



# CITY COUNCIL AGENDA

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

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**WORK SESSION**  
**August 1, 2016**  
**6:00 PM**

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## CALL TO ORDER BY MAYOR

### 1 ROLL CALL BY THE CITY CLERK

### 2. CITY COUNCIL HANDBOOK

Staff will present a revised City Council Handbook in response to comments received at the July 11, 2016 Work Session. For information, discussion and possible direction.

### 3 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 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 niños no estén 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

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**SUBJECT:**

City Council Handbook

**MEETING DATE:**

8/1/2016

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**TO:** Mayor and Council

**FROM:** David Fitzhugh

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

Staff will present a revised City Council Handbook in response to comments received at the July 11, 2016 Work Session for Council's information, discussion and possible direction.

**BACKGROUND:**

City Council has experienced significant transition over the past two (2) years and will experience additional change with the coming election. Staff is a resource to provide accurate information to newly elected Council Member and to assist their understanding of the organization, various governing documents, processes and procedures. Currently we organize and offer an orientation to new Council Members that covers the above topics.

Since the breadth and depth of the topics covered in the orientation is extensive, it is appropriate to provide a single document that briefly summarizes many of the above items including sections dealing with roles and responsibilities of Council, the City Manager and staff. While it has not been a significant issue, I thought it important to include information regarding Council's expectations of staff and staff's expectations of Council. A mutual understanding of expectations minimizes misunderstandings and unfulfilled expectations resulting in enhanced relations between Council and staff.

This item was recently discussed in the July 11<sup>th</sup> Council Work Session. There was significant discussion regarding Council/staff communication (Section 10) and the context in which this may occur. Staff was directed to return to Council in a future work session with revised language in Section 10 for further discussion.

**DISCUSSION:**

The Handbook presented at the July 11, 2016 work session was edited in response to Council comments, minor reorganization and to reduce verbiage in some sections of the handbook. In response to the Mayor and Vice Mayor's comments, Section 10 - INTERACTION WITH STAFF was significantly rewritten to clarify expectations between Council and staff. A specific discussion is included to establish a staff contact hierarchy to facilitate communication between Council and staff. Section 4 – GUIDING DOCUMENTS, Section 7 – POSITIONS APPOINTED BY COUNCIL AND Section 8 – FINANCIAL MATTERS were edited for brevity.

A comment was made to clarify staff support for Council Members serving on boards or committees. Section 11.1.1 was added to state support is available as long as the board or committee's purpose is directly related to the City of Avondale and supported by the Council.

Finally, a question was asked about other local governments use of similar handbooks or manuals. In response, I've attached a list of other cities' Council Handbooks or manuals.

**BUDGET IMPACT:**

There is no Budgetary Impact

**RECOMMENDATION:**

Council will discuss a revised City Council Handbook. This item is for information, discussion and possible direction.

**ATTACHMENTS:**

**Description**

[City Council Handbook V4](#)

[List of Similar Council Handbooks](#)



**Avondale**

Aspiring. Achieving. Accelerating.

**CITY COUNCIL**  
**HANDBOOK**

# Avondale City Council Handbook

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## **1. INTRODUCTION AND OVERVIEW**

### **1.1. 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.

### **1.2. 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.

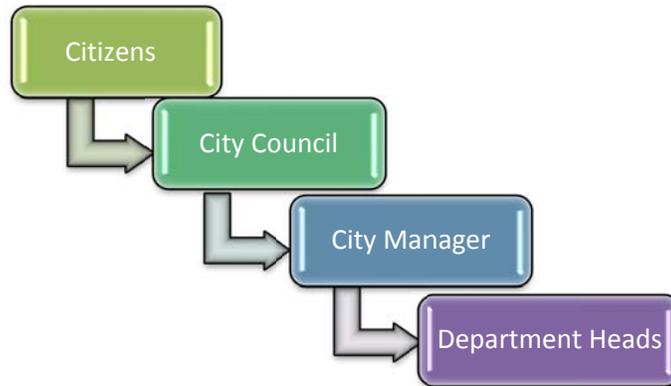
Three words stand out in particular when describing Avondale: Aspiring. Achieving. Accelerating.

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.

### **1.3. 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.

#### **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 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.

#### **4.6 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.

#### **4.7 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.

#### **4.8 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.

#### **4.9 DEVELOPMENT REGULATIONS, PLANS, AND GUIDELINES**

##### **4.9.1. 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.

##### **4.9.2. 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.

##### **4.9.3. 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.

##### **4.9.4. 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.

#### **4.9.5. 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.

#### **4.9.6. 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.

#### **4.9.7. 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.

#### **4.9.8. 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.

#### **4.9.9. 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.

#### **4.9.10. 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.

#### **4.9.11. 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.

## **4.10 MASTER PLANS**

### **4.10.1 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.

### **4.10.2 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.

### **4.10.3 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.

### **4.10.4 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.

### **4.10.5 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.

### **4.10.6 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.

### **4.10.7 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.

### **4.10.8 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.

#### **4.10.9 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.

#### **4.10.10 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 24-hour 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:

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

- (c) 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.
- (d) Prepare the annual budget estimates and submit them to the City Council and be responsible for the administration of the budget after adoption.
- (e) 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.
- (f) 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*
- (b) 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.avondale.gov](http://www.avondale.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 use 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 agendized or soon-to-be agendized 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**

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**

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 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](mailto: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.

## LIST OF SIMILAR COUNCIL HANDBOOKS

1. [Suwanee GA, Council Protocol Handbook](#)
2. [City of Bothell, WA Council Protocol Manual](#)
3. [City of Palo Alto, CA Council Protocol Manual](#)
4. [City of Rocklin Council Handbook](#)
5. [City of Arcata CA Council Protocol Manual](#)
6. [City of Shoreline Council - Staff Communications Guidelines](#)
7. [City of Laredo TX Procedures Manual](#)



# CITY COUNCIL AGENDA

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

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## REGULAR MEETING

August 1, 2016

7:00 PM

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

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

#### 2 UNSCHEDULED PUBLIC APPEARANCES

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

#### 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. Special Meeting of June 20, 2016
2. Work Session of July 11, 2016
3. Regular Meeting of July 11, 2016
4. Regular Meeting of July 18, 2016

##### b. PROFESSIONAL SERVICES AGREEMENT - BADALI DESIGN COMMUNICATIONS FOR GRAPHIC DESIGN SERVICES

City Council will consider a request to approve a Professional Services Agreements with Badali Design Communications for graphic design services for a maximum annual amount of \$20,000 and a maximum aggregate amount of \$100,000 and authorize the Mayor or City Manager and City Clerk to execute all documents. The Council will take the appropriate action.

##### c. PROFESSIONAL SERVICES AGREEMENT - SEVEN TWO SIX, INC. FOR GRAPHIC DESIGN SERVICES

City Council will consider a request to approve a Professional Services Agreement with Seven Two Six Studios, Inc. for graphic design services for a maximum annual amount of \$20,000 and a maximum aggregate amount of \$100,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

##### d. RESOLUTION 3327-716 - GRANT AGREEMENT WITH FIRST THINGS FIRST SOUTHWEST MARICOPA RESIGIONAL PARTNERSHIP COUNCIL

City Council will consider a resolution approving a grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$175,000 for services to be provided to families with children younger than age five, and authorize

the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**e. RESOLUTION 3329-816 - INTERGOVERNMENTAL AGREEMENT WITH THE DEPARTMENT OF REVENUE - TRANSACTION PRIVILEGE TAX**

City Council will consider a resolution approving a modification to the Intergovernmental Agreement with the Arizona Department of Revenue to transition to State for collection of transaction privilege tax and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**4 COOPERATIVE PURCHASING AGREEMENT INSIGHT PUBLIC SECTOR, INC.**

City Council will consider a request to approve a Cooperative Purchasing Agreement with Insight Public Sector, Inc. for technology products, services, and solutions in an amount not to exceed \$975,000 annually for a total aggregate amount not to exceed \$4,875,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

**5 2017 LEAGUE OF ARIZONA CITIES AND TOWNS RESOLUTIONS**

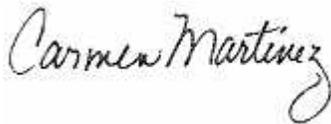
City Council will review, discuss, and provide direction on the proposed resolutions which will be voted on at the August 23, 2016 League of Arizona Cities and Towns (LACT) Resolutions Committee meeting. For information, discussion and direction.

**6 EXECUTIVE SESSION**

The Council may hold an executive session pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(1) for discussion regarding the City Judge's annual evaluation.

**7 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 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 niños no estén 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

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**SUBJECT:**

Professional Services Agreement - Badali Design Communications for Graphic Design Services

**MEETING DATE:**

8/1/2016

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**TO:** Mayor and Council

**FROM:** Pier Simeri, Community Relations and Public Affairs Director (623) 333-1611

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

Staff recommends the Council approve a Professional Services Agreement between the City of Avondale and Badali Design Communications for graphic design services and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**BACKGROUND:**

The City of Avondale strives to produce outstanding printed, digital and marketing materials that reflect the professionalism and high standards of the organization. Strong graphic design helps the City more effectively communicate its message and reach constituents, whether its residents, businesses or visitors. Avondale's rebranding, with its clear brand story, vibrant colors and attractive logo, relies on professional graphic design as well.

**DISCUSSION:**

In April 2016, the City issued a Request for Proposals (RFP) seeking proposals for vendors for graphic design services that can be communicated across multiple mediums, as well as the graphic design of collateral items to support coordinated citywide media campaigns, events and programs.

Four firms submitted proposals, two of which were deemed responsive. The two firms were Badali Design Communications of Phoenix, and Seven Two Six Studios, Inc. of Goodyear, AZ. The proposals were evaluated, and a determination was made to award both firms with a contract for graphic designs services.

This approval is only for Badali Design Communications of Phoenix. Seven Two Six Studios will be approved through a separate Council Report and contract.

**BUDGET IMPACT:**

The graphic purchasing contracts are awarded with indefinite quantities of purchases each in an amount not to exceed \$20,000 annually subject to departmental budgetary authority.

**RECOMMENDATION:**

Staff recommends that the Council approve the Professional Services Agreement between the City of Avondale and Badali Design Communications for graphic design services for a maximum annual amount of \$20,000 and a maximum aggregate amount of \$100,000 and authorize the Mayor or City Manager and the City Clerk to execute the appropriate documents.

