



PRESCOTT CITY COUNCIL WORKSHOP AGENDA

**PRESCOTT CITY COUNCIL
WORKSHOP
TUESDAY, JULY 5, 2011
3:00 PM**

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

The following Agenda will be considered by the Prescott City Council at its **Workshop** 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**
- ◆ **PLEDGE OF ALLEGIANCE** Councilman Lamerson
- ◆ **INVOCATION** Church of the Nazarene
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

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

I. RECOGNITIONS

- A. Introduction of new businesses

II. PUBLIC COMMENTS

- A. Representative of Prescott Creeks re Granite Creek Cleanup.
- B. Carol Friedman re Symphony Guild Update.
- C. James Ware re use of Watson Lake Park by the Prescott Antique Auto Club.
- D. Representatives from The Adult Center re possibility of obtaining a liquor license for the facility.

- E. John Sellers re The Crossings subdivision.

III. PRESENTATION

- A. Presentation of Honorary Membership by the Prescott Regulators and Their Shady Ladies.
- B. Presentation by John Moffitt re the Patriot Guard Riders.
- C. Presentation by Prescott Public Affairs of new economic development/ tourism promotional video.

IV. DISCUSSION

- A. Discussion/direction of Charter amendments proposed by the Charter Amendment Committee.
- B. Discussion/direction of interview procedures for appointment to fill unexpired Council term.

V. 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 – July 5, 2011	
DEPARTMENT:	City Clerk
AGENDA ITEM:	Discussion/direction re Charter amendments

Approved By:		Date:
Department Head:	Elizabeth A. Burke, City Clerk	06/28/2011
Finance Director:	Mark Woodfill	
City Manager:	Craig McConnell 	6.29.11

Summary

This item provides an opportunity to review and discuss the Charter amendments being proposed by the Council Charter Amendment Committee to be included on the November 8, 2011, General Election ballot.

Background

In June 2010 a Charter Amendment Committee, consisting of Councilwoman Linn as Chairman and Councilmen Hanna and Lamerson, reviewed the City Charter and proposed changes submitted by staff members, in accordance with prior direction by the City Council.

While there were 24 proposed amendments, only 8 were selected by the Council last year to be placed on the General Election ballot due to limited space caused by a number of statewide propositions.

When it was recently determined that the next General Election ballot would include names of candidates to fill a "short term" for Councilwoman Linn's vacancy, it was suggested that additional Charter amendments be placed on the ballot.

The Charter Amendment Committee has met and reviewed the remaining proposed changes, along with an additional proposal submitted by staff to clarify the Charter regarding filling of vacancies, and the Committee is recommending that the seven (7) amendments included on the attached sheet be placed on the November 8, 2011, General Election ballot.

Once the Council has discussed these changes and reached consensus, the final wording of each proposed change will be brought back at the July 12, 2011, Regular Council Meeting for adoption of the Resolution to approve the ballot language.

**2011
PROPOSED CHANGES TO CHARTER**

#	ART.	SEC.	ISSUE
1	II	12	<p><u>Section 12 - Vacancies in Council and Office of Mayor</u></p> <p>The council, by a majority vote of its remaining members, shall, within thirty one (31) days, fill the vacancies in its own membership, and in the office of mayor, BY EITHER OF THE FOLLOWING:</p> <p>A. APPOINTMENT FOR THE UNEXPIRED TERM.</p> <p>B. APPOINTMENT UNTIL THE NEXT REGULARLY SCHEDULED PRIMARY ELECTION OF THE CITY IF THE VACANCY OCCURS MORE THAN THIRTY DAYS BEFORE THE NOMINATION PETITION DEADLINE. THE NOMINATION PROCESS PROVIDED BY STATE ELECTION LAW SHALL BE FOLLOWED BY CANDIDATES FOR SUCH VACANCY AND SHALL BE DESIGNATED ON THE PRIMARY, AND GENERAL IF NECESSARY, BALLOT AS RUNNING FOR THE "SHORT TERM."</p> <p>for the unexpired terms. In the event that such unexpired term exceeds two years, then the appointment to such vacancy shall be for the period from the appointment until the next succeeding election, at which time an individual shall be elected to serve the remainder of the term and who shall be designated on the ballot as running for the "short term."</p> <p>If the council fails to make an appointment within thirty one (31) days following the occurrence of the vacancy, the council at its next regularly scheduled voting meeting shall call a special election to fill the vacancy. Such election shall be held in accordance with state and federal law, but not later than one hundred fifty (150) days following the call of election, and shall be otherwise governed by the provisions of Article IX.</p>
2	IV	2	<p>City Clerk</p> <p><i>The council shall appoint an officer of the city, who shall have the title of city clerk, and who shall give notice of all council meetings, keep the journal of the council's proceedings, authenticate by his signature and record in full in books kept for the purposes all ordinances and resolutions, and shall perform such other duties as shall be required by this charter or by ordinance. He will serve at the pleasure of the council.</i></p> <p>THE CITY CLERK DEPARTMENT EMPLOYEES SHALL BE APPOINTED BY AND ACCOUNTABLE TO THE CITY CLERK. THE CITY CLERK WILL REPORT TO AND BE RESPONSIBLE FOR THE OPERATION OF THE CITY CLERK DEPARTMENT TO THE CITY COUNCIL. THE CITY CLERK SHALL PREPARE THE BUDGET FOR THE CITY CLERK DEPARTMENT FOR SUBMISSION TO THE CITY COUNCIL, AND THE CITY CLERK BUDGET SHALL BE ESTABLISHED BY THE CITY COUNCIL.</p>
3	V	4	<p>City Attorney</p> <p><i>The council shall appoint the city attorney who shall be the chief legal adviser of all officers, departments and agencies and of all officers and employees in matters relating to their official powers and duties. He shall represent the city in all legal proceedings. It shall be his duty to perform all services incident to his position as may be required by statute, by this charter or by ordinance. He will serve at the pleasure of the council."</i></p> <p>THE LEGAL DEPARTMENT SHALL CONSIST OF A CRIMINAL AND CIVIL DIVISION WITH DEPARTMENT EMPLOYEES APPOINTED BY AND ACCOUNTABLE TO THE CITY ATTORNEY. THE CITY ATTORNEY WILL REPORT TO AND BE RESPONSIBLE FOR THE OPERATION OF THE LEGAL DEPARTMENT TO THE CITY COUNCIL. THE CITY ATTORNEY SHALL PREPARE THE BUDGET FOR THE LEGAL DEPARTMENT FOR SUBMISSION TO THE CITY COUNCIL, AND THE LEGAL DEPARTMENT BUDGET SHALL BE ESTABLISHED BY THE CITY COUNCIL.</p>

