# City of Benson
# City Council Communication

**Regular Meeting** **September 23, 2013**

To: Mayor and Council Agenda Item # 4

From: Vicki Vivian, CMC, City Clerk

Subject:

Ordinance 565 of the Mayor and Council of the City of Benson, providing for compliance with A.R.S. §16-204 as amended by the Arizona State Legislature in 2012

Discussion:

A review of recently passed State legislation regarding consolidated elections and Councilmember terms were presented to Council at a worksession on August 12, 2013 for direction to Staff. Council directed Staff to schedule a Public Hearing on September 9, 2013 at 6:00 p.m. to solicit comments from the public regarding Councilmembers' term lengths. At the public hearing, Council consensus was to consider shortening the current Council terms by approximately 6 months and directed Staff to prepare the necessary documents to do so and present it to Council for action on September 23, 2013.

Staff Recommendation:

Council pleasure

# ORDINANCE 565

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, PROVIDING FOR COMPLIANCE WITH A.R.S. § 16-204 AS AMENDED BY THE ARIZONA STATE LEGISLATURE IN 2012**

WHEREAS, the Arizona State Legislature in 2012 amended A.R.S. §16-204 to consolidate all regular candidate elections including those of the City of Benson, Arizona to the Fall primary and general election dates of even-numbered years; and

WHEREAS, this new law requires conformity as of the 2014 election cycle, preventing the City from holding its scheduled municipal elections that would otherwise be held in the Spring of 2015 and 2017; and

WHEREAS, this new law requires adjusting the length of terms of the Mayor and members of the Council currently serving in office so that their terms will expire at a time allowing for conformity with the even-numbered-year Fall election cycles.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Benson, Arizona as follows:

SECTION ONE: The current term of the Mayor shall expire on the first business day of January, 2015, and his successor shall be chosen according to law for a two-year term at the Fall consolidated election dates, 2014.

SECTION TWO: The term of any current member of the Council with two or fewer years left in their Council term shall expire on the first business day of January, 2015, and their successors shall be chosen according to law for four-year terms at the Fall consolidated election dates, 2014.

SECTION THREE: The term of any current member of the Council with more than two years left in their Council term shall expire on the first business day of January, 2017 and their successors shall be chosen according to law for four-year terms at the Fall consolidated election dates, 2016.

SECTION FOUR: All ordinances and resolutions inconsistent with this ordinance are hereby repealed.

SECTION FIVE: The effective date of this ordinance shall be thirty days after adoption.

SECTION SIX: Pursuant to A.R.S. § 9-812, the City Clerk is directed to publish this ordinance for two consecutive weeks in a newspaper of general circulation.

SECTION SEVEN: If any section, subsection, sentence, clause, phrase or portion of this Ordinance 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 portion thereof.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 23rd day of September, 2013.

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TONEY D. KING, SR., Mayor

ATTEST:

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VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:

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MICHAEL J. MASSEE, City Attorney

Published in the San Pedro Valley News Sun for two (2) consecutive weeks with the date of first publication being on the 2nd day of October, 2013.