

**THE REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA
HELD JUNE 22, 2020 AT 7:00 P.M.
AT THE BENSON COMMUNITY CENTER, 705 W. UNION STREET, BENSON, ARIZONA**

CALL TO ORDER:

Mayor King called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Mayor King then introduced Councilmember/Pastor Lupe Diaz from the Grace Chapel Benson who gave the invocation.

ROLL CALL:

Present were: Mayor Toney D. King, Sr., Vice Mayor Barbara Nunn, Councilmembers: Pat Boyle, Lupe Diaz, Larry Dempster, Nick Maldonado, and Chris Tapia.

EMPLOYEE RECOGNITION: None

PROCLAMATION: Councilmember Dempster read a proclamation of the Mayor and Council declaring June 14, 2020 to be “United States Army’s 245th Birthday.”

CITY MANAGER’S SUMMARY OF CURRENT EVENTS REPORT:

City Manager Vicki Vivian addressed Council, giving the dates of upcoming meetings and events.

Wednesday, June 24, 2020 – City Council Special Meeting, 7:00 p.m., Community Center

Monday, July 13, 2020 – City Council Regular Meeting, 7:00 p.m., Community Center

Friday, July 3, 2020 – City Offices will be closed – Observance of the July 4th Holiday

Saturday, July 4, 2020 – Benson’s Annual 4th of July Celebration – Lions Park
The City’s fireworks show will begin at 8:30 p.m. – Fireworks will start after the National Anthem by Lisi Harris Due to COVID-19, this year there will be no vendors and no other festivities. Please abide by CDC guidelines and maintain social distancing.

July – Summer Recreation Programs – The Recreation Department offers many activities such as:

- Baseball Camp
- Volleyball
- Babysitting CPR/First Aide
- Basketball camp
- Christmas in July
- Candle/Lip balm Making
- Benson Youth Tracking & Survival Safety Camp

The City Pool is now open, For more information on the pool and our other summer activities, please go to www.cityofbenon.com

NEW BUSINESS:

1. Discussion and possible action on the Consent Agenda

- 1a. Minutes of the June 26, 2017 Regular Meeting
- 1b. Minutes of the March 25, 2019 Worksession
- 1c. Minutes of the May 19, 2020 Special Meeting
- 1d. Minutes of the May 26, 2020 Regular Meeting
- 1e. License Agreement between the Friends of the Benson Library and the City of Benson, Arizona, for the use of Property located at 197 E. 7th Street, Benson, Arizona
- 1f. Resignation of Marian Buchanan from the Benson Library Advisory Board
- 1g. Appointment of Janet Hearn to the Benson Library Advisory Board
- 1h. Appointment of Lori Mitchell to the Benson Library Advisory Board
- 1i. Contract extension for Prosecutorial Services between Ann P. Roberts and the City of Benson
- 1j. Invoices processed for the period from May 14, 2020 through May 27, 2020
- 1k. Invoices processed for the period from May 28, 2020 through June 10, 2020

Councilmember Boyle moved to approve the Consent Agenda. Seconded by Councilmember Dempster. Motion passed 7-0.

2. Discussion and possible action regarding Resolution 21-2020 of the Mayor and Council of the City of Benson, Arizona, approving an Intergovernmental Agreement between Cochise County and the City of Benson for Election Supplies and Services

City Manager Vicki Vivian stated the City contracts with Cochise County to provide election supplies and services for our Council elections, adding the previous IGA was in place for the 2018 Council election cycle and the proposed IGA will be in place for the upcoming 2020 elections. Ms. Vivian then stated the basic premise of the agreement is the same as the previous IGA, but there are a few changes; then noted the changes include adding some legal language, the expressed duty of canvassing the elections and providing that documentation to the City for the Council to take action, and eliminating any recount costs. Ms. Vivian then stated the fee schedule has been amended substantially to have an election fee per registered voter of \$.75 with a minimum cost of \$800, then stated should the City cancel the election, there is a \$250 fee which remains the same as it was in the previous fee schedule. Ms. Vivian then stated with the new schedule using a registered voter fee, all other costs, except for a copy fee of \$.30, are included and there are no separate charges from the County Recorder's office. Ms. Vivian also stated in March of 2019, the City had 2,997 active voters in Benson City limits and using this as an estimate, the cost would be approximately \$2,250.00. Ms. Vivian then stated since the Council Communication was sent to Council with the meeting packet, she spoke with the County and there are 3,218 registered voters, which would bring the approximate cost to \$2,413. Ms. Vivian then noted the City Attorney approved the language in the proposed IGA.

There was no Council discussion.

Councilmember Boyle moved to approve Resolution 21-2020. Seconded by Councilmember Diaz. Motion passed 7-0.

3. Discussion and possible action regarding Resolution 22-2020 of the Mayor and Council of the City of Benson, Arizona (City), approving and authorizing the execution of a Court Consolidation Agreement by and between the City of Benson, Arizona and Cochise County (County)

City Manager Vicki Vivian stated this resolution approves and authorizes the Court Consolidation Agreement by and between the City of Benson and Cochise County to continue as a consolidated Municipal Court and Justice Court, adding the Court Consolidation agreement reflects a full definition of roles and responsibilities. Ms. Vivian then stated there have been some updates to the agreement, but there are no substantial changes,

adding the City Attorney reviewed the agreement. Ms. Vivian then noted the cost for the agreement will remain at zero for the upcoming fiscal year; then stated the County informed her that they will be reviewing the agreement, court revenues and expenses and will come back with a full explanation for the following fiscal year, adding at that point there may be a change in the fees charged to the City.

There was no Council discussion.

Vice Mayor Nunn moved to approve Resolution 22-2020. Seconded by Councilmember Maldonado. Motion passed 7-0.

EXECUTIVE SESSION: Pursuant to A.R.S. § 38-431.03 (A)(3) & (7), for discussion or consultation for legal advice with the attorney or attorneys of the public body and discussions or consultations with the Mayor and Council's designated representatives to consider its position and possibly instruct its representatives regarding negotiations for the purchase, sale, lease, or exchange of city-owned real property.

Councilmember Boyle moved to enter into an Executive Session with the Mayor and Council, the City Manager, the City Attorney, and the Deputy City Clerk at 7:11 p.m. Seconded by Vice Mayor Nunn. Motion passed 7-0.

Council reconvened at 7:36 p.m.

ADJOURNMENT:

Councilmember Boyle moved to adjourn at 7:37 p.m. Seconded by Vice Mayor Nunn. Motion passed 7-0.

Toney D. King, Sr., Mayor

ATTEST:

Vicki L. Vivian, CMC, City Clerk