors set forth in Ordinance 1031-04. The findings are as noted below:

1. The event will be open to the public
2. Criminal history of the applicant - A background check of the representative, Ms. Ava Gutwein, revealed no contact with the Avondale Police Department
3. The event is a fundraiser and as such, security measures identified in the security plan prepared by the applicant have been reviewed by the Police Department and determined it to be sufficient
4. Beer and wine will be served. Beverages will be dispensed in disposable cups and containers.
5. This is the second time that a special event liquor license has been held at this location. There were no problems during the previous event held in October 2016.
6. Event activities will be confined to a sectioned-off portion of the Civic Center Library.
7. There is no potential for problems in the neighborhood in terms of noise, hours and time of the event.
8. The event will last three hours.

9. Sanitary facilities are available within the library.
10. Zoning is appropriate - The property is zoned AG (Agricultural), the use is not prohibited within this type of zoning.
11. Planning staff has indicated that the proposed use will not result in incompatible land uses.
12. Anticipated total daily attendance is 50 people.
13. There will not be sound amplification.
14. Per the Police Department, traffic control measures will not be necessary.

**RECOMMENDATION:**

Staff is recommending approval of a special event liquor license application submitted by Ms. Ava Gutwein for a Casino Night fundraising event to be held on Saturday, February 25, 2017 at the Avondale Civic Center Library located at 11350 W. Civic Center Drive.

**ATTACHMENTS:**

**Description**

[Application and review documents](#)

SERIES 15 SPECIAL EVENT  
LIQUOR LICENSE APPLICATION FOR  
FRIENDS OF AVONDALE LIBRARIES AND RECREATION  
CASINO NIGHT

DUE TO THEIR SIZE, THE FOLLOWING DOCUMENTS  
HAVE BEEN POSTED SEPARATELY:

APPLICATION  
DEPARTMENTAL REVIEW

<http://www.avondale.org/DocumentCenter/View/39657>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Liquor License - Series 12 (Restaurant) - Blaze  
Pizza # 1140

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Carmen Martinez, City Clerk (623) 333-1214**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is recommending approval of an application submitted by Amy Nations for a Series 12 (Restaurant) License to sell all spirituous liquors at Blaze Piza #1140 located at 10155 W McDowell Road, Suite 103 in Avondale.

**DISCUSSION:**

The City Clerk's Department has received an application for a Series 12 Restaurant License to sell all spirituous liquors from Ms. Amy Nations to be used at Blaze Pizza #1140. The fees in the amount of \$1,050 have been paid.

Blaze Pizza is an existing restaurant that has been operating at this at this newly constructed location since late 2016.

As required by state law and city ordinance, the application was posted for the required period of time beginning on January 12, 2017. A notice is scheduled for publication in the West Valley View on January 25 and February 1, 2017. No comments have been received as of the date of publication of this agenda. Staff will update the Council if any comments are received by the date of the Council meeting.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete. The Police, Fire, Development Services and Finance Departments have reviewed the application and have expressed no concerns with the applications so are recommending approval. Their comments are attached.

**RECOMMENDATION:**

Staff is recommending approval of an application submitted by Amy Nations for a Series 12 (Restaurant) License to sell all spirituous liquors at Blaze Piza #1140 located at 10155 W McDowell Road, Suite 103 in Avondale.

**ATTACHMENTS:****Description**

[Application and review documents](#)

RESTAURANT LIQUOR LICENSE (SERIES 12) – BLAZE PIZZA #1140

DUE TO THEIR SIZE, THE FOLLOWING DOCUMENTS  
HAVE BEEN POSTED SEPARATELY

1. APPLICATION
2. REVIEW BY DEPARTMENTS
3. VICINITY MAP
4. POSTING PHOTOS

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39659>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Liquor License - Series 12 (Restaurant) -  
Rosati's Sports Pub

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Carmen Martinez, City Clerk (623) 333-1214**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is recommending approval of an application submitted by Mr. Dennis Neal Kindred for a Series 12 (Restaurant) liquor license to sell all spirituous liquors at Rosati's Sports Pub to be located at 1729 N. Dysart Rd. Ste 107-109 in Avondale.

**BACKGROUND:**

This location was previously licensed by Game Time Grill in 2012 and Free Agents Sports Grill in 2015, this is a new applicant and is not in any way associated with previous businesses.

**DISCUSSION:**

The City Clerk's Department has received an application for a Series 12 Restaurant License to sell all spirituous liquors from Mr. Dennis Neal Kindred to be used at Rosati's Sports Pub. The fees in the amount of \$1,050 have been paid.

Rosati's Sports Pub is part of the Rosati's Pizza franchise and includes sit-down dining. The concept was first introduced in Arizona in 2014 and there are a handful of locations in the east valley, with this restaurant being the first in the west valley.

As required by state law and city ordinance, the application was posted for the required period of time beginning on January 12, 2017. A notice is scheduled for publication in the West Valley View on January 25 and February 1, 2017. No comments have been received as of the date of publication of this agenda. Staff will update the Council if any comments are received by the date of the Council meeting.

The Arizona Department of Liquor License and Control has accepted the submitted application as complete. The Police, Fire, Development Services and Finance Departments have reviewed the application and have expressed no concerns with the applications so are recommending approval. Their comments are attached.

**RECOMMENDATION:**

Staff is recommending approval of an application submitted by Mr. Dennis Neal Kindred for a Series 12 (Restaurant) liquor license to sell all spirituous liquors at Rosati's Sports Pub to be located at 1729 N. Dysart Rd. Ste 107-109 in Avondale.

## **ATTACHMENTS:**

### **Description**

[Application and review documents](#)

RESTAURANT LIQUOR LICENSE (SERIES 12) – ROSATI'S SPORTS PUB

DUE TO THEIR SIZE, THE FOLLOWING DOCUMENTS  
HAVE BEEN POSTED SEPARATELY

1. APPLICATION
2. REVIEW BY DEPARTMENTS
3. VICINITY MAP
4. POSTING PHOTOS

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39658>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Vehicle Replacement Appropriation Re-alignment

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council

**FROM:** Abbe Yacoben, Finance and Budget Director (623) 333-2011

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

Staff recommends the City Council approve a request to approve a transfer of appropriation between vehicle replacement funds to better align appropriation with the replacement schedule.

**BACKGROUND:**

Throughout the lifecycle of each vehicle, contributions are made to the replacement funds to ensure funding is available to cover the cost of its replacement. Each year during the budget cycle a replacement list is compiled of vehicles to be replaced during the coming year and appropriation is provided to fund those replacements. In total, the FY2016-17 appropriation is sufficient to fund all vehicle replacements but requires re-alignment of appropriation in the proper funds.

**DISCUSSION:**

During the preparation of the FY 17's budget appropriations were incorrectly allocated in the adopted budget. While there are sufficient appropriations overall within the fund, they are not within the correct funds. It is therefore necessary to transfer appropriations to the appropriate funds to complete the scheduled vehicle/equipment replacements.

The three (3) vehicle replacement funds consist of 1) Fund 530 – Water Replacement 2) Fund 531 – Sewer Replacement, and 3) 601 – Vehicle Replacement. Re-alignment of appropriation will allow staff sufficient appropriation within each fund to replace vehicles needed within those funds.

Staff asks that council approve transfer of appropriation between the three vehicle replacement funds to align appropriation better with the vehicles scheduled for replacement.

**BUDGET IMPACT:**

Staff request a total of \$359,330 in appropriation be transferred from 601-5200-00-8120 (Vehicle Replacement Fund-Fleet Services-Vehicles) to the following accounts: \$301,190 to account 530-5200-00-8110 (Water Equipment Replacement-Fleet Services-Construction Vehicles and Equipment) and \$58,140 to account 531-5200-00-8110 (Sewer Equipment Replacement-Fleet Services-Construction Vehicles and Equipment).

**RECOMMENDATION:**

Staff recommends the City Council approve a transfer of appropriation between vehicle replacement funds to better align appropriation with the replacement schedule.



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Minor Land Division: 701 and 705 S. 2nd St  
(PL-16-0101)

**MEETING DATE:**

2/6/2017

---

**TO:**

Mayor and Council

**FROM:**

Tracy Stevens, Development & Engineering Services Director (623) 333-4012

**THROUGH:**

David Fitzhugh, City Manager (623) 333-1014

---

**REQUEST:**

The Applicant is the property owner of 701 and 705 S. 2nd Street. APN 500-51-030A and APN 500-51-032 are the parent parcels that are currently divided in an east/west direction, with Parcel 1 north of Parcel 2. The Applicant wishes to adjust the lot line 90 degrees to divide the parcels in a north/south direction to front on Harrison Street. An additional 5' of right-of-way is being dedicated on 2nd Street as part of the MLD request

**PARCEL SIZE:**

Parcel 1 - 6,186 sf and Parcel 2 - 7,003 sf

**LOCATION:**

701 and 705 S. 2nd Street

**APPLICANT:**

Ran Edelman, P.O. Box 2733, Sunnyvale, CA 94087

**OWNER:**

Ran Edelman, P.O. Box 2733, Sunnyvale, CA 94087

---

**BACKGROUND:**

The two parent parcels (APN 500-51-030A and 500-51-032) are located at 701 and 705 S. 2nd Street. This area is part of the original townsite (1946) and is zoned R-3 (multi-family residential). The property is currently undeveloped, but there is evidence of a previous building foundation on Parcel 2. An unpaved alley runs north/south on the east side of the property. The subject parcels are surrounded by other single- and multi-family residential.

**SUMMARY OF REQUEST:**

The parent parcels are currently oriented so as to front on S. 2nd Street. Parcel 1 is at the northeast corner of Harrison Drive and S. 2nd Street, with Parcel 2 to the south. The Applicant is requesting to adjust the lot line between the two parcels to run in a north/south direction, with frontage provided on Harrison Drive.

**PARTICIPATION:**

Minor Land Divisions do not require Citizen Participation.

**PLANNING COMMISSION ACTION:**

Minor Land Divisions are not required to be heard by the Planning Commission.

**ANALYSIS:**

The Applicant is requesting to adjust the lot line between the two parent parcels to run in a north/south direction, with new frontage on Harrison Drive. Homes directly across Harrison Drive to the north are oriented to face Harrison. Other homes in the area have varying frontages either on Harrison Drive or the north/south streets. An additional 5' of right-of-way is being dedicated along S. 2nd Street for a total 25' half-street right-of-way. Water and sewer service would be established for each parcel as it develops as outlined in the stipulations of approval.

Staff has evaluated the request and has determined that there would be no adverse effects from the lot line adjustment.

The proposed MLD has been reviewed by the City's Contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.

The proposed MLD is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.

**FINDINGS:**

The proposed request complies with all applicable City documents, including, but not limited to, the Avondale Subdivision Regulations, Avondale Zoning Ordinance, Avondale General Plan 2030, and the General Engineering Requirements Manual.

**STRATEGIC PLAN ALIGNMENT:**

- |                     |   |
|---------------------|---|
| <b>Initiative</b>   | Foster Sustainable Community Development  |
| <b>Goal:</b>        | Encourage Build-out in residential housing opportunities that support diverse housing options                       |
| <b>Action Item:</b> | Provide for a more complete and vibrant neighborhood by allowing the residential development of two vacant parcels. |

**RECOMMENDATION:**

Staff recommends that the City Council APPROVE application PL-16-0101 as part of the February 6, 2017 consent agenda, with the following stipulations of approval:

1. When the west lot develops, the owner shall discontinue/remove one of the water services in S. 2nd Street.
2. When the east lot develops, the Harrison Drive water main shall be tapped for new water service.
3. The owner of the east lot shall tap the 8" Vitrified Clay Pipe (VCP) sewer main in Harrison Drive or the 6" VCP sewer main in the alley for sewer service.

## **PROPOSED MOTION:**

I move that the City Council **APPROVE** a request for approval of a Minor Land Division/Lot Line Adjustment for 701 and 705 S. 2nd Street, application PL-16-0101.

## **ATTACHMENTS:**

### **Description**

[Exhibit A - General Plan Land Use Map](#)

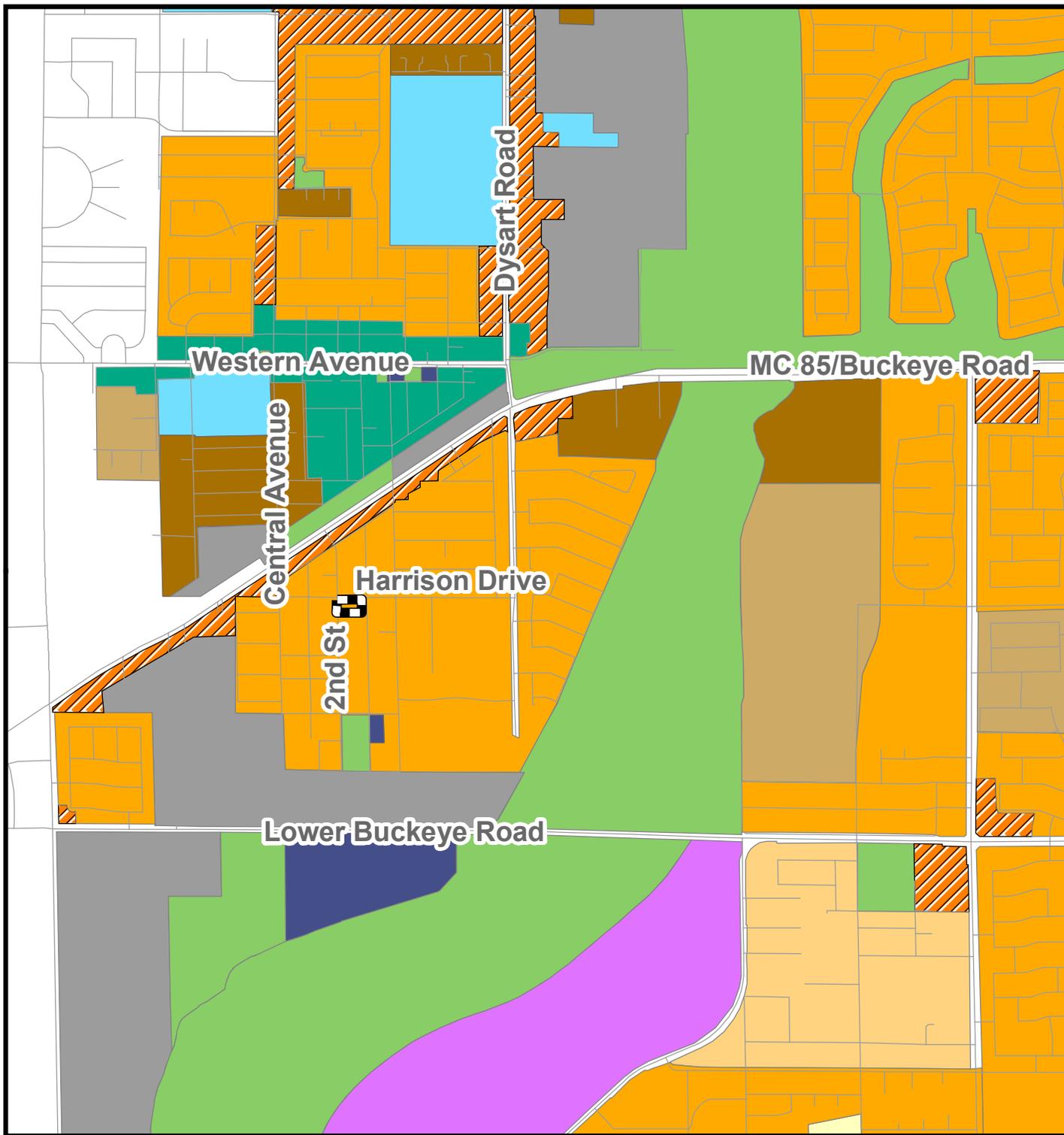
[Exhibit B - Zoning Vicinity Map](#)

[Exhibit C - Aerial Photograph](#)

[Exhibit D - Minor Land Division Map](#)

## **PROJECT MANAGER**

Alison Rondone, Planner II, (623) 333-4033

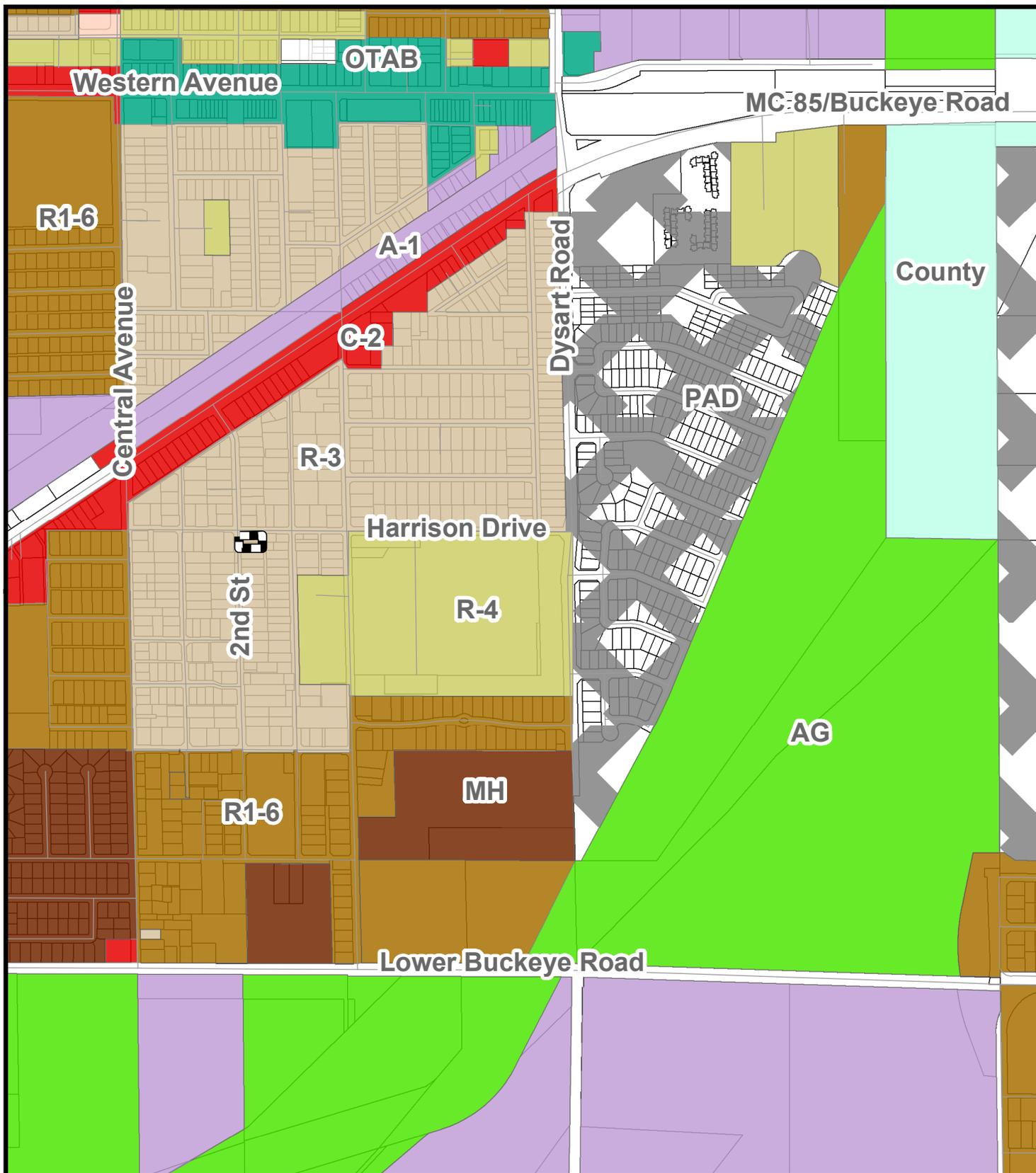


# General Plan Land Use Map

# Subject Property



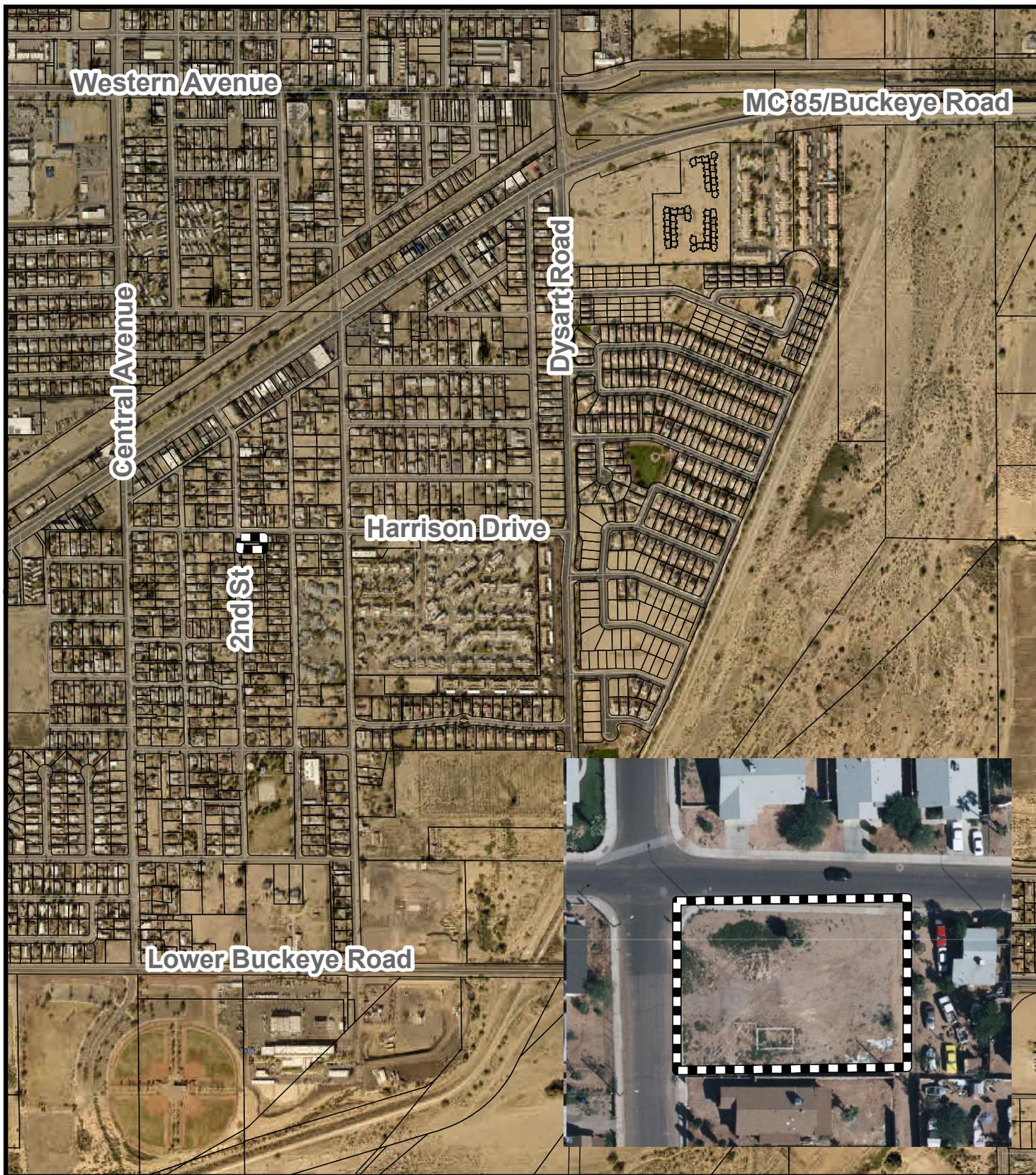
- |  |  |   |
|--|--|---|
|  County                     |  Public/Civic               |  High Density Residential |
|  Medium Density Residential |  Industrial                 |  Open Space and Parks     |
|  Education                  |  Historic Avondale District |  Mixed Use                |



# Zoning Vicinity Map

 Subject Property





**Aerial Photograph**



**Subject Property**



EXHIBIT D – MLD MAP

DUE TO ITS SIZE, THIS DOCUMENT  
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39689>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Cooperative Purchasing Agreement - Pavement Restoration Inc.