4	VI	3	<p>Submission of estimates to Council; scope of City Manager's estimate</p> <p><i>On or before such date as shall be fixed by the council, the city manager shall prepare and submit in writing to the council the estimates of each department AND FUND and his own personal report and recommendations and estimates as to the probable expenditures of the city for the next ensuing fiscal year, stating the amount in detail required to meet all expenditures necessary for city purposes, including interest and sinking funds, and outstanding indebtedness, if there be any; also estimates of the amount of income expected from all sources in each department AND FUND, and the amount, if any, required to be raised by taxation to cover such expenditures, interest ad sinking fund.</i></p>
5	VI	4	<p>Preparation and tentative adoption of a budget; publication of budget and notice of meeting to fix tax levies</p> <p><i>The council shall meet annually prior to fixing the tax levy, and make a budget of the estimated amounts required to pay the expenses of conducting the business of the city for the ensuing fiscal year. The budget shall be prepared in such detail as to show the aggregate sum and the items thereof allowed for each and every purpose, and such budget, together with a notice that the council will meet for the purposes of making tax levies, in accordance with said budget, at the time and place set out in said notice, shall be published in the official newspaper of the city IN ACCORDANCE WITH STATE LAW once a week for at least two consecutive weeks following the tentative adoption of such budget.</i></p>
	VII	10	<p>Publication of ordinances and resolutions</p> <p><i>All ordinances, except those necessary for the immediate preservation of the peace, health or safety of the city, shall be published at least two times in a newspaper of general circulation in the city IN ACCORDANCE WITH STATE LAW before they become effective and operative.</i></p> <p><i>Emergency ordinances necessary for the immediate preservation of the peace, health or safety of the city which have been passed by the necessary three-fourths vote of the members of the council become effective and operative immediately, and shall be published once in a newspaper of general circulation in the city IN ACCORDANCE WITH STATE LAW within ten (10) days after their passage.</i></p>
6	VIII	12	<p>Sale of city property</p> <p>---</p> <p><i>Notwithstanding any portion of this section, the property known as Watson Lake and Willow Lake, and adjacent property, consisting of a cumulative total of approximately eight hundred fifty (850) acres, which were acquired by the city from the Chino Valley Irrigation District from the bond proceeds, pursuant to that Special Bond Election held on May 19, 1998, shall not be sold by the city, and shall be retained as open space and/or utilized for WATER SUPPLY AND recreational purposes in perpetuity.</i></p>
7	XI	4	<p>Presiding Officer; appointment; term; Justice of Peace as City Judge</p> <p><i>The presiding officer of the city court shall be a city judge, who shall be appointed by the council in December of each even-numbered year. The term of office of the city judge shall commence on the first business day of the month following his or her appointment, and shall be for two (2) years, or until his or her successor is appointed and qualified.</i></p> <p>THE CITY COURT DEPARTMENT EMPLOYEES SHALL BE APPOINTED BY AND ACCOUNTABLE TO THE CITY JUDGE. THE CITY JUDGE WILL REPORT TO AND BE RESPONSIBLE FOR THE OPERATION OF THE CITY COURT DEPARTMENT TO THE CITY COUNCIL. THE CITY JUDGE SHALL PREPARE THE BUDGET FOR THE CITY COURT DEPARTMENT FOR SUBMISSION TO THE CITY COUNCIL, AND THE CITY COURT BUDGET SHALL BE ESTABLISHED BY THE CITY COUNCIL.</p>