

CITY COUNCIL AGENDA

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

WORK SESSION
May 10, 2010
6:00 PM

CALL TO ORDER BY MAYOR ROGERS

1 ROLL CALL BY THE CITY CLERK

2 REVIEW OF THE 49TH LEGISLATURE 2ND REGULAR SESSION

Review of the laws enacted during the 2nd Regular Session of the 49th Legislature that impact the City of Avondale. For information and discussion only.

3 ELECTION COSTS

City Council will receive information regarding recently announced increases to election costs by Maricopa County and consider alternatives for reducing these costs. For information, discussion and direction.

4 CITY CENTER EAST - FUNCTIONAL ART

The Municipal Arts Committee discussed streetscape items such as benches, trash receptacles and manhole covers at their April and May 2010 meetings. Staff will present the committee's recommendation for council consideration and direction.

5 VERIFIED ALARM RESPONSE PROGRAM

Staff is seeking direction from City Council in our efforts to move forward with the Verified Alarm response concept within the City of Avondale. Staff is proposing a true Verified Alarm approach whereby Police Officers only respond to alarm activations upon discovery of a suspected criminal event, but will continue to respond to all Robbery and Panic Alarms. Staff will also propose an Enhanced Verified Alarm approach as an alternative. For information, discussion and direction.

6 ADJOURNMENT

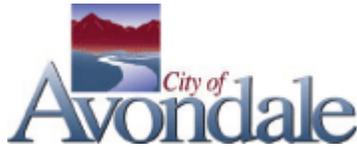
Respectfully submitted,

A handwritten signature in cursive script that reads "Carmen Martinez".

Carmen Martinez
City Clerk

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 oído, o con necesidad de impresión grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.



CITY COUNCIL REPORT

SUBJECT:

Review of the 49th Legislature 2nd Regular Session

MEETING DATE:

May 10, 2010

TO: Mayor and Council

FROM: Shirley Gunther, Intergovernmental Affairs Manager (623)333-1612

THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff will provide Mayor and Council with an overview of the legislation enacted during the 2nd Regular Session of the 49th Legislature that impacts the City of Avondale.

BACKGROUND:

The 49th Legislature, 2nd Regular Session Adjourned Sine Die on Thursday, April 29, 2010 at 11:07 p.m. This year the Legislature introduced 1,233 bills and another 169 memorials and resolutions. In the end, 352 of the bills passed, as did 33 of the memorials and resolutions. So far, the Governor has signed 209 bills into law, and vetoed five.

DISCUSSION:

Each year the Intergovernmental Relations staff provides an overview of the actions taken by the state legislature and summarizes how newly enacted laws may affect the City. This session, the City of Avondale took the lead amending Code Enforcement laws and the Motion Picture Tax Incentive measure. Staff will provide an update to the Council on these bills and others related to public safety, finance, government and the environment.

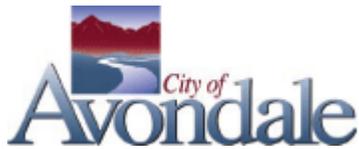
RECOMMENDATION:

This item is for information and discussion only.

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY COUNCIL REPORT

SUBJECT:
Election Costs

MEETING DATE:
May 10, 2010

TO: Mayor and Council
FROM: Carmen Martinez, City Clerk (623)333-1214
THROUGH: Charlie McClendon, City Manager

PURPOSE:

City Council will receive information regarding recently announced increases to election costs by Maricopa County and consider alternatives for reducing these costs.