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council

**FROM:** Tracy Stevens, Development and Engineering Services Director, 623-333-4012

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

Staff is requesting that the City Council approve a Cooperative Purchasing Agreement with Pavement Restoration, Inc., for application of Surface Rejuvenation Treatments on various City of Avondale streets in an amount not to exceed \$340,000 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

City staff continuously researches preservative treatments that most efficiently meet pavement preservation needs. Several factors are used to evaluate pavement preservation strategies including age, history of prior treatments, current pavement conditions, and usage. With the assistance of the Pavement Management System (PMS) and in conjunction with the appropriated budget, staff determines the best treatment and prioritizes the streets to be treated.

The City of Queen Creek currently has a contract with Pavement Restoration, Inc., to provide pavement preservation materials and services. The Queen Creek contract (Queen Creek AZ IFB No. 13-006) contains cooperative use language which extends the use of the contract to other municipalities.

**DISCUSSION:**

Using data from the PMS and field analysis, staff selected a group of streets to be treated by Pavement Restoration, Inc. with their surface rejuvenation product, Reclamite. Reclamite is a proprietary asphalt-based formula that is sprayed on the street in a liquid form behind a moving vehicle. The material penetrates and seals the surface of the street and slows asphalt oxidation and associated deterioration. A significant advantage of using Reclamite is that roads do not need to be repainted/restriped following application. This makes Reclamite a superior and economical choice for these Avondale collector roadways.

Avondale has a number of local industrial and residential collector roads that need a preservation treatment during the next two years. Staff has selected roads totaling 36,164 square yards for FY '16-17 and are planning to treat 168,000 square yards of collector roads with Reclamite in FY '17-18.

The roads selected for the Reclamite treatment are as follows:

FY '16-17

Fairway Dr – Corporate Dr to north end (I -10)  
Corporate Dr – 127th Ave to Fairway Dr  
Garfield St – 127th Ave to Fairway Dr  
127th Ave -Van Buren to north end (I-10)  
Clubhouse Dr – southwest end to Links Dr

FY '17-18

Indian School- Litchfield border to Dysart  
132nd Ave -Indian School to Osborn  
Osborn- Indian School to Dysart  
137th Ave -Indian School to Merrill St  
107th Ave - RID Canal to Thomas  
Rancho Sante Fe Blvd- McDowell to Dysart  
Pierce St – 107th Ave to 105th Ave  
105th Ave – Roosevelt to Van Buren  
111th Ave- North end to Van Buren  
Van Buren – 111th Ave to 107th Ave  
Links Dr – Van Buren to Coldwater Springs Blvd  
Coldwater Springs Blvd – west end to Avondale  
118th Ave -Coldwarter Springs Blvd to Mariposa St  
Vermeersch – Lower Buckeye Rd to south end  
Mariposa St- 118th Ave to Avondale  
Thomas- Dysart to Sante Fe Tr (WB lanes)  
Thomas- N 115th Ln to N 108th Dr (WB two lanes)  
Avondale- Cambridge to Thomas (NB lanes)  
Durango -113th to 107th (EB lanes only)

**SCOPE OF WORK:**

The scope of work for this project will include:

- Display advance warning and notify adjacent business and school of project details.
- Power sweep/clean asphalt surface.
- Install traffic control during application as necessary.
- Apply Reclamite product followed by a layer of fine sand on roadways.
- Sweep sand from roadways within 24 hours.

A tentative construction schedule is as follows for the initial term (FY '16-17) of the contract

**SCHEDULE:**

<b>PROJECT MILESTONES</b>	<b>TARGET DATES</b>
Pre-Construction Conference	Feb/2017
Issue Notice-to-Proceed	Feb/2017
Begin Construction	Feb-Mar/2017
Completion	Feb-Mar/2017

The initial Term of Agreement is through March 5, 2017, as that is the current term of the Queen Creek cooperative agreement. The Queen Creek contract has a one-year renewal option, through March 5, 2018. For the initial term of the contract, the compensation amount shall not exceed \$40,000. For the second term of the agreement (Renewal Term), the City shall pay

Pavement Restoration, Inc. an annual amount not to exceed \$300,000. The maximum aggregate amount for this agreement shall not exceed \$340,000, subject to budgetary availability.

## **STRATEGIC PLAN ALIGNMENT**

**Initiative:** Foster sustainable community development.

**Goal:** Maintain and expand quality infrastructure and improve connectivity to city amenities.

## **BUDGET IMPACT:**

Funding for this agreement is available in CIP Street Fund Line Item 304-1020-00-8420, Preventative Street Maintenance.

## **RECOMMENDATION:**

Staff recommends that the City Council approve a Cooperative Purchasing Agreement with Pavement Restoration, Inc. to apply Surface Rejuvenation Treatments on various City of Avondale streets in an amount not to exceed \$340,000, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

## **ATTACHMENTS:**

### **Description**

[CPA - Pavement Restoration](#)

[Reclamite Area Map](#)

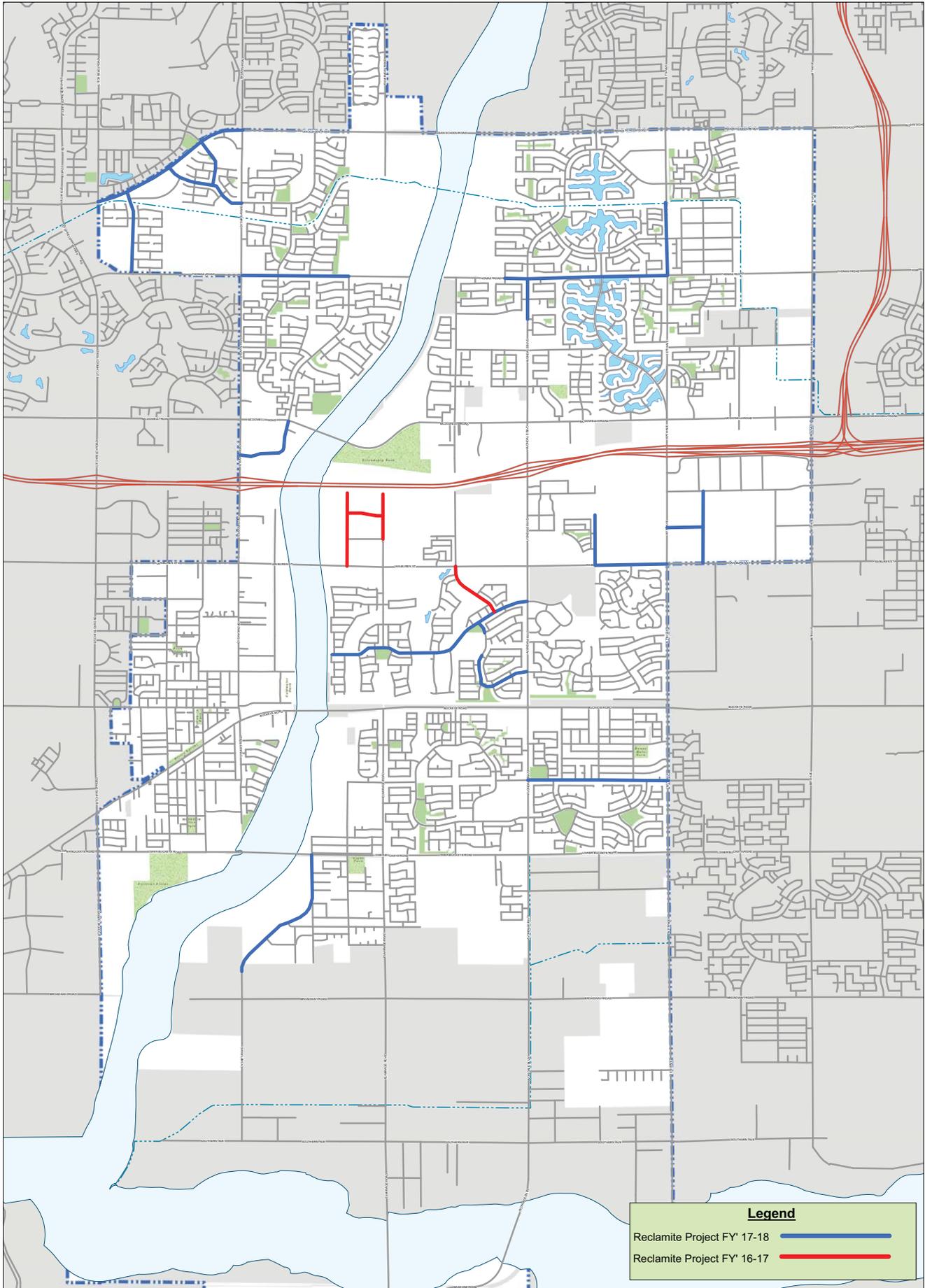
CPA – PAVEMENT RESTORATION, INC.

DUE TO ITS SIZE, THIS DOCUMENT  
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39664>

# Reclamite Areas





## CITY COUNCIL AGENDA

---

**SUBJECT:**

Reimbursement Agreement - Algodon AG  
Revocable Land Trust for the Thomas Road  
Improvement Project

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Tracy Stevens, Development and Engineering Services Director**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council approve a Reimbursement Agreement with Algodon AG Revocable Land Trust (Algodon) to reimburse the City for portions of work included in the Thomas Road Improvement Project and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

In November 2013, the City entered into a Professional Services Agreement (PSA) with Jacobs Engineering Group to design roadway improvements along Thomas Road. The design was to include mill and overlay of the south half of the street and removal and replacement of the existing pavement on the north.

After the design began, staff met with the property owner on the north side of Thomas Road. The purpose of the meeting was to discuss partnering with the City to fully improve that portion of roadway. A preliminary agreement has been reached, which will result in this portion of roadway being fully improved. In addition, residents have requested additional capacity within the Thomas Road corridor.

On August 3, 2015, City Council approved Amendment 1 to the Jacobs Engineering Group contract to include enhancements to the corridor. The revision to the Thomas Road Improvement Project will include widening the roadway to its ultimate configuration for the majority of the project. The improved section will have a raised landscaped median island with street lights. However, a future project will need to address widening the east end of Thomas Road at the 99th Avenue intersection, where the SRP irrigation ditch presently exists.

**DISCUSSION:**

This agreement will address items that the City has incorporated into the current project that would have been required with the development of property owned by Algodon. The project requires Algodon, as part of any future development, to install a raised landscaped median island with street lights along the frontage and dedicate the New ROW to the City. Algodon's owner desires to have the City complete these improvements in conjunction with the rest of the Thomas Road improvements, and has agreed to dedicate the new ROW to the City. The City has agreed to (i) include the Owner Improvements in the City plans for the Project (ii) construct the Owner

Improvements and (iii) pay for all costs associated with the construction of the Owner Improvements, subject to the reimbursement provisions of this Agreement. The estimated cost of the Owner Improvements is \$279,259.00, as set forth in the attached cost estimate (Exhibit A) and incorporated herein by this reference.

The owner has agreed to (i) reimburse the City for the actual cost of the Owner Improvements, (ii) dedicate the New ROW to the City and (iii) grant Salt River Project the necessary easements.

## **STRATEGIC PLAN ALIGNMENT**

**Initiative:** Foster Sustainable Community Development

**Goal:** Maintain and Expand Quality Infrastructure and Improve Connectivity to City amenities

## **BUDGET IMPACT:**

Funding for the City to complete the Owner Improvements is available in CIP Street Fund Line Item 304-1306-00-8420, Thomas – 99th Ave to 103rd Ave. The Owner reimbursement will be deposited into CIP Street Fund Revenue Line Item 304-6600-00-4890, Reimbursement/Projects by City.

## **RECOMMENDATION:**

Staff is requesting that the City Council approve a Reimbursement Agreement with Algodon AG Revocable Land Trust (Algodon) to reimburse the City for portions of work included in the Thomas Road Improvement Project and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

## **ATTACHMENTS:**

### **Description**

[Reimbursement Agreement](#)

[Vicinity Map](#)

REIMBURSEMENT AGREEMENT –

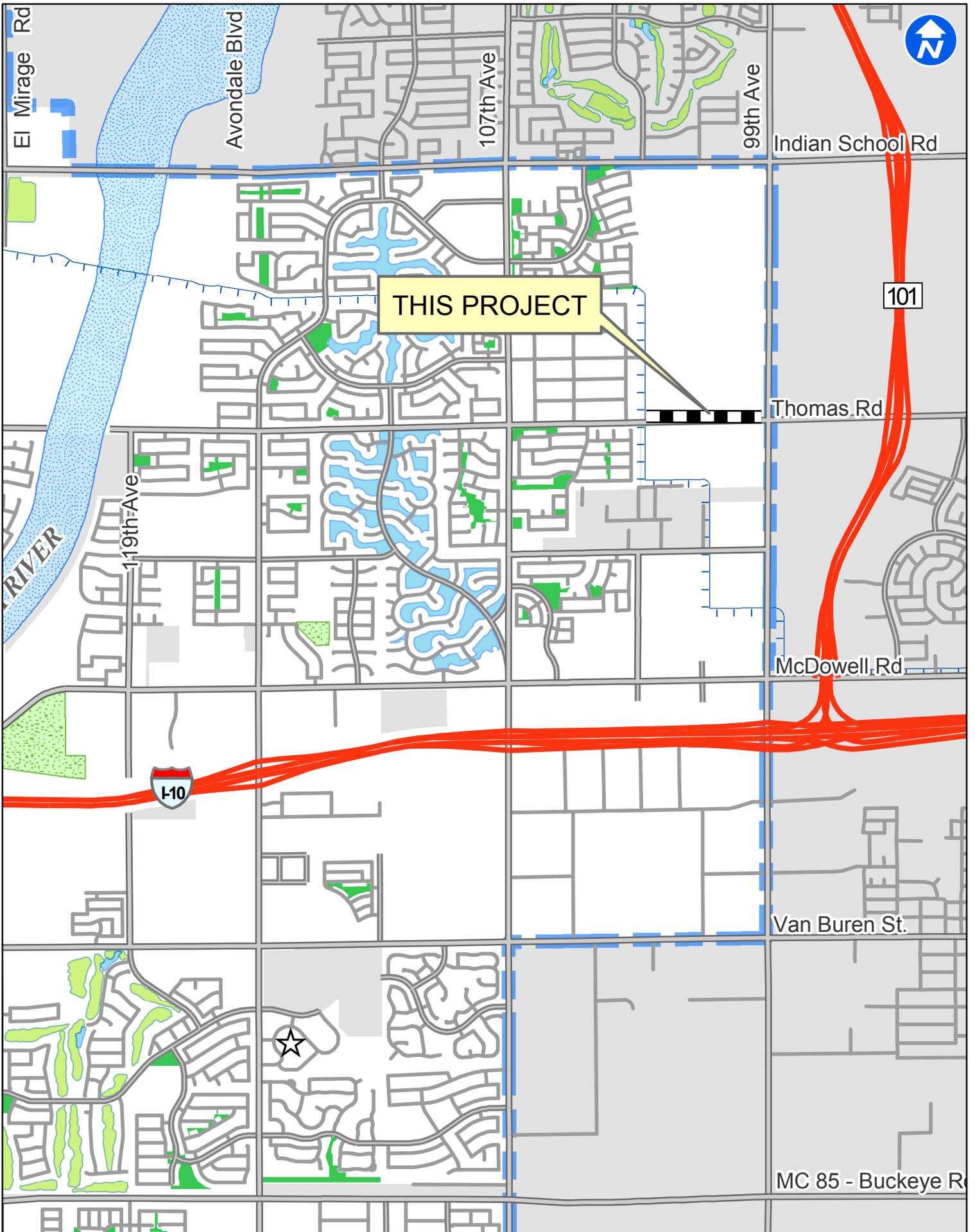
ALGODON AG REVOCABLE LAND TRUST DATED DECEMBER 11, 2009

DUE TO ITS SIZE, THIS DOCUMENT  
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39666>

City of Avondale



Vicinity Map  
Thomas Rd - 99th Ave to 103rd Ave



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Professional Services Agreement - Norris  
Design AZ, LLC for Parks, Recreation &  
Libraries Department Master Plan

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Kirk Haines, Parks, Recreation & Libraries Director (623) 333-2411**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council approve a Professional Services Agreement with Norris Design to update the Parks, Recreation & Libraries Department Master Plan in the amount of \$80,950 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

The current Parks, Recreation Facilities & Trails Master Plan was adopted on September 14, 2009. The plan was built during a time of great economic growth in the Southwest Valley. As the plan was being adopted, the region suffered an economic downturn and recession. Many of the growth expectations halted and a new direction was identified over the subsequent years.

It is appropriate to update planning documents from time to time based on changing conditions and circumstances, as well as validating the appropriate direction that is set in the plan. Because there have been significant changes that occurred in the past nine years, it is appropriate to review and reset the department's direction. Many of the existing data in current plan are still valid and will continue to be included in the updated version. There will also be numerous changes that include our updated geographic information systems (GIS) technology, as well as a new survey that will gather information from our Avondale residents regarding their interests, satisfaction, and needs for park, recreation and libraries.

**DISCUSSION:**

A Request for Statements of Qualifications was released on December 7, 2016 to update the Parks, Recreation Facilities & Trails Master Plan. A non-mandatory pre-submittal conference was held on December 14, 2016 and proposals were due December 29, 2017. Three firms submitted proposals and two submittals were determined to be unresponsive. The Norris Design proposal was evaluated and their proposal met the expectations that were identified in the solicitation.

One objective of the proposal is to complete the Master Plan and have it ready for City Council approval by mid-September 2017. It is important to meet that deadline date in order for the city to update its Infrastructure Improvement Plan (IIP). Norris Design outlined their proposal to align with the IIP and it is attainable to meet the target dates. Another important element of this master

plan update is to be able to connect with our residents and obtain citizen input. Norris identified several methods to achieve that outcome through various survey methods, and by intercepting program participants at various special event activities to acquire needed input. Norris will also conduct a variety of meetings with stakeholder groups and host two open house public meetings as part of the Parks, Recreation & Libraries Board meetings. These public outreach objectives align well with the City Council Strategic Plan to connect with our community.

Other notable tasks include identifying standards for various types of parks, and recommending the types of park elements and amenities that ought to be at various parks. Trails design and development will also be a significant part of the plan as we look to develop the trail's system in our city. It is important to identify the right standards for these trails so there is consistency between agencies and jurisdictions. The Norris Design team will also look to compare Avondale's facilities and standards against the national norms to see where we are, based on our current programs, services and facilities.

The Norris Design team will spend the first months gathering information and data, conducting their community outreach activities and putting together a survey. Once the survey results are assembled, we plan to meet with City Council in a Work Session and provide the findings. That data will lead into the inventory and analysis portion of work, which will then lead to creating alternatives and recommendations. At that point, we will return to City Council in a second Work Session and further discuss the recommendations with Council prior to the final master plan approval.

#### **STRATEGIC PLAN ALIGNMENT:**

- Initiative:** Create and support diverse recreational and educational opportunities
- Goal:** Identify opportunities for the expansion of sports and recreation activities in City Center.
- Action Item:** Initiate the Parks, Recreation, Libraries, Trails and Open Space Master Plan.

\* This plan will help identify recreational needs in the City Center area.

#### **BUDGET IMPACT:**

Funds are available in Fiscal Year 2017 Capital Improvement Plan, Park Development Fund, Parks, Recreation, Libraries, Trails & Open Space Account No. 310-1219-00-6180 for this expense.

