CITY OF BENSON
CITY COUNCIL
AUGUST 12, 2013 – 7:00 P.M.
REGULAR MEETING

A REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
WILL BE HELD ON AUGUST 12, 2013 AT 7:00 P.M.,
AT BENSON CITY HALL,
120 W. 6TH STREET, BENSON, ARIZONA

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Vicki L. Vivian, CMC, City Clerk

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: Proclamation acknowledging Benson Unified School District as the #1 2013 Top Performing Public School District in the State of Arizona.

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: ***
   - 1a. Minutes of the July 8, 2013 Regular Meeting *
   - 1b. Resolution 22-2013 of the Mayor and Council of the City of Benson, Arizona, authorizing the Release of Assurances for the Subdivision known as Cottonwood Bluffs, Lots 1 through 100, Blocks 1 and 2 and common area "A" *
   - 1c. Extension of the Trust Assurance Agreement on the subdivision known as Cottonwood Highlands *
   - 1d. Contracts with Xpress Bill Pay, Bank of American Fork and Chase Paymentech for establishment of online bill paying capabilities *
   - 1e. Resolution 23-2013 of the Mayor and Council of the City of Benson, Arizona, authorizing the execution of an Intergovernmental Agreement between the City of Benson and the St. David Unified School District (The "District") to permit reciprocal use of the buildings and grounds of the City of Benson and the District *
   - 1f. Invoices processed for the period from July 13, 2013 through August 1, 2013 *

2. Appointments to the Benson Board of Adjustment to fill the two terms that expire July 31, 2013 (Possible appointments are renewals of Ron Brooks and Robert Barnaby and new applicants Jean Baden and Jane Scholer) – **Jim Cox, Interim City Manager** *

3. Discussion and possible direction to Staff regarding the annual Bluegrass Festival – **Jim Cox, Interim City Manager**

4. Ordinance 563 levying upon the assessed valuation of the property within the City of Benson, Arizona, subject to taxation. A certain sum upon each One Hundred Dollars ($100) of valuation, sufficient to raise the amount estimated to be required in the annual budget, less the amount estimated to be received from fines, licenses and other sources of revenue providing a General Fund for the General Municipal Expenses: All for the Fiscal Year ending June 30, 2014 – **Megan Moreno, Finance Director** *

5. Discussion and possible action to appoint a Selection Committee to review the Municipal Legal Services (City Attorney) Proposals – **Jim Cox, Interim City Manager**

EXECUTIVE SESSION: As per A.R.S. §38-431.03 (A)(1), (3) & (4), Discussion or consideration of employment, assignment, appointment, promotion, salaries, or resignation of a public officer, appointee or employee of the City. The Council will discuss and consider the appointment and employment contract of the Interim City Manager and the City Manager, and may receive legal advice and give instructions to the City Attorney

6. Discussion and possible action regarding the City Manager position, possible appointment of a City Manager and approval of an employment contract – **Jim Cox, Interim City Manager ***

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

ADJOURNMENT

POSTED this 6th day of August, 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.