

ORDINANCE NO. 2019-24

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AMENDING CHAPTER 3 OF THE PEORIA CITY CODE BY REPEALING SECTION 3-30 IN ITS ENTIRETY PERTAINING TO LIBRARY BOARD; CREATED; BY REPEALING SECTION 3-31 IN ITS ENTIRETY PERTAINING TO LIBRARY BOARD; MEMBERS; BY REPEALING SECTION 3-32 IN ITS ENTIRETY PERTAINING TO LIBRARY BOARD; OFFICERS; BY REPEALING SECTION 3-36 IN ITS ENTIRETY PERTAINING TO PARKS AND RECREATION BOARD; ESTABLISHED; BY REPEALING SECTION 3-38 IN ITS ENTIRETY PERTAINING TO PARKS AND RECREATION BOARD; OFFICERS; BY REPEALING SECTION 3-39 IN ITS ENTIRETY PERTAINING TO PARKS AND RECREATION BOARD; MEETINGS; BY REPEALING SECTION 3-40 IN ITS ENTIRETY PERTAINING TO PARKS AND RECREATION BOARD; POWERS AND DUTIES; BY ABOLISHING THE LIBRARY BOARD AND THE PARKS AND RECREATION BOARD AND CREATING THE PARKS, RECREATION AND COMMUNITY FACILITIES BOARD; BY AMENDING SECTION 3-33 PERTAINING TO LIBRARY BOARD; MEETINGS; AND RENAMING SECTION 3-33 PARKS, RECREATION AND COMMUNITY FACILITIES BOARD; ESTABLISHMENT AND MEMBERSHIP; BY AMENDING SECTION 3-34 PERTAINING TO LIBRARY BOARD; FUNCTIONS; AND RENAMING SECTION 3-34 PARKS, RECREATION AND COMMUNITY FACILITIES BOARD; POWERS AND DUTIES; BY AMENDING SECTION 3-37 PERTAINING TO PARKS AND RECREATION BOARD; MEMBERS; AND RENAMING SECTION 3-37 PARKS, RECREATION AND COMMUNITY FACILITIES BOARD; MEMBERS; AND PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, the City places a high priority on effective and efficient connection with the community at large. The City of Peoria Boards and Commissions support an open and accessible government and promote an engaged public process. The citizens who volunteer their time and talents on City of Peoria Boards and Commissions are valued and serve an important role in the City of Peoria.

WHEREAS, the consolidation of the City of Peoria Library Board with the City of Peoria Parks and Recreation Board will assist to further accomplish an effective and efficient connection with the City of Peoria and advance a more open, accessible government with an engaged public process.

WHEREAS, the City of Peoria is consolidating the City of Peoria Library Board with the City of Peoria Parks and Recreation Board to create the Parks, Recreation and Community Facilities Board.

WHEREAS, the Mayor and Council find it necessary for an effective transition and consolidation of the City of Peoria Library Board with the City of Peoria Parks and Recreation Board to establish a delayed effective date making this Ordinance effective on January 1, 2020.

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

SECTION 1. Chapter 3 of the Peoria City Code is amended by repealing Section 3-30 in its entirety pertaining to the Library Board; created and designating Section 3-30 as a reserved section and which shall read as follows:

Sec. 3-30. – Reserved. ~~Library Board; created.~~

~~The library board is established.~~

SECTION 2. Chapter 3 of the Peoria City Code is amended by repealing Section 3-31 in its entirety pertaining to Library Board; members and designating Section 3-31 as a reserved section and which shall read as follows:

Sec. 3-31. – Reserved. ~~Library Board; members.~~

~~(a) The Library Board of the City shall be composed of a total of seven (7) voting members.~~

~~(b) All members shall serve without pay; however members of the board may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the board and approval of such expenditure by the council.~~

SECTION 3. Chapter 3 of the Peoria City Code is amended by repealing Section 3-32 in its entirety pertaining to Library Board; officers and designating Section 3-32 as a reserved section and which shall read as follows:

