



CITY COUNCIL AGENDA

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

WORK SESSION
October 5, 2015
6:00 PM

CALL TO ORDER BY MAYOR

1 ROLL CALL BY THE CITY CLERK

2. **AVONDALE TRANSIT IMPLEMENTATION PLAN**

City Council will receive a presentation regarding the Avondale Transit Implementation Plan recently completed by Valley Metro from the recommendations that came out of the 2013 Southwest Valley Local Transit System Study. This plan will help guide the short-term and mid-term investments of the SWVLTSS and capital improvements in the city. For information and discussion only.

3. **PROPOSED AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL**

City Council will review and consider proposed amendments to the Personnel Policies and Procedures Manual, Chapter 3, Applications, Chapter 5 Classifications and Compensation, Chapter 6 Employee Benefits, Chapter 7 Drugs and Alcohol, Chapter 11 Safety, Chapter 13 Employee Records and Reports, Chapter 14 Employee Education Assistance, Chapter 16 Information and Communications Technology, Chapter 17 Separations, Chapter 19, Grievances. For information, discussion and direction.

4 **ADJOURNMENT**

Respectfully submitted,

Carmen Martinez
City Clerk

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

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

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Notice is hereby given that pursuant to A.R.S. 1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council may be audio and/or video recorded and, as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights may either file written consent with the City Clerk to such recording, or take

personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602.A.9 have been waived.

De acuerdo con la ley A.R.S. 1-602.A.9, y sujeto a ciertas excepciones legales, se da aviso que los padres tienen derecho a dar su consentimiento antes de que el Estado o cualquier otra entidad política haga grabaciones de video o audio de un menor de edad. Las juntas del Concejo de la Ciudad pueden ser grabadas y por consecuencia, existe la posibilidad de que si hay menores de edad presentes estos aparezcan en estos videos o grabaciones de audio. Los padres pueden ejercitar su derecho si presentan su consentimiento por escrito a la Secretaria de la Ciudad, o pueden asegurarse que los niños no estén presentes durante la grabación de la junta. Si hay algún menor de edad presente durante la grabación, la Ciudad dará por entendido que los padres han renunciado sus derechos de acuerdo a la ley contenida A.R.S. 1-602.A.9.



CITY COUNCIL AGENDA

SUBJECT:

Avondale Transit Implementation Plan

MEETING DATE:

10/5/2015

TO: Mayor and Council

FROM: Pier Simeri, Community Relations Director (623) 333-1611

THROUGH: David Fitzhugh, City Manager

PURPOSE:

Valley Metro has completed an Avondale Transit Implementation Plan from the recommendations that came out of the Southwest Valley Local Transit System Study (SWVLTSS) that was completed in 2013. This plan will help guide the short-term and mid-term investments of the SWVLTSS and capital improvements in the city. This item is for information and discussion only.

BACKGROUND:

In 2013 Maricopa Association of Governments, in partnership with the Southwest Valley Cities and through outreach to residents, did a Southwest Valley Local Transit System Study (SWVLTSS). This study identified strategies for improving transit service in the Southwest Valley and develop short, mid and long range local transit strategies that effectively provide circulation within the southwest valley and are mindful of the need to connect to the regional transit system. The study area included portions of the City of Phoenix, City of Avondale, City of Goodyear, City of Tolleson, City of Litchfield Park, Town of Buckeye and surrounding unincorporated portions of Maricopa County. In 2014 the City of Avondale requested the assistance of Valley Metro to develop a regionally connected local transit implementation plan to help guide the short-term and mid-term investments of the SWVLTSS and capital improvements in the city.

DISCUSSION:

The Avondale Transit Implementation Plan concentrates on meeting the needs of Avondale and developing sub-regional connectivity by refining the various transit concepts outlined in the SWVLTSS. The implementation plan provides more detailed cost estimates and capital requirements, develops a service implementation schedule, and expands on the funding analysis.

BUDGET IMPACT:

There is no fiscal impact for City Council to review and accept this plan. The plan will provide guidance for Avondale staff when pursuing funding opportunities.

RECOMMENDATION:

For information, review and discussion.