**ATTACHMENTS:****Description**

[PSA - Badali Design Communications, Inc.](#)

PSA – BADALI DESIGN COMMUNICATIONS. 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/38753>



## CITY COUNCIL AGENDA

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**SUBJECT:**

Professional Services Agreement - Seven Two Six, Inc. for Graphic Design Services

**MEETING DATE:**

8/1/2016

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**TO:** Mayor and Council**FROM:** Pier Simeri, Community Relations and Public Affairs Director (623) 333-1611**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff recommends the City Council approve a Professional Services Agreement between the City of Avondale and Seven Two Six Studios, Inc. for graphic design services and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**BACKGROUND:**

The City of Avondale strives to produce outstanding printed, digital and marketing materials that reflect the professionalism and high standards of the organization. Strong graphic design helps the City more effectively communicate its message and reach constituents, whether its residents, businesses or visitors. Avondale's rebranding, with its clear brand story, vibrant colors and attractive logo, relies on professional graphic design as well.

**DISCUSSION:**

In April 2016, the City issued a Request for Proposals (RFP) seeking proposals for vendors for graphic design services that can be communicated across multiple mediums, as well as the graphic design of collateral items to support coordinated citywide media campaigns, events and programs.

Four firms submitted proposals, two of which were deemed responsive. The two firms were Badali Design Communications of Phoenix, and Seven Two Six Studios, Inc. of Goodyear, AZ. The proposals were evaluated, and a determination was made to award both firms with a contract for graphic designs services.

Staff recommends the City Council approve a contract with Seven Two Six Studios, Inc. for graphic design services. A separate Council Report and contract for Badali Design Communications of Phoenix will be considered for approval by the Council.

**BUDGET IMPACT:**

The graphic purchasing contracts are awarded with indefinite quantities of purchases each in an amount not to exceed \$20,000 annually subject to departmental budgetary authority.

**RECOMMENDATION:**

Staff recommends City Council approve a Professional Services Agreement between the City of Avondale and Seven Two Six Studios, Inc. for graphic design services and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**ATTACHMENTS:****Description**

[PSA - Seven Two Six Studios, Inc.](#)

PSA – SEVEN TWO SIX STUDIOS, 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/38754>



## CITY COUNCIL AGENDA

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**SUBJECT:**

Resolution 3327-716 - Grant Agreement with  
First Things First Southwest Maricopa Resigional Partnership Council  
8/1/2016

**MEETING DATE:**

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**TO:** Mayor and Council**FROM:** Stephanie J. Small, Neighborhood and Family Services Director - 623-333-2711**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff is requesting that the City Council adopt the resolution authorizing the grant agreement with First Things First Southwest Maricopa Regional Partnership Council to receive \$175,000 in funding and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**BACKGROUND:**

The Arizona Early Childhood Development and Health Board, known as First Things First, is a State agency established by voter initiative to support a voluntary system of early care and education. The objective is to provide an array of education and health programs for families with children from birth to age five. The Southwest Maricopa Regional Partnership Council (Regional Council) represents Avondale and surrounding communities and is charged with making strategy and funding recommendations to the First Things First Board.

**DISCUSSION:**

The scope of work for the grant addresses the priority areas of the Regional Council and enhances the services provided out of the Care1st Avondale Resource Center. The Center connects families to services that support parents, early childhood care and education, housing and health services. Avondale staff provide information and referrals for families and also conduct outreach efforts to educate the public and organizations that serve families at the Center. Other agencies serving families are invited to use the community training room and to locate a satellite office in the Center whenever possible. In addition, health insurance enrollment and early literacy and child development services are offered at the Center through a subgrant with community-based organizations.

The grant agreement provides an award amount of up to \$175,000. A subgrant of approximately \$45,000 will be provided to extend the contract with a non-profit organization to conduct on-site health insurance enrollment. In addition, early childhood programming services will be conducted with community organizations for approximately \$38,225. The remaining funds will be used to support staff costs and to supplement operational revenues.

**BUDGET IMPACT:**

No matching funds are required to receive this grant, and the General Fund will not be impacted.

**RECOMMENDATION:**

Staff recommends that the City Council adopt the resolution authorizing the grant agreement with First Things First Southwest Maricopa Regional Partnership Council to receive \$175,000 in funding and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**ATTACHMENTS:**

Description

[Resolution 3327-716](#)

**RESOLUTION NO. 3327-716**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING AN AMENDMENT TO THE GRANTEE AGREEMENT WITH FIRST THINGS FIRST, SOUTHWEST MARICOPA REGIONAL PARTNERSHIP COUNCIL RELATING TO SERVICES AT THE CITY OF AVONDALE FAMILY RESOURCE CENTER.

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

SECTION 1. The Amendment to the Grantee Agreement with First Things First, Southwest Maricopa Regional Partnership Council, Arizona Early Childhood Development and Health Board relating to services at the City of Avondale Family Resource Center (the “Amendment”) for fiscal year 2016-2017 is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

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

**PASSED AND ADOPTED** by the Council of the City of Avondale, Arizona, July 18, 2016.

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Kenneth N. Weise, Mayor

ATTEST:

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Carmen Martinez, City Clerk

APPROVED AS TO FORM:

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Andrew J. McGuire, City Attorney

EXHIBIT A  
TO  
RESOLUTION NO. 3327-716

[Amendment]

See following page.

	<b>Grant Renewal Amendment Notification</b>	Early Childhood Development and Health Board (First Things First) 4000 North Central Avenue, Suite 800 Phoenix, Arizona 85012 (602) 771-5000
	<b>Grant Renewal/2017 Grant Award</b> FTF-RC007-16-0757-01 Southwest Maricopa Regional Partnership Council Family Resource Centers	

**GRANTEE:**

City of Avondale

**PURPOSE OF AMENDMENT:**

1. Pursuant to Section II. Term, Renewal for the above referenced grant award, the State of Arizona hereby exercises its sole option to renew the grant award number referenced above. The renewal award period is July 1, 2016 through June 30, 2017.
2. Total award amount for the grant period is \$175,000.
3. Contracted Service Units:  
 Number of families who receive referrals to services: 5,000 providers  
 Number of Parenting workshops: 75  
 Number of children receiving screening/ screenings conducted/ vision screenings and hearing screenings: 60 units each  
 Number of families served under Health Insurance Enrollment: 900
4. The grantee is responsible for all updated Standards of Practice located in the First Things First Partner and Grant Management System (PGMS) under Grantee Resources/Standards of Practice.
5. The current approved budget will be applied to the 2017 grant award and implementation of the grant will continue as originally proposed for the previous fiscal year.
6. All other terms and conditions remain unchanged and are according to the original award documents, clarification documents and renewal submission documents.

Grantee hereby acknowledges receipt and understanding of the amendment:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

The above referenced amendment is hereby executed effective July 1, 2016 once signed and dated below:

\_\_\_\_\_  
Josh Allen  
CFO/COO

\_\_\_\_\_  
Date



## CITY COUNCIL AGENDA

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**SUBJECT:**

Resolution 3329-816 - Intergovernmental Agreement with the Department of Revenue - Transaction Privilege Tax

**MEETING DATE:**

8/1/2016

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**TO:** Mayor and Council**FROM:** Abbe Yacoben, Finance and Budget Director (623) 333-2011**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff requests that Council adopt a resolution approving a modification to the Intergovernmental Agreement with the Arizona Department of Revenue to transition to the State for collection of transaction privilege tax.

**BACKGROUND:**

Local Transaction Privilege Tax (TPT) administration is governed by A.R.S. § 42-6001. This statute was modified for the purpose of tax simplification with the passage of House Bill 2111 in 2013 and House Bill 2389 in 2014. This statute now requires the Arizona Department of Revenue (DOR) to administer the transaction privilege and use taxes imposed by all cities and towns and to enter into a new inter-governmental agreement (IGA) with each city and town to reflect these changes and clearly define the working relationship between DOR and Arizona cities and towns.

The City Council adopted Resolution 3259-615 on June 15th, 2015 that set forth the Intergovernmental Agreement between the City and Department of Revenue for the collection of transaction privilege taxes.

**DISCUSSION:**

During the past year, the Department of Revenue, Cities, and League of Cities and Towns have recognized certain inefficiencies in the collections process. This modification clarifies these inefficiencies. They are as follows:

**1) 9.6 Adjustments to Reported Taxes**

The addition of this new section addresses an issue that came up during the past year. In some cases, the Department knew there was an error by the taxpayer in identifying which city or town was supposed to receive the tax, but there was no mechanism allowing them to hold the distribution while the error was being corrected. As a result there were instances when the DOR had to send funds to a city or town knowing it was incorrect, only to pull those funds back in a subsequent distribution after the error had been resolved. This change allows the Department to avoid these incorrect distributions and recoveries when they are aware of a problem from the outset.

## **2) 9.7 Taxpayer Rulings and Uniformity**

The addition of this new section provides for municipal input in the drafting of rulings and interpretations that impact the Model City Tax Code (MCTC), including interpretations of State statute that flow through to the MCTC because the Model language matches the State language. Under current statute, the DOR is responsible for addressing all taxpayer written requests for rulings, even when the question is based on the Model City Tax Code. This section allows the cities to have some influence over issues raised by taxpayers that have a direct impact on local tax imposition and interpretation, without disrupting the normal course of business within the Department on routine matters.

## **3) 10. Financing Collection of Taxes**

This section is being amended by adding the second sentence. This addition recognizes that the cities and towns have agreed to a statutory financial obligation to contribute to the State for the operation of the DOR, and this obligation is not in conflict with the Department's TPT collection and administration efforts being financed through the State general fund appropriation.

## **4) 28.1 (relating to automatic annual renewal of the agreement)**

This section has been changed to remove the specific years in the original document, so this section will not need to be changed annually. Also, this section added a provision stating any agreed upon changes that arise from the annual review in Section 28.5 are retroactive to July 1st of each year. The agreement automatically renews without any action unless there are modifications agreed upon in any given year, and if so, you only need to adopt the modifications.

## **5) 28.5 (relating to annual review of the IGA)**

This section has been changed to state the review period begins on June 1st, rather than requiring the review being completed by March 1st. The March 1st deadline was simply unrealistic given the legislative session responsibilities of many of the typical reviewers.

### **BUDGET IMPACT:**

There is no budgetary impact to this modification other than that discussed during budget meetings. The City will pay the State to collect on its behalf. The FY 2017 budget totals \$165,000.