#### **RECOMMENDATION:**

Approve a Professional Services Agreement with Norris Design to update the Parks, Recreation & Libraries Department Master Plan in the amount of \$80,950 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

#### **ATTACHMENTS:**

Description

[PSA - Norris Design](#)

PSA – NORRIS DESIGN AZ, LLC

DUE TO ITS SIZE, THIS DOCUMENT  
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39663>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Professional Services Agreement - Wilson & Company, Inc. - 2017 Transportation Plan Update

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Tracy Stevens, Development and Engineering Services Director, 623-333-4012**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council award a professional services contract to Wilson & Company, Engineers & Architects, Inc. to render services for the 2017 Transportation Plan Update (TPU) for an amount not to exceed \$140,804 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

In October 2006, the City of Avondale adopted a comprehensive, City-wide Transportation Plan. That Transportation Plan was developed based the following criteria existing at that time:

- City Council-defined goals and objectives;
- Transportation infrastructure;
- Existing and projected land use;
- Population/employment data derived from the Comprehensive Land Use Plan and from census travel demand data provided by the Maricopa Association of Governments (MAG).

These data were used to forecast future transportation demand, identify functional constraints in the existing system and specific infrastructure needs to mitigate the projected deficiencies. These infrastructure improvements provided the foundation to develop a Capital Improvement Program (CIP) which prioritized transportation projects over a ten-year period, fiscally constrained in order to provide a realistic plan for the City to follow.

Following subsequent years of change to economic growth and new priorities, the City embarked on updating the 2006 Transportation Plan in 2012. Lee Engineering was hired to lead the transportation plan update which was adopted in December 2012 by the City Council. The 2012 Transportation Plan Update reflected greater emphasis on all modes of transportation and developing a multi-modal approach, integrating walking, bicycling and transit into the transportation system that had traditionally focused on vehicles.

Economic and social conditions have continually changed over the years, and the 2012 Transportation Plan is in need of an update in order to forecast the future transportation needs over the next 10 years and beyond.

**DISCUSSION:**

The Transportation plan will include the review and analysis of the existing and future base transportation system. Any deficiencies identified will be evaluated to include: system continuity, system connectivity (particularly to activity centers), multimodal mobility/performance, environmental and utility impacts, planning-level cost estimates, and public/stakeholder acceptability. During the plan evaluation and

development public meetings and outreach efforts utilizing the AVOICE web survey will be conducted to solicit public involvement. The consultant will then identify additional transit, pedestrian, and bicycle improvements to address needs identified through the review of existing conditions and the supplement outreach activities. All identified projects will be prioritized for implementation, and identified as high-priority (near-term, 0-5 years), medium priority (mid-term, 5-10 years), and low priority (long term, 10+ years).

In November 2016, the City advertised for Statements of Qualification (SOQ) to assist City staff in updating the current transportation plan and prioritiz identified transportation-related projects for the FY 2018-2027 CIP. Qualifications were evaluated with Wilson & Company, Engineers & Architects, Inc. scoring the highest overall and determined to be the most qualified firm to meet the project scope and schedule as published in the advertisement.

## **SCHEDULE:**

Notice to Proceed: February 7, 2017  
Kick-off Meeting: Mid-February, 2017  
Initial Public Meeting: Mid-Late March, 2017  
Draft Report: Mid-May, 2017  
Planning Commission Meeting: Mid-Late May, 2017  
2nd Public Meeting: Early June, 2017  
Council Work Session: Mid June, 2017  
Final Transportation Plan: Mid July, 2017  
City Council Adoption: Late July, 2017

The City's FY 2017 Engineering Operating budget has allocated funds for professional services to update the 2012 Transportation Plan and develop a priority list of projects for the next 10 year CIP. The tentative contractual agreement between the City and Wilson & Company, Engineers & Architects, Inc. is an amount not to exceed \$140,804.

## **STRATEGIC PLAN ALIGNMENT**

**Initiative:** Foster Sustainable Community Development

**Goal:** Maintain and Expand Quality Infrastructure and Improve Connectivity to City amenities

**Action Item:** The Transportation Plan will focus on forecasting future growth of the City and its impact on the transportation and transit network, identifying transportation projects to accommodate future conditions.

## **BUDGET IMPACT:**

Funds in the amount of \$140,804 are available in line item 101-5900-00-6180, Other Professional Services.

## **RECOMMENDATION:**

Staff is requesting the City Council award the professional services contract to Wilson & Company, Engineers & Architects, Inc. in an amount not to exceed \$140,804 to perform and complete the 2017 Transportation Plan Update and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

## **ATTACHMENTS:**

### **Description**

[PSA - Wilson & Company](#)

PSA – WILSON & COMPANY, INC. ENGINEERS & ARCHITECTS

DUE TO ITS SIZE, THIS DOCUMENT  
HAS BEEN POSTED SEPARATELY

PLEASE CLICK ON THE LINK BELOW TO VIEW

<http://www.avondale.org/DocumentCenter/View/39662>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Resolution 3367-217 - Amendment 2 to the Intergovernmental Agreement with Maricopa County - 2014-2015 HOME

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Stephanie Small, Neighborhood and Family Services Director, ext. 2711**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council adopt a Resolution approving Amendment 2 to the City's IGA with Maricopa County that secures the City's share of 2014-2015 HOME funds received through the Maricopa HOME Consortium, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

In May 2005, the City Council adopted Resolution 2485-05 which allowed the City to enter into the Maricopa HOME Consortium Intergovernmental Agreement with Maricopa County and other municipalities in the Valley. The agreement resulted in the City becoming a member of the Maricopa HOME Consortium, and entitles the City to a portion of the Consortium's annual allocation of HOME funds from the US Department of Housing and Urban Development (HUD). The original agreement, which secures the City's membership in the Consortium, has been renewed in subsequent years, and remains in effect.

Until 2013, the Maricopa HOME Consortium Intergovernmental Agreement was sufficient to secure each member's portion of the annual HOME allocation provided by HUD through the County. However, HUD determined that this IGA was insufficient, and required that Maricopa County (as lead agency) enter into individual IGAs with each constituent member to secure the member's annual share of the total HOME allocation.

**DISCUSSION:**

The IGA that secures the City's 2014-2015 portion of HOME funds was approved by City Council in January, 2015, and amended once through Council approval in May, 2015. The last amendment secured an additional \$617,089 in HOME funds made available by Maricopa County.

The IGA (as amended), currently expires on February 19, 2017. Amendment 2 to the IGA will extend to the Agreement to February 19, 2018 in order for staff to complete the scope of work, as well as obtain reimbursement for all expenses incurred under the Agreement. All other provisions of the IGA will remain unchanged.

**BUDGET IMPACT:**

There is no budgetary impact associated with this Amendment 2. The Amendment only extends the term of the IGA to February 19, 2018 with all other provisions remaining the same.

**RECOMMENDATION:**

Staff recommends that the City Council adopt the resolution approving Amendment 2 to the City's IGA with Maricopa County and authorize the Mayor or City Manager and City Clerk to execute the necessary documents

**ATTACHMENTS:****Description**

[Resolution 3367-217](#)

**RESOLUTION NO. 3367-217**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATING TO THE HOME INVESTMENT PARTNERSHIPS PROGRAM.

**BE IT RESOLVED** BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Second Amendment to the FY 2014-2015 Intergovernmental Agreement with Maricopa County, administered by its Human Services Department, relating to financial assistance provided to eligible first-time homebuyers in Avondale through the HOME Investment Partnerships Program, as subrecipient and member of the HOME Consortium (the “Amendment”) is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to cause the execution of the Amendment and to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Council of the City of Avondale, Arizona February 6, 2017.

---

Kenneth N. Weise, Mayor

ATTEST:

---

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

---

Andrew J. McGuire, City Attorney

EXHIBIT A  
TO  
RESOLUTION NO. 3367-217

[Amendment]

See following pages.



AMENDMENT No. 2 TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN MARICOPA COUNTY ADMINISTERED BY ITS HUMAN SERVICES DEPARTMENT AND CITY OF AVONDALE



- I. Maricopa County ("County") by and through the Maricopa County Human Services Department and the City of Avondale ("City") entered into a financial Intergovernmental Agreement ("IGA" or "Agreement") on or about February 19, 2015. The Agreement effective date is July 1, 2014 through February 19, 2017. The County provided the City \$148,229 in HOME Investment Partnerships Program funds from the U.S. Department of Housing and Urban Development (HUD) to provide single family homebuyer assistance (down payment and closing costs assistance) and single family housing rehabilitation programs. The County and the City may be referred to individually as "Party" or collectively as "Parties."
II. The Parties executed Amendment No. 1 on or about June 1, 2015 to expand the scope of work and increase funding to a not-to-exceed amount of \$765,318.
III. The Parties wish to amend the Agreement as follows:
A. Extend the contract termination date of the Agreement from February 19, 2017 to February 19, 2018. Extending the contract termination date of the Agreement will provide the City with additional time to complete the previously approved scope of work. By doing so, the Parties also agree that all work performed or costs incurred or expended under the previously approved scope of work remain reimbursable under the terms of the Agreement.
IV. This Amendment is subject to A.R.S. §38-511. The foregoing paragraphs, contain all the changes made by this Amendment. All other terms and conditions of the original agreement remain the same and in full force and effect as approved and amended.

IN WITNESS THEREOF, the Parties have signed this Amendment:

APPROVED BY: CITY OF AVONDALE

APPROVED BY: MARICOPA COUNTY

Kenneth N. Weise, Mayor

Chairman, Board of Supervisors

Date:

Date:

Attested To:

Attested To:

Carmen Martinez, City Clerk

Fran McCarroll, Clerk of the Board

IN ACCORDANCE WITH A.R.S. §§ 11-952, 11-201, AND 11-251, THIS AGREEMENT HAS BEEN REVIEWED BY THE UNDERSIGNED DEPUTY COUNTY ATTORNEY, AND, IN ACCORDANCE WITH A.R.S. § 11-952, THIS AGREEMENT HAS BEEN REVIEWED BY THE UNDERSIGNED ATTORNEY FOR SUBRECIPIENT ON BEHALF OF SUBRECIPIENT, AND, AS TO THEIR RESPECTIVE CLIENTS ONLY, EACH ATTORNEY HAS DETERMINED THAT THIS AGREEMENT IS IN PROPER FORM AND WITHIN THE POWER AND AUTHORITY GRANTED UNDER THE LAWS OF THE STATE OF ARIZONA.

CITY OF AVONDALE

MARICOPA COUNTY

BY: \_\_\_\_\_  
City Attorney

BY: \_\_\_\_\_  
Deputy County Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Ordinance 1617-217 - Agricultural Lease - Ken Sheely Ranches Partners

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Daniel Davis, Economic Development Director (623) 333-1411**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff requests the City Council adopt an ordinance authorizing the lease of real property located at Avondale Boulevard and City Center Drive and authorizes the Mayor or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

The city-owned property, located east of Avondale Boulevard and south of City Center Drive has been used for agricultural farming for many years. In 2011, the city acquired the property and assumed the agricultural lease with Ken Sheely Ranches Partners (Sheely) for the 2011 crop year. In subsequent years, the property had not been farmed and remained vacant with the city providing minimal maintenance and weed control. The city and Ken Sheely Ranch Partners re-established the agricultural lease during 2016 in part to eliminate the expense incurred through weed abatement and to generate some income for the City.

**DISCUSSION:**

Sheely proposes to farm the property during the 2017 crop year. The term of the lease agreement will be one year, with an annual lease payment of \$2,250.00. In addition, Sheely will be responsible for all costs associated with the farming activities and will provide comprehensive liability insurance coverage during the term of the agreement. The lease agreement and farming activity will eliminate an annual maintenance cost to the City of Avondale for weed abatement, providing a savings in excess of \$5,000.00

**STRATEGIC PLAN ALIGNMENT:**

This item is a aesthetic operational item and is not included within the Strategic Plan initiatives.

**BUDGET IMPACT:**

The lease of city owned property will provide a one-time annual lease payment of \$2,250.00.

**RECOMMENDATION:**

Staff recommends that city council adopt an ordinance authorizing the lease of real property located at Avondale Boulevard and City Center Drive and authorizes the Mayor or City Manager and City Clerk to execute the necessary documents.

**ATTACHMENTS:**

**Description**

[Ordinance 1617-217](#)

**ORDINANCE NO. 1617-217**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE,  
ARIZONA, APPROVING THE AGRICULTURAL LEASE BETWEEN THE  
CITY OF AVONDALE AND KEN SHEELY RANCHES PARTNERS.

**BE IT ORDAINED** BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Agricultural Lease between the City of Avondale and Ken Sheely Ranches Partners is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

**PASSED AND ADOPTED** by the Council of the City of Avondale, Arizona,  
February 6, 2017.

---

Kenneth N. Weise, Mayor

ATTEST:

---

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

---

Andrew J. McGuire, City Attorney

EXHIBIT A  
TO  
ORDINANCE NO. 1617-217

[Agricultural Lease]

See following pages.

## AGRICULTURAL LEASE

**THIS AGRICULTURAL LEASE** (this "Lease") is effective as of the 6th day of February, 2017 (the "Effective Date"), between **CITY OF AVONDALE**, an Arizona municipal corporation ("Lessor"), and **KEN SHEELY RANCHES PARTNERS** ("Lessee").

### WITNESSETH:

#### 1. DESCRIPTION OF PROPERTY.

a. Lessor rents and leases to Lessee for crop year 2017, to use only for agricultural and farming purposes based upon the acreage crop mix, real estate located in Maricopa County, Arizona, consisting of approximately 15.3 dry land acres, which real estate is more particularly described on the attached Exhibit A (collectively, the "Property").

b. This Lease confers no right upon Lessee to any standing timber, structures, natural resources or minerals on or underlying the Property, those items being reserved by the Lessor.

c. All residue, including all after-crop residue from barley stubbles or other planted crops to hold and maintain the soil during off-crop seasons, shall be the sole property of the Lessee and Lessee shall have all rights to any use of such after-crop residue or any revenue generated therefrom.

2 TERM. Subject to Lessor's right to terminate by reason of Lessee's default, the term of the lease shall be as described below:

2017 Crop Season: From March 1, 2017 to the earlier to occur of December 31, 2017 or completion of barley or cotton harvest.

3. NO PARTNERSHIP. This Lease shall not be construed as creating a partnership or joint venture between Lessor and Lessee. Neither party shall be liable for debts or obligations incurred by the other. Except as otherwise herein provided, this Lease and its terms shall bind and inure to the respective heirs, executors, administrators, assigns and successors of the Lessee.

4. LESSEE'S DUTIES. Lessee agrees to perform each of the following duties without notice or demand.

a. Payment of Rent. Lessee hereby agrees to pay Lessor rent for the Property (the "Rent") in the amount of \$2,250.00 per annum during the Term of the Lease. Rent shall be paid to the Lessor no later than 15 days after the Effective Date.

b. Payment of Assessments. Lessee hereby agrees to pay for all Salt River Valley Water Users Association Assessments and water charges during the term of this Lease and to furnish to Lessor information necessary to report to the Arizona Department of Water Resources.

c. Lessee's Performance. Lessee agrees to perform and observe each of the following covenants at its sole cost and expense (except as otherwise expressly noted below):

i. Lessee shall, at its own expense, devote all necessary time and its best efforts to the farming and operation of the Property in a timely, thorough, and workman like manner. Lessee shall provide sufficient labor for the efficient operation of the Property and performance of Lessee's undertakings under this Lease.

ii. Lessee shall provide all of the implements, machines, equipment and tools customary of the producing and harvesting of the crops on the Property, and shall cultivate, fertilize, irrigate, and harvest crops upon the Property. Lessee shall provide all seed, fertilizer, herbicides, insecticides, rodenticides and all other chemicals, and provide for the application hereof upon the Property.

iii. Lessee shall cut or spray and destroy noxious weeds, and take reasonable care to prevent soil erosion.

iv. Lessee shall comply with all Federal and State toxic or hazardous material statutes, rules and regulations, to keep good and adequate contemporaneous written records as to the application of fertilizer, insecticides and herbicides. Lessee shall furnish this information to Lessor upon request from Lessor.

v. Notwithstanding anything herein to the contrary, prior to the end of the lease term, Lessee shall stub cut any remnants of crops and disc the land so as to at least comply with the regulations of the Arizona Department of Agriculture's so-called "Plower Program" before delivering possession of the Property to Lessor. Lessor has no obligation to stub cut or plow under any remnants of crops or to disc the land before delivering possession of the Property to the Lessee.

vi. Lessee will not use or occupy the Property for any unlawful purpose and throughout the term, and at no expense to Lessor, promptly shall comply with all applicable laws and ordinances and the orders, rules, regulations and requirements of all federal, state, county and municipal governments and appropriate departments and officers thereof including, but without limitation, the Arizona Groundwater Code (A.R.S. §45.401, et seq.) and all applicable rules and regulations of the USDA, the Arizona Department of Water Resources ("DWR"), the Environmental Protection Agency, and the Arizona Department of Environmental Quality, applicable to the Property or to the operation or conduct by Lessee of farming activities thereon.

d. **Insurance.** Lessee shall provide Lessor with current policies of insurance for workman's compensation and general comprehensive liability with coverage's in the amount of at least \$1,000,000.00 combined single limit as respects bodily injury and property damage and at least \$3,000,000.00 per occurrence and in the aggregate naming Lessor as an additional insured. Lessee shall furnish evidence of such insurance to Lessor at Lessor's request.

e. **Intentionally Deleted.**

f. **Fences, Gates and Cattle Guards.** Lessee shall be responsible to immediately repair any damages caused by Lessee's farming operations to the integrity of all established fences, gates and cattle guards contained on the Property at the onset of the lease term. No removal, modifications or relocation of said fencing, gate or cattle guards shall be done without prior written consent of the Lessor.

g. **Reporting Requirements.** Lessee shall keep good and adequate written records concerning all fertilizers, insecticides, rodenticides, herbicides and any other chemicals

used or stored on the Property, including (without limitation) the following: dates of application; number of the person(s) or company applying such chemicals; and the quantities of each chemical applied on each such date. Lessee shall submit a written Pre-Season Plan to Lessor prior to the applications for each crop. Any deviation from the Pre Season Plan must be reported in writing to Lessor prior to its implementation. At the end of the lease term, Lessee shall provide Lessor with a written report containing the detail described above as to the actual applications made to the Property. Lessee shall also provide information to Lessor as to the type of crop and total yield of crop promptly following completion of harvest.

h. **Utilities.** Lessee shall contract with the company supplying electricity to the Property so that (i) Lessee's name is listed as the responsible party on all invoices for electrical service, (ii) Lessee is solely responsible for maintenance of any meters serving the Property, and (iii) Lessee secures its payment of such invoices for electrical service in such manner as the service, Lessee shall be entitled to receive all capital credits or reimbursements (if any) from the electrical supplier pertaining thereto.

i. **Intentionally Deleted.**

5. **LESSOR'S COSTS.** Subject to Section 4(b), Lessor shall pay the Property's real estate taxes, costs associated with acquiring or disposing of real or personal property belonging to Lessor.

6. **BREACH & TERMINATION.**

a. **Lessor's Remedies for Breach.** In the event of a breach of this Lease by Lessee, Lessor may have the following described remedies, in addition to all other rights and remedies provided by law or in equity:

i. Lessor may terminate this Lease and forthwith repossess the Property by summary proceedings, in which case Lessor may recover as damages the sum of (i) the cost, including (without limitation) attorneys' fees, of recovering the Property, (ii) the unpaid rent earned at the time of termination, plus interest thereon at a rate of 18% per annum from the due date until paid; (iii) the balance of the rent for the remainder of the term; (iv) damages for the wrongful withholding of, or for damage done to, the Property; and (v) any other damages which the Court deems to be owing.

ii. Lessor may retake possession of the Property and shall have the right, but not the obligation, without being deemed to have accepted a surrender thereof and without terminating this Lease, to relet same for the remainder of the term provided for herein, and Lessee shall pay to this Lease, to relet same for the remainder of the term provided for herein, and Lessee shall pay to Lessor any deficiency between the amount of the rent required herein and the rent received by Lessor through such reletting. In addition thereto, Lessee shall pay to Lessor all reasonable expenses incurred in connection with any such reletting, including, but not limited to, commissions, the cost of repairing or altering the Property for a new lessee and Lessor's attorneys' fees.

iii. Lessee agrees to peaceably deliver up possession of the Property at the end of the Lease term or upon sooner termination in as good condition as when received, ordinary wear and tear excepted.

7. **GENERAL COVENANTS.**

a. No work, supplies or materials shall be charged to Lessor or contracted for in the name of Lessor by the Lessee without prior written authority to do so.

b. Lessee agrees to take possession of the Property described herein subject to any and all latent and patent defects. Lessee assumes the risk of any hazards attendant to the operation of the Property and other improvements thereon, and hereby assumes all liability for accidents to Lessee or its employees, guests, agents, licensees and invites.

c. By signing this Lease, Lessee acknowledges that the Property and the improvements thereon are safe, fit and suitable for the purposes of this Lease. Lessee waives any right to claim any violation of any implied covenants or warranties pertaining to this Lease or the Property, including (without limitation) any warranty of habitability, fitness for a particular purpose or merchantability, and waives any other warranties or covenants, whether express or implied, unless set forth in writing herein.

d. Lessee shall not assign any interest in this Lease or sublet any part of the Property without the prior written consent of Lessor.

e. Lessee acknowledges that no hunting or fishing is allowed on the Property.

f. Either party may insure their respective interests in the crop inventory at such party's own cost and expense.

g. This Lease is the complete agreement between Lessor and Lessee concerning the Property. This Lease shall not be amended, changed or extended except by written instrument signed by both parties hereto.

h. No failure to exercise and no delay in exercising any right, power or privilege hereunder shall preclude any other or further exercise thereof or the exercise of any other right, power or privilege.

i. Lessee shall not convey, encumber or grant a security interest in the Property at any time. Lessee shall not grant any security interest in crops grown on the Property. Lessee agrees in this regard to farm only annual crops as opposed to perennial crops during the term of this Lease.

j. Lessor covenants with Lessee that, so long as Lessee is not in default under this Lease, Lessee will have quit possession of the Property subject to the terms hereof.

k. Lessee shall comply with all applicable government regulations regarding any government farm program payments to be collected by reason of the operation of the Property

l. In the event Lessee defaults in the performance of any of the terms, covenants, agreements or conditions contained in this Lease, Lessee agrees to pay all of Lessor's costs incurred in enforcing this Lease including, but not limited to, Lessor's attorneys' fees.

m. Lessee hereby agrees to indemnify and hold Lessor and the Property, free and harmless from any and all claims, liability, loss, damage, or expense (including reasonable

attorneys' fees) resulting from Lessee's occupation and use of the Property, specifically including without limitation any claim, liability, loss or damage arising:

(i) By reason of the injury to person or property, from whatever the cause, while in or on the Property or in any way connected with the Property or caused by the improvements or personal property in or on the Property including any liability for injury to the person or personal property of the Lessee, their agents or employees;

(ii) By reason of any negligent or otherwise tortious act or omission on the part of Lessee or any of its partners, shareholders, officers, agents, contractors, employees, tenants, licensees, or invitees;

(iii) By reason of any work performed on the Property or materials furnished to or used on the Property by or at the request of the Lessee, their agents, employees, contractors, or invitees;

(iv) By reason of Lessee's failure to perform or observe any provision of this Lease or to comply with any requirement imposed on Lessee or on the Property by any duly authorized governmental agency or political subdivision; or

(v) Because of Lessee's failure or inability to pay as they become due any obligations incurred by Lessee in the agricultural or other actions to be conducted by Lessee on the Property.