ATTACHMENTS:**Description**

[Avondale Implementation Plan](#)



CITY COUNCIL AGENDA

SUBJECT:

Proposed Amendments to the Personnel Policies and Procedures Manual

MEETING DATE:

10/5/2015

TO: Mayor and Council**FROM:** Cherlene Penilla, Human Resources Director (623) 333-2218**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Council will review and consider proposed amendments to the Personnel Policies and Procedures, Chapter 3 Applications, Chapter 5 Classifications and Compensation, Chapter 6 Employee Benefits, Chapter 7 Drugs and Alcohol, Chapter 11 Safety, Chapter 13 Employee Records and Reports, Chapter 14 Employee Education Assistance, Chapter 16 Information and Communications Technology, Chapter 17 Separations, Chapter 19, Grievances.

BACKGROUND:

On May 19, 2014, the City Council approved changes to Chapter 19 Grievances and Appeals. Changes to Chapter 19 involved moving from a Personnel Board hearing to an Independent Hearing Officer. Since that time the City has identified additional areas in Chapter 19 that need clarification/modification.

Furthermore, other Chapters of the City's Policy and Procedures Manual have been updated to reflect current practices and changes to state and federal law.

DISCUSSION:

The following are major highlights of the changes to Chapter 3 Applications:

- Removes language requiring an applicant to provide criminal history regarding felony convictions on the City of Avondale employment application

The following are major highlights of the changes to Chapter 5, Classification and Compensation:

- Removes language addressing speciality pay for sworn police employees (Field Training Officer Pay, Detective Pay, Internal Affairs Investigator Pay, and Motor Pay) which is now covered under the Police Memorandum of Understanding (MOU)
- Adds language to the on-call and overtime sections to refer sworn police employees to the MOU for call back rate calculations and comp time accrual maximums
- Changes language in the promotion section, indicating that the increase in base pay for a promotion shall be commensurate with the employee's experience, education, and current market conditions. HR must approve any offer that is midpoint of the pay range or below. Any offer over the midpoint of the pay range must also be approved by the City Manager.

The following are major highlights of the changes Chapter 6 Employee Benefits:

- Changes the terms "husband and wife" to spouse
- Adds language to clarify that vacation leave is paid at 100% of an employee's accrued balance upon separation from City of Avondale employment
- Adds language to allow for a work day of bereavement leave for the death of a niece or nephew
- Adds language addressing accommodations for additional leave, beyond Family and Medical Leave Act (FMLA), in accordance with the American with Disabilities Act (ADA)

The following are major highlights of the changes to Chapter 7 Drugs and Alcohol:

- Changes language to reflect current laws and practices regarding the use of legal drugs by employees
- Updates the pre-employment drug abuse screening to be in line with Federal and State laws and current practices (only applicants who are required by AZ-POST or by Federal/State law will be tested for drugs prior to an offer of employment)

The following are major highlights of the changes to Chapter 11 Safety:

- Changes language to reflect current practices for drug testing following any accident involving a City vehicle

The following are major highlights of the changes to Chapter 13 Employee Records and Reports:

- Adds language to clarify that specific personnel records are maintained by the Police Department for sworn police officers under the Arizona Police Officers Standards Training (AZ-POST) and the Fire and Medical Department for training records specific to firefighters
- Removes sections covering the following categories: Personnel Records, Reports to the Human Resources Department, Other Records and Correspondence, Employee Register and Personnel File, and Forms Facilitating Personnel Administration
- Adds language to clarify who has access to personnel files
- Adds language to clarify the procedure for internal requests, public records requests and information verification/reference checks to access personnel files
- Changes language to reflect current practices for employees to update their own personal information in the City's personnel system

The following are major highlights of the changes to Chapter 14 Employee Tuition Assistance:

- Adds language to clarify that part-time employees are not eligible for tuition reimbursement
- Adds language to clarify that employees that receive financial assistance from other sources (military benefits, scholarships, grants) may not be eligible for tuition reimbursement from the City
- Adds language to clarify that a course must result in formal college credit
- Changes language to allow course content outside the employee's current job class
- Adds language to allow eligibility for courses taken to complete a General Education Diploma (GED)
- Changes language to allow for up to \$5,000.00 per calendar year maximum reimbursement
- Changes language to clarify an approved application for reimbursement must be submitted within 60 days (instead of three months) to be eligible for reimbursement

The following are major highlights of the changes to Chapter 16 Information and Communications Technology:

- Adds language to define "Backup" and "User Access Account"