BACKGROUND:

The City of Avondale contracts with Maricopa County Elections Department to handle most of the aspects of running the election including voter registration, ballot preparation, mailing of sample ballots, scheduling of polling places, hiring of poll workers, all equipment necessary, tabulating of results, etc. The fees that Maricopa County charges for these services have remained unchanged for many years at \$0.73 per registered voter and an additional \$1.72 for each early ballot requested. Currently, there are 29,024 registered voters in Avondale, 7,827 of which are also registered as Permanent Early Voters. On occasions when the election is consolidated with the County or a school district, the cost is reduced in half for those voters whose ballot also contains a non-city issue on their ballot. Last year's primary election was a stand alone election (there were no other issues on the ballot) and the fees paid to Maricopa County are as follows:

	# Voters	Cost/Voter	Total
Registered Voters	28,360	0.73	20,702.80
Early Ballots	7,146	1.72	12,291.12
		Total	\$ 32,993.92

Avondale also had an election in November. In addition to Avondale's issue, two school districts had issues on the ballot which affected the majority of Avondale voters resulting in reduced costs. Election costs for the November election were as follows:

	# Voters	Cost/Voter	Total
Registered Voters	3,579	0.73	2,612.67
Early Ballots	757	1.72	1,302.04
Combined Registered voters	25,160	0.365	9,183.40
Combined Early Voters	6,773	0.86	5,824.78
		Total	\$ 18,922.89

Maricopa County announced recently a substantial increase in their fees to \$1.37 per registered voter (an 87% increase) and an additional \$2.12 for each early ballot requested (a 23% increase). In addition, Avondale has seen a substantial increase in the number of people who are opting to

register in the Permanent Early Voter List (PEVL). As an example, in September 2007, there were only 998 voters who requested an early ballot. As stated above, current PEVL is 7,827.

Avondale's next election is scheduled for August 30, 2011 which is expected to be a stand alone election (Council and General Plan). Based on current voter registration figures and new costs, Avondale will face the following election costs (exclusive of additional costs associated with the preparation of the required publicity pamphlet):

	# Voters	Cost/Voter	Total
Registered voters	29,024	1.37	39,762.88
Early Ballots	7,827	2.12	16,593.24
		Total	56,356.12

This figure will likely change as we may continue to see an upward trend in voter registration and PEVL registration.

DISCUSSION:

Staff has been considering options to reduce these costs. It is clear from the numbers above, that it has been beneficial to the City when there have been other issues on the ballot, however, due to Avondale's election cycle the City is only able to reduce costs on those occasions when a school district or the county have a measure on the ballot.

An option to permanently reduce election costs for the City would be to change the election cycle to the fall of even-numbered years. Elections costs would be significantly reduced as cost per voter would be \$0.50 and no additional costs for early ballots. Based on current voter registration figures, elections costs would be \$14,512.

Moving to a fall of even-numbered year election cycle would affect Council terms in the short term:

Election	Term Starts	Length of Term	Next Election	Positions to be filled	Term Expires
Fall 2009	1/2010	5 years	Fall 2014	Buster, Scott, Vierhout	1/2015
Fall 2011	1/2012	5 years	Fall 2016	Rogers, Karlin, McDonald, Weise	1/2017
Fall 2014	1/2015	4 years	Fall 2018	2 Council seats, Vierhout	1/2019
Fall 2016	1/2017	4 years	Fall 2020	Mayor, 3 Council seats	1/2021
Fall 2018	1/2018	4 years	Fall 2022	3 Council seats	1/2023

A Charter Amendment is required to change the election cycle. The issue would be on the 2011 ballot with a provision to allow for the extension of the terms of the currently seated council members as shown on the table above.

In addition to cost savings, an advantage of moving the election cycle to the fall of even-numbered years, would be increased voter participation. Avondale often struggles with low voter turnout with as few as 7.15% of voters casting a ballot in last year's primary election. A higher voter turnout would increase the number of signatures needed for citizens to file a recall, initiative or referendum petition. It would also increase the number of nomination petition signatures needed for Council candidates which is set by State law at no less than 5% and no more than 10% or 1,000 (whichever is lower) of the total votes cast at the last election where the Mayor was elected. Higher voter participation is generally seen as a positive as it implies a more involved citizenry.

It should be noted that it may appear that the trend at the Legislature is to require all cities and towns to move their elections to the fall of even numbered years. SB1110 unsuccessfully sought to accomplish that during the recently adjourned legislative session. Prior to that in 2007, the Legislature moved to require cities over 175,000 to hold their elections to the fall. Elections for the approval of a bond issues or assessment of a secondary property tax must be held in November.

