

Minutes of the Work Session held October 5, 2015 at 6:02 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor
David Iwanski
Bryan Kilgore
Jim McDonald
Sandy Nielson
Lorenzo Sierra

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Kristin Sexton, Transit Coordinator
Cherlene Penilla, Human Resources Director
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL BY THE CITY CLERK

2 AVONDALE TRANSIT IMPLEMENTATION PLAN

Transit Coordinator Kristen Sexton, introduced Wulf Grote, Director of Planning and Accessible Transit for Valley Metro to review this item.

Mr. Grote said his organization has two key purposes: to operate a regional transit system, and to develop the expansion of light rail throughout the region. Sixteen member agencies, including the City of Avondale, are part of Valley Metro. The system has 23 miles of light rail, 58 local bus routes, 23 expresses, and 17 circulator routes in operation. The Americans with Disabilities Act requires the provision of dial-a-ride services for people who cannot access fixed-route operations. Support facilities, including park-and-rides, transit centers, maintenance facilities, and shaded bus stops, are also important to the system. Valley Metro supports trip reduction methods such as car and van pools.

Funding is received through a variety of means. Capital funding mostly comes from the federal government with some additional local money. Operations are typically funded from regional and local money, as well as fare box collections and advertising. Regional funding comes from Proposition 400 that passed in 2004, and lottery funds. Local communities have also passed a variety of taxes to support transportation costs, including transit.

Mr. Grote said there are many forms of transit available, and one size does not fit all. Successful transit systems employ many different mutually supporting modes. Local communities influence transit through land use decisions, neighborhood designs, pedestrian and bicycle access, and density. Ridership is also influenced by external factors such as gas prices and federal regulations.

Transit benefits include:

- Economic development through creating jobs, providing good job access, and improving economic competitiveness

- Environmental benefits through reduced congestion and pollution, and energy conservation
- Social benefits through improved mobility, greater travel choices, and greater independence for people who do not want to or cannot drive

Kristin Sexton, Transit Coordinator, said Avondale's most popular transit service is the ZOOM Circulator. Service began in 2011 and Saturday service was added in 2012. Ridership has increased every year since the service began. Avondale charges fifty cents per ride, while many other circulators are free. Bus routes 3 and 17 run on 20-minute peak service schedules, with the rest of the day on 40-minute service. Route 685 runs to Phoenix and stops at EMCC. All bus routes are seeing higher ridership. The park and ride and express services began in 2014, and use has been increasing. The taxi subsidy program is voucher system that provides rides to medical appointments. Dial-a-Ride provides service within three quarters of a mile of any fixed route service.

Ms. Sexton explained that local transit is funded in several different ways. Avondale can currently use federal funds to cover operating costs, but as it grows into a larger urbanized area federal money can only be used on capital costs. Prop 400 pays for routes 3 and 17, and the express bus. Avondale has the ability to use some of the CIP tax for transit, but a public vote to remove the cap failed, so there is no more money going into that fund.

Jorge Luna, Valley Metro Service Planner, reviewed the Southwest Valley Local Transit System Study (SWVLTSS). The study identified several concepts that would provide better connectivity in Avondale:

- A ZOOM North neighborhood circulator
- Re-extension of Route 29 back into Avondale
- A new Route 131 on Dysart Road

Mr. Luna explained that the ZOOM North could be launched in October of 2017. It would operate 16 hours per day on 30-minute frequency, and include 14 hours of Saturday service. It would cost \$780,000 per year, and require four vehicles plus one spare. The route would interface on the west side with the existing ZOOM, with Route 17 on McDowell Road, and connect different schools and commercial centers.

Bus Route 29 western terminus currently ends at 99th Avenue in Phoenix. It could be extended to connect to the Avondale Civic Center. A new route 131 on Dysart Road would require two additional vehicles plus one spare, and cost \$719,000 per year. The route would connect with ZOOM at Litchfield Road, with Route 3 at Van Buren, and with Route 17. An operating and expenditure model has been prepared that would cover capital costs through 2026 when Prop 400 funding ends. Some potential funding solutions at that point could include using a greater share of the City's dedicated sales tax revenue fund for transit, extending Prop 400, or introducing a new dedicated local transit tax.

In response to an inquiry from Mayor Weise, Mr. Luna explained that the dividing line between small and large urbanized areas is 200,000 in population. Avondale's urbanized area was just below this number in the last census.

Council Member Neilson inquired about the possibility of light rail extending to the west Valley. Mr. Grote responded that the current Regional Transportation Plan held by the Maricopa Association of Governments (MAG) proposes a 66-mile system to be built out over the next 20 years. One proposed corridor to be funded by the regional sales tax would extend west along I-10 as far as 79th Avenue. Anything further west than that is not currently funded. Another proposed corridor would go to downtown Glendale.

