

PRESCOTT CITY COUNCIL STUDY SESSION AGENDA

**PRESCOTT CITY COUNCIL
STUDY SESSION
TUESDAY, DECEMBER 1, 2009
3:00 P.M.**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its Study Session pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION:** Reverend Julia McKenna, Spiritual Architect
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Blair
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Kuykendall	
Councilman Blair	Councilwoman Linn
Councilman Hanna	Councilwoman Lopas
Councilman Lamerson	Councilwoman Suttles

- ◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. PRESENTATION

- A. Presentation of Certificates of Appreciation from the Prescott Sister City Committees.
- B. Honorary Consul from El Salvador Enrique Melendez Annual Report and Status of Country to the Prescott City Council.
- C. Presentation of Certificates from the Veterans of Foreign Wars.

II. DISCUSSION ITEMS

- A. [Authorization of payment to SirsiDynix in the amount of \\$83,885.57 for maintenance costs associated with the automated library system operated by the City on behalf of the Yavapai Library Network.](#)

- B. Authorization of payment to Tech Logic Corporation in the amount of \$93,051.00 to purchase RFID products and services for the Prescott Public Library.

- C. Adoption of Ordinance No. 4720-1017 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending certain portions of City Code, Title IV, Business Regulation.

III. ADJOURNMENT

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____
____.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Elizabeth A. Burke, City Clerk

COUNCIL AGENDA MEMO – December 1 and 8, 2009
DEPARTMENT: Parks, Recreation & Library
AGENDA ITEM: Maintenance Billing from SirsiDynix for the Yavapai Library Network’s shared automation system.

Approved By:	Date:
Department Head: Debbie Horton	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	<i>11/19/09</i>

Background

The Yavapai Library Network (YLN) is a consortium of over 40 libraries that have come together to share resources, expertise, and expenses. The management group of the Yavapai Library Network includes a voting representative from the Yavapai County Library District, as well as from each school district, academic institution and incorporated town represented in the Network. Each year Yavapai Library Network members review their commitment to the library automation software developed, distributed and maintained by SirsiDynix.

The software the Network has purchased from SirsiDynix has allowed the consortium to integrate resources and services. It enables circulation of member libraries’ books, DVDs, CDs and other materials. It also allows residents access from home and work to the library catalog and other shared resources. Ease of use for library patrons and time savings afforded library staff have made possible the over 100% increase in check out numbers experienced by YLN member libraries over the last two decades.

Prescott Public Library has managed the Yavapai Library Network since the partnership began in the late 80s. Each December software and hardware costs associated with maintenance of the Network’s shared library automation system are distributed to the participating libraries as per the Intergovernmental Agreements (IGA) entered into by each member of the Network with the City of Prescott. Per the IGA, the formula used to determine each library’s share is updated annually based on a number of factors, including size of library’s staff, number of active library patrons, number of items checked out, and number of items loaned to other network libraries. The City’s portion of this bill declines as the YLN expands.