Staff is presenting this information so that Council may consider alternatives for reducing election costs. From a budget perspective, staff wants to ensure that Council is aware of the substantial increase the City will be facing for the 2011 election.

BUDGETARY IMPACT:

Election costs will be included in the FY 2011/2012 budget.

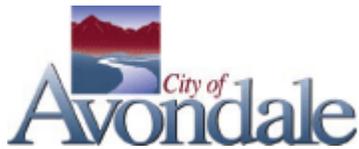
RECOMMENDATION:

This item is presented to Council for information, discussion and direction only.

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY COUNCIL REPORT

SUBJECT:
City Center East - Functional Art

MEETING DATE:
May 10, 2010

TO: Mayor and Council
FROM: Sue McDermott, P.E., Director of Development Services & Engineering, 623-333-4211
THROUGH: Charlie McClendon, City Manager

PURPOSE:

The Municipal Arts Committee discussed streetscape items such as benches, trash receptacles and manhole covers at their April and May 2010 meetings. Staff will present the committee's recommendations for council consideration and direction.

BACKGROUND:

During the past year, the City of Avondale has planned for the construction of the American Sports Center-Avondale in the City Center planning area. During the development of the project, staff presented a number of items for council approval including building colors and materials, and street lights and furniture which have been incorporated into the project. Currently, both the infrastructure and building construction are underway. The infrastructure plans include specifications for benches and trash receptacles that incorporate the same finish as the streetlights (brushed aluminum).

Over the past few months, the Municipal Arts Committee requested participation in the selection of functional art including benches and that alternate bench designs be installed with the City Center infrastructure. The committee is also requesting that a manhole cover design incorporating the Avondale logo and prominent landmarks be considered. The Committee and discussed this issue in their April meeting and again in a special meeting held on May 4, 2010.

DISCUSSION:

The current infrastructure plans call for 16 benches (8 with backs and 8 backless), 20 trash receptacles, and standard manhole covers. The Municipal Arts Committee recommends that the eight (8) backless benches to be located around the park perimeter, be replaced with Wausau Tile model TF5142 (photo attached) in gray. In addition, they would like to reserve four (4) bench locations for artistic benches which would be determined utilizing a "Call for Artists" process. The four (4) remaining bench locations would consist of the benches that are specified in the infrastructure plans.

The committee also recommends placing ten (10) of the twenty (20) trash receptacles in locations specified in the infrastructure plans. The locations of the remaining ten (10) trash receptacles would be reserved for future selection by the committee.

Lastly, three (3) manhole cover designs were considered. The Avondale logo design (attached) was recommended with a 4-2 Committee vote.

BUDGETARY IMPACT:

The City Center infrastructure budget currently includes a budget of \$56,800 for furnishing and installing sixteen benches and twenty trash receptacles. It is the Municipal Arts Committee's intention to stay within the budget or provide any amount over and above from their budget.

Staff estimates an additional expense of \$3,000 to create a casting for the manhole cover containing the Avondale logo.

RECOMMENDATION:

Staff recommends the following:

1. The eight (8) benches to be located around the park perimeter be replaced with the committee's selected benches.
2. The remaining eight (8) benches located in the streetscape to remain as shown in the infrastructure plans and specifications.
3. The committee's proposed manhole cover design without the writing on the perimeter.
4. Placing ten (20) trash receptacles in the style and locations specified in the infrastructure plans.

ATTACHMENTS:

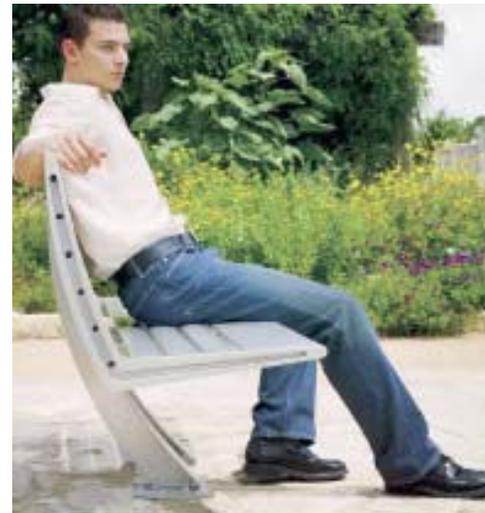
Click to download

[Bench Selections](#)