### **RECOMMENDATION:**

Staff recommends that Council adopt a resolution approving a modification to the Intergovernmental Agreement with the Arizona Department of Revenue to transition to State for collection of transaction privilege tax.

### **ATTACHMENTS:**

#### **Description**

[Resolution 3329-816](#)

[City IGA Modification-Summary of Changes](#)

**RESOLUTION NO. 3329-816**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING A MODIFICATION TO AN INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF REVENUE RELATING TO THE ADMINISTRATION OF TRANSACTION PRIVILEGE TAX.

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

SECTION 1. The Modification to the Intergovernmental Agreement with the Arizona Department of Revenue relating to a uniform method of administration, collection, audit and licensing of transaction privilege and affiliated excise taxes (the “Modification”) 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 cause the execution of the Modification and to take all steps necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Council of the City of Avondale, Arizona, August 1, 2016.

\_\_\_\_\_  
Kenneth N. Weise, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Andrew J. McGuire, City Attorney

EXHIBIT A  
TO  
RESOLUTION NO. 3329-816

(Modification)

See following pages.

**MODIFICATION TO INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA AND THE CITY OF AVONDALE**

WHEREAS, The Arizona Department of Revenue, hereinafter referred to as Department of Revenue and City of Avondale hereinafter referred to as City, have entered into an Intergovernmental Agreement regarding the administration of taxes imposed by the State or City dated June 15<sup>th</sup>, 2015 hereinafter referred to as the IGA, and

WHEREAS, the Department of Revenue and the City intend to continue with the IGA for an additional one year term in order to determine whether the general terms of the IGA meet the parties' needs, with the exception of the modifications set forth below.

The parties agree to modify the IGA as follows effective July 1, 2016:

1. Add the following new subsection to Section 9, Collection of Municipal Taxes:

**9.6 Adjustments to Reported Taxes:** If the Department of Revenue determines that a payment remitted by a taxpayer incorrectly identifies the city or town to which the payment should be made, the Department of Revenue may temporarily hold the payment until the distribution of the payment is corrected so that the appropriate city or town receives the payment.

2. Add the following new subsection to Section 9, Collection of Municipal Taxes:

**9.7 Taxpayer Rulings and Uniformity:** Recognizing taxpayer written requests for interpretation of the statutes and/or the Model City Tax Code, as well as guidance regarding uniform application and interpretation of the statutes and the Model City Tax Code impact all taxing jurisdictions, and further recognizing responsibility for such rulings and interpretation of the Model City Tax Code had previously been the sole domain of the municipalities, the Department shall include at least two representatives of the municipalities as regular members of any group established to respond to such taxpayer ruling requests and to issue such uniform interpretations and guidance promulgated by the Department. Participation by the two representatives of the municipalities on any such group is limited to instances when there is an issue raised that solely involves the Model City Tax Code and/or presents an issue of first impression, including requests for private taxpayer rulings. The municipal representatives may also be consulted by the Department on information letters, or when issuing statements of general guidance. Written requests involving common questions or issues that have previously been addressed, whether unique to the Model City Tax Code or not, may be handled in the regular course of Department processes without consulting the representatives of the municipalities.

3. Amend Section 10, Financing Collection of Taxes as follows:

**10. Financing Collection of Taxes.**

The costs incurred by the Department in administering this Agreement shall be financed through the State general fund appropriation to the Department. This provision does not relieve City of any financial obligation imposed by statute.

4. Amend subsection 28.1 of Section 28, Duration, relating to automatic renewal of the agreement as follows:

**28.1** The term of this Agreement shall be from July 1 through June 30 of each year. This Agreement shall automatically be renewed for successive one year terms thereafter unless either party shall terminate this Agreement by notice, in writing, no later than sixty calendar days prior to the expiration of the term then in effect. Any agreed upon modifications to the terms and conditions of this agreement shall be incorporated to be effective during the term identified by the review committee provided for in section 28.5.

5. Amend subsection 28.5 of Section 28, Duration, relating to annual review of the agreement as follows:

**28.5** During the term of this Agreement, the terms and conditions of this Agreement will undergo an annual review to be initiated no later than June 1<sup>st</sup> of each year. The review will be performed by a committee made up of equal parts representatives of the Department and representatives of the municipal taxing jurisdictions entering into an IGA with the Department for the administration and collection of Municipal Taxes.

**Signature Authority.**

By signing below, the signer certifies that he or she has the authority to enter into this Agreement and has read the foregoing and agrees to accept the provisions herein. This modification may be executed in counterparts.

Signature	Date	Signature	Date
Typed Name and Title		Typed Name and Title	
Entity Name		Entity Name	

<b>RESERVED FOR THE ATTORNEY GENERAL:</b>	<b>RESERVED FOR CITYATTORNEY:</b>
<p>Attorney General no. _____, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Arizona Department of Revenue represented by the Attorney General.</p> <p style="text-align: center;"><b>MARK BRNOVICH</b> The Attorney General</p> <hr/> <p style="text-align: center;">Signature Assistant Attorney General</p> <p>Date: _____</p>	<p>APPROVED AS TO FORM AND AUTHORITY:</p> <p>BY: _____ CITY ATTORNEY</p> <p>Date: _____</p>

## **SUMMARY OF CHANGES TO THE IGA FOR TRANSACTION PRIVILEGE TAX COLLECTION BY THE ARIZONA DEPARTMENT OF REVENUE**

The attached “Modification to Intergovernmental Agreement Between the State of Arizona And the City of Avondale” incorporates five agreed upon changes into the existing intergovernmental agreement between the City and the Department related to the collection of the City’s transaction privilege tax. Below is a summary of the intent and impact of each change by section.

### **1) 9.6 Adjustments to Reported Taxes**

The addition of this new section addresses an issue that came up during the past year. In some cases, the Department knew there was an error by the taxpayer in identifying which city or town was supposed to receive the tax, but there was no mechanism allowing them to hold the distribution while the error was being corrected. As a result there were instances when the DOR had to send funds to a city or town knowing it was incorrect, only to pull those funds back in a subsequent distribution after the error had been resolved. This change allows the Department to avoid these incorrect distributions and recoveries when they are aware of a problem from the outset.

### **2) 9.7 Taxpayer Rulings and Uniformity**

The addition of this new section provides for municipal input in the drafting of rulings and interpretations that impact the Model City Tax Code, including interpretations of State statute that flow through to the MCTC because the Model language matches the State language. Under current statute, the DOR is responsible for addressing all taxpayer written requests for rulings, even when the question is based on the Model City Tax Code. This section allows the cities to have some influence over issues raised by taxpayers that have a direct impact on local tax imposition and interpretation, without disrupting the normal course of business within the Department on routine matters.

### **3) 10. Financing Collection of Taxes**

This section is being amended by adding the second sentence. This addition recognizes that the cities and towns have agreed to a statutory financial obligation to contribute to the State for the operation of the DOR, and this obligation is not in conflict with the Department’s TPT collection and administration efforts being financed through the State general fund appropriation.

### **4) 28.1 (relating to automatic annual renewal of the agreement)**

This section has been changed to remove the specific years in the original document, so this section will not need to be changed annually. Also, this section added a provision stating any agreed upon changes that arise from the annual review in Section 28.5 are retroactive to July 1st of each year. The agreement automatically renews without any action unless there are modifications agreed upon in any given year, and if so, you only need to adopt the modifications.

### **5) 28.5 (relating to annual review of the IGA)**

This section has been changed to state the review period begins on June 1<sup>st</sup>, rather than requiring the review being completed by March 1<sup>st</sup>. The March 1<sup>st</sup> deadline was simply unrealistic given the legislative session responsibilities of many of the typical reviewers.



## CITY COUNCIL AGENDA

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**SUBJECT:**

Cooperative Purchasing Agreement Insight  
Public Sector, Inc.

**MEETING DATE:**

8/1/2016

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**TO:** Mayor and Council

**FROM:** Mark Neerings, Acting CIO/IT Director (623) 333- 5020

**THROUGH:** David Fitzhugh, City Manager

**PURPOSE:**

Staff requests that the City Council approve a Cooperative Purchasing Agreement with Insight Public Sector, Inc. in aggregate amount not to exceed \$4,875,000 over five (5) years for technology products, services, and solutions and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**BACKGROUND:**

On July 2, 2012, the City entered into two contracts with Insight Public Sector. Contract # 13529c utilizing US Communities contract # RQ09-997736-42B/4400001195 for the purchase of telecommunications, servers, uninterruptible power supply, and electrical equipment and services. And contract # 13530c utilizing Arizona State contract # ADSP012-024652 for the purchase of network equipment and services. Both had the option to renew up to three successive one-year terms and both expired on July 1, 2016.

Fairfax County, Virginia as the Lead Public Agency for the US Communities Government Purchasing Alliance went out for a new RFP and Insight Public Sector, Inc. was awarded contract # 4400006644 on May 1, 2016 for technology products, services, and solutions. The awarded contract provides local governments the ability to purchase equipment and services from the vendor at negotiated rates based on the competitive government procurement process that was completed.

The US Communities contract with Insight Public Sector, Inc. covers any technology related hardware, software, and/or services in a single contract vehicle. This is a competitively bid contract that will price match any contract in effect within the State where Insight is a named partner thus negating the need for a second contract utilizing the State of Arizona contract as in the past.

**DISCUSSION:**

The Information Technology Department (IT) coordinates and authorizes purchases for the City's network infrastructure equipment and services. The majority of these purchases are made based on IT's Infrastructure Systems Plan which is incorporated into the technology replacement fund of the City's Annual Budget and Financial Plan. Additional projects arise over the course of the fiscal year that require equipment and services not included in long-range plans.

Consolidating purchases of technology products and services under cooperative purchasing contracts allows the City of Avondale to minimize administrative work, access advantageous pricing tied to large-volume procurement, emphasize planning of technology needs for inclusion in

development of the City's Annual Budget and Financial Plan, and accelerates projects required by departments.

The proposed Purchase Agreement will have the option to renew up to four successive one-year terms and allowing up to \$975,000 in annual expenditures with a maximum aggregate amount not to exceed \$4,875,000. The Purchase Agreement will only be extended if deemed in the best interests of the City, is subject to availability and appropriation of funds each year by City Council, and is dependent on U.S. Communities maintaining its Contract with Insight Public Sector. Further, the City does not guarantee any amount of expenditure. The agreement provides only an up-to amount that City may expend at its discretion based on approval by City Council via the City budget or other action.