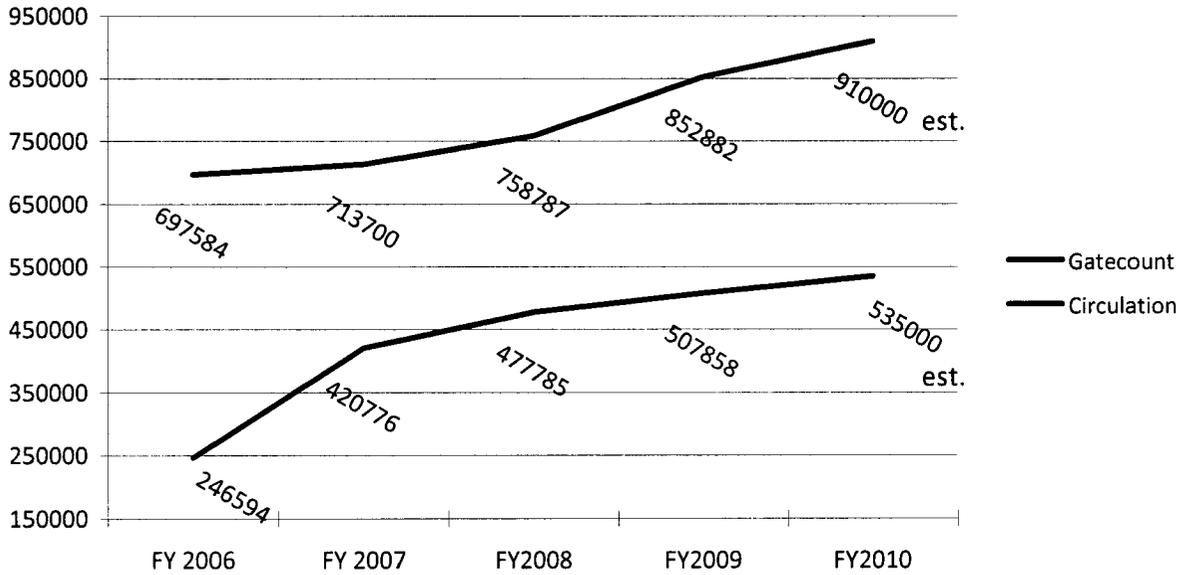
Financial

This year the SirsiDynix hardware and software maintenance bill is for \$83,885.57. Prescott Public Library’s share (including the Prescott Gateway Branch Library) is 21% or \$17,715. The remaining 79% will be charged to the member libraries. In addition to the SirsiDynix maintenance bill, the City’s annual billing of Network libraries will include their share of other Network operating costs, including subscription databases, telecommunications and personnel.

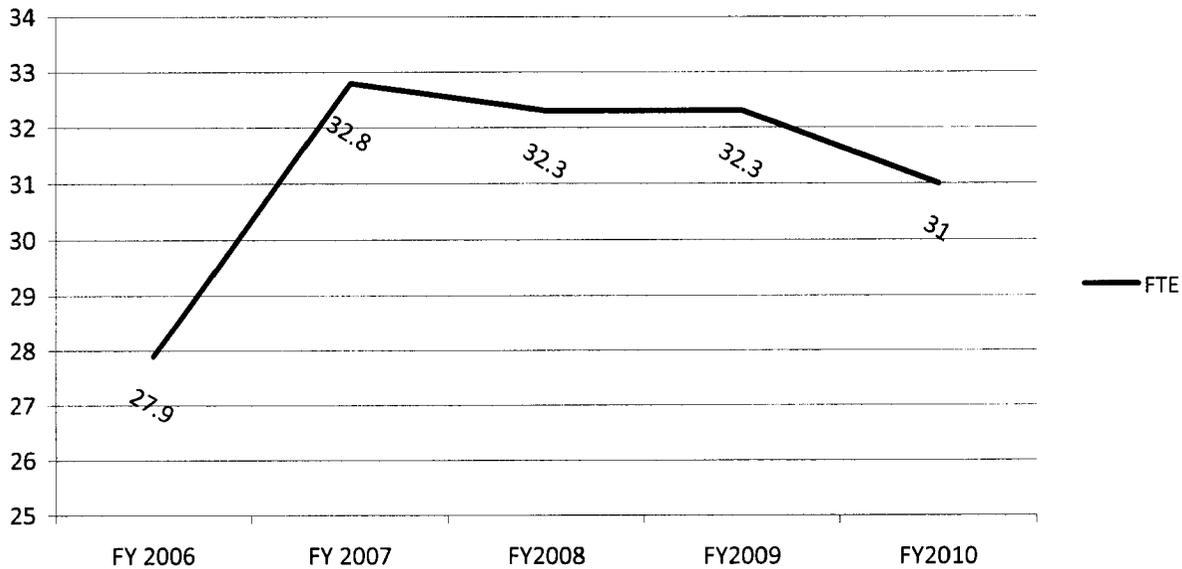
Recommended Action: Should Council approve, **MOVE** to authorize payment to SirsiDynix for maintenance costs associated with the automated library system operated by the City on behalf of the Yavapai Library Network in the amount of \$83,885.57.

	Total Gatecount	Total Circulation	FTE
FY2005	477768	962922	
FY 2006	246594	697584	27.9
FY 2007	420776	713700	32.8
FY2008	477785	758787	32.3
FY2009	507858	852882	32.3
FY2010	535000 est	910000 est	31

Gatecount & Circulation FY2006-FY2010



FTE FY2006-FY2010





Invoice

Invoice	INVMT00000017290
Date	10/27/2009
Page	1

Federal Tax ID # 63-1233771
 Phone: (801) 223-5200
 FAX: (801) 223-5202

Bill To:

Prescott Public Library - Yavapai Librar
 Yavapai Library Network
 215 East Goodwin Street
 Prescott AZ 86303

Ship To:

Prescott Public Library - Yavapai Librar
 Prescott Public Library
 172 East Merritt Street Suite E
 Prescott AZ 86301-2029