Sec. 3-32. – Reserved. ~~Library Board; officers.~~

~~The library board shall elect a chairman and vice chairman from among its own members, each of whom shall serve for one (1) year and until his successor is elected and qualified. The chairman presides at all meetings and exercises all the usual rights, duties and prerogatives of the head of any similar organization. The vice chairman shall perform the duties of the chairman in the absence or disability of the chairman.~~

SECTION 4. Chapter 3 of the Peoria City Code is amended by renaming Section 3-33 Parks, Recreation and Community Facilities Board; establishment and membership and which shall read as follows:

Sec. 3-33. - Library Parks, Recreation and Community Facilities Board; meetings establishment and membership.

~~(a) Regular meetings of the library board will be held in January, March, September and November at such time and place as shall be designated by the chairman of the board. In addition, the board may hold special meetings upon the call of the chairman or a majority of the members of the board.~~

~~(b) A majority of the members comprising the board shall constitute a quorum shall be necessary to transact board business. The affirmative vote of a majority of those members present and voting shall be required for passage of any matter before the board. The minutes of the meetings shall reflect the "ayes" and "noes" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberations on the matter in question. The vote of any member who fails to declare his vote shall be recorded as an "aye" vote, provided that he is not exempt from voting by reason of a declared conflict of interest.~~

The Parks, Recreation and Community Facilities Board of the city is established.

SECTION 5. Chapter 3 of the Peoria City Code is amended by renaming Section 3-34 Parks, Recreation and Community Facilities Board; powers and duties and which shall read as follows:

Sec. 3-34. - Library Parks, Recreation and Community Facilities Board; functions, powers and duties.

~~(a) The library Parks, Recreation and Community Facilities bBoard shall act serve in an advisory capacity, only to the city council on matters relating to the library system and services, and shall perform such other duties as may be prescribed by the council as outlined in subsection (b) of this section, on the following matters in the City:~~

- (1) Parks, amenities, playgrounds and sports fields
- (2) Recreation services
- (3) Library services and facility amenities
- (4) Open space, trails and natural settings
- (5) Non-motorized and recreational transportation
- (6) Human services

(7) Neighborhood and livability services

(8) Urban forestry, horticulture and landscaping

(b) When advising on matters outlined in subsection (a) of this section, the Parks, Recreation and Community Facilities Board may:

(1) Address appropriate plans, programs, developments, initiatives, criteria and management, as applicable.

(2) Address the location, nature and acquisition of real property to meet community needs.

(3) Address a schedule of charges and fundraising activities, as applicable.

(4) Address the use and application of intergovernmental agreements, contracts and grants, as applicable.

(5) Propose rules, criteria, policies, programs and services and promote to the community, as applicable.

(6) Address criteria for recommending the award and/or distribution of City funding, as applicable.

(7) Promote programs, events and activities and foster community collaborations and partnerships when possible.

(8) Educate the public on matters as outlined in subsection (a) of this section, as applicable.

(9) Address master plans and engage in long-term direction planning and community visioning, as applicable.

SECTION 6. Chapter 3 of the Peoria City Code is amended by repealing Section 3-36 in its entirety pertaining to Parks and Recreation board; established and designating Section 3-36 as a reserved section and which shall read as follows:

Sec. 3-36. Reserved. ~~Parks and recreation board; established.~~

~~The parks and recreation board of the city is established.~~

SECTION 7. Chapter 3 of the Peoria City Code is amended by amending Section 3-37 Parks and Recreation Board; members:

Sec. 3-37. Parks, and, Recreation and Community Facilities ~~Board~~; members.