**BUDGET IMPACT:**

The proposed Agreement will allow up to \$975,000 in annual expenditures across all City departments. The total aggregate of the contract is not to exceed \$4,875,000 if all renewals are authorized, for a total potential duration until April 30, 2021. Expenditures depend on sufficient allocations in the budgets of departments requesting equipment and services.

**RECOMMENDATION:**

Staff recommends that City Council approve the Cooperative Purchasing Agreement with Insight Public Sector, Inc. for technology products, services, and solutions in a total aggregate amount not to exceed \$4,875,000 and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**ATTACHMENTS:**

**Description**

[CPA - Insight Public Sector, Inc.](#)

COOPERATIVE PURCHASING AGREEMENT  
INSIGHT PUBLIC SECTOR, 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/38752>



## CITY COUNCIL AGENDA

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**SUBJECT:**

2017 League of Arizona Cities and Towns  
Resolutions

**MEETING DATE:**

8/1/2016

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**TO:** Mayor and Council**FROM:** Jessica Blazina, Assistant Director/Intergovernmental Affairs (623) 333-1612**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

This is a request for the City Council to review, discuss, and provide direction on the proposed resolutions which will be voted on at the August 23, 2016 League of Arizona Cities and Towns (LACT) Resolutions Committee meeting.

**BACKGROUND:**

Annually, the League of Arizona Cities and Towns solicits resolutions from municipalities to be considered by the League Resolutions Committee. Each of the 91 cities and towns will be represented at the Committee meeting, and each will have an opportunity to state their position and vote as appropriate on each resolution. The Mayor of each city represents their municipality on the Committee.

This year, Policy Committees met to review and provide recommendations to the Resolutions Committee. Policy Committees included: Budget, Finance and Economic Development; General Administration, Human Resources, and Elections; Neighborhoods, Sustainability and Quality of Life; Public Safety, Military Affairs, and the Courts; and Transportation, Infrastructure and Public Works. Policy Committees reviewed, discussed, and forwarded recommended resolutions to the full Resolutions Committee.

The final adopted resolutions will become part of the LACT's Municipal Policy Statement, and incorporated into the League's 2017 Legislative Agenda.

**DISCUSSION:**

Policy Committees met throughout the year to review the proposed resolutions and make recommendations to the full Resolutions Committee. The Committees categorized the resolutions into the following areas: recommend adoption, recommend adoption with amendments, not recommended, and significant municipal issue. The significant municipal issue category is intended to recognize issues that are important to cities but not appropriate for the League as a whole to seek legislation.

The full Resolutions Committee, composed of representatives from each of Arizona's 91 cities and towns, is scheduled to meet on August 23rd at the League's Annual Conference to consider the recommendations made by the Committees.

The table below is a summary of the proposed resolutions and is organized by the Policy Committees recommended actions. The chart also contains Avondale Staff recommended positions. The 2017 Proposed Resolutions packet includes the full text of each resolution.

Number	Resolution	Avondale Staff
BFED 1	Seek legislation to create the Economic Development Reimbursement Authority (EDRA) system for infrastructure and improvements.	Neutral
BFED 2	Create renewable energy and conservation financing districts for commercial properties.	Neutral
BFED 3	Amend statute to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality.	Support
BFED 4	Create workable, mutually beneficial construction sales tax reform.	Support
GAHRE 1	Simplify the re-zoning language for cities and towns to reflect the more direct county language.	Support
GAHRE 2	Seek legislation to remove any limitation or penalty in accessing PSPRS retirement benefits as the member is transitioning into a job reassignment as an accommodation under the Americans with Disabilities Act (ADA).	Support
GAHRE 3	Design legislation to improve the county island annexation process without undue burden to any one party.	Support
GAHRE 4	Revise and update the disincorporation statutes.	Neutral
GAHRE 5	Explore options that create funding solutions and/or financing authority to deal with PSPRS unfunded pension liabilities.	Support
NSQL 1	Develop strategies to enhance forest health.	Neutral
NSQL 2	Restore the Arizona Housing Trust Fund.	Support
PSMAC 1	Support the presence of military installations.	Support

Budget, Finance and Economic Development – BFED

General Administration, Human Resources and Elections – GAHRE

Neighborhoods, Sustainability and Quality of Life – NSQL

Public Safety, Military Affairs and the Courts – PSMAC

Transportation, Infrastructure and Public Works – TIPW\*

\* No items were submitted to this committee.

These are the only items that will be voted on. The other submissions that did not move forward as resolutions will be explained at the Resolutions Committee.

Staff requests the Council discuss these items and provide guidance to the Mayor as Avondale's Representative on the League's Resolution Committee.

**BUDGET IMPACT:**

There are no anticipated budgetary impacts.

**RECOMMENDATION:**

For information, discussion, and direction.

**ATTACHMENTS:**

Description

[Resolutions Packet 2016 Annual Conference](#)

July 8, 2016

Dear Mayor:

It is my privilege to appoint you to the 2016 Resolutions Committee of the League of Arizona Cities and Towns. Jonathan Rothschild, Mayor of Tucson and a member of the League's Executive Committee, has agreed to serve as Chairman.

The Committee is responsible for recommending items for inclusion in the League's legislative program based upon a review of the Resolutions submitted by Arizona's cities and towns. The adopted Resolutions are outlined in the annual Municipal Policy Statement which serves as the principal guide for the League's legislative program for the upcoming session.

The Chairs of the five League Policy Committees will present the Resolutions discussed in their respective committees to the Resolutions Committee at the Annual Conference.

Included in this packet you will find the:

- Resolutions Committee Calendar
- Resolutions Committee Procedures
- Policy Committee Reports and Resolutions

The Resolutions Committee will meet on Tuesday, August 23, 2016 at 1:30 p.m. as the first item of business at the League Annual Conference at the Fairmont Princess Resort in Scottsdale. Lunch will be provided before the meeting. The actions of the full Resolutions Committee will be formally adopted at the League's Annual Business Meeting on **Thursday August 25, 2016** at 4:00 p.m.

**Please officially accept your appointment or designate a council representative to serve your city/town on the 2016 Resolutions Committee, by clicking here [www.leagueaz.org/resolutions](http://www.leagueaz.org/resolutions).**

We look forward to having all 91 cities and towns participate on the Resolutions Committee. If you have any questions or comments regarding the Resolutions Committee, your appointment or the resolution submittal process, please do not hesitate to contact the League office.

Sincerely,



Mayor Mark Mitchell, Tempe

League President

Enclosures

cc (via email): Managers, Clerks without Managers, Intergovs, Intergovs 2

## **2016 Resolutions Committee Calendar**

- April:** Mayor Rothschild appointed as 2016 Resolutions Chairman.
- April-June** Policy Committees meet.
- July 8:** League to send out resolutions packets to membership.
- August 23:** Resolutions Committee meeting at the Annual Conference in Tucson.
- August 25:** Resolutions ratified at the Annual Business Meeting.

**LEAGUE OF ARIZONA CITIES AND TOWNS RESOLUTIONS COMMITTEE  
PROCEDURES**

1. Resolutions Committee Appointment

The President shall appoint the Chairman and members of the Resolutions Committee. Only one elected official from each city or town shall be appointed to the Committee.

2. Duties

The Resolutions Committee shall adopt statements of policy amending the annual Municipal Policy Statement, special resolutions and such other resolutions of courtesy, commendation or appreciation as the Committee deems appropriate.

3. Submission of Resolutions

A. All resolutions, including resolutions of courtesy, commendation or appreciation, may be considered by the Committee provided such resolutions are submitted to the Chairman of the Committee or to the League office for consideration by the Policy Committees. The resolutions process allows cities and towns to submit policy ideas to the League at any time during the year without the requirement of a co-sponsoring city or town. If approved by a policy committee, League staff will draft the resolution for presentation to the full Resolutions Committee. Sponsoring cities and towns, or other interested stakeholders may be consulted to provide more information on the idea and also may be invited to speak to the issue at one of the policy committee meetings. Submissions received after June 1 may not be processed in time for the Annual Conference.

B. Except in the case of emergency as determined by the chair of the committee, no resolutions submitted after the deadline specified in subsection A of this section or that have not been vetted by the Policy Committees may be considered.

4. Resolutions Committee Process

A. The President shall assign submissions to the relevant Policy Committee. The Policy Committees will review submissions and develop pertinent resolutions for consideration by the Resolutions Committee. Only resolutions advanced by the Policy Committees shall be discussed at the Annual Conference Resolutions Committee.

B. Resolutions shall be amended according to the process established by the Chairman of the Committee.

C. The completed resolutions will go to the full Resolutions Committee at the Annual

Conference for consideration. The chairs of each policy committee will be responsible for presenting the resolutions and their committee activities to the full Resolutions Committee. Notice shall be given to each member at least four weeks in advance of the meeting.

5. Final Report

After the Resolutions Committee meeting, the Chairman of the Committee or a designee shall report to the entire league membership at the Annual Business Meeting those resolutions adopted by the Committee. Resolutions adopted by the Committee shall be formally adopted by the membership at the Annual Business Meeting and become the basis for the annual Municipal Policy Statement.

The following policy committee reports and resolutions are arranged in alphabetical order. The recommended resolutions are categorized by their respective committee initials and numbered according to the order in which they were approved.

Budget, Finance and Economic Development – BFED

General Administration, Human Resources and Elections – GAHRE

Neighborhoods, Sustainability and Quality of Life – NSQL

Public Safety, Military Affairs and the Courts – PSMAC

Transportation, Infrastructure and Public Works – TIPW

## Chair's Report of the Budget, Finance and Economic Development Policy Committee

Mayor Kenny Evans, Chair

Resolutions Committee Meeting, League Annual Conference  
Tuesday, August 23, 2016

On June 27, 2016, the Budget, Finance and Economic Development Policy Committee (BFED) convened to discuss nine policy issues submitted by cities and towns, as well as by League staff, for consideration by the committee. Below is a summary of each of the policy issues considered by BFED:

1. Seek legislation to allow cities and towns to invest in infrastructure and other improvements in a designated area and pay for the investments via the increased tax revenue generated by the new development. – **Surprise**
2. Develop a coalition to assist with the passage of legislation that will allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis. – **Flagstaff**
3. Protect existing funding to cities and towns which support the quality of life for its residents. – **Flagstaff**
4. Protect local authority to bring revenue to cities and towns. – **Flagstaff**
5. Increase shared revenue to small towns in Arizona. – **Mammoth**
6. Provide an option to cities and towns to allow voters to replace and increase their existing primary property tax with a new tax levy to be used to fund operation and maintenance of police, fire and medical emergency services. – **Prescott**
7. Explore methods to finance the operation and maintenance of retention and detention basins including amending A.R.S. § 48-574 to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality. – **Yuma**
8. Explore options for accelerating the payoff of PSPRS debt. – **Globe**
9. Develop legislation for introduction next session that addresses the perceived problems with our construction sales tax system in order to create a long-term, sustainable policy that maintains state and municipal revenues, ensures revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance. – **League**

Below is a summary of the committee discussion and the recommendations:

The City of Surprise submitted **Policy Issue 1**. They are seeking a new economic development tool that would be available to cities and towns to help fund infrastructure. The proposed concept is designed to be a financing mechanism that reimburses eligible projects costs using the incremental gains in property tax attributed to project activity.

