

Ordinance No. 843

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING SECTIONS 18-01-040, "ESTABLISHMENT" AND 18-01-050 "TERMS IN OFFICE " IN ARTICLE 18-01 "PRESCOTT VALLEY ARTS AND CULTURE" IN CHAPTER 18 "ARTS AND CULTURE" OF THE TOWN CODE TO REDUCE THE REQUIRED NUMBER OF MEMBERS COMPRISING THE ARTS AND CULTURE COMMISSION FROM SEVEN TO FIVE AND TO AUTHORIZE THE TOWN COUNCIL TO APPOINT TWO NON-VOTING ALTERNATE MEMBERS; PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES, AND SECTIONS OF THE TOWN CODE, NOT HEREIN AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on October 22, 1987 the Town Council of the Town of Prescott Valley adopted Ordinance 160, which created Article 16-1 of the Town Code, providing for a Prescott Valley Arts and Humanities Commission with the responsibility for advancing the visual arts and other cultural art forms in Prescott Valley, including commissioning works of art and incorporating art into public works projects; and

WHEREAS, the recodification of the Town Code by Ordinance No. 375 on December 28, 1995 renumbered Article 16-1 to Article 18-01 and placed it in its own Chapter 18 entitled Arts and Culture and renamed the commission "Arts and Culture Commission" ("Commission"); and

WHEREAS, on December 19, 2002 the Council adopted Ordinance No. 540 of the Code that standardized the administration of the Town's various board and commissions and amended Section 18-01-050 "Terms in Office", of Article 18-01, "Prescott Valley Arts and Culture" of Chapter 18, "Arts and Culture" consistent therewith; and

WHEREAS, on May 22, 2014, the Council adopted Ordinance No. 793, which eliminated the two-term limit for the Commission members ("Members") and provided that the Members would serve at the pleasure of the Town Council; and

WHEREAS, the Council now finds that the challenges of achieving a quorum of members for Commission meetings suggest that advancing the visual arts and other cultural art forms in Prescott Valley may be done with a reduced number of Members; and

WHEREAS, the Council desires now to amend Article 18-01 to reduce the required number of Members from seven to five (with a quorum reduced from four to three) but allow the Town Council to appoint two additional non-voting Members to serve as alternates in an effort to continue encouraging broad participation on the Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, AS FOLLOWS:

SECTION ONE. That Section 18-01-040 “Establishment” in Article 18-01 “PRESCOTT VALLEY ARTS AND CULTURE” in Chapter 18 “ARTS AND CULTURE” of the Town Code of the Town of Prescott Valley, Arizona, is hereby amended to read as follows:

18-01-040 Establishment.

- A. There is hereby established a Prescott Valley Arts and Culture Commission. The Commission shall be composed of five (5) voting members appointed by the Town Council. The Town Council may, at its discretion, appoint up to two (2) non-voting alternate members. All Commission members shall serve at the pleasure of the Town Council.
- B. First priority for membership shall be given to residents of Prescott Valley. However, persons residing outside of the Town limits who are uniquely qualified for membership may be considered for appointment so long as no more than one (1) voting member is a non-resident at any one time.
- C. Commission members shall serve without compensation, although their verified expenses relating to Commission membership may be paid if first approved by the Town Manager prior to the expenses being incurred.
- D. The Commission shall hold no fewer than nine (9) regular meetings per year, which shall at all times be open to the public. The time and place of said meetings shall be posted in accordance with applicable Arizona open meeting statutes, and agendas and minutes shall be maintained as requires by said statutes. A quorum of three (3) voting members shall be required to conduct business. The Commission may adopt bylaws, subject to approval of the Town Council. Matters not covered by Commission bylaws shall be determined by reference to Robert's Rules of Order.
- E. The Town Manager shall assign such Town staff to support the Commission as he or she shall deem necessary.

(Ord. No. 160, Enacted, 10/22/87; Ord. No. 375, Renumbered, 12/28/95, 16-01-040; Ord. No. 495, Amended, 02/22/01; Ord. No. 793, Amended, 05/22/14; Ord. No. 843, Amended, 05/24/18)

SECTION TWO. That Section 18-01-050 “TERMS IN OFFICE” in Article 18-01 “PRESCOTT VALLEY ARTS AND CULTURE” in Chapter 18 “ARTS AND CULTURE” of the Town Code is hereby amended to read as follows:

18-01-050 Terms in Office.

The terms in office for members of the Commission shall be three (3) year, staggered terms. The Town Council shall fill vacancies for the term of any Commission member. If a Commission member is absent for three (3) meetings in any twelve (12) month period, that member shall be deemed to have vacated his or her membership and may be replaced by the Town Council. Any

Commission member may be removed prior to the completion of his or her term by the affirmative vote of four (4) Council members.

(Ord. No. 160, Enacted, 10/22/87; Ord. No. 375, Renumbered, 12/28/95, 16-01-050; Ord. No. 495, Amended, 02/22/01; Ord. No. 540, Amended, 12/19/02; Ord. No. 793, Amended, 05/22/14; Ord. No. 843, Amended, 05/24/18)

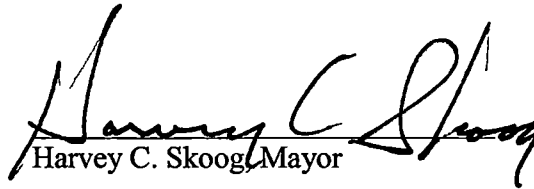
SECTION THREE. That all other Chapters, Articles and Sections of the Town Code not herein repealed, re-enacted and amended shall remain in full force and effect.

SECTION FOUR. That, if any provision in this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

SECTION FIVE. That this Ordinance shall be effective thirty (30) days after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 17 day of June, 2018.




Harvey C. Skoog, Mayor


Diane Russell, Town Clerk

APPROVED AS TO FORM:


Ivan Legler, Town Attorney