- Adds language to address accountability of employees for all activity occurring under their user accounts
- Adds language to describe prohibited use of City Technology
- Adds language to describe the responsibilities of employees that telecommute for the security of City technology assets
- Adds language to remind employees that informal communications may fall under the Arizona Public Records laws and corresponding retention schedules
- Adds language prohibiting employees from recording images of City work products unless it is for City business purposes
- Removes language covering social media
- Adds language to support testing of new technologies with the approval of the Chief Information Officer
- Adds language to clarify that IT is responsible for coordinating all external security requirements
- Adds language to ensure IT is consulted regarding technology based positions
- Adds language to clarify that departments are responsible to coordinate with IT for all external vendor based IT services and products
- Adds language that employee technology and security training is required at least annually and tracked by the Human Resources Department

The following are major highlights to the changes in Chapter 17 Separations:

- Removes language that vacation leave payout is a maximum of 240 hours for all employee and 402 hours for Fire personnel

The following are major highlights to the changes to Chapter 19 Grievances and Appeals:

- Adds language to reflect that a cooperative solicitation is an option for establishing a list of attorneys to serve as an Independent Hearing Officer
- Changes language to reduce the number of Independent Hearing Officers on the list from five to three
- Changes language to clarify that the Independent Hearing Officer submits his/her findings and recommendations on the merits of the appeal within 15 working days of the hearing
- Adds language to clarify a closed hearing does not preclude the attendance of persons necessary to assist in the presentation of evidence and arguments, the Human Resources Director or authorized designees and the appellant's department director or authorized designees
- Adds language to address A.R.S. 38-531 and A.R.S. 38-532 appointing an independent personnel board for all employees or a former employee alleging violation of A.R.S. 38-532

BUDGET IMPACT:

There are no direct costs associated with the amendments to the City of Avondale Policies and Procedures.

RECOMMENDATION:

Proposed amendments are for information and discussion only.

ATTACHMENTS:

Description

[Chapter 3 - Application Redlined](#)

[Chapter 5 - Class Comp Redlined](#)

[Chapter 6 - Employee Benefits Redlined](#)

[Chapter 7 - Drug & Alcohol Policy Redlined](#)

[Chapter 11 - Safety Redlined](#)

Chapter 13 - Employee Records and Reports Redlined

Chapter 14 - Employee Education Assistance Redlined

Chapter 16 - IT Redlined

Chapter 17 - Separations Redlined

Chapter 19 - Grievances and Appeals Policy (Personnel) Blackline



CITY COUNCIL AGENDA

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

REGULAR MEETING
October 5, 2015
7:00 PM

CALL TO ORDER BY MAYOR
PLEDGE OF ALLEGIANCE
MOMENT OF REFLECTION

- 1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK**
- 2 RECOGNITION ITEMS (MAYOR PRESENTATIONS)**
 - a. PROCLAMATION - OCTOBER IS BREAST CANCER AWARENESS MONTH**
 - b. PROCLAMATION - OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH**
- 3 UNSCHEDULED PUBLIC APPEARANCES**

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

- 4 CONSENT AGENDA**

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

- a. APPROVAL OF MINUTES**

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

- b. PROGRAM GRANT AGREEMENT - AVONDALE AUTO CENTER FOR FACADE IMPROVEMENT**

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

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

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

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

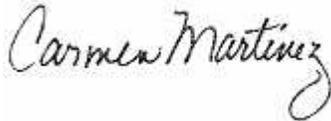
City Council will consider a request to approve an ordinance authorizing the acquisition of real property generally located along McDowell Road at the 104th Avenue alignment for use as a traffic signal, sidewalk, and temporary construction easement, and authorize the Mayor, City Clerk, and City Attorney to execute the necessary documents. The Council will take appropriate action.

5 MEDICAL SERVICES UPDATE

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

6 ADJOURNMENT

Respectfully submitted,



Carmen Martinez
City Clerk

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CITY COUNCIL AGENDA

SUBJECT:

Program Grant Agreement - Avondale Auto
Center for Facade Improvement

MEETING DATE:

10/5/2015

TO: Mayor and Council**FROM:** Stephanie Small, Neighborhood and Family Services Director - 623.333.2711**THROUGH:** David Fitzhugh, City Manager**PURPOSE:**

Staff requests Council approval of a program grant agreement with Alvin and Kimberly Doll, Kim M. Anderson and Melanie L. Riefkohl to utilize \$70,000 in Community Development Block Grant funds to make exterior improvements at 722 East Western Avenue, Avondale, AZ 85323 through the City's Business Improvement Program.

