City of Benson
City Council Communication

Regular Meeting **June 9, 2014**

To: Mayor and Council Agenda Item # 9

From: William D. Stephens, City Manager

Subject:

Discussion and possible action on Ordinance 571 of the Mayor and Council of the City of Benson, Arizona, creating the Benson Airport Advisory Committee and amending the Benson City Code, Chapter 18, regarding Boards, Commissions and Committees by adopting new Article 18-7 as contained in that certain public record entitled, "Benson City Code, Chapter 18 – Boards, Commissions and Committees, Article 18-7, Benson Airport Advisory Committee"

Discussion:

As noted in the previous item, any change to the City Code must be adopted by an ordinance, which must be published in accordance with State law requirements. However, when a change to the City Code is lengthy, there is a provision that enables a City to adopt the provision of a code or a public record without setting forth such provisions in the ordinance; enacting the provisions "by reference". The previous item presented to Council, Resolution 16-2014, declared the document, "Chapter 18 – Boards, Commissions and Committees, Article 18-7, Benson Airport Advisory Committee" as a public record. Council may now adopt Ordinance 571, which will enact the City Code change.

Staff Recommendation:

Council pleasure

ORDINANCE 571

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, CREATING THE BENSON AIRPORT ADVISORY COMMITTEE AND AMENDING THE BENSON CITY CODE, CHAPTER 18, REGARDING BOARDS, COMMISSIONS AND COMMITTEES BY ADOPTING NEW ARTICLE 18-7 AS CONTAINED IN THAT CERTAIN PUBLIC RECORD ENTITLED, "BENSON CITY CODE, CHAPTER 18 – BOARDS, COMMISSIONS AND COMMITTEES, ARTICLE 18-7, BENSON AIRPORT ADVISORY COMMITTEE"

WHEREAS, as one of the goals of the Mayor and City Council of the City of Benson, Arizona, is to expand the economy of the City of Benson; and,

WHEREAS, the Benson Municipal Airport is an economic development asset that may assist in fostering a strong economic community, business growth, both in the terms of new economic development and the retention of existing commercial businesses and industries and the creation of more local jobs; and

WHEREAS, the Federal Aviation Administration and the Arizona Department of Transportation recommend that an airport advisory committee be established for all agencies accepting FAA grant funds and that such committee would advise the elected government on all facts of the airport development and operation, the City Council hereby establishes the Benson Airport Advisory Committee.

THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BENSON, ARIZONA, as follows:

SECTION I: That certain document entitled "Benson City Code, Chapter 18 – Boards, Commissions and Committees, Article 18-7, Benson Airport Advisory Committee," three (3) copies of which are on file in the Office of the City Clerk of the City of Benson, Arizona, said document having been made a public record by Resolution 15-2014 of the City of Benson, Arizona, is hereby adopted by reference, and made a part hereof as if fully set forth in this Ordinance;

SECTION II: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the public record adopted by reference are hereby repealed;

SECTION III: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the public record 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 portion thereof.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA, this 9th day of June, 2014.

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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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MESCH, CLARK AND ROTHSCHILD, P.C.
BY GARY J. COHEN
City's Attorney