



City of Avondale
City Council Meeting
Monday, October 16, 2023

Mayor and Council

Kenneth Weise, Mayor

Mike Pineda, Vice Mayor

Tina Conde, Council Member | Curtis Nielson, Council Member

Veronica Malone, Council Member | Gloria Solorio, Council Member

Max White, Council Member

Administration

Ron Corbin, City Manager

Cherlene Penilla, Assistant City Manager | Tracy Stevens, Assistant City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

Avondale Visitor & Conference Center

11490 West Civic Center Drive
Avondale, AZ 85323



City Council Meeting Notice & Agenda Monday, October 16, 2023

**AVONDALE VISITOR & CONFERENCE CENTER
11490 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323**

In-Person Meeting ONLY: The City Council Work Session of October 16, 2023 will **NOT** be streamed online due to a location change. Participants are permitted to attend in person and listen to the discussions. For questions, please email CityClerk@avondaleaz.gov or call 623-333-1000.

WORK SESSION

5:30 PM

Physical Access to the meeting space will be available 30 minutes prior to the meeting.

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. INTEGRITY LINE

City Council will receive a presentation from the City Attorney regarding the operation of the Integrity Line. This item is for presentation and discussion only.

3. POLICE TAKE-HOME VEHICLE PROGRAM

City Council will receive information regarding a police take-home vehicle program. This item is for discussion only.

4. CITY COUNCIL CODE OF CONDUCT

A presentation regarding revisions to the adopted City Council Code of Conduct. This item is for presentation and discussion only.

5. NON-DISCRIMINATION ORDINANCE

A presentation on research requested by City Councilmembers regarding the possible creation of an Avondale Non-Discrimination Ordinance (NDO). This item is for presentation and discussion only.

6. ADJOURNMENT

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

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

CITY COUNCIL REPORT

SUBJECT: Integrity Line

MEETING DATE: 10/16/2023

TO: Mayor and Council

FROM: Nicholle Harris, City Attorney 623-333-1514

THROUGH: n/a

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Innovative Program and Service Delivery Area – Avondale will continue to serve as a model of innovative, efficient, and responsive government.

PURPOSE:

City Council will receive a presentation from the City Attorney regarding the operation of the Integrity Line. This item is for presentation and discussion only.

BACKGROUND:

In May of 2022, the City Council adopted Chapter 23, Integrity Line, creating an avenue for employees to report ethical and compliance issues such as theft, misuse of City resources, corruption, falsification of city records, violations of procurement policies, contract fraud, and other non-compliance areas.

DISCUSSION:

City Attorney will present proposed changes to Chapter 23 to include clarifying the roles and responsibilities of the Review Panel, the addition of the City Manager to the Review Panel, and removing the operation of the Integrity Line from the City Attorney's Office to the City Auditor's Office.

BUDGET IMPACT:

This item has no additional budget impact.

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution: n/a

CITY COUNCIL REPORT

SUBJECT: Police take-home vehicle program

MEETING DATE: 10/16/2023

TO: Mayor and Council

FROM: Memo Espinoza, Chief of Police

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources.
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PURPOSE:

City Council will receive information regarding a police take-home vehicle program. This item is for discussion only.

BACKGROUND:

Historically, agencies such as Maricopa County Sheriff's Office (MCSO), Department of Public Safety (DPS) and Goodyear Police Department have implemented take-home vehicle programs. Most recently, agencies such as Buckeye Police Department have adopted similar programs and other agencies such as Tolleson Police Department and Surprise Police Department are in the process of implementing similar programs. Avondale Police Department has a vehicle take home program for some positions, which includes detectives, K9s, traffic officers, Community Action Team (CAT) officers, and street crime detectives. These types of programs serve several purposes, including recruitment/retention, faster response to call-ins, and a regional approach to deterring crime.

DISCUSSION:

Over the last couple of years, the pool of qualified police officer candidates has decreased drastically throughout the valley. Up until 2015/2016, in Avondale, it was not uncommon for 100 to 150 applicants to attend a police recruit testing process to fill 3 to 5 vacancies. Today, we are looking at a significant reduction of the number of applicants we get for police officer vacancies. Currently, we average 10 to 15 applicants to attend a recruitment process to fill 8 to 13 vacancies. In addition, less and less citizens want to become a police officer; therefore, the quality of applicants is diminishing. To mitigate this valley-wide concern, many agencies started to increase officer's salaries to make them more competitive, improve benefits officers receive, and implement incentives such as hiring/retention bonuses, and providing laterals an initial bank of

sick and vacation hours upon hire. In addition, a new incentive concept is the take-home vehicle program. This type of program is not only a benefit to attract and retain employees, but it can also help to deter crime in their neighborhoods. Having take-home vehicles also aids with vehicle damage accountability and contribution to better maintenance and cleaner vehicles.