The Committee voted to move this issue forward as a resolution. (Now: BFED Resolution 1 on the Resolutions Summary Chart.)

The City of Flagstaff presented **Policy Issue 2**. Stephanie Smith, Assistant to the City Manager, explained the issue. This proposal is requesting that the League assist in developing a coalition to work on passage of legislation that would allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis.

This legislation has been attempted in the past and has been unsuccessful because of the legislature's reluctance to create additional special districts. However, this year, other groups have shown an interest in this concept. This year's focus would be on developing a coalition with these other interest groups in an effort to pass legislation authorizing these districts.

The BFED Committee voted to move this issue forward as a resolution. (Now: BFED Resolution 2 on the Resolutions Summary Chart.)

The City of Flagstaff also proposed **Policy Issues 3 and 4**. Stephanie Smith explained that her Council had concerns about the Legislature's attempts to reduce funding to cities and towns and to limit municipal authority regarding revenue sources and that they wanted to reiterate their support for local control over these issues.

The Committee discussed these policy submittals. However, since the protection of shared revenues and the preservation of local control are part of the League's core principles, the members decided it was not necessary to move these forward as individual resolutions.

Mayor Don Jones, on behalf of the Town of Mammoth, presented **Policy Issue 5**. This proposal would increase the amount of shared revenue that is allocated to small cities. Mayor Jones shared his concerns that the small and historic communities in Arizona could not continue to exist without additional revenue sources.

Members of the Committee discussed this issue and shared their concerns about opening up the revenue sharing formula. It was decided that this proposal would not be advanced as a resolution but that the League staff would put together a group to look at other options for increasing revenues or decreasing costs for these communities. The League will convene a group to further study this issue.

The City of Prescott submitted **Policy Issue 6** regarding a dedicated public safety property tax. Alison Zelms, Deputy City Manager, explained that they are looking for options for how to pay down their pension obligation debt faster.

League staff noted that the General Administration, Human Resources and Election Policy Committee (GAHRE) had also discussed a proposal about the cost of public safety pensions. After discussion by the Committee, it was decided that all of these policy issue submittals would be combined into one resolution that provides the League staff with the flexibility to look at a number of options for addressing this concern. The Committee voted to move this forward as a resolution. (Now: GAHRE Resolution #5 on the GAHRE Resolutions Summary Chart.)

Dan White, Assistant City Attorney, City of Yuma, presented **Policy Issue 7**. He explained that cities are not currently allowed to pay for the maintenance and operation of retention and detention basins out of the proceeds of improvement districts. However, the maintenance and operation of other similar amenities such as pedestrian malls, off-street parking facilities and parkways can be paid for through improvement district assessments. This proposal seeks to have retention and detention basins added to the list of eligible expenses.

The Committee voted to move this forward as a resolution. (Now: BFED Resolution 3 on the Resolutions Summary Chart.)

The City of Globe submitted **Policy Issue 8**. Paul Jepson, City Manager, explained that they were seeking authority to issue pension obligation bonds as a mechanism to save on the costs of retiring their pension obligation debt.

League staff again noted that the General Administration, Human Resources and Election Policy Committee (GAHRE) had also discussed a proposal regarding the cost of public safety pensions. The Committee decided that this issue would also be combined with the other policy issue submittals on this subject. The Committee voted to move this forward as a resolution. (Now: GAHRE Resolution #5 on the Resolutions Summary Chart.)

League staff submitted **Policy Issue 9**. This proposal seeks to develop legislation addressing changes to construction sales tax. Staff explained that there is momentum building at the Legislature to move from our current construction sales tax system to a tax on materials only at the point of purchase. This would result in a significant reduction in the revenues the state and municipalities collect from this activity.

The League has put together a task force to review this issue and to develop the information necessary to make informed decisions about the impact of any changes to construction sales tax. This information will help us be proactive in guiding the development of legislation rather than simply reacting to what is introduced. The Committee voted to move this issue forward as a resolution. (Now: BFED Resolution 4 on the Resolutions Summary Chart.)

The table below summarizes the BFED Committee’s actions:

<b>Policy Issue</b>	<b>Disposition by Committee</b>
1	Resolution BFED 1
2	Resolution BFED 2
3	League Core Principle

4	League Core Principle
5	League Study Committee
6	Resolution GAHRE 5
7	Resolution BFED 3
8	Resolution GAHRE 5
9	Resolution BFED 4

Kenny Evans  
Mayor of Payson  
Chair, Budget, Finance and Economic Development Policy Committee

**BFED#1**

## **League of Arizona Cities & Towns Resolution**

*Text of Resolution: Seek legislation to allow cities and towns to invest in infrastructure and other improvements in a designated area, and pay for the investments via the increased property tax revenue generated by the new development.*

### **A. Purpose and Effect of Resolution**

Economic Development Reimbursement Authority (EDRA) is a mechanism that allows cities and towns to stimulate new development that may not otherwise take place by reimbursing developers for eligible costs within the authority's boundaries. The reimbursements are funded with the incremental difference between property tax collections before the project and after the project. This new tool can attract business and jobs to a community and can also be used to assist in business expansion for existing enterprise. It is also a carefully crafted tool to ensure taxpayers and taxing jurisdictions are protected from private risk. Reimbursement is only authorized if certain conditions are met and an oversight committee made up of city, county, and school district representatives approves the costs.

### **B. Relevance to Municipal Policy**

Promoting economic development and job creation is important to every city in the state of Arizona. Economic Development Reimbursement Authority would give municipalities another option for supporting these projects. For those proposals or projects that are pending financing, this legislation could serve as a catalyst for economic development. For municipalities that choose not to use this tool, this legislation would have no impact.

### **C. Fiscal Impact to Cities and Towns**

The legislation calls for EDRA's to capture NEW property tax revenue that is generated as a result of a project being built and to use only that revenue for reimbursement of approved development related needs. Once the EDRA expires all of the property tax revenue will be distributed as usual. An EDRA cannot be formed without the agreement and support of the county and school districts. Municipal taxpayers located outside the district would also be held harmless.

### **D. Fiscal Impact to the State**

No state funds would be involved in the funding of an EDRA because the legislation pertains only to property tax. However, the state would receive increased income tax collections from the new employees that work within the district in addition to increased corporate income tax receipts from the companies that move into the district.

### **E. Contact Information:**

**Sponsoring City or Town:** City of Surprise

**Name:** Nicole Lance, Deputy City Manager

**Phone:** (623) 222-1030 Email: [nicole.lance@surpriseaz.gov](mailto:nicole.lance@surpriseaz.gov)

**League Staff:** Patrice Kraus

**BFED#2**

## **League of Arizona Cities & Towns Resolution**

*Text of Resolution: Develop a coalition to assist with the passage of legislation that will allow for the creation of renewable energy and conservation financing districts for commercial property on a voluntary basis.*

### **A. Purpose and Effect of Resolution**

A renewable energy and conservation financing district authorizes local governments to facilitate the financing for related improvements for commercial property owners. Participation in the program should be voluntary, so property owners can opt-in to use the mechanism to finance their own energy efficiency improvements, renewable energy installation, and water conservation improvements. Such programs can deliver benefits beyond energy independence, including new economic development opportunities, increase property value, provide protection from increasing energy costs, and enhance community awareness.

Numerous communities across the nation already have energy efficiency, water conservation, and renewable energy financing programs. At least 30 states have passed enabling legislation allowing local government to establish similar financing districts. They also define energy efficiency, water conservation, and renewable energy as a public benefit, and grant local government the authority to issue bonds.

### **B. Relevance to Municipal Policy**

State law (A.R.S. 9-461.05) requires local governments over a certain size to adopt energy efficiency elements in their general plan. This resolution supports municipalities that choose to promote energy efficiency, renewable energy and water conservation practices within their communities. Many Arizona communities are working to improve the efficiency of existing building stock in the residential and commercial sectors to promote sustainability and help protect community members from rising energy costs.

### **C. Fiscal Impact to Cities and Towns**

With enabling legislation, local governments could voluntarily elect to establish an energy-efficiency, renewable energy and water conservation financing program and participation in the program would be completely voluntary for interested property owners. There would be no fiscal impact on the city or town.

### **D. Fiscal Impact to the State**

There are no fiscal impacts to the State. Energy district authority would allow for opt-in energy efficiency and renewable energy financing programs at the fiscal responsibility of the property owner.

### **E. Contact Information:**

**Sponsoring City or Town:** City of Flagstaff

**Name:** Stephanie Smith, Assistant to the City Manager

**Phone:** (928) 213-2078 Email: [ssmith@flagstaffaz.gov](mailto:ssmith@flagstaffaz.gov)

**League Staff:** Patrice Kraus

**BFED#3**

## **League of Arizona Cities & Towns Resolution**

*Text of Resolution: Amend A.R.S. § 48-574 to authorize retention and detention basin improvement districts to levy and expend money to operate, maintain, repair and improve retention and detention basins within a municipality.*

### **A. Purpose and Effect of Resolution**

Maintenance and operation of retention and detention basins has become an increasingly difficult and expensive proposition for cities and towns. This resolution would allow League staff to move forward with legislation that would help secure a funding mechanism in state law for such basins.

A.R.S. § 48-574 currently authorizes improvement districts for the operation, maintenance, repair and improvement of pedestrian malls, off-street parking facilities and parkways. The proposed statutory change makes retention and detention basins eligible for operation and maintenance cost payment through an improvement district.

Under current state law, improvement districts are not specifically authorized to maintain retention and detention basins. As a result, off-site retention, which benefits only a small, localized area, is often subsidized by landowners outside of the area receiving the benefit (and who may already bear the burden of on-site retention on their parcel). Alternatively, under current law, a municipality could require the formation of a homeowner's or neighborhood association to maintain basins. Permitting a developer the flexibility to form an improvement district would allocate such costs directly to and in proportion to the benefit without the requirement of a homeowner's or neighborhood association.