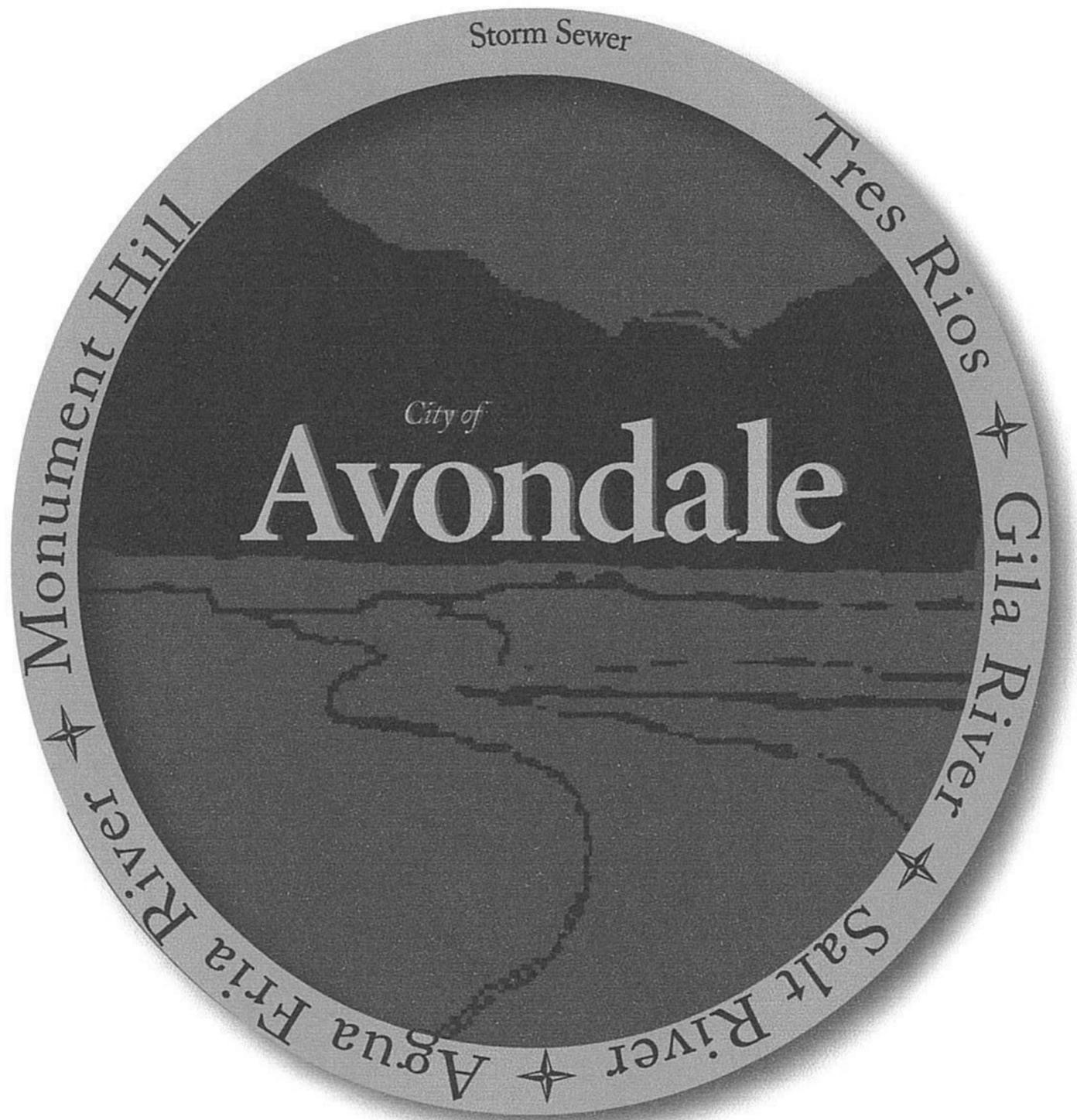
[Manhole Cover Design](#)