(a) The Parks, and Recreation, and Community Facilities ~~Board of the City~~ shall be composed of a total of seven (7) members. Up to two (2) additional members may also serve; however, the additional members' terms shall expire no later than July 1, 2020. ~~The members of the Board shall be appointed by the mayor with the approval of the Council.~~ consist of:

- (1) Two residents with an express interest in the City's parks;
- (2) Two residents with an express interest in library services;
- (3) Three private citizens who are residents of the City.
- (4) Two additional members whose terms shall expire no later than July 1, 2020.

~~(b) All members shall serve without pay. However, members may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the board and approval of the expenditure by the council.~~

~~(c) Notwithstanding subsection (a) of this section, any member of the board may be removed by a majority vote of the council, upon motion of any member of the council.~~

SECTION 8. Chapter 3 of the Peoria City Code is amended by repealing Section 3-38 in its entirety pertaining to Parks and Recreation Board; officers and designating Section 3-38 as a reserved section and which shall read as follows:

Sec. 3-38. - Reserved. Parks and recreation board; officers.

~~The parks and recreation board shall elect a chairman and vice chairman from among its own members, each of whom shall serve for one (1) year and until his successor is elected and qualified. The chairman shall preside at all meetings and exercise all the usual rights, duties and prerogatives of the head of any similar organization. The chairman shall have the power to administer oaths and to take evidence. The vice chairman shall perform the duties of the chairman in the absence or disability of the chairman. Vacancies created by any cause shall be filled for the unexpired term by a new election.~~

SECTION 9. Chapter 3 of the Peoria City Code is amended by repealing Section 3-39 in its entirety pertaining to Parks and Recreation Board; meetings and designating Section 3-39 as a reserved section and which shall read as follows:

Sec. 3-39. - Reserved. Parks and recreation board; meetings.

~~(a) The parks and recreation board shall provide in its rules for its meetings. Special meetings may be called by the chairman, or in his absence, the vice chairman. Any two (2) members of the board may make a written request to the chairman for a special meeting and if a meeting is not called, the members may call such special meeting in such manner and form as may be provided in the board's rules.~~

~~(b) A majority of the members comprising the board shall constitute a quorum. A quorum is necessary to transact board business. The affirmative vote of a majority of those members present and voting shall be required for passage of any~~

~~matter before the board. The minutes of the meetings shall reflect the "ayes" and "noes" cast on a particular measure and shall reflect the vote of each member present. A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall take no part in the deliberations on the matter in question. The vote of any member who fails to declare his vote shall be recorded as an "aye" vote, provided that he is not exempt from voting by reason of a declared conflict of interest~~

SECTION 10. Chapter 3 of the Peoria City Code is amended by repealing Section 3-40 in its entirety pertaining to Parks and recreation board; meetings and designating Section 3-40 as a reserved section and which shall read as follows:

Sec. 3-40 – Reserved. ~~Parks and recreation board; powers and duties.~~

~~(a) The parks and recreation board shall:~~

~~(1) Advise the city, through the city manager, on establishing policies for recreational facilities and services within and without the city as the developing public recreation needs may require.~~

~~(2) Advise the city, through the city manager, regarding contracts to grant concessions, licenses and permits for the use of the recreational facilities of the city and for others for the use of recreational facilities needed by the city.~~

~~(3) Advise the city, through the city manager, concerning recreational needs and recommend acquisition, location and nature of facilities to meet said needs.~~

~~(4) Perform such other duties as may be prescribed by ordinance or resolution.~~

~~(b) The board may advise the city through the city manager regarding a uniform schedule of charges to be made by the city for recreational facilities. All receipts shall be paid into the general fund of the city. Such schedule shall become effective upon approval by the council.~~

SECTION 11. Providing an Effective Date. This ordinance shall become effective on January 1, 2020 in the manner provided by law. This ordinance shall have no effect or application prior to January 1, 2020.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona this 1st day of October, 2019.


Cathy Carlata, Mayor

10-7-19
Date Signed

ATTEST:


Rhonda Geriminsky, City Clerk



APPROVED AS TO FORM:


Vanessa P. Hickman, City Attorney

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