The indemnity set forth in the subparagraph shall survive the termination or expiration of this Lease.

n. Lessor shall have the right, at any time, to enter upon the Property for the purpose of inspecting the same or for making repairs or improvements thereon.

o. The laws of the State of Arizona shall govern this Lease.

p. If more than one join in the execution hereof as Lessor or Lessee, or either be of a feminine sex of a corporation, the pronouns and relative word used herein shall be read as if written in the plural, feminine, or neuter, respectively.

q. Time is of the essence in this Lease.

**8. NOTICES.** All notices provided for hereunder shall be deemed given and received when (a) personally delivered (including delivery by facsimile transmission), or (b) two business days after the same is deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested, addressed to the applicable party at the address indicated below for such party, or at such other address as shall be designated by such party in a written notice to the other party:

If to Lessor:

City of Avondale  
11465 West Civic Center Drive  
Avondale, Arizona 85323  
Attn: David W. Fitzhugh

With a copy to:

Gust Rosenfeld, P.L.C.  
One East Washington Street, Suite 1600  
Phoenix, Arizona 85004-2553  
Attn: Andrew J. McGuire, Esq.

If to Lessee:

Ken Sheely Ranches Partners  
2209 N. 99th Avenue  
Phoenix, Arizona 85037  
Attn: Ken Sheely

9. **CONFLICT OF INTEREST.** Lessor may cancel this Lease pursuant to Ariz. Rev. Stat. § 38-511.
10. **GOVERNING LAW.** This Lease shall be subject to the laws of the State of Arizona.
11. **MEMORANDUM OF LEASE.** In accordance with ARIZ. REV. STAT. § 42.6202(C), Lessor shall record a memorandum of this Lease in the Maricopa County Recorder's Office
12. **LIMITATION OF LESSOR'S LIABILITY.** Lessor is obligated only to pay its obligations set forth in this Lease as may lawfully be made from funds appropriated and budgeted for that purpose during Lessor's then current fiscal year. Lessor's obligations under this Lease are current expenses subject to the "budget law" and the unfettered legislative decision of the Lessor concerning budgeted purposes and appropriation of funds. Should Lessor elect not to appropriate and budget funds to pay its Lease obligations, this Lease shall be deemed terminated at the end of the then current fiscal year term for which such funds were appropriated and budgeted for such purpose and Lessor shall be relieved of any subsequent obligation under this Lease. The parties agree that the Lessor has no obligation or duty of good faith to budget or appropriate the payment of Lessor's obligations set forth in this Lease in any budget in any fiscal year other than the fiscal year in which this Lease is executed and delivered. Lessor shall be the sole judge and authority in determining the availability of funds for its obligations under this Lease. Lessor shall keep the Lessee informed as to the availability of funds for this Lease. The obligation of Lessor to make any payment pursuant to this Lease is not a general obligation or indebtedness of Lessor. Lessee hereby waives any and all rights to bring any claim against Lessor from or relating in any way to Lessor's termination of this Lease pursuant to this Section 12.
13. **COUNTERPARTS.** This Lease may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which, together, shall constitute one and the same instrument.

*[signature page follows]*

**IN WITNESS WHEREOF**, the undersigned parties have executed this Lease as of the Effective Date.

**“Lessor”**

CITY OF AVONDALE,  
an Arizona municipal corporation

\_\_\_\_\_  
David W. Fitzhugh, City Manager

ATTEST:

\_\_\_\_\_  
Carmen Martinez, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA        )  
                                  ) ss.  
COUNTY OF MARICOPA    )

On \_\_\_\_\_, 2017, before me personally appeared David W. Fitzhugh, the City Manager of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

\_\_\_\_\_  
Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

**"Lessee"**

Ken Sheely Ranches Partners

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

(ACKNOWLEDGMENT)

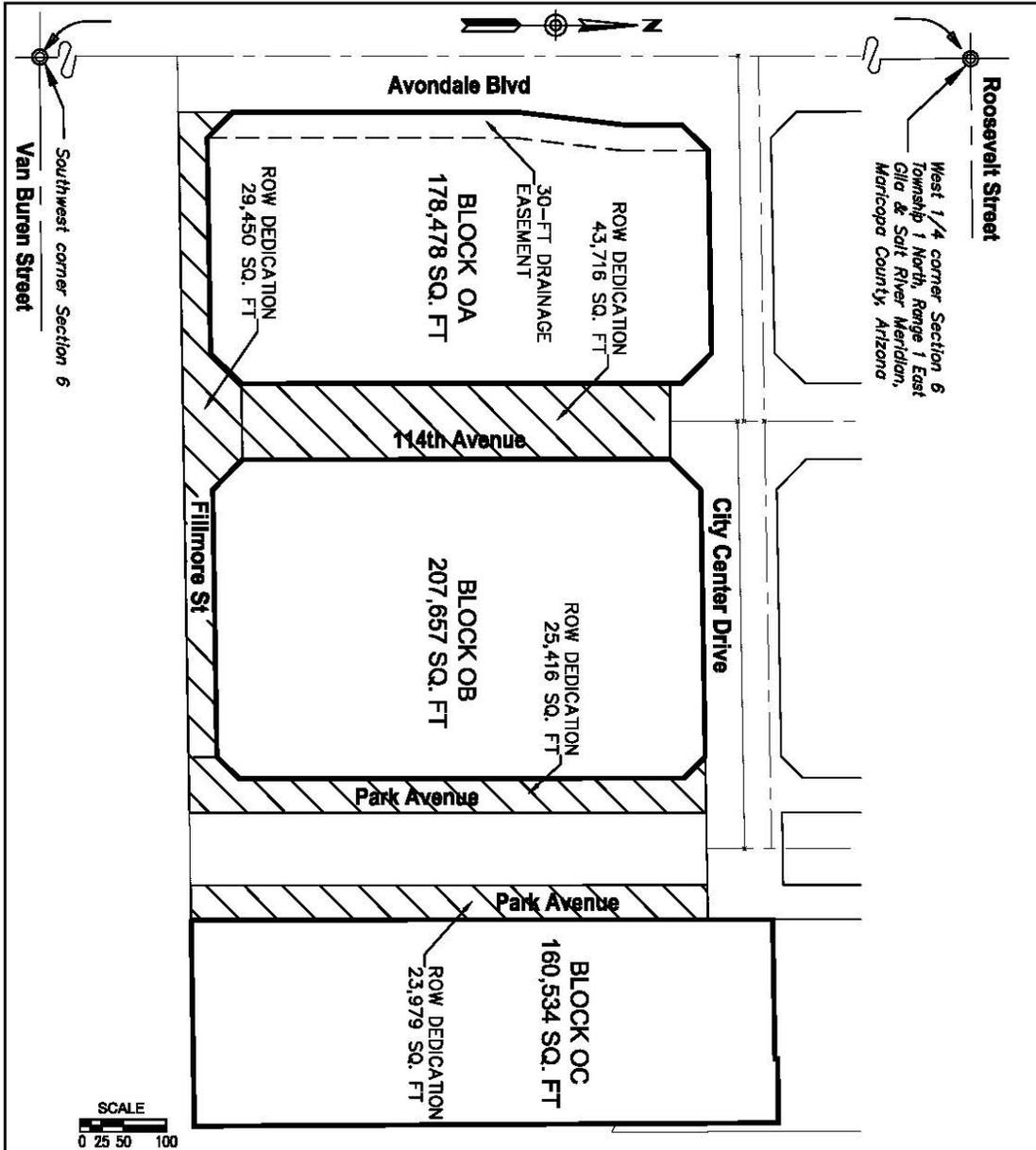
STATE OF ARIZONA        )  
  ) ss.  
COUNTY OF MARICOPA    )

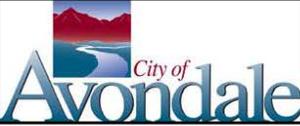
On \_\_\_\_\_, 2017, before me personally appeared \_\_\_\_\_, the \_\_\_\_\_ of KEN SHEELY RANCHES PARTNERS, whose identity was proven to me on the basis of satisfactory evidence to be the person who he/she claims to be, and acknowledged that he/she signed the above document on behalf of Ken Sheely Ranches Partners.

\_\_\_\_\_  
Notary Public

(Affix notary seal here)

**EXHIBIT A**  
**PROPERTY DESCRIPTION**  
**[See following page]**



 <p><b>ENGINEERING DEPARTMENT</b></p>	<p><b>EXHIBIT MAP</b> Avondale City Center Phase 2 O'Brien's Net Parcel Areas</p>	
	<p>DATE: <u>Rev 11-16-2010</u></p> <p>DSN: _____</p> <p>DRN: <u>LS</u></p> <p>CHK: _____</p>	<p>PROJECT NAME Avondale City Center</p> <p>PAGE 1 OF 1</p>



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Appointment of Members to the City's Boards,  
Commissions and Committees and to the  
positions of Chair and Vice Chair of the Board of  
Adjustment and the Planning Commission

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** Carmen Martinez, City Clerk (623) 333-1214**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is recommending that the Council approve the City Council subcommittee's recommendations for the appointment of members of the city's boards, commissions and committees as well as staff's recommendation for the appointment of members to the positions of chair and vice chair of the Board of Adjustment and the Planning Commission.

**DISCUSSION:**

The Council Subcommittee on Boards, Commissions and Committees hosted the annual meet and greet with candidates for appointment to the City's BCCs on Wednesday, January 18, 2017. Their recommendations for appointment are listed below:

**Energy Environment and Natural Resources Commission**

Arnaud Irakoze - Regular  
Curtis Nielson - Regular  
Dan Rauscher - Regular  
Linda Merritt - Regular  
Josephine Schrepfer - Alternate  
Fabian Prado - Alternate

**Municipal Art Committee**

Josephine Schrepfer - Regular  
Irene Marquez - Regular  
John Kubasko - Alternate

**Neighborhood and Family Services Commission**

Irene Marquez - Regular  
Fabian Prado - Regular  
David Iwanski - Regular  
Oliver Morrison - Alternate

**Planning Commission**

Russell Van Leuven - Regular

Michelle Molina - Alternate

**Parks, Recreations and Libraries Advisory Board**

Dan Rauscher - Regular

Michelle Molina - Alternate

**Capital Improvement Plan Citizens' Committee**

Richard Childress - Regular

Linda Merritt - Regular

Jim McDonald - Regular

**Judicial Advisory Board**

Michelle Molina - Regular

Term Expiration - July 1, 2020

**Public Safety Retirement Pension Board – Police and Fire**

David Iwanski - Regular

**Risk Management Trust Fund Board**

Linda Merritt - Regular

Newly appointed members have been invited to attend tonight's meeting to be sworn in.

In addition to the above recommendations, staff is making the following recommendations for the appointment of members to the positions of Chair and Vice Chair of the Planning Commission and the Board of Adjustment.

	<b>Board of Adjustment</b>	<b>Planning Commission</b>
Chair	Sean Scibienski	Kevin Kugler
Vice Chair	Mandy Neat	Kristopher Ortega

Finally, the Avondale Municipal Code Section 2-71 calls for a member of the City Council to be appointed to serve in the Risk Management Trust Fund Board. Until recently, that position was occupied by former Council Member Jim McDonald. Staff is recommending that Council appoint one of their own members to fill the currently vacant position.

**STRATEGIC PLAN ALIGNMENT:**

**Initiative:** Create a Connected Community

**Goal:** Provide outlets for residents and businesses to engage in volunteer (and participation) opportunities

**Action Item:** Provide opportunities for residents to participate in local government.

**RECOMMENDATION:**

Staff is recommending that the Council

1. Approve the subcommittee's recommendations for the appointment of members of the city's boards, commissions and committees
2. Approve staff's recommendation for the appointment of members to the positions of chair and vice chair of the Board of Adjustment and the Planning Commission.
3. Appoint a Council Member to serve in the Risk Management Trust Fund Board.



## CITY COUNCIL AGENDA

---

**SUBJECT:**

Update on the Volunteers In Service to America (VISTA) Program

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council

**FROM:** Stephanie J. Small, Director of Neighborhood and Family Services - 623.333.2711

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

The purpose of this item is to give an update on the status of the VISTA program which provides capacity-building support for the City of Avondale's priorities in education, volunteer engagement and crime prevention and discuss options for a contract renewal.

**BACKGROUND:**

AmeriCorps VISTA is the national service program of the Corporation for National and Community Service, designed specifically to fight poverty. Founded in 1965 as Volunteers in Service to America, the program became part of the AmeriCorps network of programs in 1993. VISTA supports efforts to alleviate poverty by engaging individuals in a year of full-time service with a sponsoring organization to create or expand programs designed to bring individuals and communities out of poverty. VISTA members do not provide direct services to low-income individuals, but rather work to increase the capacity of organizations to fight poverty.

The Neighborhood & Family Services, Parks, Recreation & Libraries and Police Departments collaborated on an application for five VISTA members to assist in building our programs in the areas of education, community outreach and crime prevention in 2013. VISTA members work to recruit volunteers who are engaged in the schools, libraries, resource centers and in the community. Their work supports services that contribute to the economic well-being of low-income residents and support improved educational outcomes in Avondale schools. This resource is the foundation of the Avondale Educational and Community Engagement Initiative (AECE), the City's effort to improve the educational outcomes and economic well-being of Avondale's low-income residents. The strategies under AECE include:

- Harnessing volunteers to improve the housing of low-income residents
- Encouraging parents to engage in their children's education
- Connecting residents to technology and educational resources through the libraries
- Funneling volunteers to support the schools
- Supporting the volunteer needs of non-profit organizations
- Educating residents on consumer scams, predatory lending and crime prevention

The City of Avondale's application was approved in February 2014. The City provided matching funds that cover the stipends for two members for a total of \$23,352 per year. In addition to these matching funds, the City opted to provide a housing stipend of \$150 per month for eligible members. The housing stipends are offered to prospective members as a way to be more competitive across the country in recruiting highly qualified applicants. Competition to recruit the most qualified applicants has posed a significant challenge for staff. In several instances prospective VISTA members have opted to serve within larger cities that offer robust public transportation systems and other amenities. In an effort to keep Avondale competitive, the housing stipend has increased to \$300 per month at the start of our second program year. Funding for this increase was made possible through savings that resulted from vacant VISTA opportunities and members ineligible to receive the stipend. The City of Avondale highlighted this increase during the National Day of Service recognition that occurred in April 2016.

The program has successfully met its objectives and is eligible for a contract renewal.

#### **DISCUSSION:**

The City of Avondale began the implementation of its AmeriCorps VISTA program in March 2014. The first phase of the implementation process included the training of supervisors and program managers, the recruitment and selection of qualified candidates, the training and orientation of VISTA members to the community and the program objectives. Within months of implementation, the project began to yield positive results in the form of volunteer engagement and new partnerships. Some of the most significant results of the initiative include:

- Volunteers recruited by AmeriCorps VISTA members provided over 8,186 hours of service
- Volunteers recruited by AmeriCorps VISTA members provided services valued at \$186,886
- AmeriCorps VISTA Members generated \$7,960 in grants and sponsorships
- A summer STEM program that provided enrichment activities to 467 children
- The creation of a Crime Scene Technician program in partnership with EMCC
- A partnership with One Step Beyond to provided vocational training at the Civic Center Library
- The creation of a parent volunteer program within the Avondale Elementary School District
- Two NCCC teams completed many projects and provided service valued at \$58,444

Feedback received after a recent compliance monitoring visit indicated that the City of Avondale is utilizing “exemplary” management practices and procedures to create a highly impactful project. The overall project team has achieved significant success in generating resources, volunteer service and partnerships to improve the educational outcomes and economic well-being of Avondale’s low-income residents. The AmeriCorps VISTA program is now approaching the end of a very successful three-year project and the agreement with Corporation for National and Community Service is set to expire on February 7, 2017. As a result of these accomplishments, the Corporation for National and Community Service (CNCS), Arizona State Office has requested that the city submit a renewal application for the award of second AmeriCorps VISTA project with the potential for annual agreement renewals.

#### **STRATEGIC PLAN ALIGNMENT:**

- Initiative:** Create a Connected Community
- Goal:** Provide outlets for residents and businesses to engage in volunteer service opportunities.
- Action Item:** Implement a volunteer management system.

#### **BUDGET IMPACT:**

There are funds available in 101-7502-00-6180 and 101-7502-00-6951 to support the program until the end of FY 16-17.

The CNCS Arizona State Office has requested that the city's application include two (2) Cost Share members and four (4) Federal grant members for a total of six (6) VISTA Members. The Cost Share amount for two VISTA Members is \$23,760. The projected housing allowance cost for 6 VISTA Members comes to \$21,600. Total program costs are \$45,360 per year.

Funding in the amount of \$45,360 will be necessary in the FY17-18 budget if a new agreement is established. Funding appropriation will be subject to the upcoming budget approval process and Council approval of the FY 18 budget.

#### **RECOMMENDATION:**

Staff request City Council direction to proceed with the process to renew the agreement for the VISTA program which provides capacity-building support for the City of Avondale's priorities in education, volunteer engagement and crime prevention.

#### **ATTACHMENTS:**

**Description**

[Renewal Letter](#)

[Current Memo of Agreement](#)



October 12, 2016

Gina Montes, Assistant City Manager  
City of Avondale  
11465 W Civic Center Drive  
Avondale, AZ 85323-6803

RE: VISTA Grant #14VSWAZ002

Dear Ms. Montes:

It is time to begin the renewal process for the fourth year of the AmeriCorps VISTA project sponsored by your agency. For the upcoming project year, your project award may be *up to* 6 VISTA member service years (MSY's) to support your local poverty initiative.

It is required that the person who submits the continuation application in eGrants must be an individual who is authorized to enter into contractual obligations on behalf of the agency. As such, this person should have the authority to commit the resources of your organization and should be the individual who signs the final memorandum of agreement generated as a result of the grant award on behalf of the agency. In order to complete this section, the appropriate staff person should logon to eGrants and go to the Authorize and Submit section. The Authorized Representative must have his/her own eGrants account. To create an account and access the eGrants system, visit <http://www.nationalservice.gov/egrants/index.asp>.

Please review the information below in order to complete your agency's CONTINUATION APPLICATION in eGrants.

1. When you log into *eGrants*, click on VIEW ALL APPLICATIONS AND GRANTS via the top right section of your "home page." First, click on your current grant number # 14VSWAZ002. Then you should see the application ID # **16VS180157** which should be the most recent approved application. Next select **"Continue"** off of this application. **You are now applying for VISTA under the FY 2017 VISTA State NOFA.**
2. Once in the application you will need to select an application type. You are applying for a Standard VISTA Project in *eGrants*. For fiscal year 2017, you have agreed to 2 Cost Share members and 4 Federal grant members for a total of 6 VISTA Member Service Years (MSY).

3. Your current 12-month project approval expires on February 4, 2017. Your project period (“start” and “end” dates in *eGrants*) will be **February 5, 2017 – February 3, 2018**.
4. The 2017 VISTA member living allowance rate per county can be found in section 7 of the Arizona State page of the VISTA Campus. You will need this information for Budget Section Two in the application. Please create separate line items for the various counties and the VISTA Leaders. Grant Federal positions are captured under Federal Stipends and Cost-share positions are captured under Non-federal stipends.
5. Copies of the following documents are required with all VISTA applications. Please note that copies of all referenced documents are required unless it is non-applicable to your organization. Renewal applications will not be processed in *eGrants* until all required attachments have been received in the state office.
  - Copy of the agencies most recently conducted financial audit;
  - List of Advisory Group Members and their written comments about the application (not applicable if 51 percent or more of the persons on your board of directors’ members are of the low-income community);
  - Copy of Articles of Incorporation (not applicable to public entities);
  - List of Board of Directors, or governing body (not applicable if public entity) and their written comments about the application (comments not applicable if you created a separate Advisory Group that will submit written comments).
  - Organizational chart of the sponsoring agency;
  - Tax exempt status: either IRS determination or copy of application to IRS for exemption (not applicable to public entities).
  - Copy of Project Director’s Resume and Job Description.
  - Negotiated Indirect Cost Agreement (if applicable)
  - **Two letters** of support for the proposed project from other organizations in your community. If the organization is a project partner, the letter should describe the type of support and/or resources the partner organization will contribute.
  - Updated On Site Orientation and Training Plan (OSOT)
6. The application is due in eGrants by **December 7, 2016**.