For the neighborhood and community, the presence of a patrol car is associated with an increased police presence that discourages criminal activity. Increasing the number of marked police cars can be a ubiquitous message that the community is being carefully and diligently watched.

Another advantage of a take-home car program is the availability of equipment for mass deployment and faster response times. Take-home vehicles are believed to be in service for more years compared to the workhorse patrol cars driven daily by officers from all different shifts. Take-home cars adjust to one primary driver and are driven 75% less time as a squad car taken from the station pool multiple times a day. Take-home cars tend to be better cared for since accountability rests on a sole driver, and can also save time since officers can configure the seat, mirrors, and computer stand as they wish without re-adjusting and setting up a car at the beginning of every shift.

Currently the Avondale Police Department has a total of 162 sworn allocations and the Office of Public Safety has 4. Of the 166 sworn allocations, 155 would qualify for a take-home car program. Of the 155 sworn officers, 121 would require a marked unit* and 37 would require an unmarked unit*. Today, the police department's fleet is composed of 86 marked units and 36 unmarked units. In order to equip each officer with a vehicle and account for spares, a total of 44 cars will be needed, 37 marked units and 7 unmarked units.

**Marked Unit – Fully equipped vehicle with a prisoner cage, lights, sirens, decals patrol ready storage container.*

**Unmarked Unit – Unit with limited equipment such as a police radio and partial emergency lights.*

BUDGET IMPACT:

Staff's initial estimate for the cost of a take-home vehicle program with 44 additional vehicles is \$2,946,000 for the initial capital outlay and an annual impact of \$211,200 additional for fuel and \$216,400 additional for maintenance. Additionally, long-term, the city would need to plan for the replacement of the additional vehicles, which staff estimates at \$547,000 annually. These estimates do not include any additional space needs for fleet services.

RECOMMENDATION:

This item is for information and discussion only.

Contact person for document distribution: Memo Espinoza, Chief of Police

CITY COUNCIL REPORT

SUBJECT: City Council Code of Conduct

MEETING DATE: 10/16/2023

TO: Mayor and Council

FROM: Torin Sadow, Senior Management Analyst

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.
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PURPOSE:

A presentation regarding revisions to the adopted City Council Code of Conduct. This item is for presentation and discussion only.

BACKGROUND:

In response to a request by City Councilmembers to revise the Avondale City Council Code of Conduct, the City Manager's Office partnered with the City Attorney's Office to prepare a revised version of the City Council Code of Conduct.

There are three documents that guide City Councilmembers in the performance of their official duties:

- The City Council Code of Conduct, adopted in 2021, outlines norms, rules and responsibilities to guide behavior.
- The City Council Rules of Procedure, last updated in 2019, explain expected parliamentary procedures.
- The City Council Handbook, adopted in 2016, serves to orient elected officials to their roles and outline the City's practices in accomplishing its goals.

DISCUSSION:

Recommended revisions to the City Council Code of Conduct include:

- Reorganization of the document into five key sections.
- General text revisions to incorporate active language, simplify, remove duplicate language, and focus messaging.

The revised City Council Code of Conduct will be presented to Council for feedback and direction.

BUDGET IMPACT:

This item does not contain a budgetary impact.

RECOMMENDATION:

Provide feedback to staff on the recommended revisions to the City Council Code of Conduct.

Contact person for document distribution: Ron Corbin, Nicholle Harris, Torin Sadow

City of Avondale

CITY COUNCIL CODE OF CONDUCT

Public confidence and trust in local government occurs when the actions of elected officials are honorable, fair, and ethical. The following guidelines assure public confidence in the integrity of local government and its effective and fair operations.

I. General Duties of Council Members

1. Comply with the Law

Councilmembers shall comply with the laws of the nation, the State of Arizona, and the City of Avondale. Topics of importance to Councilmembers include ethics, conflicts of interest, election campaigns, financial disclosures, and open processes of government. Councilmembers are encouraged to seek advice from the City Attorney regarding the interpretation and application of laws.

2. Comply with City Policies and Procedures

Councilmembers shall comply with City of Avondale policies and procedures in the performance of their public duties. Councilmembers are encouraged to seek advice from the City Manager or City Attorney regarding the interpretation and application of these policies and procedures.