Council Member McDonald inquired about the extra funding to cover the cost of Dial-a-Ride service that would be necessary with the introduction of new bus routes. Ms. Sexton explained that Avondale's ADA services are funded by Prop 400. Avondale's uncovered area is very small and the fund can easily handle it. Council Member McDonald asked whether any of Avondale's sales tax is earmarked for transit capital costs. Ms. Sexton said it can be used as the City pleases. Mayor Weise asked whether Avondale has ever proposed a dedicated transportation sales tax to the voters. David Fitzhugh, City Manager, said no such tax has been proposed.

3 PROPOSED AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL

Cherlene Penilla, Human Resources Director, reviewed some proposed amendments to the Personnel Policies and Procedures Manual. The first change is to Chapter 3, Applications. The question regarding criminal backgrounds has already been removed from the application, and the manual would be cleaned up to match the City's practice. Chapter 5, Classifications and Compensation, will be changed to remove all the language about specialty pay for sworn police employees. This is now covered in the Police Association's Memorandum of Understanding. The promotions section has been changed to reflect that increases to base pay should be commensurate with experience, education and current market conditions.

Ms. Penilla explained that Chapter 6, Employee Benefits, will change "husband and wife" to "spouse" to comply with federal law. Language will also be added to clarify that vacation leave balance is paid out when an employee terminates. Nieces and nephews have been added to the qualifying list of relatives for bereavement leave. Language will address and clarify accommodations for additional leave under the ADA. Chapter 7, Drugs and Alcohol, will be changed to reflect the current laws and practices regarding the use of prescription drugs by employees. Pre-employment drug abuse screening policy is also being updated to be in line with federal and state law and current practices.

Ms. Penilla said Chapter 11, Safety, will be updated to reflect the current practices for drug testing of employees after any accident involving a City vehicle. The definition of harassment will be changed to reflect a pattern of behavior, and depending on the severity of that behavior, could be a one-time event. The section addressing warning signs for workplace violence will be removed. The process for when an employee gets an order of protection on their own that includes the workplace will be clarified. The section regarding the reporting of injuries that require hospitalization has been changed to comply with federal law.

Chapter 13, Employee Records and Reports, will have language added to specify where specific personnel records are maintained. The Fire and Police Departments are responsible for keeping certain records on their employees. Sections have been removed that refer to obsolete forms of information storage. Clarifying language has been added to specify who has access to personnel files. Employees always have the ability to view their own personnel file.

Chapter 14, Employee Education Assistance, will be updated to clarify that part-time employees are not eligible for tuition reimbursement, and that employees who receive financial assistance from other sources may not be eligible for reimbursement. Courses must be for formal college credit or to complete a GED. Content can be for courses outside the employee's current job class. Maximum reimbursement in a calendar year is \$5,000. Approved applications for reimbursement must be submitted within 60 days of completion of a class.

Ms. Penilla stated that Chapter 16, Information and Communications Technology, received numerous housekeeping changes, including new definitions and language that describes employee accountability for their own user accounts. Employees will be prohibited from recording images of City work product unless for business purposes. Language covering social media will be removed because policy is being developed on this issue for the entire city. Language supporting the testing of new technologies will be added, and IT will be responsible for coordinating all external security requirements. IT must also be consulted regarding technology-based positions. Employee technology and security training will be required at least annually. Language regarding the misuse of assets and social media will be removed since it is covered elsewhere.

Chapter 17, Separations, will have language removed that talks about vacation leave payouts and the maximums for those. Chapter 19, Grievances and Appeals, will undergo some changes that emerged following the significant overhaul that happened last year. Language will be added to provide the option of a cooperative solicitation for establishing a list of hearing officers. The list of hearing officers will be reduced from five to three. Hearing officers will be required to submit their findings and recommendations within 15 days of the hearing. In cases where the hearing is closed, the department director and the Human Resources Director or their designees can be allowed into the hearing. Language will be added addressing A.R.S. 38-531 and 38-532, in regards to the appointment of an independent personnel board whenever certain allegations are brought forward.

Ms. Penilla stated that staff made sure that all department heads, supervisors and employees in the city knew about these policy changes and had the opportunity to express feedback. Many good ideas were suggested through this process and were incorporated into the amendments.

Council Member McDonald inquired whether personnel records are public. Ms. Penilla said they are. Requests have to be made through the City Attorney's office just like any other public records request. Very private information, such as Social Security numbers, are redacted from the files. Council Member McDonald inquired why the City is prohibited by federal law from drug testing potential employees. Ms. Penilla explained that the restriction

stems from a Supreme Court decision and applies to just about every public employee except for police and detention officers.