For detailed information about the application guidance, VISTA project plan development, VISTA VAD development, budget planning, project reporting and other topics, please visit the links below:

<http://www.nationalservice.gov/programs/amicorps/amicorps-programs/amicorps-vista/sponsor-vista-project>

<http://vistacampus.org>

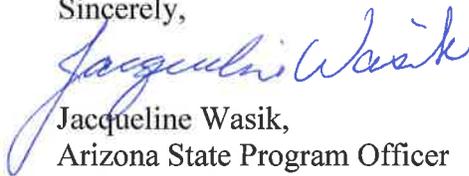
To ensure we are building permanent and sustainable infrastructure within our sponsor partners, all VISTA projects are built around a three-year timeline for completion. While some extensions beyond a three-year plan are possible, they can only happen with the

approval of the Southwest Area Manager, and a commitment from the sponsoring agency to increase the number of cost-share slots for each additional year that exceeds the three year timeframe.

Since this will be your fourth year, your VISTA Action Plans and VISTA Assignment descriptions should include activities/milestones that indicate progress towards in meeting the VISTA Project Goal.

The continuation application must be approved by the Arizona State Office before new VISTAs may be assigned. If you have questions about the VISTA application process please contact the Arizona State Office at 602-514-7171. Thank you for your interest in National Service.

Sincerely,



Jacqueline Wasik,  
Arizona State Program Officer

cc: Stephanie Small, Neighborhood and Family Services Director  
Chris Lopez, VISTA Supervisor

**MEMORANDUM OF AGREEMENT**



Between

City of Avondale  
11465 W Civic Center Dr  
Avondale, AZ 85323-6803  
EIN: 866000233

and

Corporation for National and Community Service  
Arizona State Office  
230 N 1st Ave  
Ste 200  
Phoenix, AZ 85003-1725

*Pursuant to Title I, Pub.L. 93-113, the Domestic Volunteer Service Act of 1973, as amended, 87 Stat. 394 hereinafter, the "Act"*

This Memorandum of Agreement, hereinafter referred to as "the Agreement", between the two above-captioned parties: 1) Corporation for National and Community Service, hereinafter referred to as "CNCS"; and 2) City of Avondale, hereinafter referred to as the "Sponsor", sets forth the parties' understanding concerning the establishment and operation of a local project under the AmeriCorps VISTA program, pursuant to Title I, Part A of the Domestic Volunteer Service Act, as amended, (42 U.S.C. §§ 4950 et seq.), hereinafter may be referred to as "the Act". The primary purpose of this agreement is for CNCS to provide the Sponsor with up to six (6) AmeriCorps VISTA members and up to five (5) Summer Associates to perform volunteer service to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems as specified in the Project Application. The Project Application is incorporated in this Agreement by reference.

The project shall be cost-shared between CNCS and the Sponsor. Accordingly, the Agreement provides for the Sponsor's funding of up to \$23,352.00 to cost-share up to two (2) AmeriCorps VISTA member(s) and up to zero (0) Summer Associates and the assignment of up to four (4) AmeriCorps VISTA members(s) and up to five (5) Summer Associates supported by CNCS. The Sponsor's cost-share of up to two (2) VISTAs and Summer Associates is subject to annual review and renewal every 12 months. The final numbers of AmeriCorps VISTA members and/or Summer Associates placed may be less than the number listed above due to considerations, such as those related to the management, resources and budget of the VISTA program. Specific details regarding cost-share payment roles and responsibilities associated with this Agreement are set forth in paragraph 20 of Part II of this Agreement.

This Agreement is for one year, and shall become effective on the date of 02/07/2016 execution of this Agreement. The date of execution of this agreement is the date that the final signatory for either party signs and dates this Agreement. This Agreement is subject to performance of the terms as set forth in this Agreement, below in Part II. Activity on the project shall be deemed to have begun on 02/07/2016 and shall end thereafter on 02/04/2017, unless terminated sooner by either or both of the parties.

Click below to view:

[General Provisions of the Cost Share MA](#)

In witness whereof, the parties whose signatures appear below attest to having the authority to enter into this Agreement and agree that this Agreement will become effective on the aforementioned date. (The Sponsor and Corporation for National and Community Service staff must sign the Memorandum of Agreement even though single signatures only are required for grant agreements.)

**Sponsor**

**Corporation for National and Community Service**

Electronically  
Signed By: Small, Stephanie J

Electronically  
Signed By: Broadie, Kimberly

Title:

Title: State Program Director

Date: 11-DEC-15

Date: 11-DEC-15

City of Avondale  
Address: 11465 W Civic Center Dr  
Avondale, AZ 85323-6803

Corporation for National and Community Service  
Address: Arizona State Office  
230 N 1st Ave  
Ste 200  
Phoenix, AZ 85003-1725

Phone: (623) 333-2700

Phone: (602)379-4825

Sponsor Location Code Number: 61425

Sponsor DUNS Number: 002486884

Electronically  
Signed By: McDonald, Elizabeth

Title: Exec Officer

Date: 14-DEC-15

Corporation for National and Community Service  
Address: 1201 New York Ave. NW  
Washington DC 20525

Phone: 202-606-6626



## CITY COUNCIL AGENDA

---

**SUBJECT:**

City Council Handbook Section 10.3.b - City Council/Staff Relationship

**MEETING DATE:**

2/6/2017

---

**TO:** Mayor and Council**FROM:** David Fitzhugh, City Manager (623) 333-1014**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Council will consider a request to modify the City Council Handbook by deleting Section 10.3 (b) City Council/Staff Relationship. This item is for discussion and possible direction to the City Manager.

**BACKGROUND:**

Over the years staff has received comments from new Council Members expressing a need to better understand their role in the organization, access to referenced master plans, guidelines, committees, processes, and protocols as well as shared expectations between Council and staff. The Council Handbook serves as a supplement to the orientation staff provides to newly elected Council Members.

The City Council held work sessions on July 11 and August 1, 2016 to discuss a draft of the proposed Council Handbook and to provide direction regarding the content. The final Council Handbook was adopted by Resolution 3341-1016 on October 17, 2016.

**DISCUSSION:**

As provided for in Section 7 of the City Council Rules of Procedure, Council Members Dennis, Sierra and Malone submitted their request to place an item on a future agenda regarding the deletion of the Council Handbook Section 10.3.b.

Section 10.3 contains guidance pertaining to City Council/Staff Relationships "...based on the concept that governance of a City relies on the cooperative efforts of elected officials, who set policy, and City Staff, who analyze problems and issues, make recommendations, and implement and administer the City Council's policies."

Section (b) states the following: *In order to facilitate open government, all Council Members should make decisions with the same information from City Staff on agenda items or soon-to-be agenda items (i.e. items on the tentative agenda). Accordingly, City Staff will share information requested by individual Council Members with all Council Members.*

Modifications to the Council Handbook will require future consideration of a Resolution adopting the modified Council Handbook.

**BUDGET IMPACT:**

There is no budgetary Impact.

**RECOMMENDATION:**

This item is for discussion and possible direction to the City Manager.

**ATTACHMENTS:**

Description

[City Council Handbook](#)



**Avondale**

Aspiring. Achieving. Accelerating.

**CITY COUNCIL**  
**HANDBOOK**

# AVONDALE CITY COUNCIL HANDBOOK

## TABLE OF CONTENTS

<b>1. INTRODUCTION AND OVERVIEW .....</b>	<b>1</b>
1.1. PURPOSE OF MANUAL .....	1
1.2. ASPIRING. ACHIEVING. ACCELERATING .....	1
1.3. COUNCIL-MANAGER FORM OF GOVERNMENT .....	1
<b>2. CITY COUNCIL – GENERAL AUTHORITY &amp; RESPONSIBILITIES .....</b>	<b>2</b>
2.1. ROLE OF CITY COUNCIL .....	2
2.1.1. ESTABLISH POLICY .....	2
2.1.2. APPOINT/SUPERVISE OFFICIALS .....	2
2.1.3. PROVIDE COMMUNITY LEADERSHIP .....	3
2.1.4. DECISION-MAKING .....	3
2.1.5. AVONDALE STRATEGIC PLAN .....	3
2.2. ROLE OF MAYOR .....	3
2.2.1. EMERGENCY AUTHORITY OF MAYOR .....	3
2.2.2. STATE OF THE CITY ADDRESS .....	4
2.3. VICE MAYOR .....	4
2.4. ORGANIZATIONS .....	4
2.4.1. MARICOPA ASSOCIATION OF GOVERNMENTS .....	4
2.4.2. VALLEY METRO .....	4
2.4.3. LEAGUE OF ARIZONA CITIES & TOWNS .....	4
2.4.4. ARIZONA MUNICIPAL WATER USERS ASSOCIATION .....	4
2.4.5. SCHOOL DISTRICT AMBASSADORS .....	4
<b>3. CONFLICTS OF INTEREST AND LIABILITY OF ELECTED OFFICIALS .....</b>	<b>5</b>
3.1. CONFLICTS OF INTEREST .....	5
3.2. LIABILITY .....	5
<b>4. GUIDING DOCUMENTS .....</b>	<b>5</b>
4.1. CITY CHARTER .....	5
4.2. CITY CODE .....	6
4.3. AVONDALE STRATEGIC PLAN .....	6
4.4. BUDGET .....	6
4.4.1. CAPITAL IMPROVEMENT PLAN (CIP) .....	6
4.4.2. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) .....	6
4.5. COUNCIL RULES AND PROCEDURES .....	6
4.6. EMPLOYEE POLICIES AND PROCEDURES AND ADMINISTRATIVE POLICIES .....	6
4.7. ANNUAL REPORT .....	7
4.8. MEMORANDUMS OF UNDERSTANDING WITH POLICE AND FIRE .....	7
4.9. RESIDENT SATISFACTION SURVEY .....	7

## TABLE OF CONTENTS *(continued)*

4.10. DEVELOPMENT REGULATIONS, PLANS AND GUIDELINES .....	7
4.10.1. GENERAL PLAN.....	7
4.10.2. ZONING ORDINANCE .....	7
4.10.3. SUBDIVISION ORDINANCE.....	7
4.10.4. FREEWAY CORRIDOR SPECIFIC PLAN (FCSP) .....	7
4.10.5. NORTH AVONDALE SPECIFIC PLAN (NASP) .....	8
4.10.6. CITY CENTER SPECIFIC AREA PLAN AND DESIGN GUIDELINES.....	8
4.10.7. EL RIO DESIGN GUIDELINES.....	8
4.10.8. HISTORIC AVONDALE DESIGN AND DEVELOPMENT GUIDELINES .....	8
4.10.9. OFF-PREMISE BILLBOARD SIGN GUIDELINES.....	8
4.10.10 GENERAL ENGINEERING REQUIREMENTS MANUAL (GERs).....	8
4.10.11 SINGLE FAMILY RESIDENTIAL DESIGN MANUAL.....	8
4.11. MASTER PLANS.....	9
4.11.1. AVONDALE TRANSIT IMPLEMENTATION PLAN.....	9
4.11.2. PARKS, RECREATION FACILITIES AND TRAILS MASTER PLAN (PRFT).....	9
4.11.3. WATER RESOURCE MASTER PLAN.....	9
4.11.4. WATER INFRASTRUCTURE MASTER PLAN.....	9
4.11.5. 2013 WATER MASTER PLAN UPDATE.....	9
4.11.6. 2015 WATER RECLAMATION FACILITY MASTER PLAN.....	9
4.11.7. EMERGENCY OPERATIONS PLAN (EOP) .....	9
4.11.8. STREET TREE MASTER PLAN.....	9
4.11.9. PUBLIC ART MASTER PLAN (PAMP) .....	10
4.11.10 WAYFINDING MASTER PLAN.....	10
<b>5. COUNCIL MEETINGS.....</b>	<b>10</b>
5.1. MEETINGS ARE OPEN TO THE PUBLIC.....	11
5.2. AGENDAS.....	11
5.2.1. PUBLIC PARTICIPATION.....	11
5.2.2. CONSENT AGENDA .....	11
5.2.3. REGULAR BUSINESS.....	12
5.2.4. DISCUSSION ITEMS.....	12
5.2.5. EXECUTIVE SESSIONS.....	12
5.3. RECURRING REPORTS.....	12
5.4. MINUTES OF COUNCIL MEETINGS.....	13
5.5. COUNCIL PACKETS.....	13
<b>6. EDUCATION, TRAINING AND TRAVEL</b>	<b>13</b>
6.1. LEAGUE OF ARIZONA CITIES & TOWNS.....	13
6.2. NATIONAL LEAGUE OF CITIES .....	13
6.3. REGISTRATION FOR CLASSES, CONFERENCES AND OTHER EVENTS.....	13
6.4. TRAVEL	14
6.5. REIMBURSEMENT OF EXPENSES.....	14
6.6. CITY VEHICLES .....	14

## TABLE OF CONTENTS *(continued)*

### 7. POSITIONS APPOINTED BY THE COUNCIL 14

7.1. CITY MANAGER.....	14
7.1.1. RIGHT OF CITY MANAGER TO SEAT ON COUNCIL .....	15
7.2. CITY ATTORNEY .....	15
7.3. CITY JUDGE .....	15
7.4. BOARDS, COMMISSIONS AND COMMITTEES.....	15
7.4.1. AVONDALE MUNICIPAL ART COMMITTEE.....	15
7.4.2. BOARD OF ADJUSTMENT.....	15
7.4.3. CAPITAL IMPROVEMENT PLAN CITIZENS' COMMITTEE .....	16
7.4.4. CITIZEN CORPS COUNCIL.....	16
7.4.5. CORRECTION OFFICERS RETIREMENT PENSION BOARD.....	16
7.4.6. ENERGY, ENVIRONMENT AND NATURAL RESOURCES COMMISSION .....	16
7.4.7. FIRE PUBLIC SAFETY AND POLICE PUBLIC SAFETY RETIREMENT PENSION BOARD.....	16
7.4.8. JUDICIAL ADVISORY BOARD (JAB).....	16
7.4.9. MUNICIPAL DEVELOPMENT CORPORATION (MDC) .....	17
7.4.10. NEIGHBORHOOD AND FAMILY SERVICES COMMISSION .....	17
7.4.11. PARKS, RECREATION AND LIBRARIES ADVISORY BOARD .....	17
7.4.12. PLANNING COMMISSION.....	17
7.4.13. RISK MANAGEMENT TRUST FUND BOARD .....	17

### 8. FINANCIAL MATTERS ..... 17

8.1. BUDGET .....	18
8.1.1. PREPARATION.....	18
8.1.2. AUDIT.....	18
8.2. COUNCIL COMPENSATION .....	18
8.3. FINANCIAL DISCLOSURE STATEMENT .....	18
8.4. FINANCIAL POLICIES.....	19
8.4.1. PROCUREMENT CODE.....	19
8.4.2. CAPITAL IMPROVEMENT .....	19
8.4.3. DEBT MANAGEMENT PRACTICES.....	19
8.4.4. INVESTMENT POLICY.....	19
8.4.5. FUND BALANCE POLICY/NET POSITION POLICY (ENTERPRISE FUNDS) .....	19
8.5. CONTRIBUTIONS ASSISTANCE PROGRAM .....	20
8.6. UNITED WAY CAMPAIGN .....	20

## TABLE OF CONTENTS *(continued)*

<b>9. COMMUNICATIONS</b> .....	<b>20</b>
9.1. COMMUNICATIONS FROM COUNCIL .....	20
9.2. LOCAL BALLOT MEASURES .....	21
9.3. PROCLAMATIONS .....	21
9.4. STATE OPEN RECORDS LAW .....	21
9.5. COMMUNICATIONS FROM THE CITY .....	21
9.5.1. MEDIA RELATIONS PROCEDURES .....	21
9.5.2. NEWS RELEASES .....	21
9.5.3. CITY WEBSITE .....	21
9.5.4. SOCIAL MEDIA .....	22
9.5.5. RAVE CITY MAGAZINE .....	22
9.5.6. NEWS BRIEFINGS .....	22
9.5.7. NEWS CONFERENCES .....	22
9.5.8. EMERGENCY MEDIA RELATIONS .....	23
9.5.9. EDITORIAL RESPONSES .....	23
9.5.10. MEDIA CONTACT GUIDELINES .....	23
<b>10. INTERACTION WITH CITY STAFF</b> .....	<b>24</b>
10.1. COUNCIL MANAGER FORM OF GOVERNMENT .....	24
10.2. COUNCIL/MANAGER RELATIONSHIP .....	24
10.2.1. CITY MANAGER CODE OF ETHICS .....	24
10.3. CITY COUNCIL & CITY STAFF RELATIONSHIP .....	24
10.4. COMMUNICATIONS TO COUNCIL .....	26
10.5. RESTRICTED INFORMATION .....	26
<b>11. SUPPORT PROVIDED TO CITY COUNCIL</b> .....	<b>26</b>
11.1. STAFF SUPPORT .....	26
11.1.1. STAFF SUPPORT OF CITY COUNCIL ON BOARDS AND COMMITTEES .....	27
11.1.2. STAFF SUPPORT OF APPOINTED BOARDS .....	27
11.2. INFORMATION TECHNOLOGY SERVICES AND SUPPORT .....	27
11.2.1. TECHNOLOGY SUPPORT .....	27
11.2.2. TECHNOLOGY CONDUCT .....	27
11.2.3. TECHNOLOGY PROVISIONING .....	28
11.2.4. TECHNOLOGY USAGE AGREEMENTS .....	28
11.2.5. SEPARATION .....	29
11.3. OFFICE, EQUIPMENT AND MEETING ROOMS .....	29
11.3.1. MEETING ROOMS .....	29
11.3.2. CITY VEHICLES .....	29
11.4. MAIL .....	29
11.5. DISCRETIONARY ACCOUNTS .....	29
11.5.1. CHARITABLE DONATIONS/EVENT SPONSORSHIPS .....	30
11.5.2. CITY CREDIT CARDS .....	30
11.5.3. REIMBURSEMENT OF OTHER EXPENDITURES .....	30

# 1. INTRODUCTION AND OVERVIEW

## 1. PURPOSE OF MANUAL

This protocol manual is designed to serve as a guide for City Council, City Staff, and others on what we value and how we go about accomplishing our goals. Its purpose is also to provide an instructive source of accepted practices to improve the efficiency and effectiveness of City Council and City Staff. This manual will be updated as needed when practices and policies change.

## 2. ASPIRING. ACHIEVING. ACCELERATING.

Avondale's Brand Story is very important to the City's operations. It defines the way City Council and City Staff interact and function and is reflected in many of the policies, procedures and protocol that are outlined in this manual. By taking the formal steps to memorialize policies and procedures, City Council can ensure consistency with Avondale's Brand Story. Memorializing them in a written manual like this also helps to ensure that they are consistently communicated throughout the organization.

Avondale is a community where people share a deep sense of pride in what has been accomplished and what it is today. In Avondale, there is strong belief that the blending of a broad spectrum of cultures comes from a true sense of harmony throughout the community, and not from mere rhetoric about diversity. In Avondale, people and businesses are welcomed with open arms and supported in a way that exemplifies a progressive, intelligent and driven City.

There is a sense of optimism in Avondale that translates to young families and others finding a place that gives them confidence to achieve greatness. What sets Avondale apart is the way people believe it is their City and their home that stimulates this achievement. Avondale provides the foundation for those who call it home to set and reach their goals and aspirations.

The people of Avondale feel strongly that the City is on a course for a bright future. They have supported an approach to growth that follows their sense of achievement. Avondale is a city of possibilities with unified leaders in the private and public sectors who are dedicated to continuing the smart growth of the past decade.

Three words stand out in particular when describing **Avondale: Aspiring. Achieving. Accelerating.**

If you move to Avondale, there will be a welcoming community waiting to support you and your family. If you bring your business to Avondale, you will find an environment that will stimulate success and a community ready to be your customers. If you invest in Avondale, you have chosen a financially stable, well-run city that has proven it is a solid investment for the future.

## 3. COUNCIL-MANAGER FORM OF GOVERNMENT

In accordance with the Avondale City Charter, Avondale operates under a Council-Manager form of government. (City Charter, Article I, Section 2) In this form of government, the City Council is recognized as the governing body of the City, elected by the public and serving part-time. Core functions of the City Council include setting policy, approving the budget, determining tax rates, etc. The City Manager is appointed by the City Council and serves at their pleasure. Core functions of the City Manager include preparing the budget, directing daily operations, and hiring and firing personnel. The City Council provides legislative direction, while the City Manager oversees the day-to-day administrative operations of the City, based on policy set by City Council.



## 2. CITY COUNCIL – GENERAL AUTHORITY & RESPONSIBILITIES

Effective management of a municipality is enhanced when elected officials and appointed City Staff clearly understand and agree on their respective roles as defined by their form of government, the City Charter, and the City Code. The City Council is the legislative body, and its members are the community's policy decision makers regarding City functions, budgets, tax rates, zoning, general plans, long- and short-range City goals, contract approvals, etc. They receive information and recommendations from the City Manager and generally oversee the performance of City government. They also are the link between citizens in the community and their local government. All legislative authority resides with the City Council.

### 2.1. ROLE OF CITY COUNCIL

The following is a brief overview of the various roles that the City Council undertakes.

#### 2.1.1. ESTABLISH POLICY

One of the City Council's primary roles is its legislative responsibilities, which involves setting policy for the City. Some of these include, but are not limited to, adopting ordinances and resolutions, setting the property tax rate, approving the annual budget, approving high dollar expenditures and contracts, establishing priorities for City services, and hearing rezoning and annexation requests.

#### 2.1.2. APPOINT/SUPERVISE OFFICIALS

The City's appointed Boards, Commissions and Committees (BCCs) assist the Council Members by serving in an advisory capacity. Article V of the Avondale City Charter grants the City Council authority to create such bodies and to establish their composition, duties, period of existence, etc. Some examples of the City's BCCs include the Planning Commission, Municipal Art Committee, Parks, Recreation and Libraries Advisory Board, Neighborhood and Family Services Commission, Energy, Environment and Natural Resources Committee and others. Avondale's BCCs are outlined in further detail in Section 7 of this document.