Purchase Order No.		Customer ID		Salesperson ID	Shipping Method	Payment Terms	Reg Ship Date	Master No.
MAINTENANCE		D467			NLT	Net 30	10/27/2011	64,728
Ordered	Shipped	B/O	Item Number	Description	Discount	Unit Price	Ext. Price	
1.000	1.000	0.000	30-95001-000	Annual Unicorn Software Maintenance	\$0.00	\$278.10	\$278.10	
1.000	1.000	0.000	30-95002-000	Annual Horizon Software Maintenance	\$0.00	\$1,217.46	\$1,217.46	
1.000	1.000	0.000	30-95004-000	Annual Dynix Software Maintenance	\$0.00	\$33,938.66	\$33,938.66	
1.000	1.000	0.000	30-95005-000	Annual Software Maintenance for Other SirsiDynix P	\$0.00	\$1,181.99	\$1,181.99	
1.000	1.000	0.000	30-95006-000	Annual Third-Party Software Maintenance	\$0.00	\$19,381.92	\$19,381.92	
1.000	1.000	0.000	30-95008-000	Annual Hardware Maintenance	\$0.00	\$8,947.53	\$8,947.53	
1.000	1.000	0.000	30-95009-000	Annual Hardware Peripheral Maintenance	\$0.00	\$2,601.86	\$2,601.86	
1.000	1.000	0.000	30-95010-000	Annual Third-Party Subscription Maintenance	\$0.00	\$6,390.61	\$6,390.61	
1.000	1.000	0.000	30-95011-000	Annual Subscription Maintenance for Other SirsiDyn	\$0.00	\$4,738.00	\$4,738.00	
				Effective Period: Nov. 1, 2009 - Oct. 31, 2010				
				Tax Analysis: AVATAX Rate: 0.00000%	Taxable Amt \$78,676.13	Tax Amount \$5,209.44		

For questions or comments please contact beckie clark at the following information
 Rebekah.Clark@sirsidynix.com.
 801-223-5806

Please remit payment to:
 SirsiDynix
 #774271
 4271 Solutions Center
 Chicago, IL 60677-4002

Subtotal	\$78,676.13
Misc	\$0.00
Tax	\$5,209.44
Freight	\$0.00
Trade Discount	\$0.00
Total	\$83,885.57

Payment of this invoice shall constitute acceptance of the agreement excuted by both parties as the sole governing terms & conditions for the items herein.



SCHEDULE/EXHIBIT "A"