The proposed legislation would allow operation, maintenance, improvement and repair costs for retention and detention basins to be included in the tax levy as part of a property owner's tax bill in accordance with assessed value or assessment of each lot within the improvement district in proportion to the benefit to each lot. The district would not have the authority to issue improvement bonds or to engage in any activity other than operation, maintenance, repair and improvement of the retention and/or detention basin.

### **B. Relevance to Municipal Policy**

Improvement districts are prevalent across the state. A uniform process that allows cities and towns to more fairly distribute the perpetual maintenance costs of retention and detention basins will provide long-term cumulative savings to municipalities, provide developers with an alternative to homeowner's or neighborhood associations, and facilitate ease of payment for homeowners.

### **C. Fiscal Impact to Cities and Towns**

Cities and towns that approve retention and detention basin improvement districts would realize savings that could be spent for other improvements or services. A copy of the proposed amendment to the statute is attached.

**D. Fiscal Impact to the State**

There is no fiscal impact to the state.

**E. Contact Information:**

**Sponsoring City or Town:** City of Yuma

**Name:** Steve Moore: City Attorney

**Phone:** 928 373-5057 **Email:** [steve.moore@yumaaz.gov](mailto:steve.moore@yumaaz.gov)

**League Staff:** Patrice Kraus

**Proposed Statutory Amendment**

**A.R.S. § 48-574 Improvement districts for operation, maintenance, repair and improvement of pedestrian malls, off-street parking facilities, retention and detention basins, parkings and parkways**

A. In addition to the purposes for which an improvement district may be formed under the provisions of § 48-572, an improvement district may be formed for the sole purpose of the operation, maintenance, repair and improvements of pedestrian malls, off-street parking facilities, retention and detention basins, parkings and parkways.

**League of Arizona Cities & Towns Resolution**

*Text of Resolution: Develop legislation for introduction next session that addresses the perceived problems with our construction sales tax system in order to create a long-term, sustainable policy that maintains state and municipal revenues, ensures revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance.*

**A. Purpose and Effect of Resolution**

In 2013 legislation was enacted that required state collection and administration of all transaction privilege taxes. As part of the negotiations on that bill, there was effort to move to taxing only materials at the point of sale rather collecting tax under our existing construction sales tax process. Although the effort was unsuccessful, subsequent changes were made to how repair services were taxed. These changes have created a great deal of confusion for some members of the construction industry and have led to a general lack of compliance in the remittance of taxes related to construction activity.

Based on the direction of the League’s Executive Committee, a task force has been appointed to look at this issue and to develop the information necessary to make informed decisions about any changes to our construction sales tax process. The work of this task force would provide the basis of any reform efforts.

**B. Relevance to Municipal Policy**

Both municipalities and the state would lose significant revenues if we moved to a “materials only/point of sale” method of taxing construction activity. Since there is most likely going to be pressure from legislators and the industry to introduce legislation on this issue next session, it is in our best interest to develop the information that will be needed to help guide any policy changes.

**C. Fiscal Impact to Cities and Towns**

The current tax system is imposed on 65% of the contract value or the selling price of new construction at the city level. A shift to taxing materials only will reduce that percentage to an estimated 30%-40%, resulting in a general reduction in revenues. Some of this reduction may be offset by the higher State Revenue Sharing rate assigned to the Retail class. However, the amount offset will depend on whether these materials are purchased from vendors within the state versus out-of-state vendors. Out-of-state purchases are subject to Use Tax, but that is not currently part of the shared revenue pool. Additionally, since materials used in construction are currently exempt from taxation, some of the lost revenues to cities and towns may be offset by eliminating the misuse of this exemption. Another complicating factor is the redistribution of direct city tax revenues since the purchase of these materials will likely occur in the urban centers. A model compiled by the cities in 2013 estimated the net impact to city revenues at an overall reduction of roughly \$80 million.

**D. Fiscal Impact to the State**

State revenues would also be reduced by taxing materials only. Analysis done by the Joint

Legislative Budget Committee in 2013 estimated the loss to the State General Fund due to changes in the Contracting classification to be between \$65 and \$150 million.

**E. Contact Information:**

**Sponsoring City or Town:** League of Arizona Cities and Towns

**League Staff:** Patrice Kraus

**Phone:** 602-258-5786 **Email:** [pkraus@azleague.org](mailto:pkraus@azleague.org)

## **Chair's Report of the General Administration, Human Resources and Elections Policy Committee**

Resolutions Committee Meeting, League Annual Conference  
Tuesday, August 23, 2016  
Mayor Lana Mook, El Mirage, Chair

The General Administration, Human Resources and Elections Policy Committee (GAHRE) met several times at the League of Arizona Cities and Towns Office from October 2015 to June 2016 to discuss eight policy issues that had been submitted by cities and towns for consideration. Those eight policy issues and the sponsoring cities are summarized below:

1. Set the requirements to achieve a valid legal protest relating to re-zoning as 20% of the area within the re-zoned area or 20% of the area of lots of property owners within 150 feet of the property to be re-zoned whether adjacent (sharing a border) or non-adjacent (e.g., across the street). – **Sedona**
2. Indirect discrimination against disabled workers' access to pension. ARS 38-849 intends to prevent pre-arranged reemployment following retirement. However it does not consider the Americans with Disabilities Act (ADA) which requires employers to offer an available, vacant position as an accommodation of last resort. Example: A police officer injured in the line of duty suffers permanent impairments and is awarded PSPRS accidental disability retirement. The employer identifies a vacant Police Property Custodian position, which is an equal or lesser paying position in which the employee meets minimum qualifications and can perform all essential functions. By accepting this position as an accommodation, the employee cannot draw their retirement for a period of one year. ARS 38-849.E states "the system (PSPRS) shall not make pension payments to the retired member during the period of reemployment." This statute arguably violates Title I and II of the ADA by penalizing members who accept a job reassignment, therefore discouraging them from participation in the ADA interactive process. - **Surprise**
3. The existence of county islands within Arizona cities is becoming a growing problem. County codes are designed to address rural areas, and state budget cuts to counties have been impacting enforcement. The result is deteriorating properties surrounded by incorporated cities/towns, and no ability to apply consistent enforcement from one street to the next. What's worse is that conditions are bleeding out into incorporated areas, causing increases in enforcement expenses and impacting crime and resident safety. In the Sierra Vista area, Assessor records show that a disproportionate number of properties in tax title are in unincorporated areas and others within just 1/4 mile of county islands. Annexation is the only solution, and long-term viability of these areas is at stake. – **Sierra Vista and Yuma**
4. There are some of our smallest towns that have lost population, do not have the ability to attract sufficient qualified staff, do not have a tax base to support city services and yet are

still required by law to follow all the legal requirements of our largest cities and towns. While the idea of dis-incorporating is distasteful and contrary to the League's interest in promoting cities and towns, there are some limited cases in which it may make financial and practical sense to actually dis-incorporate. – **League Staff**

5. To remain solvent, Arizona's public pension systems must accumulate sufficient assets during members' working years to pay all promised benefits when members retire. Employees and employers pay a substantial amount for each employee in each respective system. After a series of audits for the actuarial methods used by PSPRS to project system costs, the employer rate is increasing drastically, and stands to increase again in the future based on further adjustment and the outcome of pending litigation in the Hall and Parker cases. - **Prescott**
6. Uphold and restore the principle of local control. – **Flagstaff**
7. The cost to hold special recall and initiative elections is very expensive and we have experienced that this year. We recognize it is the citizens' right to have access to the democratic process through the use of petitions. But, we also recognize the need for a process which is consistent in its requirements and to provide the clarity necessary for those wishing to engage in the petition process by using specifics rather than generalities when challenging elected officials. – **Camp Verde**
8. Seek to clarify state sign laws in light of the Reed case and existing statutes regarding signage. This clarity does not need to be achieved through legislative means and could include requesting clarification from the Attorney General. – **Flagstaff**

Discussion on **Policy Issue 1** related to a rezoning case that occurred in the City of Sedona. The confusing, inconsistent language in current statute allowed one single property owner to set the protest of the rezoning in motion and the supermajority voting requirement associated with it. Councilmember Thompson of Sedona provided a map and a PowerPoint presentation that clearly illustrated the problem. After consultation with experienced attorneys, it was determined that mirroring the language that exists in state statute for county rezoning efforts would provide the clarity needed. Committee members voted to move **Policy Issue 1** forward as a Resolution (see Resolution GAHRE #1 on the Resolutions Summary Chart).

The City of Surprise provided background on **Policy Issue 2** that relates to PSPRS statute and the Americans with Disabilities Act. There is an inconsistency between the statute's intention to curb prearranged reemployment after retirement but unintentionally prohibiting the city from providing available ADA accommodations in specific situations such as when an officer suffers a permanent impairment and goes into PSPRS accidental disability retirement. Committee members voted to move **Policy Issue 2** forward as a Resolution (see Resolution GAHRE #2 on the Resolutions Summary Chart).

The Cities of Sierra Vista and Yuma provided background on **Policy Issue 3** and informed the members of the Committee about the ongoing public safety, health and welfare issues that are created by the county islands in their respective communities. Committee members discussed

that this was a sensitive issue with elected officials and decided to direct League staff to limit the scope of possible legislation to securing equitable participation for all property owners included in a proposed annexation of property in a county island. With that stipulation, Committee members voted to move **Policy Issue 3** forward as a Resolution (see Resolution GAHRE #3 on the Resolutions Summary Chart).

Discussion on **Policy Issue 4** related to discussions that the League has had with a few of our smallest communities. They have expressed concerns that declining populations and declining revenues are getting to the point of making them less viable as communities. In some very specific instances, it may make sense for them to dis-incorporate as communities and come under the administration of the county once again. ARS 9-102 already contains a process for disincorporation in general, and committee members discussed the need to make sure that such a change to the statute has strict parameters placed on it so that the scope is limited. Specifically, the intent is to make it easier for a town to dis-incorporate if it has small and declining population and insufficient budget. Committee members voted to move **Policy Issue 4** forward as a Resolution (see Resolution GAHRE #4 on the Resolutions Summary Chart).

