**RESOLUTION NO. 3341-1016**

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, ADOPTING A CITY COUNCIL HANDBOOK.

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

SECTION 1. The "City Council Handbook" is hereby adopted in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this Resolution or any part of the "City Council Handbook" adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 3. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Council of the City of Avondale, Arizona, October 17, 2016.

Kenneth N. Weise, Mayor

ATTEST:

Carmen Martinez, City Clerk

APPROVED AS TO FORM:

Andrew J. McGuire, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 3341-1016

(City Council Handbook)

See following pages.

Avondale

Aspiring. Achieving. Accelerating.

# CITY COUNCIL HANDBOOK

# 1. INTRODUCTION AND OVERVIEW

## 1. PURPOSE OF MANUAL


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

## 2. ASPIRING. ACHIEVING. ACCELERATING.

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

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

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

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

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

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

## 3. COUNCIL-MANAGER FORM OF GOVERNMENT

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

# 2. CITY COUNCIL – GENERAL AUTHORITY & RESPONSIBILITIES

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

## 2.1. ROLE OF CITY COUNCIL

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

### 2.1.1. ESTABLISH POLICY

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

### 2.1.2. APPOINT/SUPERVISE OFFICIALS

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

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

### 2.1.3. PROVIDE COMMUNITY LEADERSHIP

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

### 2.1.4. DECISION-MAKING

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

### 2.1.5. AVONDALE STRATEGIC PLAN

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

## 2.2. ROLE OF MAYOR

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

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

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

### 2.2.1. EMERGENCY AUTHORITY OF MAYOR

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

### 2.2.2. STATE OF THE CITY ADDRESS

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

## 2.3. VICE MAYOR

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

## 2.4. ORGANIZATIONS

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

### 2.4.1. MARICOPA ASSOCIATION OF GOVERNMENTS

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

### 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.


### 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, 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.

### 2.4.5. SCHOOL DISTRICT AMBASSADORS

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

## 3. CONFLICTS OF INTEREST AND LIABILITY OF ELECTED OFFICIALS

### 3.1 CONFLICTS OF INTEREST

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

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

### 3.2. LIABILITY

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

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

# 4. GUIDING DOCUMENTS

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

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

## 4.1. CITY CHARTER

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

## 4.2. CITY CODE

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

## 4.3 AVONDALE STRATEGIC PLAN

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

## 4.4 BUDGET

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

### 4.4.1 CAPITAL IMPROVEMENT PLAN (CIP)

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

### 4.4.2 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

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

## 4.5 COUNCIL RULES of PROCEDURE

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

## 4.6 EMPLOYEE POLICIES AND PROCEDURES AND ADMINISTRATIVE POLICIES

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

## 4.7 ANNUAL REPORT

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

## 4.8 MEMORANDUMS OF UNDERSTANDING WITH POLICE AND FIRE

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

## 4.9 RESIDENT SATISFACTION SURVEY

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

## 4.10 DEVELOPMENT REGULATIONS, PLANS, AND GUIDELINES

### 4.10.1. GENERAL PLAN

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

### 4.10.2. ZONING ORDINANCE

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

### 4.10.3. SUBDIVISION ORDINANCE

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

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

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

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

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

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

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

### 4.10.7. EL RIO DESIGN GUIDELINES

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

### 4.10.8. HISTORIC AVONDALE DESIGN AND DEVELOPMENT GUIDELINES

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

### 4.10.9. OFF-PREMISE BILLBOARD SIGN GUIDELINES

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

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

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

### 4.10.11. SINGLE FAMILY RESIDENTIAL DESIGN MANUAL

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

## 4.11 MASTER PLANS

### 4.11.1 AVONDALE TRANSIT IMPLEMENTATION PLAN

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

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

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

### 4.11.3 WATER RESOURCE MASTER PLAN

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

### 4.11.4 WATER INFRASTRUCTURE MASTER PLAN

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

### 4.11.5 2013 WATER MASTER PLAN UPDATE

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

### 4.11.6 2015 WATER RECLAMATION FACILITY MASTER PLAN

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

### 4.11.7 EMERGENCY OPERATIONS PLAN (EOP)

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

### 4.11.8 STREET TREE MASTER PLAN

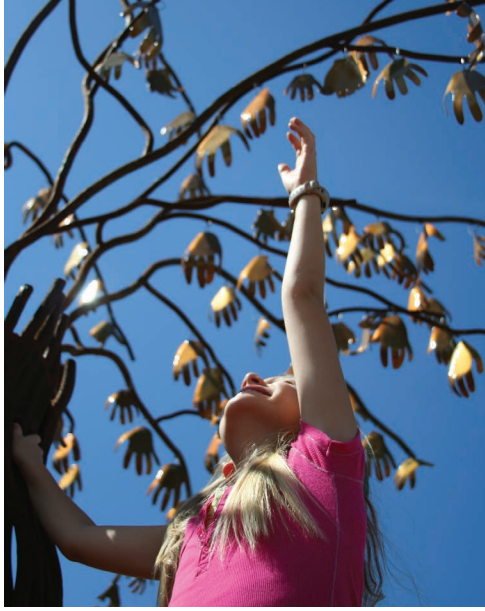
The Street Tree Master Plan was originally adopted by the City Council in December 2014. This document has been established to help guide the City and provide a strategy for future tree replacement, growth, and to determine the best practices to ensure consistency in street trees throughout the City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