Municipal Arts Committee Bench Selection



Current City Center Infrastructure Bench Selection



Storm Sewer

Tres Rios

City of

Avondale



Gila River



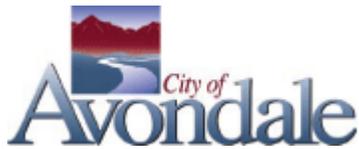
Salt River



Agua Fria River



Monument Hill



CITY COUNCIL REPORT

SUBJECT:
Verified Alarm Response Program

MEETING DATE:
May 10, 2010

TO: Mayor and Council
FROM: Kevin Kotsur, Chief of Police (623)333-7201
THROUGH: Charlie McClendon, City Manager

PURPOSE:

Staff is seeking direction from City Council in our efforts to move forward with the Verified Alarm response concept within the City of Avondale. Staff is proposing a true Verified Alarm approach whereby Police Officers only respond to alarm activations upon discovery of a suspected criminal event, but will continue to respond to all Robbery and Panic Alarms. Staff will also propose an Enhanced Verified Alarm approach as an alternative.

BACKGROUND:

On October 17, 2005, Staff brought forth to City Council a request to revise the then current Avondale City Ordinance pertaining to Alarm Systems, which lacked a clear structure that would give the City the ability to hold alarm businesses accountable for improper installation of alarms and alarm owners for improperly using their alarm systems. Enhanced assessment fees were also added.

On November 14, 2005, direction was provided by City Council to incorporate the revisions and the false alarm fee schedule.

During 2006, the City of Avondale and the Police Department marketed and educated citizens and alarm companies on the newly revised City Ordinance pertaining to Alarm Systems. A grace period was established to allow businesses and residents the time to properly register their alarm systems with the Police Department and to adequately address any concerns or issues with the revised Ordinance.

Beginning in January of 2007, the Records Bureau of the Police Department took on the full responsibility of maintaining and supporting the City Ordinance pertaining to Alarm Systems and in particular, False Alarms.

For three years, two months, the Records Bureau and our Crime Analyst have tracked these calls including the "cost of doing business" compared to what has been received in assessment fees. After reviewing a total of 12,570 alarm calls for service (robbery, panic and burglary) between January of 2007 and March of 2010, and the approximate total time (in hours and minutes) and approximate total salary including benefits of the affected areas in the Police Department, the following was determined:

	Communications	Patrol	Records	Final Total
Hours/Minutes	365:00	3,574:00	4,190:00	8,129:00
Salary/Benefits	\$11,844	\$135,097	\$121,929	\$268,870

During this same period of time, the Records Bureau accepted 1,666 alarm registration forms, sent out 3,701 warning/violation notices for false alarm activations and billed \$233,710 in fees and fines. Of this amount only \$111,660 in assessment fees was actually collected. An additional \$29,300 in assessment fees was dismissed upon appeal and \$92,750 in assessment fees due were ignored and have been turned over to the City Finance Department for possible collection. NOTE: Since August of 2009, no further actions to mail out violation notices and/or to collect fees have been taken by either the Police or Finance Departments due to staffing levels.

Burglary Alarms

Between January of 2007 and March of 2010, the Avondale Police Department responded to 11,369 burglary alarms. There is a minimum of two patrol officers assigned to each of these calls. 98% (11,150 calls) were false burglary alarms. 205 police reports were taken and a total of twelve arrests were made/eventually made.

Panic Alarms

Between January of 2007 and March of 2010, the Avondale Police Department responded to 945 panic alarms. There is a minimum of two patrol officers assigned to each of these calls. 99% (939) were false panic alarms. There were four police reports taken and a total of three arrests were made/eventually made.

Robbery Alarms

Between January of 2007 and March of 2010, the Avondale Police Department responded to 256 robbery alarms. A minimum of one supervisor and two patrol officers are assigned to each of these calls. 100% of the calls were false robbery alarms, equating to zero police reports written and zero arrests.