BACKGROUND:

To further neighborhood revitalization goals in Historic Avondale, the City created a Business Improvement Program to assist commercial property owners with exterior/facade improvements, including but not limited to: windows, doors, painting, stucco treatment, signage, lighting and awnings. The purpose is to improve the visual appearance of buildings along Western Avenue while preserving the unique and original Historic Avondale main street character. Participating business owners are required to prepare business plans, be current on taxes, businesses must be located in Historic Avondale and have a valid business license. Avondale Auto, LLC located on the corner of Western Avenue and Dysart is a gateway property into the Historic Avondale area and this project is aligned with the Business Improvement Program goals.

DISCUSSION:

The owners of Avondale Auto, LLC submitted an application to improve their property located at 722 East Western Avenue, Avondale, AZ 85323. The estimated total project costs is \$70,000 and includes both architectural design and construction. The program agreement outlines the responsibilities of the Property Owner and the City. Community Development Block Grant Funds will be used to fund the project. The award to the property owner will be in the form of a deferred payment loan forgivable after 7 years. After the first year, the loan amount will be reduced by 1/7th of the original loan amount, as long as the owner(s) maintains ownership of the property and ensures upkeep of the facade improvements detailed in the scope of work. The loan amount will be reduced by 1/7 for each of the subsequent years. If the property is sold or the facade improvements are not maintained, the loan is payable based on a prorated amount.

BUDGET IMPACT:

The project will be funded with up to \$70,000 in Community Development Block from the following account codes:

- 240-7598-13-6180

- 240-7598-14-6180
- 240-7598-15-6180
- 240-7598-16-6180

RECOMMENDATION:

Staff recommends City Council approval of the program agreement with Alvin and Kimberly Doll, Kim M. Anderson and Melanie L. Riefkohl, owners of Avondale Auto, LLC to utilize \$70,000 in Community Development Block Grant funds to improve the commercial property located at 722 E. Western Avenue, Avondale, AZ 85323. Staff request City Council to authorize the City Manager and City Clerk to execute the necessary documents.

ATTACHMENTS:

Description

[Program Grant Agreement](#)



CITY COUNCIL AGENDA

SUBJECT:

Resolution 3276-1015 - Grant Acceptance from
GOHS for DUI Enforcement

MEETING DATE:

10/5/2015

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

Staff is requesting that the City Council adopt a resolution authorizing a grant provided by the Governor's Office of Highway Safety (GOHS) in the amount of \$30,000, which will support the Police Department's funding of Driving under the Influence (DUI) enforcement through overtime expenses and authorize the Mayor or City Manager and the City Clerk to execute the necessary documents.

BACKGROUND:

The Avondale Police Department is an active participant in most West Valley DUI Task Forces and recognizes the responsibility for participating in these events. The Avondale Police Department plans to host a minimum of four (4) DUI task forces between October 01, 2015 and September 30, 2016, with the jail, transport, and processing facilities being open to participating agencies. The funding will be used to conduct dedicated DUI enforcement within the City of Avondale.

DISCUSSION:

DUI task forces are crucial in educating, enforcing, and preventing impaired drivers in the Valley. Prior year funding has been used to conduct dedicated DUI enforcement within Avondale. This funding allows the Avondale Police Department to use its resources to the fullest, extending DUI coverage through the holidays where enforcement is most important.

BUDGET IMPACT:

Staff is requesting authorization for the acceptance of Grant Funds for \$30,000 to provide overtime costs associated with DUI enforcement. There are no match requirements for this Grant. Federal funds will support personnel services (overtime) expenses to enhance DUI enforcement throughout the City of Avondale.

RECOMMENDATION:

Staff recommends that the City Council adopt a resolution authorizing Avondale's acceptance of a grant in the amount of \$30,000 for the Avondale Police Department's Driving Under the Influence Enforcement program through the Governor's Office of Highway Safety Grant Program.