Council Member Nielson said the City should stick to policy when it comes to maximum vacation leave payouts. She felt that the City of Avondale should also require that new employees who have not acquired their GEDs should do so within one year of being hired, with the City's support. This will promote education. Ms. Penilla confirmed for Council Member Nielson that employees are required to receive a grade of C or better in order to be reimbursed for a class. Council Member Nielson felt employees who receive tuition reimbursement should be required to stay with the City for a set amount of time.

Council Member Nielson inquired about the protocol for employees who show up to work impaired. Ms. Penilla said the City cannot do random drug testing, but can do suspicion-based testing.

Vice Mayor Karlin suggested that Chapter 6 refer to "domestic partner" instead of "spouse." Ms. Penilla clarified that a new federal law requires the use of the term "spouse" in all information regarding benefits. Vice Mayor Karlin requested that all future changes required by federal law should be indicated as such for the benefit of the City Council. She inquired about the grievance policy related to performance evaluations for non-public safety officials. Ms. Penilla said performance evaluations are not grievable, but employees do have the ability to respond to them.

Vice Mayor Karlin suggested that since merit increases are tied to evaluations, employees should be given an opportunity in advance to correct their performance so they are not surprised at the last minute. Ms. Penilla responded that employees are put on a performance improvement plan that allows the department to work towards resolving any issues they might be having. Supervisors are given performance evaluation training. Very few employees fail to get a merit increase. David Fitzhugh added that an employee is never surprised not to receive a raise, because they will have been involved in a process long beforehand.

Mayor Weise inquired why the City does not require employees to stay on for a minimum amount of time after receiving tuition reimbursement. Ms. Penilla said it would be difficult to do. Mr. Fitzhugh noted the City need to be competitive in the marketplace, and that includes employee benefits. Having more restrictions can limit recruiting. Mayor Weise said the City should look into this issue to determine whether it really does encumber the City's ability to retain people. If it does not, it is not unreasonable for the taxpayers to expect something in return for the benefit they receive.

In response to an inquiry from Mayor Weise regarding paid vacation leave, Ms. Penilla explained that the City would rather pay employees for the remaining vacation time they have when they leave, instead of having employees try to use them all up at the end. Council Member Nielson expressed concern that the budget could be impacted if too many people accrue more than 240 hours of vacation time by the time they leave. Ms. Penilla clarified that typically there are salary savings when somebody leaves because the position will not be filled for a while. This has not been an issue.

Mayor Weise requested a report during the budget session reflecting the actual amounts that are paid out in unused vacation leave. He doubted it would be a substantial amount.

4 ADJOURNMENT

There being no further business before the Council, Council Member Kilgore moved to adjourn the regular meeting into executive session. Council Member Nielson seconded the motion, which carried unanimously.

City Council meeting adjourned at 7:29 p.m.



Mayor 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 5th day of October, 2015. 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 October 5, 2015 at 7:34 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor
David Iwanski
Bryan Kilgore
Jim McDonald
Sandy Nielson
Lorenzo Sierra

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Paul Adams, Avondale Fire and Medical Chief
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Carmen Martinez, City Clerk read a statement of participation regarding public appearances.

2 RECOGNITION ITEMS (MAYOR PRESENTATIONS)

a. PROCLAMATION - OCTOBER IS BREAST CANCER AWARENESS MONTH

Mayor Weise read the Proclamation in support of Breast Cancer Awareness Month

b. PROCLAMATION - OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Weise read the Proclamation in support of Domestic Violence Awareness Month

3 UNSCHEDULED PUBLIC APPEARANCES

Suzanee Jaramillo addressed the council on behalf of the Pendergast Elementary School District to invite council members to a few events being organized within the district.

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 September 14, 2015
2. Regular Meeting of September 14, 2015
3. Work Session of September 21, 2015
4. Regular Meeting of September 21, 2015

b. PROGRAM GRANT AGREEMENT - AVONDALE AUTO CENTER FOR FAÇADE IMPROVEMENT

A Program Grant Agreement with Alvin and Kimberly Doll, Kim M. Anderson and Melanie L. Riefkohl for a facade improvement project at Avondale Auto, LLC located at 722 E Western Avenue to make exterior improvements in the amount of \$70,000 through the City's Business Improvement Program and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

c. RESOLUTION 3276-1015 - GRANT ACCEPTANCE FROM GOHS FOR DUI ENFORCEMENT

A resolution authorizing acceptance of a grant from the Governor's Office of Highway Safety in the amount of \$30,000 to support the Police Department's funding of Driving under the Influence enforcement through overtime expenses and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

d. ORDINANCE 1587-1015- AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR PUBLIC USE

An ordinance authorizing the acquisition of real property generally located along McDowell Road at the 104th Avenue alignment for use as a traffic signal, sidewalk, and temporary construction easement, and authorize the Mayor, City Clerk, and City Attorney to execute the necessary documents.