3. Conduct at Public Meetings.

Council members shall prepare themselves for public issues and meetings; courteously and attentively listen to all public discussions before the body; and honor the role of the Chairperson of a public meeting to keep the comments of Public Officials and the public focused on the business at hand. They shall refrain from interrupting other speakers or otherwise interfering with the orderly conduct of meetings.

4. Conduct of Members.

Council members' professional and personal conduct must be above reproach. Public Officials shall refrain from abusive conduct, harassment, and shall demonstrate civility and respect at all times. Council members should not attack the character or motives of fellow Council members.

5. Decisions Based on Substance.

Council members shall base their decisions on the substance of the matter at hand and the best interest of the City.

II. Council Members Conduct with City Staff

1. Policy Role of Council Members.

Council members shall respect and adhere to the council-manager structure of the Avondale city government and follow the City Charter with respect to the City Manager's relationship with the City Council. Councilmembers shall adhere to Avondale City Charter, Article II, Section 17 governing interference in administrative functions.

2. Positive Workplace Environment.

Council members shall support and maintain a positive and constructive workplace environment for City employees, citizens, and businesses dealing with the City. Council members shall refrain from creating the perception of providing direction to staff, unless expressly requested in a public meeting.

Council members shall adhere to Section 18 of the City Council Handbook regarding interactions with city staff.

III. COUNCIL MEMBERS CONDUCT WITH THE PUBLIC

1. Act in the Public Interest

Council members will work for the common good of the people of Avondale, and will assure fair and equitable treatment of all persons.

2. Advocacy.

Council members speaking on behalf of the City shall represent the official policies or positions of the City Council. Council members shall refrain from giving the impression that they represent the Council or the City of Avondale when presenting their individual opinions and positions to external parties. Council members shall comply with Ariz. Rev. Stat. § 9-500.14 and refrain from using city resources to influence the outcome of elections.

IV. Council Member Conduct with Each Other

1. Respect for Process.

Council members shall perform their duties in accordance with the City Council Rules of Procedure, and shall conduct public deliberations and processes in compliance with the Arizona Open Meeting Law and in an atmosphere of respect and civility.

2. Communication.

Council members shall publicly share substantive information relevant to matters under consideration by the City Council received from sources outside the public decision-making process. Confidential or privileged information shall be maintained as such.

3. Compliance and Enforcement.

Council members shall comply with this Code of Conduct. Since this Code of Conduct is adopted by the City Council, it is intended to be self-enforcing and Council members have the primary responsibility to assure that standards are understood and met. Each newly elected member of council shall receive a copy of this Code of Conduct.

Council members may employ the following compliance and enforcement actions if necessary:

- a. Council members may intervene when other Council members' actions appear to be in violation of this Code of Conduct.
- b. The City Council, by a vote of a majority of its members, may impose sanctions on Council members whose conduct does not comply with the City's standards, such as removal from any position or assignment to which the Council member has been appointed by City Council.
- c. The City Council, by a supermajority vote of its members, may censure a member who has repeatedly failed to uphold the standards outlined herein.

V. Definitions:

- a. Censure – a strong statement of disapproval for a member’s behavior or actions that repeatedly undermine the scope of the Council Code of Conduct.
- b. Supermajority – a minimum of five votes (out of seven) as opposed to a simple majority which requires just four votes.

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CITY COUNCIL REPORT

SUBJECT: Non-Discrimination Ordinance

MEETING DATE: 10/16/2023

TO: Mayor and Council

FROM: Torin Sadow, Senior Management Analyst

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.
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PURPOSE:

A presentation on research requested by City Councilmembers regarding the possible creation of an Avondale Non-Discrimination Ordinance (NDO). This item is for presentation and discussion only.

BACKGROUND:

In response to a request by City Councilmembers for a plan on the creation of a Non-Discrimination Ordinance (NDO), staff prepared a presentation on research of comparable communities with similar ordinances.

DISCUSSION:

Comparable Cities Contacted (ordinances linked below):

- Glendale – [Non-Discrimination Ordinance \(NDO\) #021-39](#)
- Mesa – [Mesa Non-Discrimination Code](#)
- Phoenix – [Public Accommodations Discrimination Ordinance](#)
- Scottsdale – [Anti-Discrimination Ordinance \(ADO\)](#)
- Tempe – [Anti-Discrimination Ordinance \(ADO\)](#)
- Tolleson – [Non-Discrimination Ordinance \(NDO\)](#)

Research and findings will be presented to Council.

BUDGET IMPACT:

This item does have a budget impact.

RECOMMENDATION:

Discussion and direction on the creation of a Non-Discrimination Ordinance (NDO) from the Mayor and Council.

Contact person for document distribution: Ron Corbin; Torin Sadow