Prescott Public Library - Yavapai Library Network

Item Number	Item Description	Serial Number	Qty	Coverage Effective Dates From	To	EOL Date	Price
M-1983	Addl Branch Fee Per Agency	NoSN-336305	1	11/1/2009	10/31/2010		278.10
	Annual Unicorn Software Maintenance						278.10
M-1814	OFFCIRC LIC ENHAN 101-200		1	11/1/2009	10/31/2010		1,217.46
	Annual Horizon Software Maintenance						1,217.46
M-1018	Account - Additional ACQ		6	11/1/2009	10/31/2010		374.51
M-1021	ACQ Electronic Ordering Interf		4	11/1/2009	10/31/2010		1,998.36
M-1022	ACQ Module User Based		1	11/1/2009	10/31/2010		2,120.61
M-1052	CIRC Module (User based)		1	11/1/2009	10/31/2010		1,232.91
10109	Dynix ILS Add'L Cat, Circ, and PAC Acco		23	11/1/2009	10/31/2010		4,055.69
10109	Dynix ILS Add'L Cat, Circ, and PAC Acco		1	11/1/2009	10/31/2010		194.13
M-1083	DYNIX ILS SIP LIC LOC ADDL		6	11/1/2009	10/31/2010		927.00
M-1128	DYNIX LIC CATWIN UX 05-16		1	11/1/2009	10/31/2010		1,854.00
M-1143	DYNIX LIC DEBTCOLLECT 02-04		1	11/1/2009	10/31/2010		234.84
M-1162	DYNIX LIC HOMEBOUND 101-200		1	11/1/2009	10/31/2010		1,181.99
M-1179	DYNIX LIC RECEIPT PR 11-25		1	11/1/2009	10/31/2010		254.74
M-1208	DYNIX SIP LIC LOC FIRST		1	11/1/2009	10/31/2010		463.50
M-1210	Dynix User Lic Fees		296	11/1/2009	10/31/2010		14,634.24
M-1219	Dynix Z39.50 Server Set up		1	11/1/2009	10/31/2010		154.13
M-1232	HIP LIC TIER E 201-500 DYNIX		1	11/1/2009	10/31/2010		1,854.00
M-1239	Independent Patron Privileges		10	11/1/2009	10/31/2010		0.00
M-1285	Reserve Book Room (User based)		4	11/1/2009	10/31/2010		1,498.53
M-1210	Dynix User Lic Fees	207912	1	11/1/2009	10/31/2010		41.16
10110	Dynix ILS Add'L Circ and PAC Accounts	Yavapai College	1	11/1/2009	10/31/2010		41.16
10110	Dynix ILS Add'L Circ and PAC Accounts	Yavapai College	24	11/1/2009	10/31/2010		823.18
	Annual Dynix Software Maintenance						33,938.66
M-0926	RPA LIC 101-200		1	11/1/2009	10/31/2010		1,181.99
M-0979	SIP SVC ENHANCED UPGR	NeedSN-338651	1	11/1/2009	10/31/2010		0.00
	Annual Software Maintenance for Other SirsiDynix Products						1,181.99
10116	IBM UniVerse Additional User License for	20011290	298	11/1/2009	10/31/2010		19,381.92
	Annual Third-Party Software Maintenance						19,381.92
M-0046	DELL SERVER WEBREPT PER QUOTE	8X52T91	1	11/1/2009	10/31/2010	3/31/2011	1,086.44
M-0048	Dell Server, Per Quote	9YDVC91; 5YDVC91	2	11/1/2009	10/31/2010	1/31/2011	7,861.08
	Annual Hardware Maintenance						8,947.53
M-0414	TALLY PRINTER T6212 CAB PSN	H21L227767	1	11/1/2009	10/31/2010		2,066.18
M-0383	PSC DATA FALCON PT40 256	P403470061	2	11/1/2009	10/31/2010		535.68
	Annual Hardware Peripheral Maintenance						2,601.86
10382	Enriched Content Basic Public Subscripti		1	11/1/2009	10/31/2010		6,390.61
	Annual Third-Party Subscription						6,390.61
11331	SirsiDynix Operating System Support per	OS for 8X52T91	1	11/1/2009	10/31/2010	3/31/2011	1,030.00

Prescott Public Library - Yavapai Library Network

Item Number	Item Description	Serial Number	Qty	Coverage Effective Dates From	To	EOL Date	Price
M-0720	SirsiDynix Tier II OS Support	OS for 9YDVC91-5YI	2	11/1/2009	- 10/31/2010	1/31/2011	3,708.00
	Annual Subscription for Other SirsiDynix Products						4,738.00

COUNCIL AGENDA MEMO – December 1 and 8, 2009
DEPARTMENT: Parks, Recreation and Library
AGENDA ITEM: Library Purchase of RFID Products and Services

Approved By:**Date:**

Department Head: Debbie Horton	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood 	11/23/09

Background

Many 21st century libraries use RFID (Radio Frequency Identification) products and services to reduce lines, repetitive motion and theft. RFID technology increases the speed and efficiency of check-out and check-in of library materials. Unlike barcodes, RFID tags do not need to be visible to be read. That means books and other media can be identified quickly and in any orientation, and RFID-equipped staff and patron workstations can simultaneously read multiple items. RFID also allows libraries to install AMH (Automated Materials Handling) systems. AMH systems can automatically transport, check in and sort library materials, reducing labor-related injuries and the time it takes to return a book or movie to the shelves.

With library visitation and circulation of library materials on the rise, RFID/AMH technology has become increasingly attractive as one way to maintain high levels of service without comparable increases to library staff.

In January 2009, the Yavapai County Free Library District (YCFLD) inaugurated a competitive process to select a vendor for RFID/AMH products and services. The end result of the RFP process was a master contract for services with TechLogic. This master contract permits any Yavapai Library Network member to save administrative overhead by purchasing off the master contract with Yavapai County instead of conducting an additional competitive purchasing process. The master contract also meets the Yavapai Library Network's need for guaranteed interoperability and compatibility of RFID/AMH products and services.

The new Prescott Valley Public Library already uses RFID, and will implement AMH by the end of 2009. For Prescott Public Library, the move to full RFID/AMH will take two years. In year one, library patrons and staff will begin using RFID to circulate library materials. RFID tags in library materials will allow patrons and staff to check out books and other items in a stack, instead of one at a time. Security gates will let us know if library materials leave the building without being checked out.