In addition to appointing volunteer citizens to serve in the various BCCs, the City Council also appoints professionals to serve as City Manager, City Attorney and City Judge.

#### 2.1.3. PROVIDE COMMUNITY LEADERSHIP

Council Members will be offered many opportunities, both as a group and individually, to take a visible role in interacting with and engaging the community and to show public support for the City's various initiatives and programs. The Council Members have an important role in interacting with the community - listening to wishes of constituents and communicating the City's vision and goals. Council Members represent the City at various regional, county, state, and federal levels. Council Members' participation at the various events will be coordinated through the Council Assistant. Council Members are reminded to keep City Staff apprised of their appearances at community events so as to ensure that any necessary notices are posted in accordance to the Open Meeting Law.

#### 2.1.4. DECISION-MAKING

Closely related to the City Council's legislative authority is the role Council Members play in making important decisions that provide guidance to City Staff for carrying out the day-to-day operations of the City. Such decisions might include direction on project scope, feedback on various City initiatives or programs, etc. Direction to City Staff is given by consensus of the City Council at a public meeting through the City Manager. It is important to remember that the majority of the City Council must be in favor of a particular decision in order for direction to City Staff to be clear and valid.

## 2.1.5. AVONDALE STRATEGIC PLAN

The Avondale Strategic Plan incorporates the City Council's vision and strategic priorities to guide the City through the year 2021. It is anticipated that the City will review and amend the plan each year and adopt a new plan every five years. The Strategic Plan establishes a clear vision of the community, guides decision-making, and provides long-range guidance on resource planning, budgeting and program implementation for many years to come. The strategic plan shapes the City Manager's decisions in structuring the organization and assigning resources towards goals. Similarly, departments will use the Strategic Initiatives and goals defined by City Council to shape City operations and services over the coming years.



## 2.2. ROLE OF MAYOR

The Mayor serves as the presiding officer and chair of all meetings of the City Council. The Mayor may participate in all deliberations of the City Council in the same manner as other members and is a voting member of City Council. The Mayor shall have limited regular administrative duties including signing contracts and other documents as necessary and as approved by the City Council.

The Mayor serves as the City's ceremonial representative at public events and functions; Council Members are welcome to attend as well. The Mayor is the official spokesperson for the City Council – articulating actions taken, fielding questions about the City's policies and intentions, etc.

Publications such as the League of Arizona Cities and Towns "Council-Manager Government in Arizona" and the ICMA – "Understanding the Mayor's Office in Council-Manager Cities" provide a brief overview and history of the council-manager form of government in the United States and in Arizona.

### 2.2.1. EMERGENCY AUTHORITY OF MAYOR

Per the City's Charter, the Mayor is recognized as head of the city government by the Governor for the purposes of military law and shall govern the City by proclamation during times of emergency.

### 2.2.2. STATE OF THE CITY ADDRESS

The Mayor delivers the annual State of the City address. This typically occurs in the spring during which time the Mayor highlights the City's accomplishments and achievements of the previous year and elaborates on the City Council's goals for the following year. The annual report is released in conjunction with this event.

## 2.3. VICE MAYOR

One Council Member serves as the Vice Mayor and performs the duties of Mayor in his/her absence or disability. The Vice Mayor is selected by the City Council every two years during the first City Council meeting in January.

## 2.4. ORGANIZATIONS

There are several organizations that help to facilitate intergovernmental relations, both within Maricopa County and around the region and the state. Avondale's Council Members and City Staff have had a strong tradition of holding leadership roles within many of these organizations. Some of these are as follows:

### 2.4.1. MARICOPA ASSOCIATION OF GOVERNMENTS

The Maricopa Association of Governments (MAG) is a Council of Governments (COG) that serves as the regional planning and policy agency for the metropolitan Phoenix area. MAG holds general membership meetings on a regular basis, which are open to the elected officials and staff.

For more information, please see [www.azmag.gov](http://www.azmag.gov).

## 2.4.2. VALLEY METRO

Valley Metro is the regional public transportation agency providing coordinated, multi-modal transit options to residents of greater Phoenix. Valley Metro plans, develops and operates the regional bus and light rail systems and alternative transportation programs for commuters, seniors, and people with disabilities.

For more information, please see [www.valleymetro.org](http://www.valleymetro.org).



## 2.4.3. LEAGUE OF ARIZONA CITIES & TOWNS

The League of Arizona Cities & Towns is a statewide organization that provides leadership, tools, and services to assist local municipalities. The League offers a number of training opportunities. The League's website, [www.azleague.org](http://www.azleague.org), includes a wealth of resources, including training materials for elected officials and news reports from municipalities across the state.

## 2.4.4. ARIZONA MUNICIPAL WATER USERS ASSOCIATION

The Arizona Municipal Water Users Association (AMWUA) is a non-profit corporation governed by a Board of Directors composed of mayors and council members representing its ten member cities and towns. AMWUA works to protect our ability to provide assured, safe and sustainable water supplies to our community. For more information, please see [www.amwua.org](http://www.amwua.org).

## 2.4.5. SCHOOL DISTRICT AMBASSADORS

This program was developed as a means to support Avondale schools and to strengthen and foster collaborations between the City and each of the six school districts. Council Members each serve as an ambassador to one of the school districts by attending and participating in board meetings and special events.

# 3. CONFLICTS OF INTEREST AND LIABILITY OF ELECTED OFFICIALS

## 3.1 CONFLICTS OF INTEREST

The state laws regarding conflicts of interest are some of the most important for Council Members to be aware of and follow. Essentially, these laws prohibit any Council Member from voting on any question that is brought before the City Council in which he/she is personally involved. Due to both the complexity of these laws and the significant consequences if violated, it is highly recommended that Council Members discuss the law and potential conflicts with the City Attorney.

For reference, the Mayor and Council Members are directed to Arizona League of Cities and Towns publication "You as a Public Official." This publication covers the provisions of conflict of interest law and other matters of importance to the Mayor and Council Members.

## 3.2. LIABILITY

The City provides a number of high-profile services, such as public safety, water, sewer, sanitation, roads, parks, etc. that carry some degree of risk and liability. The City must always approach its responsibilities in a manner that reduces the potential of risk and liability for the City.

The City Attorney provides guidance to the City on reducing liability. It is important to understand that violations of certain laws and regulations by individual members of the City may result in personal liability that may not be covered by the City's insurance. Examples include, but are not limited to, discrimination, harassment, fraud, violation of the open meeting law, etc.

## 4. GUIDING DOCUMENTS

The City prepares and publishes a variety of documents that (i) outline legal requirements for operating the City responsibly and safely and (ii) serve as a framework for decision-making.

The City of Avondale is a charter city under state law. The City Charter is the main document we look to as a source of authority. However, because the City Charter is limited in its scope, all powers granted to general laws cities and towns through the Arizona Revised Statutes are also able to be exercised by the City. The City also has limited authority to do such things as are necessary to carry out powers specifically granted by either the City Charter or the State Statutes. In certain circumstances referred to as a “matter of state wide concern,” the State Statutes may trump the authority of the City Charter. Unless so designated, however, the City Charter takes precedence as the foundation for Avondale’s authority. Avondale City Charter and Municipal Code

### 4.1. CITY CHARTER

The [Avondale City Charter](#) is the foundational document that establishes the basic City governmental structure, form of government, corporate boundaries, and municipal powers. In this respect, it is similar to a state or national constitution.

### 4.2. CITY CODE

The [City Code](#) is the compilation of local laws that have been adopted by the City Council and codified. The City Code covers a wide range of areas, including taxes, court, environmental regulations, alcoholic beverages, business regulations, etc. Amendments to the City Code must be adopted by the City Council.

### 4.3 AVONDALE STRATEGIC PLAN

The [Avondale Strategic Plan](#) incorporates the City Council’s vision and strategic priorities to guide the City through the year 2021. The Strategic Plan establishes a clear vision of the community, guides decision-making, and provides long-range guidance on resource planning, budgeting and program implementation. The Strategic Plan shapes the City Manager’s decisions in structuring the organization and assigning resources towards goals. Similarly, departments will use the Strategic Initiatives and goals defined by City Council to shape City operations and services. The document is located here: [2016 City of Avondale Strategic Five-year Plan](#)

### 4.4 BUDGET

The [budget](#) is the City’s financial plan for providing services to the community over the coming year. Avondale operates under a fiscal year that begins on July 1 and ends June 30. Towards the end of the calendar year, City Staff begins the process of estimating anticipated revenues, identifying and evaluating potential expenditures and preparing a recommended budget. Special budget workshops are scheduled with the City Council in the spring for the City Manager to present the recommended budget.

#### 4.4.1 CAPITAL IMPROVEMENT PLAN (CIP)

The [CIP](#) is the City’s ten-year infrastructure plan that will support the continued growth and development of Avondale. Each year, in conjunction with the annual budgeting process, the ten-year CIP is reviewed, updated and approved by the Citizens’ CIP Committee and the City Council. Various master plans provide valuable information and guidance in the preparation of the capital plan.

#### 4.4.2 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

At the close of each fiscal year, an independent auditor reviews the City’s financial statements. The auditor’s report, along with the financial statements and other important information, make up the CAFR. The [CAFR](#) essentially allows the reader to determine how well the City performed from a financial standpoint and where it stands in terms of assets and liabilities. The audit is completed in late summer and early fall, with the report and CAFR being presented to City Council at the end of each calendar year.

## 4.5 COUNCIL RULES of PROCEDURE

The [Council Rules of Procedure](#) provides guidance for meetings of the City Council. It is based on the Arizona Open Meetings Law, (ARIZ. REV. STAT. § 38-431 et seq., as amended), the City Charter, the City Code and Roberts Rules of Order, as amended. A copy of the document may be found here: [City Council Rules of Procedure](#)

## 4.6 EMPLOYEE POLICIES AND PROCEDURES AND ADMINISTRATIVE POLICIES

In extending services to its citizens, the City recognizes and acknowledges that the well-being of its employees is essential to maintaining a high standard of operation. A sound employee-management association makes it possible for the City Manager, department directors/managers, and the employees to cooperatively develop an adequate personnel program. These [policies and procedures](#) set forth the principles and procedures that will be followed by the City in the administration of its personnel program. It is not, however, a contract. The policies are intended to establish an efficient, equitable, and functional system of personnel administration based on merit principles.

## 4.7 ANNUAL REPORT

In conjunction with the State of the City address, City Staff develops an [Annual Report](#) that is a written document highlighting successes, completed projects, awards received, etc. for the past year. This report is printed, available on-line, and distributed as part of the State of the City Event. It is also available in limited quantity for pickup at City Hall and Public Libraries. It is typically published in March each year.

## 4.8 MEMORANDUMS OF UNDERSTANDING WITH POLICE AND FIRE

The City has two employee associations. Sworn police officers and sworn police sergeants are represented by the Avondale Police Officers Association. Sworn firefighters, fire engineers and fire captains are represented by the Avondale Professional Firefighters Association, Local #3924. Each association has a [Memorandum of Understanding](#) (MOU) that covers employee compensation, various forms of leave, uniform and equipment allowances, and various terms and conditions of employment. The MOUs are negotiated on a two-year basis.

## 4.9 RESIDENT SATISFACTION SURVEY

City Council and City Staff find resident survey results helpful in decision-making, strategic planning, budgeting etc. The Resident Satisfaction Survey is conducted each year throughout the month of October.

## 4.10 DEVELOPMENT REGULATIONS, PLANS, AND GUIDELINES

### 4.10.1. GENERAL PLAN

[Avondale's General Plan 2030](#) identifies near-term and long-term critical planning strategies that will help guide the location and design of future development. Arizona cities and towns are required to update and adopt a new General Plan every ten years.

### 4.10.2. ZONING ORDINANCE

The [Zoning Ordinance](#) divides the City into land-use districts and regulates the kinds of activities that are permitted in each district, including building heights, required parking, landscape and buffer requirements, sign restrictions, etc.

### 4.10.3. SUBDIVISION ORDINANCE

The [Subdivision Ordinance](#) provides for the methods, means, and regulations applicable to land division and improvements in the City. The Subdivision Ordinance is also utilized to set basic standards for infrastructure improvements installed by private parties as part of land development activities.

#### 4.10.4. FREEWAY CORRIDOR SPECIFIC PLAN (FCSP)

The **FCSP** area is bounded by McDowell Road, 99th Avenue, Van Buren Street, and the Agua Fria River, with a small area extending west of the Agua Fria River and north of McDowell Road. The area is a mix of regional retail, multi-family residential, and employment-generating uses. The FCSP provides guidance to supplement the General Plan and is intended as a refinement of the concepts in the General Plan.

#### 4.10.5. NORTH AVONDALE SPECIFIC PLAN (NASP)

The **NASP** area is currently bounded by Encanto Boulevard, Dysart Road, 99th Avenue, and Indian School Road, with a small area extending north of Indian School Road and west of Dysart Road. The NASP is a refinement of the General Plan that will guide the new development of residential subdivisions and neighborhood shopping centers.

#### 4.10.6. CITY CENTER SPECIFIC AREA PLAN AND DESIGN GUIDELINES

The **City Center Design Guidelines** apply to all projects located in the City Center Zoning District with a focus on architectural aesthetics and urban design. The City Center was originally established by the adoption of the City Center Specific Area Plan on August 11, 2008.

#### 4.10.7. EL RIO DESIGN GUIDELINES

The **El Rio Design Guidelines** illustrate recommended options and solutions to developing in a floodplain, while maintaining access to the Gila River, improving the aesthetic quality of the river and its surrounding communities, increasing the availability of publicly-accessible open space, and effectively utilizing planning efforts to maximize the potential of the surrounding area for development and economic growth.

#### 4.10.8. HISTORIC AVONDALE DESIGN AND DEVELOPMENT GUIDELINES

The **Historic Avondale Design and Development Guidelines** provide a basis for understanding and assessing the design quality of proposed preservation, renovation and new construction projects located within the boundaries of Historic Avondale. Through the use of these guidelines, it is anticipated that both private and public projects will endeavor to preserve and enhance the form, scale, and visual character that make Historic Avondale a destination for local residents and visitors.



#### 4.10.9. OFF-PREMISE BILLBOARD SIGN GUIDELINES

The City Council has determined that billboards represent a departure from previously-adopted policies, but that in certain circumstances a billboard may be beneficial to the City such that a development agreement would be appropriate. In order to consider such a request, the City Council establishes **minimum thresholds** that must be met in order for the City Council to consider a development agreement. The City Council may, in its sole and absolute legislative discretion, consider these requests.

#### 4.10.10. GENERAL ENGINEERING REQUIREMENTS MANUAL (GERs)

The **GERs** provide standards for the design and development community regarding engineering requirements within the City. The goal of the manual is to provide a more user-friendly design tool to the engineering community with clear, concise, and current direction regarding the City's requirements.

#### 4.10.11. SINGLE FAMILY RESIDENTIAL DESIGN MANUAL

The **Single Family Residential Design Manual** provides project designers, developers, and residential property owners with the City's expectations for residential development and is used as a criterion of approval during the City's design review.

## 4.11 MASTER PLANS

### 4.11.1 AVONDALE TRANSIT IMPLEMENTATION PLAN

This [implementation plan](#) concentrates on meeting the needs of Avondale and developing sub-regional connectivity by refining the various transit concepts outlined in the Maricopa Association of Government's Southwest Valley Local Transit System Study. The implementation plan provides more detailed cost estimates and capital requirements (passenger facilities needs and location, fleet, etc.), develops a service implementation schedule, and expands on the funding analysis.

### 4.11.2 PARKS, RECREATION FACILITIES AND TRAILS MASTER PLAN (PRFT)

Adopted September 14 2009, the [PRFT](#) provides a vision that will guide development of park, recreation and trail facilities toward achieving the quality of life Avondale citizens' desire. The master plan also establishes park standards, identifies the vision, goals and objectives for the department, and recognizes the needs for future growth of the City.

### 4.11.3 WATER RESOURCE MASTER PLAN

This [master plan](#) presents recommended future water supply and resources strategies that will support future growth and help maintain the City's Designation of a 100-year Assured Water Supply.

### 4.11.4 WATER INFRASTRUCTURE MASTER PLAN

This [master plan](#) builds upon the recommend future water supply strategy in the companion Water Resource Master Plan by recommending water system improvements and new construction to improve service to current residents and businesses, and to support future City growth.

### 4.11.5 2013 WATER MASTER PLAN UPDATE

This [master plan](#) updated the infrastructure improvement needs and project timing to support the City's adopted 2030 General Plan.

### 4.11.6 2015 WATER RECLAMATION FACILITY MASTER PLAN

This [master plan](#) evaluated the existing City facility's ability to treat the changing composition of the wastewater stream and determined the timing of the next facility expansion. The Plan also evaluated the capacity, redundancy and performance of each unit process to determine what upgrades are need to ensure continued reliable operations.

### 4.11.7 EMERGENCY OPERATIONS PLAN (EOP)

An emergency operations plan is a course of action developed to mitigate the damage of potential events that could endanger an organization's ability to function. This EOP is a guide to how the City conducts all-hazards response. It is built upon scalable, flexible, and adaptable coordinating systems to align key roles and responsibilities across the organization.

### 4.11.8 STREET TREE MASTER PLAN

The [Street Tree Master Plan](#) was originally adopted by the City Council in December 2014. This document has been established to help guide the City and provide a strategy for future tree replacement, growth, and to determine the best practices to ensure consistency in street trees throughout the City as outlined in the objectives.



#### 4.11.9 PUBLIC ART MASTER PLAN (PAMP)

The **PAMP** was adopted by City Council on July 7, 2014, and is a companion document to the City's current Zoning Ordinance, Section 11 (Required Public Art for New Planned Area Developments (PAD), Commercial, Office, Employment, and Municipal Construction) which was adopted August 18, 2008. The purpose of this PAMP and the City's public art ordinance is to integrate a wide variety of quality artistic elements that are publicly accessible and visible within the community.

#### 4.11.10. WAYFINDING MASTER PLAN

The **Wayfinding Master Plan** establishes standards and guidelines that influence both the sign designs and placement of wayfinding elements in Avondale along with the branding concept. These standards will be met during the construction of each monument and directional sign in the City.



## 5. COUNCIL MEETINGS

The City Council holds regular meetings in order to consider, discuss and take action on various issues deemed necessary to further the business of the City. Per the Avondale City Charter, the City Council shall hold regular meetings a minimum of two times per month. The City Council Rules of Procedures set the meeting schedule to be on the first and third Monday of the month at 7:00 p.m. in the City Council Chambers. Meeting date, time and location may be changed provided the City Council formally approves the change and a seven-day notice is published in the newspaper.

In the fall of each year, the City Council approves the meeting schedule for the following calendar year, which includes a listing of those meetings that will need to be rescheduled in order to accommodate legal holidays, attendance at national conferences by Council Members or extended breaks during summer and December.

The City Council may also hold Work Sessions for the purpose of receiving presentations and discuss issues that require more in-depth consideration than may be possible during a regular meeting. No formal action of the City Council may be taken at work sessions, but City Council may reach general consensus or convey direction to City Staff for further action.

Other meetings may arise on an as-needed basis, such as budget workshops. The Mayor or three Council Members may request a special meeting be called. Notice of such special meetings shall be served no later than 24 hours in advance of the meeting.

Emergency Meetings may be called by the Mayor and City Council to discuss or take action on an unforeseen issue where time is of the essence and there is not sufficient time for the typical 24hour posting a notice of the meeting. Notice of the emergency meeting shall be posted within 24 hours of the holding of the meeting and should provide the agenda and a brief, but complete, description of the nature of the emergency.

Please refer to the adopted City Council Rules of Procedure for more detailed information.

### 5.1. MEETINGS ARE OPEN TO THE PUBLIC

With exception of City Council Executive Sessions, all Regular Meetings, Special Meetings, Work Sessions and Emergency Meetings of the City Council shall be open to the public.

All Public Meetings may be recorded or photographed by means of audio, video or photographic equipment; provided, however, that there is no interference in the orderly conduct of the meeting, and that said equipment is placed in non-hazardous locations as designated by the City's Staff.

## 5.2. AGENDAS

The City Clerk is responsible for preparation of the City Council agenda. Agendas of all meetings of the City Council shall be available to the public no later than 24 hours prior to said meetings and posted on the City's website and the City's designated posting locations:

- ▶ Posting board outside the east and west sides of City Hall
- ▶ Posting board outside the Sam Garcia Library
- ▶ Posting Board outside Fire Station 172
- ▶ Posting Board outside Fire Station 174

The meeting shall be conducted following the order outlined in the agenda as prepared by the City Clerk. The agenda shall list the items to be considered by the City Council in a sequentially numbered manner providing a brief description of the items to give enough notice to the public as to the requested action. Items related to approval of contracts shall list the name of the vendor as well as the contract amount. At the discretion of the Mayor or the Council, items may be considered out of order.

### 5.2.1. PUBLIC PARTICIPATION

An opportunity is given to the public to address the City Council during an agenda item or the Unscheduled Public Appearance portion of the agenda by submitting a request to speak card. Members of the public will be given three minutes to address the City Council to express their views regarding any subject; however, they may not question directly or debate the matter with City Staff, other speakers or members of the City Council. All comments shall be addressed through the Mayor.

Speakers should observe proper decorum when addressing the City Council. Speakers and audience shall refrain from abusive or profane remarks, disruptive outbursts, applause, protests or other conduct that disrupts or interferes with the orderly conduct of the business of the meeting. Personal attacks on Council Members, City Staff or members of the public are not allowed. It is inappropriate to utilize the Public Hearing or other Agenda item for the purpose of making political speeches, including threats of political action. Engaging in such conduct and failing to cease such conduct upon request of the Presiding Officer will be grounds for ending a speaker's time at the podium or, at the direction of the Presiding Officer, for removal of any disruptive person from the City Council Chambers.