Council Member Nielson moved to approve the consent agenda as presented, including Resolution 3276-1015 and Ordinance 1587-1015. Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Aye
Vice Mayor Karlin	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously

5 MEDICAL SERVICES UPDATE

An update from on the provision of medical services to the community and obtain their feedback regarding the development of an application to the Arizona Department of Health Services for a certificate of necessity to provide ambulance transport services. This item is for information, discussion and council direction, no action is required.

Avondale Fire and Medical Chief Paul Adams explained the evolution of out-of-hospital medical care and the impact that the Affordable Care Act has in the services residents are requesting from the department. He explained earlier this year, Avondale implemented an

ambulance dispatch protocol pilot program where ambulances are no longer being dispatched automatically for every call which has increased ambulance utilization rate from 59% to over 89%, making services more efficient and cost effective. He added that there is potential for reimbursement from Medicare, private insurance and hospitals for these services.

He explained that by and large ambulance service for patient transport is provided by private providers in Maricopa County. The City has traditionally used Rural/Metro and other companies which have subsequently become part of Rural/Metro. He explained that in 2013 Rural/Metro filed for bankruptcy protection and made the city realize the need to have alternate plans. American Medical Response (AMR) is in the process of acquiring Rural Metro and early indications are that AMR wishes to partner with local jurisdictions; however the merger is yet to be approved by the FTC. He added that AMR will acquire both the ambulance service and the fire services, which will directly impact the provision of services in areas within the city.

Chief Adams proceeded to explain that in order for a jurisdiction to operate its own ambulance service, be recognized for the medical services it provides and received reimbursement, and participate in out-of-hospital projects, a Certificate of Necessity (CON) needs to be obtained. He indicated that the department's goals are to obtain the CON in order to control emergency transport, partner with private sector provided for BLS transports, continue the current dispatch protocol pilot project and explore regional partners to be able to provide other services to the community. He reviewed the process for obtaining the CON indicating the first step of which would include a comprehensive financial analysis with the application. He indicated that he would like direction for Council as to whether the Council feels comfortable enough to start the process. The Council will be updated as the process moves along.

Tom Mitton, on behalf of Rural Metro indicated that Chief Adams provided a very comprehensive explanation of the process and added that Rural Metro (AMR) would like to continue working with the city.

Vice Mayor Karlin commented that it is her understanding that after hiring a consultant, the city of Glendale has determined that they cannot afford to pursue the CON. She added Avondale needs to determine how much of an investment the city is willing to make to provide this service to its residents. She inquired if the city would provide both ALS and BLS, does the city get reimbursed from Southwest Ambulance. Chief Adams replied that due to several nuances they encountered, Glendale decided not to continue to process at that time, however they continue conversations and Glendale may resubmit. Regarding the type of transport, Chief Adams indicated that determining what type of services under what conditions and what territory will be part of the negotiations with AMR. A very comprehensive financial analysis has to be submitted as part of the application and will be used to determine the feasibility of moving forward. Regarding the reimbursement of services, Chief Adams indicated that some reimbursement for the difference between ALS and BLS services is obtained from Southwest Ambulance.

In response to a question from Council Member Kilgore, Chief Adams explained that due to the fact that Avondale is a relatively young population, its volume of calls is not as high as

some cities such as Sun City. In response to a question from Council Member Kilgore, Chief Adams indicated that since the comprehensive financial analysis will be prepared by the city's financial staff, there will be no cost associated with it. Council Member Kilgore indicated he is in favor of proceeding with preparation of the comprehensive financial analysis.

In response to a question from Council Member McDonald, Chief Adams indicated that while there is no direct cost to the city for services provided, patients get billed directly by the ambulance provider. Council Member McDonald indicated that he is supportive of very cautiously moving forward with the study.

Council Member Nielson indicated that she is supportive of moving forward with the study. Chief Adams clarified that the purpose of the financial analysis is to demonstrate whether the program will be self-supporting. He clarified that any staff hired as a result of this program would be civilian employees qualified for ambulance service. Regarding timeframe, Chief Adams indicated it will take about 30-60 days to prepare the comprehensive financial analysis. From there the timeline will be determined by DHS but would likely take at least one year.

Council Member Sierra expressed full support for moving forward with the analysis.

Mayor Weise indicated he is supportive of moving forward with the analysis and understands there are many things that are changing and is open to seeing what the analysis says.

Mr. Fitzhugh commented he understood Council's direction and is aware that there are many unanswered questions and scenarios that will need to be defined before proceeding with the analysis.

6 ADJOURNMENT

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

Meeting was adjourned at 8:38 pm.



Mayor Weise



Carmen Martinez, CMC
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 5th day of October, 2015. I further certify that the meeting was duly called and held and that the quorum was present.

Carmen Martinez

City Clerk

A large, stylized handwritten flourish or loop that extends from the end of the signature line.