Agenda Item: Library Purchase of RFID Products and Services

In year two, Prescott Public Library will add a 9-bin sorter to our existing automated book drop. The sorter equipment will use RFID technology to check items in, then sort them into bins based on where they are headed - other libraries, reserve shelves, fiction, nonfiction, media, etc.

Financial

The \$93,051 expenditure is budgeted and will have no impact on the General Fund.

The County Library District is providing financial incentives to encourage public libraries to make the move to RFID and Automated Materials Handling. In FY2010 the County Library District will spend \$78,000 to purchase RFID tags and Tech Logic software licenses for Prescott Public Library. The City will spend \$93,051 to purchase and install the hardware needed to implement RFID technology for checkout and check in of library materials.

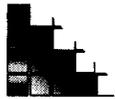
The \$93,051 before Council will be paid from County Automation funds held by the City and governed by the FY2009/2010 Library Service Agreement between the Yavapai County Free Library District and the City of Prescott. These funds result from the Yavapai County Library District property tax levy, are designated for library automation and special projects, and must be spent in FY2010.

Recommended Action: Should Council approve, **MOVE** to authorize payment to Tech Logic Corporation in the amount of \$93,051.00 to purchase RFID products and services for Prescott Public Library.



Quotation

11/18/2009



Prepared For: Ms. Toni Kaus
 Library Director
 Prescott Public Library
 Prescott, Arizona
 928.777.1519

11/18/2009
 Quote Number 111809 SW 2

QTY	PN	Self-Checkout System Products and Services	Individual Item Cost	Total Costs (USD)
Self Checkout Stations				
17	45006871	Tech Logic ABS Single Antenna with Reader	\$1,500	\$25,500
Factory Security Gates				
1	25013096-1	Single Aisle Factory Gate with People Counter	\$9,900	\$9,900
1	25013096-2	Dual Aisle Factory Gate with People Counter	\$14,850	\$14,850
1	25013096-3	Triple Aisle Factory Gate with People Counter	\$19,800	\$19,800
Installation and Training Costs				\$14,550
Shipping and Handling				
1		Estimated	\$1,280	\$1,280
<i>Prices contained in this quote are good for 90 days.</i>			Total Costs	\$85,880
			AZ Tax 8.35%	
			Total Costs With Taxes	\$93,051

Extended Maintenance Agreements		
No. of seats	Annual Software License and Support are Required	Annual Cost
10	Annual support for CircIT software	\$4,000

Optional Extended Hardware Maintenance (First Year Warranty Included)
<i>Requires pre-payment of total number of years</i>
\$10,508 2 year

Payment Terms:

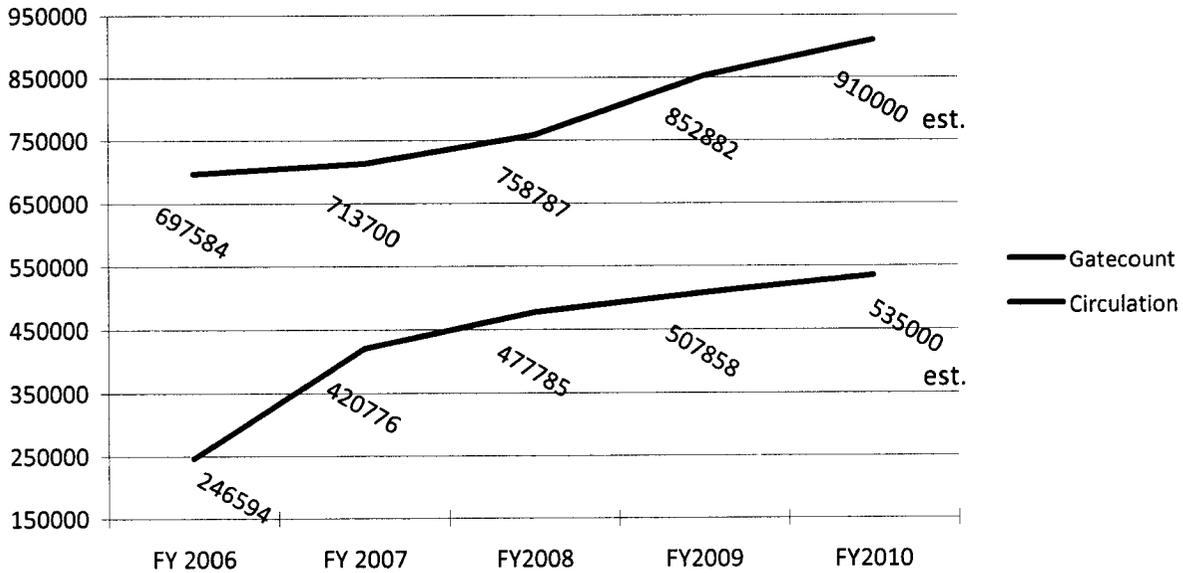
The net amount of each invoice is due in full, within thirty (30) days of date of invoice. A payment of 50% of order due upon execution of order confirmation, 40% payment due net 30 at shipping, 10% payment due net 30 after installation completed. 1.5% interest be charged monthly on past due accounts.

