

**TOWN OF PRESCOTT VALLEY  
REQUEST FOR COUNCIL ACTION  
Date: October 10, 2013**

**SUBJECT:** Proposed Town Code Amendments – Chapter 2 and Chapter 8

**SUBMITTING DEPARTMENT:** Legal Department

**PREPARED BY:** Carol Cornell, Paralegal, for Ivan Legler, Town Attorney

**AGENDA LOCATION:** Comments/Communications , Consent , Work/Study ,  
New Business , Public Hearing , Second Reading

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**ATTACHMENTS:** (a) Ordinance No. 778

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**SUMMARY/BACKGROUND:** Staff desires to make certain conforming amendments to the Town Code for the following reasons: 1) In 2011, A.R.S. §9-235 (setting forth new provisions for filling vacancies in town councils) was amended. The changes were followed in the 2013 election but conforming amendments have not yet been made in the Town Code; 2) In 2009, the Town Council moved its meeting location from the Prescott Valley Magistrate courtroom to the new Council Chambers/Auditorium located in the new Prescott Valley Joint Facilities building. The Town Code has not yet been updated to reflect the new location; 3) The “Order of Business” for Council meetings under the Town Code has not been updated since the current Code format was adopted in 1988 and does not reflect common practice today; 4) Arizona law authorizes the Arizona State Library, Archives and Public Records (ASLAPR) to recommend minimum retention schedules for records of public entities. The retention schedule for Peddler’s License Applications under the Town Code is not consistent with the ASLAPR retention schedule for such licenses since adopted by the Town.

As a matter of housekeeping, staff proposes to amend the relevant provisions of the Town Code to conform to current law and practice.

At its regular meeting on September 12, 2013, the Town Council voted to read Ordinance No. 778 by title only on two separate occasions and then place the same on final passage. Ordinance No. 778 was inadvertently not read for the second time at the following regular meeting on September 26, 2013. Therefore, it is being proposed for second reading and possible passage at this meeting.

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**OPTIONS ANALYSIS:** Council may adopt the proposed amendments or decline adoption.

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**ACTION OPTION:** [The Mayor asks the Town Clerk to read the ordinance for the second reading then asks, “shall the motion pass?]. **VOTE.**

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**RECOMMENDATION:** Staff recommends approval of this Ordinance.

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**FISCAL ANALYSIS:** There is no fiscal impact associated with this item.

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**REVIEWED BY:**

Management Services Director \_\_\_\_\_

Town Clerk \_\_\_\_\_

Town Attorney \_\_\_\_\_

Town Manager \_\_\_\_\_

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**COUNCIL ACTION:**

Approved    Denied    Tabled/Deferred    Assigned to \_\_\_\_\_