Discussion on **Policy Issue 5** related to ideas on how to deal financially with the significant unfunded liability in the PSPRS system. The Committee received input from the City of Prescott and several other communities about the significant burden that the unfunded liability creates. The Committee was also made aware that similar policy issues had been sent to other policy committees for review. League staff suggested that they be combined into one resolution that would come from the GAHRE Committee. Committee members voted to move **Policy Issue 5** forward as a Resolution (see Resolution GAHRE #5 on the Resolutions Summary Chart).

The City of Flagstaff, through **Policy Issue 6**, provided a simple request to keep protection of local control at the forefront of the League’s legislative activities. Committee members determined that Issue 6 was included within the continuing “Guiding Principles” provided each year in the League’s Policy Statement. Committee members voted to move **Policy Issue 6** forward as a Guiding Principle in the League’s Policy Statement.

The Town of Camp Verde provided background on **Policy Issue 7** and informed the members of the Committee that some of the aspects of recall and initiative elections were costly to the city and unfair to elected officials. The discussion centered on the determination of petition signature sufficiency and the reason statement for recall. Committee members felt that this topic would benefit from more Committee discussion and research and will be taking the issue up again at its next quarterly meeting.

Discussion on **Policy Issue 8** related to signage ordinances and policies in cities and towns and how they have been affected by the recent decision in the *Reed* case. Cities and towns are struggling on how to deal with the *Reed* decision and how to revise their sign codes. As there is no clear cut path to resolving this issue, the Committee voted to work on **Policy Issue 8** with League staff, city and town attorneys and other interested parties.

The table below summarizes the GAHRE Committee’s actions:

Policy Issue	Disposition by Committee
Policy Issue 1	GAHRE #1

Policy Issue 2	GAHRE #2
Policy Issue 3	GAHRE #3
Policy Issue 4	GAHRE #4
Policy Issue 5	GAHRE #5
Policy Issue 6	Guiding Principle
Policy Issue 7	Continued Committee Work
Policy Issue 8	Continued Committee Work

Lana Mook  
Mayor of El Mirage  
Chair, General Administration, Human Resources and Elections Policy Committee

League of Arizona Cities & Towns Resolution

*Text of Resolution: Set the requirements to achieve a valid legal protest relating to re-zoning as 20% of the area within the re-zoned area or 20% of the area of lots of property owners within 150 feet of the property to be re-zoned whether adjacent (sharing a border) or non-adjacent (e.g., across the street).*

**A. Purpose and Effect of Resolution.**

Current state statute allows a protest to be filed against a proposed zoning amendment. The protest can be filed if 20% of the owners of the adjacent lots or those lots within 150 feet of the proposed change are opposed to the amendment. The proposed amendment cannot become effective unless three-fourths of the council vote in favor of the amendment (a supermajority vote requirement.)

Current statutory language describing the determination of the lots affected by the rezoning amendment is very convoluted. A.R.S. §9-462.04 (H) states the following: “If the owners of twenty per cent or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred fifty feet therefrom, or of those directly opposite thereto extending one hundred fifty feet from the street frontage of the opposite lots,…” It is possible for this vague language to create a situation where a rezoning amendment on an odd-shaped parcel would allow for only one small property owner to file a protest and trigger the supermajority voting requirement. There is a specific case of this happening in the City of Sedona.

This resolution proposes using statutory language similar to that provide for county rezoning amendments. A.R.S. §11-814(E), states the following: “If twenty per cent of the owners of property by area and number within the zoning area file a protest to the proposed rezoning, the change shall not be made except by a three-fourths vote of all members of the board for those counties with five or more supervisors...In calculating the owners by area, only that portion of a lot or parcel of record situated within three hundred feet of the property to be rezoned shall be included. In calculating the owners by number or area, county property and public rights-of-way shall not be included.”

This resolution proposes simplifying the language for cities and towns to reflect the more direct language of the county language.

**B. Relevance to Municipal Policy.**

This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

**C. Fiscal Impact to Cities and Towns.** There is no fiscal impact from this proposed resolution.

**D. Fiscal Impact to the State.** There is no fiscal impact from this proposed resolution.

**E. Contact Information:**

**Sponsoring City or Town:** City of Sedona

**Name:** Karen Daines, Asst. City Manager

**Phone:** 928-203-5067 **Email:** kdaines@sedonaaz.gov  
**League Staff:** Tom Belshe

League of Arizona Cities & Towns Resolution

*Text of Resolution: Create an exception within the statute to remove any limitation or penalty in accessing PSPRS retirement benefits during such time as the member is transitioning into a job reassignment as an accommodation under the Americans with Disabilities Act (ADA).*

**A. Purpose and Effect of Resolution**

There appears to be indirect discrimination against disabled workers' access to pension. ARS 38-849 intends to prevent pre-arranged reemployment following retirement; however it does not consider the Americans with Disabilities Act (ADA) which requires employers to offer an available, vacant position as an accommodation of last resort. Example: A police officer injured in the line of duty suffers permanent impairments and is awarded PSPRS accidental disability retirement. The employer identifies a vacant Police Property Custodian position, which is an equal or lesser paying position in which the employee meets minimum qualifications and can perform all essential functions. By accepting this position as an accommodation, the employee cannot draw their retirement for a period of one year. ARS 38-849.E states "the system (PSPRS) shall not make pension payments to the retired member during the period of reemployment." This statute arguably violates Title I and II of the ADA by penalizing members who accept a job reassignment, therefore discouraging them from participation in the ADA interactive process.

**B. Relevance to Municipal Policy.** This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

**C. Fiscal Impact to Cities and Towns.** There is no fiscal impact from this proposed resolution.

**D. Fiscal Impact to the State.** There is no fiscal impact from this proposed resolution.

**E. Contact Information:**

**Sponsoring City or Town:** City of Surprise

**Name:** Nicole Lance, Asst. City Manager

**Phone:** 623-222-1030 **Email:** Nicole.Lance@surpriseaz.gov

**League Staff:** Tom Belshe

**League of Arizona Cities & Towns Resolution**

*Text of Resolution: The League, interested legislators, and other stakeholders should convene to discuss issues related to county islands and design legislation that will improve the county island annexation process without undue burden to any one party.*

**A. Purpose and Effect of Resolution.** The existence of county islands within Arizona cities is becoming a growing problem. County codes are designed to address rural areas, and state budget cuts to counties have been impacting enforcement. The result is deteriorating properties surrounded by incorporated cities/towns, and no ability to apply consistent enforcement from one street to the next. What's worse is that conditions are bleeding out into incorporated areas, causing increases in enforcement and impacting crime and resident safety. In the Sierra Vista area, Assessor records show that a disproportionate number of properties in tax title lien are in unincorporated areas and others within just 1/4 mile of county islands. Another consequence is that when an emergency arises in an unincorporated area that is wholly within or adjoining a city's boundaries, there is often confusion over which agency should respond. These areas contribute to a city's economy, but also create burdens on cities that surround them, and on the counties they look to for services. Long-term viability of these areas is at stake.

**B. Relevance to Municipal Policy.** This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

**C. Fiscal Impact to Cities and Towns.** There is no fiscal impact from this proposed resolution.

**D. Fiscal Impact to the State.** There is no fiscal impact from this proposed resolution.

**E. Contact Information:**

**Sponsoring City or Town:** City of Sierra Vista, City of Yuma

**Name:** Mary Jacobs, Assistant City Manager, Sierra Vista;

**Phone:** 520-458-3315 **Email:** [mary.jacobs@sierravistaAZ.gov](mailto:mary.jacobs@sierravistaAZ.gov)

**Name:** Steve Moore, City Attorney, City of Yuma

**Phone:** 928-373-5057 **Email:** [Steve.Moore@YumaAZ.gov](mailto:Steve.Moore@YumaAZ.gov)

**League Staff:** Tom Belshe

League of Arizona Cities & Towns Resolution

*Text of Resolution: Rewrite the disincorporation portion of statute, A.R.S. §9-102, so that in very limited situations it could be implemented by council action when there are no other practical alternatives. The legislation should contain limits on population, budget, etc., when such an alternative could be used, and should empower the city or town council to petition the county supervisors to authorize an election within the incorporated area on the question of disincorporation.*

**A. Purpose and Effect of Resolution.** There are some of our smallest towns that have lost population, do not have the ability to attract sufficient qualified staff, do not have a tax base to support city services and yet are still required by law to follow all the legal requirements of our largest cities and towns. Allowing a council to request the Supervisors to refer the question of disincorporation to a vote would be simpler and more direct than a petition requiring the signatures of 2/3 of registered voters in the city or town. Such an action would clearly signal whether the residents are no longer in support of their municipal structure, or are willing to impose new and higher taxes on themselves to support their community. While the idea of disincorporating is distasteful and contrary to the League's interest in promoting cities and towns, there are some limited cases in which it may make financial and practical sense to actually disincorporate.

**B. Relevance to Municipal Policy.** This situation could present itself in any small city or town across the state, so the change in language will help them.

**C. Fiscal Impact to Cities and Towns.** There is no fiscal impact from this proposed resolution.

**D. Fiscal Impact to the State.** There is no fiscal impact from this proposed resolution.

**E. Contact Information:**

**Sponsoring City or Town:** League of Arizona Cities and Towns

**Name:** Ken Strobeck, Executive Director

**Phone:** 602-258-5786 **Email:** kstrobeck@azleague.org

**League Staff:** Tom Belshe

**League of Arizona Cities & Towns Resolution**

*Text of Resolution: Direct League staff to explore options that create funding solutions and/or financing authority to deal with PSPRS unfunded pension liabilities.*

**A. Purpose and Effect of Resolution.** To remain solvent, Arizona’s public pension systems must accumulate sufficient assets during members’ working years to pay all promised benefits when members retire. Employees and employers pay a substantial amount for each employee in each respective system. The funded status of PSPRS is low and it has large unfunded liabilities which have resulted in large employer contributions. The most recent actuarial projections show the system’s financial condition will continue to deteriorate and employer contribution rates will continue to increase. The financial condition will further deteriorate if the pending litigation is upheld (i.e. *Hall* and *Parker* cases).

The recent PSPRS reform applies only to employees hired after July 1, 2017 and will reduce employer pension costs. These savings can be applied to existing unfunded liabilities but are not enough by themselves to eliminate the existing unfunded liabilities. As a result, cities and towns are seeking additional options that, when combined with the savings from reform, allow us to significantly address unfunded liabilities.

**B. Relevance to Municipal Policy.** This situation could present itself in any city or town across the state, so the change in language will help all cities and towns.

**C. Fiscal Impact to Cities and Towns.** There is no proposed fiscal impact from this resolution.

**D. Fiscal Impact to the State.** There is no proposed fiscal impact from this resolution.

**E. Contact Information:**

**Sponsoring City or Town:** League of Arizona Cities and Towns  
**Name:** Ken Strobeck, Executive Director  
**Phone:** 620-258-5786 **Email:** kstrobeck@azleague.org  
**League Staff:** Tom Belshe

# Chair’s Report of the Neighborhoods, Sustainability and Quality of Life Policy Committee

Councilman Gilbert Lopez, Coolidge, Chair

Resolutions Committee Meeting, League Annual Conference  
Tuesday, August 23, 2016

On Monday, June 13, 2016 the Neighborhoods, Sustainability and Quality of Life (NSQL) Policy Committee met at the League of Arizona Cities and Towns to discuss three policy issues submitted by cities and towns for. Here is a summary of each of the policy issues considered by NSQL along with the sponsoring municipalities.

1. Alleviate blight and streamline the lien process - **Globe**
2. Improve forest health-**Flagstaff**
3. Restore the Arizona Housing Trust Fund. – **Flagstaff**

The City of Globe presented **Policy Issue 1**. The city is experiencing a fair amount of blight and is looking for suggestions as to ameliorate this, including ideas on improving the lien process. Committee members agreed to continue to look at this issue via a League task force, and not move this forward as a resolution at this time.

The City of Flagstaff presented **Policy Issue 2**. Flagstaff wants to address forest health through a myriad of approaches, including statewide awareness and attention to the value of collaborative planning, implementation, and monitoring of forests to improve forest health. Committee members moved this issue to go forward as a resolution (now resolution NSQL 1 on the resolutions summary chart).

The City of Flagstaff presented **Policy Issue 3**. They proposed that the state should restore the Arizona Housing Trust Fund. Currently the fund is capped at \$2.5 million. At its height it was \$55 million, and \$350 million was then leveraged through the Arizona Housing Alliance. Committee members moved this issue forward as a resolution (now resolution NSQL 2 on the resolutions summary chart).

The table below summarizes the NSQL Committee’s actions:

Policy Issue	Disposition by Committee
1	To be resolved non-legislatively.
2	Resolution NSQL 1
3	Resolution NSQL 2

Gilbert Lopez, Councilman, Coolidge  
Chair, Neighborhoods, Sustainability and Quality of Life Policy Committee

**League of Arizona Cities & Towns Resolution**

*Text of Resolution: Enhance efforts to improve forest health in Arizona.*

**A. Purpose and Effect of Resolution**

There needs to be a renewed focus on the condition of our forests and ways to improve their health. Catastrophic fires have greatly impacted Arizona, and yet there has not been a sustained effort to reduce fire fuel. Statewide awareness and attention to the value of collaborative planning, implementation, and monitoring of our forests to improve forest health needs to be a higher priority in our state. This resolution strives to accentuate the need to effectively plan with the governor's office, the state forester and other interested parties in an effort to reduce risk, including but not limited to right of way fuel reduction, forest restoration and thinning, debris disposal, prescribed fire, and biomass utilization.

**B. Relevance to Municipal Policy**

Communities across the state face increasing economic and health threats as the result of unhealthy and unsustainable forest and range conditions. The threat is not only catastrophic wildfire that destroys the natural environment, but also includes post-fire effects. Loss of property, sales tax and tourism, livelihood, displacement of residents, erosion, flooding, loss of wildlife habitat, impacts to water supplies, etc. exists for all jurisdictions because of the statewide impact. Joint-action by all parties (local, county, state, and federal) is required to adequately and satisfactorily address the issue which starts with planning at the local and regional levels.

**C. Fiscal Impact to Cities and Towns**

The long term costs of the past catastrophic fires to each area of the state rose to billions of dollars. Every community that has nearby forests has a financial stake in this issue.

**D. Fiscal Impact to the State**

There has already been a tremendous economic impact to the state from past fires. It would be financially sound for the state to appropriate planning funds for forest health.

**E. Contact Information:**

**Sponsoring City or Town: City of Flagstaff**

**Name:** Stephanie Smith, Asst. to the City Manager

**Phone:** (928)-213-2078 **Email:** [ssmith@flagstaffaz.gov](mailto:ssmith@flagstaffaz.gov)

**League Staff:** Dale Wiebusch

NSQL#2

## League of Arizona Cities & Towns Resolution

*Text of Resolution: Restore the Arizona Housing Trust Fund.*

### **A. Purpose and Effect of Resolution**

Created in 1988 to provide a flexible funding source to assist in meeting the needs of low-income households in Arizona, the Housing Trust Fund receives money from the sale of unclaimed property. The Housing Trust Fund was initially funded by 35% of unclaimed property proceeds, and then increased over time to 55% to better address rural housing needs. Prior to the Great Recession, the Housing Trust Fund received over \$30 million annually. Due to state budgetary constraints, in 2010 the Housing Trust Fund was capped at \$2.5 million.

### **B. Relevance to Municipal Policy**

Cities and towns, as well as non-profits, are eligible to apply to receive an allocation of the Housing Trust Fund to further housing objectives within their communities. Restoration of funding to the Trust Fund will enable a greater number of grant applications to be funded and other funding to be leveraged.

### **C. Fiscal Impact to Cities and Towns**

Funding from the Housing Trust Fund has the potential to bring much needed money to communities to address housing needs, either through the city, town or a non-profit application for use to further local housing objectives.

### **D. Fiscal Impact to the State**

When the Housing Trust Fund was capped at \$2.5 million in 2010, the funding from the sale of unclaimed property was reallocated to other areas. Restoration of funding to the Trust Fund will potentially pull funding away from the areas to which it was reallocated.

### **E. Contact Information:**

**Sponsoring City or Town:** City of Flagstaff

**Name:** Stephanie Smith, Asst. to the City Manager

**Phone:** (928)-213-2078 **Email:** [ssmith@flagstaffaz.gov](mailto:ssmith@flagstaffaz.gov)

**League Staff:** Dale Wiebusch

# Chair’s Report of the Public Safety, Military Affairs and the Courts Policy Committee

Mayor Jerry Weiers, Glendale, Chair

Resolutions Committee Meeting, League Annual Conference  
Tuesday, August 23, 2016

On Monday, June 20, 2016 the Public Safety, Military Affairs and the Courts (PSMAC) Policy Committee met at the League of Arizona Cities and Towns to discuss two policy issues submitted by cities and towns for. Below is a summary of each of the policy issues considered by NSQL along with the sponsoring municipalities.

1. Support for military installations-**Sierra Vista**
2. Prohibit guns in public buildings –**Flagstaff**

## Summary of the committee discussion and the recommendations

The City of Sierra Vista presented policy issue number one. They cited the long standing support for the military presence in Arizona that the League has endorsed and viewed this policy submission as granting authority for the League to demonstrate support for pro-installation legislation. Committee members agreed to move this forward as a resolution at this time (now resolution PSMAC #1 on the resolutions summary chart).

The City of Flagstaff presented policy issue number two. Flagstaff wanted to have the League oppose all efforts to allow guns in public buildings. Committee members discussed how this issue is best left to local government decision making, and saw the guiding League principle of local control as superseding this policy submission. Committee members decided to not move this as a resolution.

The table below summarizes the PSMAC Committee’s actions:

Policy Issue	Disposition by Committee
1	Resolution PSMAC 1.
2	Not to be moved as a resolution.

Jerry Weiers, Mayor, Glendale  
Chair, Public Safety, Military Affairs and the Courts Policy Committee

**League of Arizona Cities and Towns Resolution**

*Text of Resolution: Support military installations and their presence in Arizona.*

**A. Purpose and Effect of Resolution**

Arizona's military sector is an essential component of the state and local economies. Jobs connected to the military are especially valuable to the Arizona economy because they are largely unaffected by routine economic cycles. Maintaining these operations and the jobs and economic output they support should be a priority of state and local government.

This resolution seeks to continue the long tradition of support of Arizona's local governments, through the Arizona League of Cities and Towns, for any and all strategies associated with the support of our military presence. This is a general policy issue, with no specific legislation proposed. Inclusion in the League legislative agenda would insure support could be offered on behalf of the cities and towns in the state for legislation that may be proposed in support of Arizona's installations.

**B. Relevance to Municipal Policy**

At a time in which every dollar of local revenue is even more precious to cities and towns, we must guard against inadvertent or blatant measures that could jeopardize existing military installations and their direct contributions to local government. Military installations are also a source of local pride.

**C. Fiscal Impact to Cities and Towns**

Failure to protect such a valuable asset to the state will have a direct and potentially devastating effect on local government. The military industry directly contributes hundreds of millions in tax revenues annually to local government alone.

**D. Fiscal Impact to the State**

Similarly, Arizona's military installations contribute millions in revenue annually to the state government. Any loss of missions could erode that revenue, as well as impact future expansion opportunities for both military and non-military missions.

**E. Contact Information**

**Sponsoring City or Town:** City of Sierra Vista

**Name:** Mary Jacobs, Asst. City Manager

**Phone:** 520-458-3315 **Email:** Mary.Jacobs@SierraVistaAZ.gov

**League Staff:** Dale Wiebusch

## Chair’s Report of the Transportation, Infrastructure and Public Works Policy Committee

Mayor Jonathon Rothschild, Chair

Resolutions Committee Meeting, League Annual Conference  
Tuesday, August 23, 2016

On May 4, 2016, the Transportation, Infrastructure and Public Works Committee (TIPW) convened to discuss one policy issue submitted by the Town of Paradise Valley. Below is a summary of the issue considered by TIPW:

1. Explore options for controlling costs of federally funded local projects.

Below is a summary of the committee discussion and recommendations:

The Town of Paradise Valley submitted **Policy Issue 1**. Kevin Burke, Town Manager, explained that the Arizona Department of Transportation (ADOT) is currently responsible for administering federally funded local transportation projects for those municipalities that have not been certified to administer their own projects. Under these circumstances, the local jurisdiction lacks control over the project design, timeliness and costs.

League staff provided a number of alternatives that could be explored as possible solutions. After discussion by the committee, it was decided this would not move forward as a resolution. However, League staff will establish a working group to develop options for addressing the issues related to ADOT administration of these local projects.

The table below summarizes the TIPW Committee’s actions:

<b>Policy Issue</b>	<b>Disposition by Committee</b>
1	League Study Committee

Jonathan Rothschild  
Mayor of Tucson  
Chair, Transportation, Infrastructure and Public Works Policy Committee