Notes:

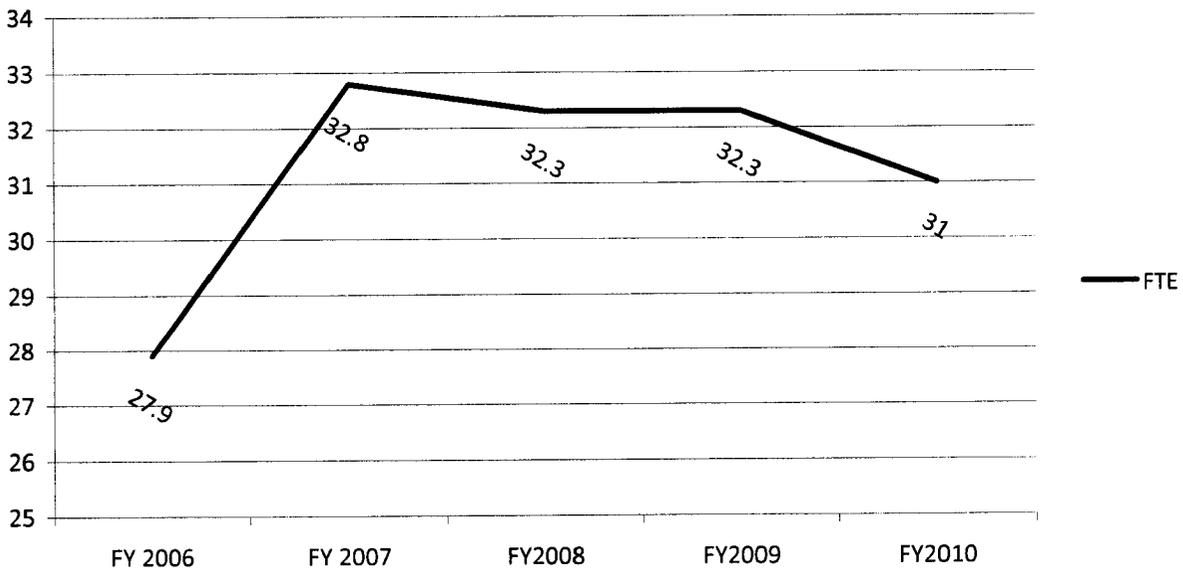
- 1) The SIP interface which integrates self check systems with ILS software is provided by the ILS vendor. SIP or SIP2 is required and will need to be acquired.
- 2) If the library is providing computers for CircIT, verify the computers meet the minimum specifications for the computer set up available in the CircIT datasheet.

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FY 2006	246594	697584	27.9
FY 2007	420776	713700	32.8
FY2008	477785	758787	32.3
FY2009	507858	852882	32.3
FY2010	535000 est	910000 est	31

Gatecount & Circulation FY2006-FY2010



FTE FY2006-FY2010



COUNCIL AGENDA MEMO – 12/1/09 & 12/8/09	
DEPARTMENT:	Tax and Licensing
AGENDA ITEM:	

Approved By:	Date:
Department Head: Mark Woodfill	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	<i>11/24/09</i>

Background

The city is attempting to make Bazaars and other special event licensing easier and more affordable for all types of vendors. We are proposing changes to chapter four of the City Code as outlined below:

Non-Profit Group Sponsored Special Event Held Over Consecutive Days (i.e. square events):

This section of the code will remain the same, but the language will be cleaned up and the number of days for an event changed from three to four for consistency in all code sections.

Non-Profit Group Sponsored Special Event Held Over Non-Consecutive Days (i.e. Farmers Markets):

As currently written the event sponsor needs to collect a \$25 fee each weekend from the vendors. As proposed each vendor would pay \$25 for four event days.