Verified Alarm Response

A verified Alarm Response places the responsibility for alarm verification with the companies that market, sell and install those alarms. It also allows our Police Department the ability to utilize discretion, common sense and experience to evaluate the need to respond to various alarm types as they see fit. We would only respond to a burglary alarm under one of the following conditions:

- Multiple alarm trips, or alarm trips of varying origins, indicating entry into the premises.
- Verification by the on-scene response of the alarm company of a crime or suspicious circumstance.
- Cameras or audio devices, monitored by an alarm company, that indicate that a crime may have occurred or is occurring.
- Witness reports of glass breakage, suspicious activity or other information that corroborates the alarm.
- Any other events or circumstances that indicate the alarm may be valid.

Alarms activated by individuals such as robbery, panic and duress alarms shall remain a high priority and will be responded to no differently by Avondale Police Officers.

DISCUSSION:

At the February 09, 2009, Council meeting, the concept of a Verified Alarm Response Program was approved by Council. However, prior to a formal approval of the Program, Council requested follow-up on select action items as well as obtaining responses to proposed questions. Those issues were addressed at the December 14, 2009, Council meeting.

At the conclusion of the December Council meeting, Staff was directed by Council to 1) continue to monitor the calls for service pertaining to alarms and 2) consider proposing a second option to reduce the number of alarm calls for service responded to by Avondale Police Officers and recoup some of the cost related to responding to false burglary alarms. **Continue to Monitor our Response to All Alarm Calls for Service**

- For three years and two months (January 2007 through March of 2010) we have continued to monitor our response to all alarm calls for service. A 98% false alarm rate has been maintained reference burglary alarms, responding to a total of 11,369 burglary alarms. A 99% false alarm rate has been maintained reference panic alarms, responding to a total of 945 panic alarms. A 100% false alarm rate has been maintained reference robbery alarms, responding to a total of 256 robbery alarms. A minimum of two to three officers are sent to each of these calls which has cost the City of Avondale approximately \$268, 870 (salary/benefits) for Communication Staff, Police Officers and Records Clerks to handle/process. NOTE: There has been no change in the false alarm rate (burglary, panic, and robbery alarms) since January of 2007 when we started tracking these calls for service.

Proposed Second Option - Enhanced Verified Alarm Response and the Use of a Third Party Vendor to Collect All Associated Fees that are Charged to the Alarm Company, not the Alarm Owner

- Most cities require alarm monitoring companies to make a single telephone contact with the owner of an activated alarm system to determine whether or not the alarm was inadvertently tripped by the owner. A practice known as "Enhanced Call Verification" requires the alarm monitoring company to attempt contact with the alarm owner using two or more telephone numbers (i.e., home and cell phones) before contacting the Police Department. According to the US Department of Justice, cities adopting this practice have noted reductions around 25% to 40% in the number of false alarm calls to the police.
- Automation is essential to reduce the workload in the Police and Finance Departments. Outsourcing the administration of permits, fines and fees to a private firm in exchange for a portion of the fees would be beneficial. This would require the completion of a RFP (Request for Proposal). According to the US Department of Justice, collection rates may be only about 60% to 70%.
- Finally, charging all permit fees and fines directly to the alarm company, using the private firm as mentioned above, will lessen the administrative burden on the PD and Finance Departments. Not only does this practice ensure that all new alarms are registered with the City of Avondale, but it also greatly reduces the number of contacts that the private firm must make. Rather than contacting thousands of alarm owners, the private firm makes contact with a much smaller number of alarm monitoring companies.

BUDGETARY IMPACT:

It is estimated that since January 2007 the Police Department has spent about \$268,870 in salaries and benefits responding to false alarms. This is the equivalent of adding three to four full time officers to the department.

RECOMMENDATION:

Staff recommends implementing a "true" Verified Alarm Response program. However, implementing an Enhanced Call Verification practice, coupled with the use of a third party vendor who will be tasked with charging all permit fees and fines directly to the alarm monitoring companies in exchange for a portion of the fees, is a viable interim step.

ATTACHMENTS:

[Click to download](#)

No Attachments Available