### 5.2.2. CONSENT AGENDA

The Consent Agenda includes items that are either of such a nature that discussion may not be required or have been previously studied by the City Council. These items may be adopted by a single motion, second and affirmative roll call vote of a majority of the City Council. There is no discussion on items listed under the Consent Agenda; however, a member of the City Council may request that an item or items be removed for discussion and separate consideration.

### 5.2.3. REGULAR BUSINESS

Items included in this portion of the agenda are items that should be considered separately in order to allow the City Council to receive a presentation with more detailed information. Following the City Staff presentation, City Council may ask questions of City Staff or make comments regarding the item.

When the item before the City Council is due to a request by an applicant, the applicant shall be allowed to address the City Council, the three-minute time limit does not apply to the applicant's presentation.

This portion of the agenda may also include public hearings. The City Council is statutorily required to hold public hearings on certain items such as rezonings, annexations, etc. In addition to the required notice in the newspaper and posting at the subject location, the agenda will clearly indicate that a public hearing will be held. The Mayor will announce that the matter is set forth for a Public Hearing and, if appropriate, ask the City Staff to provide a short summary of the matter. The applicant may address the City Council following the City Staff presentation. The Mayor will then open the public hearing allowing speakers a maximum of three minutes

to address the City Council. Once all speakers have had a chance to address the City Council, the Mayor will close the public hearing and may ask City Staff or the applicant to address the comments if applicable. The Presiding Officer may then call for a motion and second, if applicable, and/or ask if City Council wishes to discuss the motion/item. City Council may then proceed to discuss and take action on the matter before them.

#### 5.2.4. DISCUSSION ITEMS

The Discussion Items section of the agenda is reserved for items brought forth by less than three Council Members and for which a full staff report has not been prepared. In order to be discussed, a particular subject must be listed under this portion of the agenda. Members of the City Council who bring forth items will provide the rest of the City Council with a brief description of the issues they want to more fully discuss. The City Council will then give direction to City Staff as to whether the items will be placed on a future agenda for full discussion.

#### 5.2.5. EXECUTIVE SESSIONS

The City Council may hold an Executive Session pursuant to Ariz. Rev. Stat. § 38-431.01 et seq. Minutes of these meetings shall be prepared and retained in accordance with applicable retention schedule and while technically considered a public record, they are confidential and can only be released under an order by the court.

### 5.3. RECURRING REPORTS

During a work session each month, the City Council may receive an update from a City department. Department Heads whose responsibilities include overseeing a Board, Commission or Committee take this opportunity to update the City Council regarding their BCC. The City Council also receives a quarterly financial update.

### 5.4. MINUTES OF COUNCIL MEETINGS

The City Clerk is responsible for the preparation and maintenance of the minutes of all Regular, Special, Work Session and Emergency Meetings. Meeting minutes reflect Council Member attendance for the entire meeting and are prepared in a summary format to reflect the essence of the discussion without going into detail. The minutes shall, however, clearly indicate the actions taken by City Council during the meeting. Transcribed minutes shall be published and maintained by the City Clerk in accordance to the Open Meeting Law and the approved Records Retention and Disposition Schedules.

All Minutes of the City Council are deemed to be Public Records. Minutes shall be made available to the public in accordance with the public records statutes.

### 5.5. COUNCIL PACKETS

City Council packets contain the Agenda, unapproved Minutes (which may be distributed electronically) of previous City Council Meetings, City Council communications and any ordinances, agreements or resolutions to be acted upon, including documentation that may be attached to support items contained on a City Council Agenda for all noticed meetings of the City Council. Full Packets for noticed City Council Meetings (except Executive Session documentation) are delivered to Council Members by the City Clerk through the subscription delivery module on the City's website. Every effort will be made to make full packets available by the Thursday prior to each regular City Council Meeting and not less than 72 hours prior to any Special City Council Meeting.



## 6. EDUCATION, TRAINING AND TRAVEL

There are a number of training opportunities offered by various organizations for Council Members.

### 6.1. LEAGUE OF ARIZONA CITIES & TOWNS

The League of Arizona Cities and Towns offers various training opportunities on topics such as Newly Elected Officials, Budgeting & Finance, Council-Manager Form of Government, Legislative Issues, Best Practices and much more. Training opportunities are also available by attending the League's Annual Conference, generally held in August. Information on training opportunities can be found by visiting the League website <http://www.azleague.org/>.

### 6.2. NATIONAL LEAGUE OF CITIES

The National League of Cities (NLC) offers training, professional development and networking opportunities for elected officials through the Congress of Cities Conference, the City Summit Conference and NLC University courses. The Congress of Cities Conference is held annually in early March in Washington, D.C. The City Summit Conference is also held annually in November and the locations vary. At both conferences, attendees have the opportunity to sign up for NLC University classes on a variety of topics. Elected officials can also participate in Advocacy and Policy Committees and Councils as well as join Constituency Groups. More information can be found by visiting their website at <http://www.nlc.org/>.

### 6.3. REGISTRATION FOR CLASSES, CONFERENCES AND OTHER EVENTS

To register for classes, conferences and other events, please contact the Council Assistant who will process all registrations for classes, conferences, etc., as well as the associated travel arrangements, such as hotel and airfare. Any special requests i.e. # of beds, ADA room, etc. should be made known at the time the Council Member requests to be registered. To ensure the best rates and increase the possibility of being able to accommodate special requests, all conference, event and travel requests should be made as early as possible.

### 6.4. TRAVEL

City Council travel is generally covered by each Council Member's discretionary funds. See Section 11.5 for specific guidelines on appropriate use of discretionary funds. The City does not cover expenses for spouses or other companions traveling with City Council and/or City Staff. Additionally, the City does not pay for the purchase of any alcohol. Travel arrangements, including preparation of the Travel Authorization Form will be done by the Council Assistant. If applicable, per diem checks are typically available the Thursday afternoon before departure and should be used for all meals and incidentals; no receipts are necessary for those items.

### 6.5. REIMBURSEMENT OF EXPENSES

Most travel expenses should be covered by the per diem allowance. Reimbursement of out-of-pocket expenses may be requested by submitting original, itemized receipts to the Council Assistant who will process the request for reimbursement. Receipts must be submitted within five days of purchase/return from trip. A check will be issued within approximately 30 days of submittal for all approved reimbursable expenses. Expenses by Council Members may be subject to administrative approval by the City Manager or his/her designee.

### 6.6. CITY VEHICLES

Council Members typically use their personal vehicles for City-related travel. The City will reimburse the Council Member for the mileage incurred at the appropriate City mileage rate; requests for mileage reimbursement should be submitted to the Council Administrator. Carpooling with other Council Members or City Staff, if feasible, is encouraged to minimize expenses. If desired, Council Members may reserve one of the City vehicles for use during an out-of-town trip. For details on the Vehicle Usage Administrative Policy and the Admin Pooled Vehicle Check Out Procedures see AP-12 and AP-13.

## 7. POSITIONS APPOINTED BY THE COUNCIL

### 7.1. CITY MANAGER

The voters of Avondale established the Council/Manager form of government (described in Section 10.1) through an election establishing the City Charter. The City Manager is selected by the City Council solely on the basis of his executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office.

The City Manager is chief executive officer and head of the administrative branch of the City government. He/she is responsible for the proper administration of all affairs of the City and to that end, subject to the provisions of the Avondale City Charter (Article III, Section 3), and shall have power and shall be required to:

Devote his entire time to the discharge of his official duties. Prepare the agenda for and attend all meetings of the City Council unless excused therefrom by the City Council or the Mayor.

See that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits and privileges granted by the City are observed.

Appoint and, when necessary for the good of the administrative service, lay-off, suspend, transfer, demote or remove all officers and employees of the City except as otherwise provided by the City Charter and except as he may authorize the head of a department or office to appoint and remove subordinates in such department or office, subject to such merit system regulations as the City Council may adopt.

Prepare the annual budget estimates and submit them to the City Council and be responsible for the administration of the budget after adoption.

Keep the City Council advised at all times of the affairs and needs of the City, and make reports annually, or more frequently if requested by the City Council, of all the affairs of the City.

Have such other powers, duties and functions as the City Charter may prescribe, and such powers, duties and functions consistent with the City Charter as City Council may prescribe.

#### 7.1.1. RIGHT OF CITY MANAGER TO SEAT ON COUNCIL

The City Manager is entitled to a seat on the City Council, but shall have no vote therein. The City Manager shall have the right to take part in the discussion of all matters coming before the City Council.

### 7.2. CITY ATTORNEY

The City Council appoints the City Attorney, who shall be an attorney at law, admitted to the bar of the supreme court of this state. He is the chief legal advisor of all offices, departments and agencies and of all officers and employees in matters relating to their official powers and duties. The City Attorney oversees defense of the City in all legal proceedings. It is his duty to perform all services incident to his position as may be required by statute, by the City Charter or by ordinance. He serves at the pleasure of the City Council.

### 7.3. CITY JUDGE

The City Council appoints a City Judge to serve as the Presiding Judge of the Avondale City Court. The Presiding Judge must be admitted before the supreme court of any state for a minimum of five years. The City Judge is prohibited from the private practice of law while serving as the Presiding Judge. The City Judge serves for an initial term of two years and may be reappointed every two years upon recommendation to the City Council by the Judicial Advisory Board.

### 7.4. BOARDS, COMMISSIONS AND COMMITTEES

In accordance with Article V, Section 1 of the Avondale City Charter, the City Council may create, change and abolish Boards, Commissions and Committees. Appointment of members will be made in accordance with the City Council Rules of Procedure.

#### 7.4.1. AVONDALE MUNICIPAL ART COMMITTEE

This committee focuses on providing public art pieces to enhance the aesthetics of the City. The Committee has developed a focus on functional art using local artists.

- (a) *Membership – Seven regular members, two alternate members and two ex-officio members.*
- (b) *Meeting schedule – Monthly on the second Tuesday of the month at 6:00 p.m.*

#### 7.4.2. BOARD OF ADJUSTMENT

The Board of Adjustment is a quasi-judicial body with the power and duty to review, deny or grant requests for variances or to appeals of the zoning administrator's interpretation of regulations contained within the Zoning Ordinance.

- (a) *Membership – Five regular members*
- (b) *Meeting schedule – As needed*

#### 7.4.3. CAPITAL IMPROVEMENT PLAN CITIZENS' COMMITTEE

The CIP Committee reviews and provides direction on capital projects throughout the City.

- (a) *Membership – Five regular members*
- (a) *Meeting schedule – One to three meetings in February or March*

#### 7.4.4. CITIZEN CORPS COUNCIL

The mission of Citizen Corps is to harness the power of every individual through education, training, and volunteer service to make communities safer, stronger, and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all types.

- (a) *Membership – 2 Citizens, Representatives from Police and Fire and 5 Organization Representatives*
- (b) *Meeting schedule - TBD*

#### 7.4.5. CORRECTION OFFICERS RETIREMENT PENSION BOARD

The Correction Officers Retirement Pension Board is responsible for deciding all questions of eligibility and service credits, and determining the amount, manner and time of payment of any benefits under the Public Safety Personnel Retirement System. The board also makes a determination as to the right of any claimant to a benefit and affords claimants or the fund manager or both a right to rehearing on the original determination.

- (a) *Membership – The Finance Director, two employee representatives and two citizen members.*
- (b) *Meeting schedule – As needed*

#### 7.4.6. ENERGY, ENVIRONMENT AND NATURAL RESOURCES COMMISSION

The Energy, Environment and Natural Resources Commission serves as an advisory commission to the City Council on environmental issues and helps identify specific resource conservation goals and environmental practices to reduce costs and support sustainability.

- (a) *Membership – Nine members; one of which is a youth member*
- (b) *Meeting schedule – Monthly on the fourth Wednesday of the month at 6:00 p.m.*

#### 7.4.7. FIRE PUBLIC SAFETY AND POLICE PUBLIC SAFETY RETIREMENT PENSION BOARDS

These Boards are responsible for deciding all questions of eligibility and service credits, and determining the amount, manner and time of payment of any benefits under the Public Safety Personnel Retirement System. The Boards also make determinations as to the right of any claimant to a benefit and to afford any claimant, or the fund manager, or both, a right to rehearing on the original determination.

- (a) *Membership – Two staff members, two employee representatives and two citizen members*
- (b) *Meeting schedule - As needed*

#### 7.4.8. JUDICIAL ADVISORY BOARD

The Judicial Advisory Board evaluates and recommends to the City Council the best-qualified persons to become full-time City judges. They also evaluate the performance of incumbent full-time City judges and make a recommendation to the City Council regarding retaining them in office.

*(a) Membership – Eight Members*

*(b) Meeting schedule – every two years to evaluate the City Judge’s performance or more frequently as needed.*

#### 7.4.9. MUNICIPAL DEVELOPMENT CORPORATION (MDC)

On May 21, 1984, the City Council adopted Resolution 483 approving the formation of the MDC, the membership of its board of directors, approving the general plan for the construction and acquisition of extensions and additions to the City sewer system and authorizing the City Staff to cooperate with said corporation in formulating final plans and documents.

*(a) Membership – Three citizen members*

*(b) Meeting schedule – As needed*

#### 7.4.10. NEIGHBORHOOD AND FAMILY SERVICES COMMISSION

The Neighborhood and Family Services Commission is charged with advising the City Staff of the Neighborhood and Family Services Department as they work to support, nurture and develop strong families and the neighborhoods in which they live.

*(a) Membership – Eleven regular members and two alternate members*

*(b) Meeting schedule – Monthly on the fourth Wednesday of the month at 6:00 p.m.*

#### 7.4.11. PARKS, RECREATION AND LIBRARIES ADVISORY BOARD

The Parks, Recreation and Libraries Advisory Board advises the City Council on items such as the planning of future parks and the modification of existing parks. The Board plays a key role in the planning of current and future recreation activities and provides input in the preparation of the Parks and Recreation Comprehensive Master Plan.

*(a) Membership – Seven regular members and one alternate*

*(b) Meeting schedule – Monthly on the second Wednesday of the month at 6:30 p.m.*



#### 7.4.12. PLANNING COMMISSION

The Planning Commission acts as an advisory body to the City Council on existing and potential policies, and other issues related to planning development and regulation of land use. The Planning Commission has decision-making authority for a variety of development proposals.

*(a) Membership – Seven regular members and one alternate member*

*(b) Meeting schedule – Monthly on the third Thursday of the month at 7:00 p.m.*

#### 7.4.13. RISK MANAGEMENT TRUST FUND BOARD

The Risk Management Trust Fund Board is responsible for reviewing the funding recommendations for the self-insurance program and approve the level of funding needed in the annual budget process.

*(a) Membership – The Finance Director, one Council Member and three citizen members*

*(b) Meeting schedule – Annually in February or March*

## 8. FINANCIAL MATTERS

It is important to recognize the key distinctions between the financial operations of a municipality compared to the commercial world. Cities have very different objectives from those of commercial enterprises. A City's primary goal is to provide services to its constituents within budgetary constraints; business enterprises exist to maximize economic profit. A city's capital assets are used to provide services; a business uses them to generate revenue for the business. Cities operate in an entirely different economic, legal, political and social environment, which requires different objectives, financial reporting requirements, etc. For more information on the City's financial operations, please refer to the City's Charter Article 6 and Municipal Code Chapter 25 for procurement.

### 8.1. BUDGET

Each year, the City adopts an annual budget that determines where the funds to operate the City will come from and how they will be spent. The adopted budget serves as an important tool and control mechanism to both guide the services to be provided and ensure spending limits are not exceeded. The budget has an important role externally and, with public participation in the budget development, is one of the most significant ways the City can provide open and transparent leadership. Cities are required to adopt a balanced budget, meaning expenditures and revenues are equal.

#### 8.1.1. PREPARATION

One of the first steps in the annual budget development process is the City Council's annual Budget Retreat, held in late Fall. The City Council sets its priorities for the upcoming year during the update to the Strategic Planning sessions. Staff begins to prepare estimates of revenues in addition to reviewing and analyzing new spending requests from each department in January, February, and March. In addition, the Citizens Capital Improvement Committee meets during the months of February and March to discuss prioritization of projects. Their intention is to support or make changes to the capital improvement program for City Council's consideration. The City Council reviews the budget document during work sessions in April, adopts a tentative budget in May (which sets the maximum spending authority for the year), and adopts the final budget during the month of June by resolution. Arizona has a Truth in Taxation law which requires publication of any property tax increases. This is done in June and the tax levy is adopted in July.

#### 8.1.2. AUDIT

At the close of each fiscal year on June 30, an independent audit is conducted in compliance with generally accepted accounting principles (GAAP) and governmental auditing standards (GAGAS). This is a requirement of state law. The purpose of the audit is to verify that the City's financial statements present the City's financial position in a fair and accurate manner and to provide citizens with a degree of trust that public funds have been expended as legally required. The audit also allows holders of debt securities to better understand the City's financial position. The audit also includes a review of the City's internal accounting controls, and if necessary, will include suggestions to help avoid circumstances that might permit inefficiencies or fraud. A copy of the final audit will be provided to City Council, as well as presented in a City Council meeting, typically in January of each year.

### 8.2. COUNCIL COMPENSATION

Article 2 Section 7 of the Avondale City Charter sets the Mayor's salary at \$1,200 per month; the Vice-Mayor's salary is \$900 per month; and the Council Members' salaries are \$600 per month. These salaries were set in 2004, and are increased by the consumer price index each year.

### 8.3. FINANCIAL DISCLOSURE STATEMENT

Arizona law requires that all public officials who served during any portion of the calendar year to file a Financial Disclosure Statement no later than January 31 for the preceding year. Newly elected or appointed officials should file within 60 days of being seated. The City Clerk will provide the Mayor and City Council Members with the appropriate forms with ample time before the deadline.

## 8.4. FINANCIAL POLICIES

The following is an overview of the applicable policies the City has adopted to govern its financial operations. With the exception of the Purchasing Policy, all policies can be found in the Executive Summary of the adopted budget.

### 8.4.1. PROCUREMENT CODE

The City's Procurement Code and Administrative Policy set forth requirements for purchasing goods and services.

### 8.4.2. CAPITAL IMPROVEMENT

The City defines a capital investment as equipment or infrastructure with more than \$5,000 in value lasting more than one year. Capital items can be improvements to existing infrastructure, but in order to be capital (vs maintenance) they must improve the lifespan or value of the item.

### 8.4.3. DEBT MANAGEMENT PRACTICES

The City practices sound fiscal discipline in order to ensure its ability to maintain fiscal health (even during downturns) and to continue to provide the service levels expected by residents.

Long-term debt shall not be issued to finance ongoing operations. Short-term borrowing or lease purchase contracts should only be considered for financing major operating capital equipment when it is determined to be in the City's best financial interest.

The City's capacity to issue new general obligation (GO) debt will be projected annually with the budget process. General obligation debt will not be issued if the secondary property tax rate, when combined with the primary rate, will exceed \$2.00 per hundred dollars of assessed valuation.

Water and sewer revenue debt will be issued to avoid using the City's GO bond capacity. Net water and sewer operating revenue must exceed 1.25 times the maximum annual water/sewer revenue bond debt service cost. This coverage ratio ensures the City will be able to sell bonds at a reasonable rate.

Bonds that pledge excise taxes will be issued through the Municipal Development Corporation and will be issued only when the actual annual excise tax collections are at least three times the maximum annual debt service.

### 8.4.4. INVESTMENT POLICY

The Investment policy includes various guidelines to ensure the City's investments comply with four objectives: safety of the principal; liquidity to meet all anticipated operating requirements; market-average return on investment; and maintaining the public's trust. The policy applies to all City investments, with the exception of the employee retirement funds and accounts.

### 8.4.5. FUND BALANCE POLICY/NET POSITION POLICY (ENTERPRISE FUNDS)

These policies established guidelines on managing the City's fund balance. The City's Fund Balance is comprised of the surplus of funds accrued from unexpended operating budgets and unanticipated revenues in the governmental funds, and planned accumulation of operating and capital reserves in the enterprise funds. The policies ensure that an adequate fund balance/net position is maintained in order to sustain financial sustainability and to provide prudent management of the City's financial reserves.

## 8.5. CONTRIBUTIONS ASSISTANCE PROGRAM

The Contributions Assistance Program allocates funding to eligible non-profit organizations that provide health and human services to Avondale residents. Review criteria include supporting City Council goals, improving the health/welfare, past program performance, ability to generate support from other sources, and sustainability. Applications undergo City Staff technical review and City Council subcommittee review, with recommendation sent to the full City Council.

## 8.6. UNITED WAY CAMPAIGN

Annually, the City will participate in the Valley of the Sun United Way Campaign. The City is proud of its robust commitment and fundraising efforts. All other charity activities and solicitation for charities are prohibited unless approved and authorized by the City Manager.

## 9. COMMUNICATIONS

One of the City Council's fundamental roles is communication. The City Council communicates with the public to share the City's vision and goals and to determine community opinions, needs, and desires. City Council must also communicate with City Staff, in order to provide direction on policy.

### 9.1. COMMUNICATIONS FROM COUNCIL

The City Council acts as a body and it is important that individual Council Members understand general guidelines when speaking on behalf of the City Council. On occasion, Council Members may wish to communicate on an issue on which the City Council has not yet taken a position or about an issue for which the City Council has no position. In these cases, the Council Member should make it clear that he/she is expressing a personal view, rather than that of the City Council or the City.

The City Charter specifies that the Mayor serves as "the official spokesperson for the City." With that in mind, Council Members should defer to the Mayor the role of communicating the City's position on policy matters to the public and other external bodies.

Members of City Council will often be requested to correspond with citizens, business, and public agencies. Such correspondence might be a response to an inquiry, a reference for an individual or business, etc. In the case of communicating the City's position on a policy matter, the Mayor will generally handle such correspondence.