For-Profit Group Sponsored Special Event:

Currently there is no provision for a for-profit group to hold a special event. Each vendor must obtain a \$25 tax license, a \$50 transient merchant license, post a \$200 cash bond plus \$100 for each employee up to a max of \$1,000, provide the city 2 photos of each person making sales, and obtain from the city a \$10 identification card for each person making sales at the show. The change will allow the For-Profit group to simply fill out the Special Event Application with the city tax department and pay a \$25 privilege tax application fee and a \$50 Transient Merchant Licensing Fee for licensing of the specific event. The sponsor will remit a listing of all vendors at the event, a gross receipts schedule for each vendor, and a fee of 2% of the taxable gross receipts of each vendor.

Christmas or Church type Bazaars and other "Casual Sales":

The city currently requires each vendor at a church or Christmas bazaar to pay the \$25 fee. Often this is more than the participant may make for an event. The changes allow

Amendments to the Model City Tax Code

for the city code to follow the tax code by offering a definition of a casual seller (selling three times per year or less), and making them exempt from the \$25 fee.

Financial Impact

The financial implications to the city are minimal. The intent is to encourage special events in Prescott, and to allow an equitable means to license and govern these events. Below is a summary of the current and proposed fees:

Fee	Non-Profit Consecutive Day		Non-Profit Non-Consecutive Day		For-Profit Events		Bazaars (Casual Sellers)	
	Current	Proposed	Current	Proposed	Current	Proposed	Current	Proposed
License Fee	\$25/Vendor	\$25/Vendor	\$25/Vendor	\$25/Vendor	\$25/Vendor	One \$25 Fee	\$25/Vendor	\$0.00
Transient Fee					\$50/Vendor	One \$50		
ID Card Fee					\$10.00			
Refundable Bond					\$200/max \$1000			
2% Tax on Sales					Yes	Yes		

Recommended Action: MOVE to adopt Ordinance No. 4720-1017.

ORDINANCE NO. 4720-1017

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING CERTAIN PORTIONS OF CITY CODE, TITLE IV, BUSINESS REGULATION

RECITALS:

WHEREAS, the City Council of the City of Prescott wishes to amend certain portions of City Code, Title IV, Business Regulation, to set fees and licensing procedures for organized shows and exempt some organizations and vendors from some licensing and fee requirements.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT Title IV, Business Regulation, of the Prescott City Code, Section 4-4-1: Definitions, is hereby amended to read as follows:

Title 4-4-1: Definitions

ORGANIZED-SHOW VENDOR: Includes any person, whether a resident of the City or not, who engages in a temporary business of fabricating, displaying, or selling goods or handcrafted objects, curios and textiles, and who in furtherance of such purpose occupies a space, stall, booth or other temporary structure on location in conjunction with, associated with, or attendant to an organized show such as a fair, convention, celebration, promotion or other public gathering, which organized show is not longer than twenty (20) days in duration. An organized show is a show sponsored by a charitable, religious, nonprofit, or Non Federally Exempt organization, which has obtained a permit under this Chapter for such show.

PRODUCER: Any person or entity as defined in A.R.S. § Title 3, Chapter 3, Article 7.

TRANSIENT MERCHANT: Includes any person, whether as owner, agent, employee or independent dealer, whether a resident of the city or not, who engages in business of selling and delivery of goods, wares and merchandise, whether or not actual sales are made on each day, within said city for a period of less than 30 days; and who, in furtherance of such business, hires, leases, uses or occupies any approved building or

structures within the city for the exhibition and sale of such goods, wares and merchandise

SECTION 2. THAT, Title IV, Business Regulation, of the Prescott City Code, Section 4-4-3: LICENSE REQUIRED, is hereby amended to read as follows:

- (A) Requirement: Unless exempt from such requirements as indicated in this chapter, it is unlawful for any peddler, solicitor or transient merchant to engage in any such business within the city without first obtaining a license therefore in compliance with the provisions of this chapter.
- (B) Prohibited Practices:
 -
 -
 - 3. It is unlawful for any peddler, solicitor or transient merchant to display any unapproved signs on the exterior of any structure; no unapproved signs or temporary signs shall be allowed. (Ord. 1584, 5-24-1982)
 -
 - 5. (DELETE)

SECTION 3. THAT, Title IV, Business Regulation, of the Prescott City Code; Section 4-4-3: EXEMPTIONS, is hereby amended to read as follows:

-
-
-
-
-
- (F) A Producer selling their **own** grown, raised, or produced, produce or agricultural products including, beef, poultry, or other meats, is exempt from the provisions of Section 4-4-7 per the City of Prescott tax code section 4-1-465(v). A producer who, is also selling items that are not their own produce or agricultural products (i.e. shirts, crafts, housewares, produce purchased from another, etc.) is not exempt from the provisions of Section 4-4-7.
- (G) "Casual Sellers" are exempt from the provisions of Section 4-4-7. A "Casual Seller" is someone who has **three or less** occurrences during a calendar year where they make sales at bazaars,

tradeshows, yard sales, garage sales, etc., of homemade, hobby, or used items, and are deemed not to be in business. Each day any item is sold or offered for sale within the City of Prescott shall constitute a separate occurrence. (Note: Those having a DBA, trade name, or any other business entity type **are** deemed to be in business).

SECTION 4. THAT, Title IV, Business Regulation, of the Prescott City Code, Section 4-4-7: FEES, is hereby amended to read as follows:

(A) Show Sponsor Application and Fees:

Organized show sponsors shall fill out an organized show application with the tax and licensing department prior to the show unless *all* participants are exempt from this Section in Section 4-4-3. There is no fee for the application for a show conducted, organized, produced or sponsored by a Federally Exempt Organization.

(B) Payment of Fees to City, Vendor List, Bond

Organized show sponsors shall remit all fees required, along with a list of participating vendors, to the city tax and licensing department within ten (10) days of the close of the show or on a monthly basis if the show spans more than one (1) month. At the finance director's discretion, a show sponsor may be required to provide a deposit in an amount not to exceed twenty-five dollars (\$25.00) for each available space in the show. If required, such deposit shall be due on or before the last business day before the first day of the show. (Ord. 4052, 11-14-2000)

(C) Federally Exempt Organization Sponsored Shows, Vendors' Fees,

Organized-show vendors are required to obtain a permit for each show in which they participate, and to remit to the sponsor a fee whether or not the participant has a permanent business location in the city. The fee for vendors participating in an organized show sponsored by a Federally Exempt Organization is twenty five dollars (\$25.00) per show, for up to four (4) show days, regardless of whether the vendor offers items for sale, makes sales, or participates in all of the show days. A vendor participating in an organized show lasting more than four (4) days shall pay an additional fee of twenty five dollars (\$25.00) for each four (4) show days above the original four (4) days, regardless of whether the vendor offers items for sale, makes sales, or participates in the show on all of the additional four days. All vendors shall remit the

required fees to the show sponsor on or before the first day of the show.

(D) Non-Federally Exempt Organization Sponsored Shows, Fees

For organized shows conducted, produced, or sponsored by Non-Federally Exempt Organizations, the sponsor shall pay a fee equal to 2% of the vendors' gross taxable sales. The show sponsor shall collect the 2% fees from the vendors and submit them to the tax and licensing department along with a gross receipts schedule for each vendor indicating the vendor's sales during the event whether or not the participant has a permanent business location in the city. Prior to the organized show, the show sponsor shall also remit a \$25 license fee to the city for a privilege tax license for the show, and remit a \$50 transient merchant license application fee for the show. These licenses will expire at the end of the scheduled organized show.

SECTION 5. THAT, Title IV, Business Regulation, of the Prescott City Code, Section 4-4-8: BONDS, is hereby amended to read as follows:

- (A) Every applicant for a peddler, solicitor, or transient merchant license issued under this chapter shall post a cash bond with the city finance director in the amount of two hundred dollars (\$200.00) for the applicant, plus one hundred dollars (\$100.00) for each employee, agent or independent dealer acting in the capacity of peddler, solicitor or transient merchant. The total bond required shall not exceed one thousand dollars (\$1,000.00). This bond is to assure compliance with the provisions of this chapter and shall be forfeited if the licensee or any of his employees, agents or independent dealers are found to be in violation of any of the provisions of this chapter. (Ord. 1962, eff. 12-24-1987)

SECTION 6. THAT, Title IV, Business Regulation, of the Prescott City Code, Section 4-4-14: REVOCATION OF LICENSE, is hereby amended to read as follows:

- (B) Notice of the hearing for revocation of a license shall be given by the city clerk in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least forty eight (48) hours prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least twenty four (24) hours prior to the date set for hearing.

SECTION 7. THAT, Title IV, Business Regulation, of the Prescott City Code, Section 4-4-18: PENALTY, is hereby amended to read as follows:

Any person who violates any provision of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Section 1-3-1 of this code for each day that the violation continues.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott 8th day of December, 2009.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney