

INTEROFFICE MEMO

OFFICE OF THE CITY ATTORNEY

TO: Honorable Mayor and
Members of City Council

DATE: December 6, 2021

FROM: R. Joel Stern
City Attorney

SUBJECT: BOARD AND COMMISSION CODE SECTION AMENDMENTS; OUR FILE
NO. 21-027

On November 2, 2021 (Item #12), the council directed staff with a 7:0 vote to increase the health and human services commission membership from five to seven members starting in October 2022. The council also voted 6:1 to direct staff to amend multiple board and commission sections of the city code so that in situations where the quorum is in danger of not being met, the council will fill the vacancies immediately using the then-current talent bank applications and will not wait until the annual October appointment cycle. As directed, I have included in the packet redline and clean copies of the proposed amendments as reflected in Ordinance Nos. 1519 and 1520 and Resolution No. 21-53 .

Ordinance No. 1519 amends in its entirety Apache Junction City Code, Vol. I, Article 2-11 since the direction to staff instruction affected multiple sections of the health and human services commission article, some of which were also clerical as well as general clean-up (*i.e.*: the definition of “zone of influence” under § 2-11-2 (C)).

Ordinance No. 1520 and Resolution No. 21-53 relate to the quorum preservation direction in all other boards and commission city code provisions. Because each board and commission are under different provisions, the amendments will be fairly lengthy and will be quite expensive to publish after anticipated passage. Consequently, to avoid the publication cost of a larger ordinance, it is recommended the shorter ordinance version adopting the amendments by reference and the resolution declaring the amended provisions a public record be used. The actual amendments are contained in a separate document that will not have to be published with the ordinance. There are also some clerical changes being made within these sections and are reflected in the redline version.



R. Joel Stern
City Attorney