ATTACHMENTS:**Description**

[Resolution 3276-1015](#)



CITY COUNCIL AGENDA

SUBJECT:

Ordinance 1587-1015- Authorizing the
Acquisition of Real Property for Public Use

MEETING DATE:

10/5/2015

TO: Mayor and Council

FROM: Tracy Stevens, Development and Engineering Services Director, 623-333-4012

THROUGH: David Fitzhugh, City Manager

PURPOSE:

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

BACKGROUND:

The Traffic Impact Study for the Park 10 Development requires a traffic signal directly across the entrance to Aventura Apartments. Parkland Development has been in close contact with the owner of Aventura Apartments to obtain the necessary easement to install this signal. The legal counsel representing Aventura Apartments prepared an Agreement for Easements (attached) which has been reviewed and approved by the City's Attorney.

DISCUSSION:

The easement will allow for the traffic signal equipment and a sidewalk crossing to be installed on the north side of the new intersection in alignment with the Aventura Apartments main entrance. Signalization at the intersection will facilitate full access to the Park 10 Development as well as to Aventura Apartments.

BUDGET IMPACT:

Accepting the dedication of the right-of-way will have no budgetary impact on the City.

RECOMMENDATION:

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

ATTACHMENTS:**Description**

[Ordinance 1587-1015](#)

[Agreement for Easements](#)



CITY COUNCIL AGENDA

SUBJECT:

Medical Services Update

MEETING DATE:

10/5/2015

TO: Mayor and Council

FROM: Paul Adams, Chief of the Fire and Medical Department

THROUGH: David Fitzhugh, City Manager

PURPOSE:

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

BACKGROUND:

Fire departments across the country, including the City of Avondale, have provided out-of-hospital medical care to their respective communities since the mid-1970's. The level of care has ranged from a basic level of emergency first response, to paramedic level advanced life support first response to full response and ambulance transport capability. The Avondale Fire and Medical Department provides advanced life support first response and maintains two paramedics on each engine company. Patient transport is provided through an agreement with a private sector ambulance provider.

In Arizona the ability to provide any level of out-of-hospital medical care is governed by the Arizona Department of Health Services (ADHS). ADHS is responsible for the licensing of emergency medical technicians and paramedics and for the review and issuance of certificates of necessity (CON) to operate an ambulance. An approved CON is required before any entity may engage in the transport of patients to a hospital.

Until just recently the primary provider of ambulance transport was Rural/Metro Corporation (also operating as Southwest and/or PMT ambulance). The notable exceptions were the City of Phoenix and several fire districts who held their own ambulance CON. Rural/Metro's bankruptcy filing in late 2014 caused a number of cities in Maricopa County to initiate the CON application process and to date CON's have been awarded to Surprise, Mesa, and Superstition Fire and Medical (Apache Junction). Applications are still pending for Peoria, Tempe, Buckeye, Gilbert, Queen Creek, and Sun City and other jurisdictions are still considering whether or not to initiate the CON application process. Glendale initially applied for a CON but has since withdrawn that application for a variety of reasons. In January a CON was approved for American Medical Response (AMR), who is one of the largest private providers of ambulance services in the country, to operate in Maricopa County.

The adoption of the affordable care act in 2010 has caused departments across the country, including the City of Avondale, to look at the way in which they provide out-of-hospital medical care in an entirely new light. We are beginning to see new services, new partnerships and new service levels and deployment methodologies all with the goals of improved service delivery to the

community while reducing health care costs. While many of these programs are still in the pilot stage they are already demonstrating improved effectiveness, healthcare cost savings and potential reimbursement opportunities.

DISCUSSION:

The purpose of this item is to have an open discussion with the Mayor and Council regarding the provision of out-of-hospital medical care to the citizens of Avondale and the role the fire and medical department should have in the provision of that care. General topics of discussion will include:

- What is out-of-hospital medical care and why is it important
- The impact of the affordable care act
- The role (past, present and future) of fire and medical departments in providing health care
 - current pilot projects in the valley
 - potential reimbursement opportunities
- The role of the Arizona Department of Health Services
- The role of private ambulance services
- The impact of the Rural/Metro bankruptcy
- The potential acquisition of Rural/Metro by AMR and its impact
- What is a CON and why is it important
- The desire of the Avondale Fire and Medical Department to begin the CON application process
- Future steps

BUDGET IMPACT:

There is no budgetary impact associated with this item at this time.

RECOMMENDATION:

This item is for information, discussion and council direction. No action is required.