CITY OF BENSON
CITY COUNCIL
JULY 8, 2013 – 7:00 P.M.
REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON JULY 8, 2013 AT 7:00 P.M.,
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

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Danna M. Judd, CMC, Deputy City Clerk

AMENDED
A G E N D A

The Council may discuss, consider and take possible action pertaining to the following:

CALL TO ORDER: The Call to Order will consist of the Mayor calling the Council to order. The Mayor or his designee shall then lead those present in the pledge of allegiance before introducing the invocation speaker, who will offer the invocation.

ROLL CALL: The City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

EMPLOYEE RECOGNITION: The Mayor shall use this time to present employment awards to those City employees or to present recognition awards for specific acts regarding public service, if any.

PROCLAMATION: A proclamation of the Mayor and Council declaring the Month of July, 2013 as "Parks and Recreation Month."

PUBLIC HEARING: None

CALL TO THE PUBLIC: Communications and comments from the citizens regarding the City of Benson or other matters properly addressed to the City Council shall be heard by the Council. Such remarks shall be addressed to the Council as a whole and shall be limited to five (5) minutes unless additional time is granted by the Council. ******

CITY MANAGER REPORT: The City Manager will update and inform the public of specific items of interest regarding City matters.

NEW BUSINESS:

1. Consent Agenda: *** REMOVED ITEMS 1f, 1g, 1h, 1k AND 1l. REMAINING CONSENT AGENDA APPROVED
   - 1a. Minutes of the May 15, 2013 Worksession *
   - 1b. Minutes of the May 20, 2013 Worksession *
   - 1c. Minutes of the June 3, 2013 Special Meeting *
   - 1d. Minutes of the June 10, 2013 Regular Meeting *
   - 1e. Minutes of the June 20, 2013 Special Meeting *
   - 1f. Appointment of Jean Baden to the Benson Board of Adjustment *
   - 1g. Appointment of Jane Scholer to the Benson Board of Adjustment *
   - 1h. Appointment of Bob Baden to the Planning & Zoning Commission *
   - 1i. Reappointment of Irma Bernal to the Benson Historic Preservation Commission *
   - 1j. Reappointment of Phyllis Little to the Benson Historic Preservation Commission *
   - 1k. Appointment of Alwine Frega to the Benson Historic Preservation Commission *
   - 1l. Appointment of Peter Wangsness to the Benson Historic Preservation Commission *
   - 1m. Appointment of Peter Wangsness to the City of Benson Economic Development Subcomittee (EDSC) *
   - 1n. Renewal of the contract with Southeastern Arizona Governments Organization (SEAGO) Area Agency on Aging, Region VI *
   - 1o. Resolution 20-2013 of the Mayor and Council of the City of Benson, Arizona, approving and authorizing the execution of an Intergovernmental Agreement between the City of Benson and the Benson Unified School District #9 (the "District") to permit reciprocal use of the buildings and grounds of the City of Benson and the District *
   - 1p. Resolution 21-2013 of the Mayor and Council of the City of Benson, Arizona, approving and authorizing the execution of an Intergovernmental Agreement between the City of Benson and the Pomerene Elementary School District #64 (the "District") to permit reciprocal use of the buildings and grounds of the City of Benson and the District *

1q. Facility Use Agreement between Cochise County Community College District and the City of Benson for the use of the college owned facility located at 1025 S. SR90, Benson, Arizona *
1r. Purchase of two TORO brand greens mowers for the golf course *
1s. Invoices processed for the period from May 31, 2013 through June 13, 2013 *
1t. Invoices processed for the period from June 14, 2013 through June 27, 2013 *

ITEMS 1f, 1g, 1h, 1k AND 1l TABLED TO THE JULY 22, 2013 COUNCIL MEETING

2. Benson Butterfield Rodeo Committee's request for assistance by providing and assisting with set up of serpentine fencing, providing equipment and personnel to assist with the chalking of the parking lot at the Arena, giving access to water for prep and dust control and becoming a Sponsor for the Benson Butterfield Rodeo – **Jim Cox, Interim City Manager** * APPROVED REQUEST AND SPONSORSHIP IN THE AMOUNT OF $4,650

3. Adoption of the Benson Area Transit Program Civil Rights Policies in both English and Spanish – **Brad Hamilton, P.E., Public Works Director/City Engineer** * APPROVED WITH THE AMENDMENT TO ADD THE WORD "SEX" TO PARAGRAPH 1A

4. Discussion and possible action to provide financial support for proposed murals on the outdoor walls of the Visitor's Center parking lot – **Jim Cox, Interim City Manager** * APPROVED FINANCIAL SUPPORT IN THE AMOUNT OF $1,500

5. Review of City Finances with emphasis on May, 2013 financial results, the City's financial position at May 31, 2013 and discussion of expected future net revenue streams – **Megan Moreno, Finance Director** * NO ACTION

6. Discussion and possible action regarding the termination of the City Attorney Contract and the appointment of an Interim City Attorney – **Vice Mayor Al Sacco and Councilman Peter Wangsness** * CITY ATTORNEY CONTRACT TERMINATED

DEPARTMENT REPORTS: Written Department Reports will be provided to Councilmembers as part of the Council packet monthly.

ADJOURNMENT

POSTED this 3rd day of July, 2013

Material related to the City Council meeting is available for public review the day before and the day of the meeting, during office hours, at the City Clerk's Office located at 120 W. 6th Street, Benson, Arizona, 520-586-2245 x 2011.

All facilities are handicapped accessible. If you have a special accessibility need, please contact Vicki L. Vivian, City Clerk, at (520) 586-2245 or TDD: (520) 586-3624, no later than eight (8) hours before the scheduled meeting time.

Any invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

Executive Session – Upon a vote of the majority of the City Council, the Council may enter into Executive Session pursuant to Arizona Revised Statutes §38-431.03 (A)(3) (legal advice) to obtain legal advice on matters listed on the Agenda.

* Denotes an Exhibit in addition to the Council Communication

** Call to the Public

Arizona Revised Statutes §38-431.01(H) provides that "A public body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions to allow individuals to address the public body on any issue within the jurisdiction of the public body. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action." As such, Call to the Public agenda items are provided as a courtesy to allow citizens an opportunity to voice any concerns or opinions they may have regarding the City of Benson or other matters properly addressed to the City Council. However, in accordance with Arizona law, citizens need to understand that the City Council is not permitted to enter into a direct discussion with the citizens speaking on any issues of concern during the Call to the Public and no legal action can be taken, unless the matter is properly noticed on the agenda.

In order to speak during the Call to the Public, please complete the Call to the Public form requesting to do so.

*** Consent Agenda

The Consent Agenda will be the first item under New Business and shall list separately distinct items requiring action by the City Council that are generally routine items not requiring Council discussion. A single motion will approve all

items on the Consent Agenda, including any resolutions or ordinances, or claims/invoices that are of a routine nature. A Councilmember may remove any issue from the Consent Agenda, and that issue will be discussed and voted upon separately, immediately following the Consent Agenda under its proper regular category of New Business.