

PRESCOTT CHARTER AMENDMENT
COMMITTEE MEETING
TUESDAY, MAY 10, 2010
PRESCOTT, ARIZONA

MINUTES OF THE MEETING OF THE PRESCOTT CHARTER AMENDMENT COMMITTEE held on Tuesday, May 10, 2010 in the City Manager's Conference Room located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

A. Call to Order.

Councilwoman Linn called the meeting to order at 1:00 p.m.

B. Roll Call.

Members Present: Councilwoman Linn, Chairman; Councilmen Lamerson and Hanna.

Members Absent: None.

C. Discussion of Charter amendments.

The Committee continued with review of the changes recommended by staff, shown on Exhibit A attached hereto and made a part hereof. Discussion followed on each of the items as shown:

#12 Art. VII Sec. 5, #17 Art. VIII Sec. 11 & #18 Art. VIII Sec. 12

Airport Manager Ben Vardiman presented his reasoning for suggesting the amendments to the dollar amounts, to be consistent with the Procurement Code. Members agreed to removing "ordinance of" in Art. VIII Sec. 11 and changes to the publication requirements of the Notice of Intent to Lease City Property. After some discussion the members agreed to leave the dollar amount of \$3,000 as is in the other areas.

#7 Art. V Sec. 1

Members agreed that wording should be added to allow the Council to abolish boards and commissions as well as create them.

#8 Art. VI Sec. 3

Members agreed to add the wording "*and fund*" to what the city manager is to submit for budget estimates.

#9 Art. VI Sec. 4 and Art. VII Sec. 10

Members agreed to change wording to reflect that notices would be published as provided by state law to address the possibility in the future of the state allowing posting of notices on the Internet rather than in a newspaper.

#10 Art. VI Section 15

Discussion was held with Mr. Woodfill on this item and it was agreed that wording should be changed to eliminate the existing last sentence and add "*Said audit shall be rebid at least every five years.*"

#11 Art. VI Sec. 7

After brief discussion it was agreed to remove the word "*present*" before transaction privilege tax.

#13 Art. VII Sec. 7

Members agreed to keep this wording as is.

#14 Art. VII Sec. 8

Members agreed to remove the wording "*put upon final passage*" to clarify. The sentence will now read "*When a proposed ordinance or a resolution fails to pass and a motion is made...*"

#21 Art. IX Sec. 6

Members agreed to change "*votes*" to "*valid ballots cast for said office*" to reflect what is currently followed throughout the state but is not clear in the statutes.

#22 Art. IX Sec. 7

Mr. Kidd reported that after further research on the ability to eliminate primary elections it was his recommendation that they would need to continue holding them. With that in mind, members discussed and agreed that Mr. Kidd would prepare wording to clarify in the Charter that the City would follow the procedures as outlined in the Court of Appeals decision that if someone withdraws after the primary election the next candidate in line would not move up on the ballot.

#24 Art. XII Sec. 1

Members discussed the need to have Mr. Lloyd look into this further, but agreed that the wording should refer to state law so that as the state law changes, the Charter would change.

#25 Art. XIII Sec. 1

Members agreed that this wording should reference state law on public records.

#23 Art. X Sec. 1 and #26 Art. XV Sec. 1

Member Lamerson asked if Mr. Kidd had received a formal opinion from the Attorney General's Office on the 15% v. 25% issue. Mr. Kidd said that they were working through Representative Tobin's office for such an opinion. Member Lamerson said that he would like to have that opinion in place before the Committee made the recommendation to change the requirement to 25%.

The next meeting would be scheduled once the opinion was received by the Attorney General's Office.

A brief discussion was held on recommended changes to clarify the employees in those departments that report to a department head appointed by the Council. Mr. Kidd noted that he had circulated a memo with recommended wording. The Committee members agreed to the wording and it was suggested that similar wording be included for the City Clerk and City Magistrate departments.

D. Adjournment.

There being no further business to be discussed, the meeting of the Charter Amendment Committee of May 10, 2010 adjourned at 2:20 p.m.

TAMMY LINN, Chairman

ATTEST:

ELIZABETH A. BURKE, City Clerk