### 4.11.9 PUBLIC ART MASTER PLAN (PAMP)

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

### 4.11.10. WAYFINDING MASTER PLAN

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



## 5. COUNCIL MEETINGS

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

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

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

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

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

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

### 5.1. MEETINGS ARE OPEN TO THE PUBLIC

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

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

## 5.2. AGENDAS

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

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

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

### 5.2.1. PUBLIC PARTICIPATION

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

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

### 5.2.2. CONSENT AGENDA

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

### 5.2.3. REGULAR BUSINESS

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

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

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

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

### 5.2.4. DISCUSSION ITEMS

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

### 5.2.5. EXECUTIVE SESSIONS

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

## 5.3. RECURRING REPORTS

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

## 5.4. MINUTES OF COUNCIL MEETINGS

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

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

## 5.5. COUNCIL PACKETS

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

## 6. EDUCATION, TRAINING AND TRAVEL

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

### 6.1. LEAGUE OF ARIZONA CITIES & TOWNS

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

### 6.2. NATIONAL LEAGUE OF CITIES

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

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

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

### 6.4. TRAVEL

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

### 6.5. REIMBURSEMENT OF EXPENSES

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

### 6.6. CITY VEHICLES

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

# 7. POSITIONS APPOINTED BY THE COUNCIL

## 7.1. CITY MANAGER

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

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

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

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

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

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

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

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

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

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

## 7.2. CITY ATTORNEY

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

## 7.3. CITY JUDGE

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

## 7.4. BOARDS, COMMISSIONS AND COMMITTEES

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

### 7.4.1. AVONDALE MUNICIPAL ART COMMITTEE

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

*(a) Membership – Seven regular members, two alternate members and two ex-officio members.*

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

### 7.4.2. BOARD OF ADJUSTMENT

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

*(a) Membership – Five regular members*

*(b) Meeting schedule – As needed*

### 7.4.3. CAPITAL IMPROVEMENT PLAN CITIZENS' COMMITTEE

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

*(a) Membership – Five regular members*

*(a) Meeting schedule – One to three meetings in February or March*

### 7.4.4. CITIZEN CORPS COUNCIL

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

*(a) Membership – 2 Citizens, Representatives from Police and Fire and 5 Organization Representatives*

*(b) Meeting schedule - TBD*

### 7.4.5. CORRECTION OFFICERS RETIREMENT PENSION BOARD

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

*(a) Membership – The Finance Director, two employee representatives and two citizen members.*

*(b) Meeting schedule – As needed*

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

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

*(a) Membership – Nine members; one of which is a youth member*

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

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

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

*(a) Membership – Two staff members, two employee representatives and two citizen members*

*(b) Meeting schedule - As needed*

### 7.4.8. JUDICIAL ADVISORY BOARD

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

*(a) Membership – Eight Members*

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

### 7.4.9. MUNICIPAL DEVELOPMENT CORPORATION (MDC)

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

*(a) Membership – Three citizen members*

*(b) Meeting schedule – As needed*

### 7.4.10. NEIGHBORHOOD AND FAMILY SERVICES COMMISSION

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

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

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

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

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

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

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

### 7.4.12. PLANNING COMMISSION

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

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

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

### 7.4.13. RISK MANAGEMENT TRUST FUND BOARD

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

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

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

# 8. FINANCIAL MATTERS

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

## 8.1. BUDGET

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

### 8.1.1. PREPARATION

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

### 8.1.2. AUDIT

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

## 8.2. COUNCIL COMPENSATION

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

## 8.3. FINANCIAL DISCLOSURE STATEMENT

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

## 8.4. FINANCIAL POLICIES

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

### 8.4.1. PROCUREMENT CODE

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

### 8.4.2. CAPITAL IMPROVEMENT

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

### 8.4.3. DEBT MANAGEMENT PRACTICES

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

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

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

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

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

### 8.4.4. INVESTMENT POLICY

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

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

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

## 8.5. CONTRIBUTIONS ASSISTANCE PROGRAM

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

### 8.6. UNITED WAY CAMPAIGN

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

## 9. COMMUNICATIONS

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

### 9.1. COMMUNICATIONS FROM COUNCIL

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

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

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

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

### 9.2. LOCAL BALLOT MEASURES

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

### 9.3. PROCLAMATIONS

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

### 9.4. STATE OPEN RECORDS LAW

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

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

## 9.5. COMMUNICATIONS FROM THE CITY

### 9.5.1. MEDIA RELATIONS PROCEDURES

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

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

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

### 9.5.2. NEWS RELEASES

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

### 9.5.3. CITY WEBSITE

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

### 9.5.4. SOCIAL MEDIA

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

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

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

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

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

### 9.5.5. RAVE CITY MAGAZINE

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

### 9.5.6. NEWS BRIEFINGS

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

### 9.5.7. NEWS CONFERENCES

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

(a) The issue to be announced is best conveyed at a news conference.

(b) Major participants of a project are available to highlight their participation and respond to media inquiries "together."

(c) The issue is likely to produce controversy.

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

### 9.5.8. EMERGENCY MEDIA RELATIONS

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

### 9.5.9. EDITORIAL RESPONSES

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

(a) Editorial responses shall be reviewed by the City Manager and PIO in advance. These may be shared in draft with the City Council if appropriate. City Council shall be advised of editorial responses prior to publication.

(b) "Letters to the Editor" may be submitted to clarify the City's position, educate readers about a City service, or express the City's gratitude to the community. Such letters shall be submitted to the media through the PIO.

(c) Guest Columns by Council Members on City issues should be channeled through the Community Relations Department for submission. Staff reserves the right to edit for accuracy and consistency.

### 9.5.10. MEDIA CONTACT GUIDELINES

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

## 10. INTERACTION WITH CITY STAFF

### 10.1 COUNCIL/MANAGER FORM OF GOVERNMENT

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

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

### 10.2 COUNCIL/MANAGER RELATIONSHIP

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

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

#### 10.2.1. CITY MANAGER CODE OF ETHICS

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

### 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

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

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

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

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

#### 11.1.2 STAFF SUPPORT OF APPOINTED BOARDS

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

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

### 11.2. INFORMATION TECHNOLOGY SERVICES AND SUPPORT

#### 11.2.1. TECHNOLOGY SUPPORT

(a) Assistance from Information Technology staff is available to all Council Members via an IT Help Desk request or visit. A ticket can be created and tracked by email via ithelpdesk@avondale.org.

(b) Technology assistance from IT staff is generally limited to software, hardware, and services used for City business.

## 11.2.2. TECHNOLOGY CONDUCT

(a) Chapter 16 of the City's adopted Policies and Procedures govern information and communications technologies usage for all members of the City organization.

(b) Accounts and privileges assigned to representatives of the City are for their individual use only. To deter from identity theft or misuse, accounts must not be shared or otherwise made available to any individual other than the assignee.

(c) All representatives of the City are responsible for keeping confidential all private and sensitive information maintained by the City. Federal and State of Arizona statutes govern the handling of certain information administered by the organization. Release of confidential information must follow proper handling to protect against related liability and loss of public trust. Please contact the City Clerk's Office for guidance and coordination with Information Technology staff.

(d) City information and communications technology assets may only be used for City business. Use for personal gain, political advocacy, harassment, or any illegal activity is prohibited.

(e) There is no expectation of privacy when using City information and communications technology assets. Individuals are responsible for understanding that the records of a municipal government are discoverable by the public with only narrow exceptions.

## 11.2.3. TECHNOLOGY PROVISIONING

(a) **Computers and Phones**—The City supplies Council Members with laptop computers, office telephones, and voicemail for use in their official duties.

(b) **Messaging and Productivity**—The City supplies Council Members with an official account that provides access to email, teleconferencing, office productivity software, reports, payroll, network-based storage, unified communications, and other systems/functionality for use in their duties. These resources must be used for all City-related business to ensure the City properly maintains information, as well as to respond to eDiscovery and legal hold requests. (Messages to all members of City Council can be accomplished by using the emailcitycouncil@avondale.org address.)

(c) **Cellular Services**—The City maintains a Cellular Stipend Program to promote use of mobile phones/smartphones for responsive communication between City Council, citizens, businesses, and City Staff. The stipend is administered through an administrative policy (AP16) as a monthly payroll transaction.

(d) **Tablet Devices**—The City maintains a Tablet Reimbursement Program to promote mobile access to City resources in City Council's activities for the community. As a partial reimbursement of up to $300, the devices belong to the Council Member purchasing it and the City compensates for a portion of the device's value for work-related use. By rule, the device must be purchased in Avondale and follow the City's standard financial processing for recordkeeping and reimbursement. Council Member reimbursements are on a two-year replacement cycle to align with elections. Devices and apps used must be mainstream options in order to ensure access to City resources and staff's ability to support. Please contact Information Technology staff to confirm details before purchase.

(e) **Reprographics**—The City maintains copiers and printers in City facilities for use in City business. Members of the City organization have an access code to account for their usage to accurately allocate costs to departments.

### 11.2.4. TECHNOLOGY USAGE AGREEMENTS

(a) In addition to Chapter 16, the City's stipend and reimbursement programs require City representatives to be responsive to records requests as they occur. Some requests require information from personal devices. All elected officials, appointed officials, and regular staff members may be required to provide records to the City from their technology devices and accounts to respond appropriately to public records requests, subpoenas, and the like. The requests often have set timeframes that all individuals must meet. Information Technology and City Clerk's Office staff can assist in these events and will help coordinate proper fulfillment of requests.

(b) Representatives of the City must use email for official communications not of a transitory nature. Use of text messages or other informal communications methods can circumvent proper recordkeeping of public business.

### 11.2.5. SEPARATION

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

## 11.3. OFFICE, EQUIPMENT AND MEETING ROOMS

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

### 11.3.1. MEETING ROOMS

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

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