It is appropriate for the City Council to use City letterhead, e-mail address, and City Council titles when sending correspondence that communicates official City business. Staff support is also available for preparing and sending such correspondence; please forward requests to the City Manager. City letterhead, e-mail, staff support, postage, photographs or promotional items may not be used for personal or political purposes, or to communicate a position on an issue for which the City Council has taken no position.

### 9.2. LOCAL BALLOT MEASURES

At times, initiatives may be placed on ballots that affect City policy. Individual Council Members may express their personal opinions on such initiatives. The City may provide education on the initiatives, but may not use personnel, equipment, materials, buildings, or other resources for the purposes of trying to influence the outcome of such elections. The City Attorney and City Manager will provide specific direction, as appropriate.

### 9.3. PROCLAMATIONS

The Mayor issues proclamations as a way to give special recognition by the City to an individual, event, issue, etc. Proclamations are not statements of policy and do not require the official approval or action of City Council. Proclamations are issued at the Mayor's discretion.

### 9.4. STATE OPEN RECORDS LAW

Generally, any item, such as letters, e-mails, maps, photographs, audio recordings, etc., that is prepared and/or maintained or which is received in the course of operation of a public office, is defined as a public record by state law. Such records must then be maintained and produced, if requested. E-mail messages generated and received through the City e-mail system are City property and may be retrieved from storage even if they have been deleted by the sender and receiver.

The regulations concerning open records are covered extensively in various training courses for elected officials. Questions may also be directed to either the City Attorney or the City Manager.

## 9.5. COMMUNICATIONS FROM THE CITY

### 9.5.1. MEDIA RELATIONS PROCEDURES

Media inquiries, whether verbal or written, are to be directed to the Community Relations & Public Affairs Director who will evaluate the request and provide an answer, or direct it as appropriate to the following:

- ▶ City Manager
- ▶ Assistant City Manager
- ▶ City Attorney
- ▶ Assistant Director for Intergovernmental Affairs, or a designated senior staff member, if the inquiry involves City policy or positions; or
- ▶ The Mayor or City Council, if the inquiry pertains to City Council policy or opinions.

All media contact should be immediately reported to the Community Relations & Public Affairs Director for tracking purposes.

### 9.5.2. NEWS RELEASES

City news releases are written and distributed by the City's Public Information Officer several times each week or as needed. Press releases are also posted on the City's website.

### 9.5.3. CITY WEBSITE

Content for the City's website [www.avondale.org](http://www.avondale.org) / [www.avondaleaz.gov](http://www.avondaleaz.gov) is managed by City Staff. The home page of the site is updated weekly with current information. The website is a tool that is used for communicating news from the City as a whole and is not used for communicating from individuals or specific departments, including City Council.

### 9.5.4. SOCIAL MEDIA

In an effort to build relationships, reach our audiences, and share information in "real-time," the City uses social media outlets for City communications. In addition to the main Avondale Facebook and Twitter accounts, the City has several Facebook and Twitter accounts that are specific to City departments and special City education/public outreach campaigns. Content posted on the City's social media platforms are subject to public records laws.

Elected officials should not post as "City of Avondale." Campaigning on behalf of political candidates or in support or opposition to issues, is discouraged on City's pages. Political candidates are encouraged to establish their own fan pages and accounts. City Staff members are discouraged from becoming 'fans' of candidates' election pages/accounts.

The age of social media has given rise to additional platforms for citizen engagement. Whereas constituents who wanted to make contact with City Staff or elected officials previously walked in to City Hall, wrote letters, telephoned or sent an email, social media platforms such as Facebook, Twitter, have provided convenient outlets for providing feedback, voicing concerns, filing complaints etc.

This raises issues for compliance with Public Records laws. To that end, the City has taken steps to archive its social media to ensure compliance with A.R.S. §41-151.15 – Preservation of Public Records.

Council Members who have personal social media sites such as Facebook and Twitter, are reminded that any discussions or comments pertaining to City business are subject to the Public Records Law A.R.S. §39-121 – Inspection of Public Records, and as such, will need to be captured and forwarded to the City Clerk's Department for archiving.

### 9.5.5. RAVE CITY MAGAZINE

The City publishes the RAVE Magazine and Resource Guide three times each year. The magazine is used to communicate with the community on upcoming events, interesting news, etc. The publication is printed for distribution at City facilities, and is available for online download. Staff manages the production process, including selecting items for publication, writing articles, and editing the publication. Much like the City website, RAVE is a tool that is used for communicating season events and news from the City as a whole and is not used for communicating from individuals or specific departments, including City Council.

### 9.5.6. NEWS BRIEFINGS

News Briefings may be conducted to educate the news media about potentially controversial issues and provide reporters with an opportunity to ask in-depth questions. In most briefings, the City will provide background materials, fact sheets and explanatory materials. The Community Relations & Public Affairs Director and/or PIO will be responsible for scheduling any such briefings.

### 9.5.7. NEWS CONFERENCES

News Conferences will be held at the discretion of the City Manager or Mayor (or designee) to announce or respond to an emergency or crisis, or an issue of significance or controversy, with a united voice pertaining to facts, information, and established policy/rules of the City. A news conference allows City officials to effectively respond at one sitting rather than responding individually to many media contacts. A news conference also conveys the City's willingness to openly discuss an issue. A news conference may be called when:

- (a) The issue to be announced is best conveyed at a news conference.
- (b) Major participants of a project are available to highlight their participation and respond to media inquiries "together."
- (c) The issue is likely to produce controversy.

News conferences will be planned in advance and coordinated by the Community Relations & Public Affairs Director or PIO. A spokesperson for the news conference will be selected by the City Manager, or if appropriate by circumstances, the Mayor. Additional personnel may be required to attend who can provide background information and details.

### 9.5.8. EMERGENCY MEDIA RELATIONS

In the event of a disaster or emergency that requires the City Emergency Operations Center (EOC) to be activated, the City PIO (or designee) and the Avondale Police and Fire PIOs (or designees) will be responsible for primary media relations, including preparing for news conferences and media briefings, and arranging for media interviews with elected officials and key participants.

### 9.5.9. EDITORIAL RESPONSES

The Public Information Office will monitor the editorial column of local newspapers and if deemed necessary by the City Manager, forward them to the appropriate City Staff for response.

- (a) Editorial responses shall be reviewed by the City Manager and PIO in advance. These may be shared in draft with the City Council if appropriate. City Council shall be advised of editorial responses prior to publication.
- (b) "Letters to the Editor" may be submitted to clarify the City's position, educate readers about a City service, or express the City's gratitude to the community. Such letters shall be submitted to the media through the PIO.
- (c) Guest Columns by Council Members on City issues should be channeled through the Community Relations Department for submission. Staff reserves the right to edit for accuracy and consistency.

## 9.5.10. MEDIA CONTACT GUIDELINES

- (a) Respond only to inquiries within your purview.
- (b) Do not offer legal opinions on City policies or activities.
- (c) Do not discuss employees or personnel actions.
- (d) Do not speculate about what action the City will take.
- (e) Inquire of the story's focus, the reporter's deadline and story publication date.

## 10. INTERACTION WITH CITY STAFF

### 10.1 COUNCIL/MANAGER FORM OF GOVERNMENT

The City of Avondale has a Council-Manager form of government. Basically, with this structure, the City Council's role is to establish City policies and priorities. The City Council appoints a City Manager to implement those policies and undertake the administration of the organization.

The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of city government, to prepare and monitor the principal budget, and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council, rather than to individual Council Members, and directs and coordinates the various departments. The City Manager is responsible for appointing all department directors and authorizing all other personnel positions. The City Council authorizes positions through the budget process; based upon that authorization, the City Manager makes the appointments.

### 10.2 COUNCIL/MANAGER RELATIONSHIP

An effective professional relationship between the City Council and City Manager honors the City Manager's role as chief executive of the City. All dealings with the City Manager, whether publicly or privately, shall respect the City Manager's role. Public disagreements should be centered on issues of policy, rather than in terms that question satisfaction with or support of the City Manager.

The City Manager respects and is sensitive to the responsibilities of City Council in setting policy and acknowledges that the City Council holds the final responsibility for establishing the policy direction of the City.

#### 10.2.1. CITY MANAGER CODE OF ETHICS

As a member of the International City/County Management Association (ICMA), the City Manager is bound to a professional code of ethics. The code addresses certain practices that are designed to ensure the Manager's actions are in the best interests of the City. Violation of the code can result in censure of the Manager by ICMA. The Code may be found through the ICMA website: [http://icma.org/en/icma/ethics/code\\_of\\_ethics](http://icma.org/en/icma/ethics/code_of_ethics)

### 10.3 CITY COUNCIL/CITY STAFF RELATIONSHIP

The key provisions on City Council/City Staff relations are found in the Avondale City Charter Article II Section 17:

*"Neither the council nor any of its members shall direct or request the appointment of any person to, or his removal from, office by the city manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the city. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager and neither the council nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately. Nothing in this section shall be construed, however, as prohibiting the council, while in open sessions, from fully and freely discussing with or suggesting to the city manager anything pertaining to city affairs or the interests of the city. (As amended Ord. No. 801-01, § 2, 7-23-01)"*

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City Staff, who analyze problems and issues, make recommendations, and implement and administer the City Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- (a) **Treat all Council Members with Respect.** As duly elected representatives of our residents, City Staff will treat all Council Members equally and with the respect and courtesy warranted by the positions.
- (b) **In order to facilitate open government, all Council Members should make decisions with the same information from City Staff on agenda items or soon-to-be agenda items** (i.e. items on the tentative agenda). Accordingly, City Staff will share information requested by individual Council Members with all Council Members.
- (c) **Be Cautious in Representing City Positions on Issues.** Before sending correspondence related to a legislative position, please check with the City Manager or Community Relations/Public Affairs director to see if an official City position has already been determined. When corresponding with representatives of other governments or constituents remember to indicate, if appropriate, that the views you state are your own and may not represent those of the full City Council.
- (d) **Channel Communications Through the Appropriate Senior City Staff.** Questions of City Staff should be directed only to the City Manager, Assistant City Managers, City Attorney, City Clerk, Assistant City Clerk, Community Relations Director, Assistant Community Relations Director/Intergovernmental Affairs, Council Assistant or Department Heads. The preferred method of communication with senior staff is by email, with a copy to the City Manager. Council Members should not set up meetings with department staff directly, but work through Department Heads, who will attend any meetings with Council Members. When in doubt about what City Staff contact is appropriate, Council Members should ask the City Manager for clarification. City Council Member contact with City senior staff members, exclusive of the City Manager, should be during regular business hours, except in the case of an emergency.
- (e) **Depend upon the Staff to Respond to Citizen Concerns and Complaints.** It is the role of Council Members to pass on concerns and complaints on behalf of their constituents. Please refer citizen complaints to the appropriate senior staff member, according to the protocol on channeling communications. The senior staff member will respond in an appropriate and professional manner. Senior staff is responsible for making sure the Council Member knows how the complaint was resolved.
- (f) **Treat All Staff as Professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. As with your City Council colleagues, practice civility and decorum in all interactions with City Staff.
- (g) **Never Publicly Criticize an Individual Employee, Including City Council-appointed Officers.** Criticism is differentiated from questioning facts or the opinion of City Staff. All critical comments about City Staff performance should only be made to the City Manager through private correspondence or conversation.
- (h) **City Council Non-interference in Administrative Services.** Council Members shall not directly or indirectly become involved in, or attempt to influence, personnel matters that are under the direction of the City Manager. No member of the City Council shall, by suggestion or otherwise, attempt to influence or coerce the City Manager concerning appointments to City offices or employment. Nor shall members be involved in, or influence, the purchase of any supplies beyond the requirements of the City's procurement code/procedures. The City Council shall not give an order to, try to influence or direct, either formally or informally, any subordinate of the City Manager.
- (i) **Understand Staff's Time for Added Work is Limited.** Requests for City Staff support should be made to the appropriate senior staff member according to the protocol for channeling communications. City Staff will make every effort to respond in a timely and professional manner to all requests made by individual Council Members for information or assistance. Any request, that would require a higher level of City Staff time to research a problem or prepare a response, may need to be approved by the full City Council to ensure that City Staff resources are allocated in accordance with overall City Council priorities. Once notified that a request for information or City Staff support would require substantial time, the Council Member may request that the City Manager place the request on an upcoming City Council agenda.
- (j) **Do Not Solicit Political Support from Staff.** Staff are prohibited by Administrative Policy AP-1 from participating in or contributing any money toward the nomination or election of any candidate for a municipal office. In addition, some professionals (e.g., City Manager and the Assistant City Manager) have professional codes of ethics, that preclude politically partisan activities or activities that give the appearance of political partisanship.

## 10.4 COMMUNICATIONS TO COUNCIL

The City Manager and City Staff use a variety of methods to share information with City Council. The City Manager's open-door policy allows for impromptu meetings. City Council Work Sessions allow for detailed presentations and discussions of City business. In an effort to consolidate the communication of non-emergency information, the City Manager will provide regular updates. City Council retreats with Council Members and senior staff allow for in-depth, focused discussion on both strategic and tactical topics.

## 10.5 RESTRICTED INFORMATION

There are certain circumstances under which the City Manager is restricted from providing information to City Council, such as confidential personnel information, certain aspects of Police affairs, etc.

# 11. SUPPORT PROVIDED TO CITY COUNCIL

## 11.1. STAFF SUPPORT

The Council Staff in the Community Relations and Public Affairs Department provides administrative support to Council Members, such as appointment scheduling, registrations, travel arrangements, reconciliation of discretionary accounts, proclamations, speech writing and other administrative and clerical support etc. As City Staff may have work assignments with high priority, sensitivity to workload is appreciated. Staff will do its utmost to communicate to City Council when specific requested tasks will be fulfilled. Should requested tasks require significant time, the Council Member shall direct the request to the City Manager.

City Staff provides support to the City Council and other appointed boards and commissions within certain guidelines. Resources are limited due to budget and staffing constraints, but City Staff is committed to assisting where appropriate.

### 11.1.1 STAFF SUPPORT OF CITY COUNCIL ON BOARDS AND COMMITTEES

City Council Members may participate as members of regional boards and committees representing the City Council or City's interests. Staff with specific technical knowledge is available to support Council Members when said committee directly serves the City's interest and is supported by the City Council as a whole.

### 11.1.2 STAFF SUPPORT OF APPOINTED BOARDS

Staff provides support and assistance to the City's appointed boards. Such support includes assistance with agenda development, preparation of reports and background materials on issues before the boards, etc. This assistance allows the boards to have sufficient information to discuss the issues before them.

Appointed boards do not have supervisory authority over City Staff. While City Staff members may work closely with the boards, City Staff remains responsible to their immediate supervisors, and ultimately, the City Manager. Appointed boards shall not give any orders to City Staff.

## 11.2. INFORMATION TECHNOLOGY SERVICES AND SUPPORT

### 11.2.1. TECHNOLOGY SUPPORT

- (a) Assistance from Information Technology staff is available to all Council Members via an IT Help Desk request or visit. A ticket can be created and tracked by email via [ithelpdesk@avondale.org](mailto:ithelpdesk@avondale.org).
- (b) Technology assistance from IT staff is generally limited to software, hardware, and services used for City business.

### 11.2.2. TECHNOLOGY CONDUCT

- (a) Chapter 16 of the City's adopted Policies and Procedures govern information and communications technologies usage for all members of the City organization.
- (b) Accounts and privileges assigned to representatives of the City are for their individual use only. To deter from identity theft or misuse, accounts must not be shared or otherwise made available to any individual other than the assignee.
- (c) All representatives of the City are responsible for keeping confidential all private and sensitive information maintained by the City. Federal and State of Arizona statutes govern the handling of certain information administered by the organization. Release of confidential information must follow proper handling to protect against related liability and loss of public trust. Please contact the City Clerk's Office for guidance and coordination with Information Technology staff.
- (d) City information and communications technology assets may only be used for City business. Use for personal gain, political advocacy, harassment, or any illegal activity is prohibited.
- (e) There is no expectation of privacy when using City information and communications technology assets. Individuals are responsible for understanding that the records of a municipal government are discoverable by the public with only narrow exceptions.

### 11.2.3. TECHNOLOGY PROVISIONING

- (a) **Computers and Phones**—The City supplies Council Members with laptop computers, office telephones, and voicemail for use in their official duties.
- (b) **Messaging and Productivity**—The City supplies Council Members with an official account that provides access to email, teleconferencing, office productivity software, reports, payroll, network-based storage, unified communications, and other systems/functionality for use in their duties. These resources must be used for all City-related business to ensure the City properly maintains information, as well as to respond to eDiscovery and legal hold requests. (Messages to all members of City Council can be accomplished by using the emailcitycouncil@avondale.org address.)
- (c) **Cellular Services**—The City maintains a Cellular Stipend Program to promote use of mobile phones/smartphones for responsive communication between City Council, citizens, businesses, and City Staff. The stipend is administered through an administrative policy (AP16) as a monthly payroll transaction.
- (d) **Tablet Devices**—The City maintains a Tablet Reimbursement Program to promote mobile access to City resources in City Council's activities for the community. As a partial reimbursement of up to \$300, the devices belong to the Council Member purchasing it and the City compensates for a portion of the device's value for work-related use. By rule, the device must be purchased in Avondale and follow the City's standard financial processing for recordkeeping and reimbursement. Council Member reimbursements are on a two-year replacement cycle to align with elections. Devices and apps used must be mainstream options in order to ensure access to City resources and staff's ability to support. Please contact Information Technology staff to confirm details before purchase.
- (e) **Reprographics**—The City maintains copiers and printers in City facilities for use in City business. Members of the City organization have an access code to account for their usage to accurately allocate costs to departments.

#### 11.2.4. TECHNOLOGY USAGE AGREEMENTS

- (a) In addition to Chapter 16, the City's stipend and reimbursement programs require City representatives to be responsive to records requests as they occur. Some requests require information from personal devices. All elected officials, appointed officials, and regular staff members may be required to provide records to the City from their technology devices and accounts to respond appropriately to public records requests, subpoenas, and the like. The requests often have set timeframes that all individuals must meet. Information Technology and City Clerk's Office staff can assist in these events and will help coordinate proper fulfillment of requests.
- (b) Representatives of the City must use email for official communications not of a transitory nature. Use of text messages or other informal communications methods can circumvent proper recordkeeping of public business.

#### 11.2.5. SEPARATION

When members of City Council complete their term of office, all City-issued equipment and confidential information shall be returned to the City via the City Manager by the day following the last day of their term.

### 11.3. OFFICE, EQUIPMENT AND MEETING ROOMS

The Mayor and Council Members each have an office at City Hall. The offices are equipped with adequate furniture, telephone and a computer. Council Members are eligible to participate in the City's Tablet Reimbursement program as described above.

#### 11.3.1. MEETING ROOMS

There are several meeting rooms available at City Hall. The Ocotillo Room is located directly outside the Council Members' offices and the Mayor and Council Members have priority to use. Rooms may be reserved for City business only and may not be used for personal or political business. A member of the City Clerk's Department or the Council Assistant can assist Council Members with reserving the meeting rooms.

Meeting rooms are available to the community and community organizations for a fee on a first come, first served basis, provided that adequate request and paperwork are submitted to the City Clerk's Department. Generally, alcohol consumption is not allowed in City facilities unless a special event liquor license is submitted on a timely basis for consideration and approval by the City Council.

#### 11.3.2. CITY VEHICLES

The City has several pool vehicles available for reservation for Council Members as well as City Staff. Adequate reservation for their use should be made through a member of the City Clerk's Department or through the Council Assistant. In the event that a pool vehicle is not available for the requested use, Council Members may use their personal vehicle and receive reimbursement for mileage in accordance with current rates established by the Federal Government. Drivers for Mayor and Council Members are not provided by the City.

### 11.4. MAIL

Members of the City Council receive a large volume of mail and other materials that are usually delivered to City Hall. Individual mailboxes are maintained for the use of Council Members. Mail received at City Hall will be placed in the Council Member's box, to be picked up at his/her convenience. Council Members are provided a badge to access City Hall after hours, if needed, for this purpose.

## 11.5. DISCRETIONARY ACCOUNTS

Members of the City Council receive a discretionary account allocation each fiscal year to be used at their discretion for activities/items that serve the greater good of the community. Council Members' discretionary accounts are public funds and expenditures are subject to public scrutiny. Requests to view such expenditures are frequently made by the media or the public through public records requests. As such, Council Members should be ready to explain and defend expenditures from their discretionary fund accounts. Guidance generally is to restrict expenditures to issues/items for public benefit. Acceptable uses include conference registration, travel, individual memberships, charitable donations and mileage reimbursements. It is not an appropriate use of public funds to use discretionary funds for travel or entertainment expenses for spouses, family members, friends or business associates.

Funds remaining at the end of the fiscal year will be carried over to the next year up to the actual remaining balance or that amount which when combined with the new allocation does not exceed two times the annual allocation. Expenditures should not exceed the amount available in each member's individual account. Council Members may not use the next year's allocation to make up a deficit in their account. Should a Council Member require additional funds after using their allotted discretionary fund, he or she may seek a donation from another Council Member.

### 11.5.1. CHARITABLE DONATIONS/EVENT SPONSORSHIPS

Requests should be made via email to the Council Assistant and include the amount of the donation and the organization's name, address and a contact person. For sponsorships of events, please include the information/registration flyer. Events such as charity golf tournaments must include the names of those who will be participating in the event.

### 11.5.2. CITY CREDIT CARDS

Credit cards are not issued to Council Members. The Council Assistant is available to assist with any purchases.

### 11.5.3. REIMBURSEMENT OF OTHER EXPENDITURES

Qualifying expenditures such as expenses for a business lunch, parking fees, etc. made by Council Members from their own funds may be submitted for reimbursement from their discretionary account. Detailed/itemized receipts are required. Restaurant receipts must include the itemized copy to be eligible for reimbursement. Receipts should be submitted to the Council Assistant for processing of reimbursement.

