

ORDINANCE NO. 1519

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME I, BY REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 2: MAYOR, COUNCIL, AND APPOINTED BOARDS AND COMMISSIONS, ARTICLE 2-11: HEALTH AND HUMAN SERVICES COMMISSION; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, Chapter 2, Article 2-11: Health and Human Services Commission of the Apache Junction City Code ("A.J.C.C."), Volume I was last updated by Ordinance No. 1328 on October 27, 2008; and

WHEREAS, on November 1, 2021, the council discussed increasing the membership from five to seven members and whether vacancies should be filled before the quorum level is compromised any time before the annual October appointment cycle; and

WHEREAS, on November 2, 2021, the council directed staff to make the above changes to the health and human services code provisions; and

WHEREAS, other minor clerical changes are needed to facilitate the above-noted changes.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

1) Existing Apache Junction City Code, Volume I, Chapter 2: Mayor, Council, and Appointed Boards and Commissions, Article 2-11: Health and Human Services Commission, is hereby repealed and replaced in its entirety, as follows:

ARTICLE 2-11: HEALTH AND HUMAN SERVICES COMMISSION

Section

- 2-11-1 Creation
- 2-11-2 Membership and terms of office
- 2-11-3 Compensation and expenses
- 2-11-4 Officers
- 2-11-5 Duties
- 2-11-6 Meetings
- 2-11-7 Vacancies
- 2-11-8 Removal of members

§ 2-11-1 CREATION.

(A) The health and human services commission of the City of Apache Junction, Arizona, is hereby created.

(B) Staff responsibilities shall be assigned through the city manager's office.

§ 2-11-2 MEMBERSHIP AND TERMS OF OFFICE.

(A) Effective November 1, 2022, the health and human services commission shall consist of seven (7) members instead of five (5) who shall be appointed and approved by the council.

(B) (1) The appointments to this commission shall be for terms of 3 years each, with the terms of members so staggered that the terms of no more than 3 members shall expire in any given year.

(2) Upon expiration of the term of office, all new appointments shall be made by the council for full 3-year terms and all such terms shall expire on October 31st of succeeding years, except that in the event of the membership complement falling below the required quorum level set forth in § 2-11-6(C), the membership vacancies shall be filled by the council for the balance of the unexpired terms any time before the annual October appointment cycle using the then-existing talent bank applications.

(C) At least 4 of the 7 members shall be residents of the city, with no more than 3 being non-residents from within the "zone of influence", which means areas outside the city limits in Pinal County that the council deems having a cultural, social and economic impact on the city.

(D) No individual shall be appointed to the commission if the individual has received funding from the city either as an individual, or if such person has served on the board of any agency or been the employee of any agency that has received funding from the city at any time during the preceding 12 months.

(E) No former member of the health and human services commission shall make application to the city for funding as an individual or as the employee or representative of any agency within 12 months after they have ceased to be a member of the commission.

§ 2-11-3 COMPENSATION AND EXPENSES.

The members of the health and human services commission shall receive no salaries or other remuneration for their services as members of the commission and shall not be entitled to personal expenses incurred by them in the discharge of their official duties, except to the extent, purposes and amount such expense is first authorized and approved in advance by the city manager or his or her designee.

§ 2-11-4 OFFICERS.

The commission shall elect a chairperson and vice chairperson from among its members to serve for a period of 1 year. The vice chairperson shall preside at commission meetings in the absence of the chairperson.

§ 2-11-5 DUTIES.

The health and human services commission is hereby charged with the following duties:

(A) conduct public hearings to determine the needs of city residents with regard to public health provision of human services and care of the elderly, and disabled;

(B) enhance the development of the public health through public forums, seminars and work with other agencies;

(C) review requests submitted by health and human service providers (non-profit agencies) for city funding and to make recommendations to the council regarding that funding;

(D) assist in the development of health care facilities;

(E) make recommendations to the council regarding elderly health care and emergency transportation programs.

§ 2-11-6 MEETINGS.

(A) The city clerk shall establish a regular meeting date schedule for the commission.

(B) Special meetings may be called by the chairperson.

(C) A quorum shall consist of 4 members for the transaction of all business.

§ 2-11-7 VACANCIES.

Vacancies shall be filled in accordance with the provisions of § 2-11-2.

§ 2-11-8 REMOVAL OF MEMBERS.

(A) Members of the commission serve at the pleasure of the council and may be removed from office by the majority of the council.

(B) A member of the commission shall not be absent from more than 3 consecutive meetings without notification to staff of the reason for such absence before each meeting.

(C) If the three consecutive absences occur without the required notification to staff, the remaining members of the commission shall vote to recommend to the council whether the absentee member should be removed from the commission.

SECTION II REPEALING ANY CONFLICTING PROVISIONS

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the codes adopted herein by reference are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance or any part of the codes or regulations adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent

jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION THIS 7 DAY OF December, 2021.

SIGNED AND ATTESTED TO THIS 7 DAY OF December, 2021.

Chip Wilson

WALTER "CHIP" WILSON
Mayor

ATTEST:

Jennifer O Pena

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

R 12-7-21

RICHARD J. STERN
City Attorney