

ORDINANCE NO. (O) 11-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING ORO VALLEY TOWN CODE, CHAPTER 3, ADMINISTRATION, ARTICLE 3-6, ADVISORY BOARDS; REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH; PRESERVING THE RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER

WHEREAS, Oro Valley is a political subdivision of the State of Arizona, is vested with all rights, privileges, and benefits and entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, on September 27, 1989, the Mayor and Council adopted Ordinance No. (O) 89-21, adopting that certain document entitled "Oro Valley Town Code, Chapter 3, Administration"; and

WHEREAS, on May 5, 1993, the Mayor and Council adopted Ordinance No. (O) 93-08, creating Article 3-6, Advisory Boards; and

WHEREAS, the Town desires to amend Article 3-6 to update and streamline the advisory boards process.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Council of the Town of Oro Valley, Arizona, that the certain document known as the "Oro valley Town Code", Chapter 3, Article 3-6 is amended as follows:

SECTION 1. Oro Valley Town Code, Chapter 3, Article 3-6 is hereby amended as follows with additions in ALL CAPS and deletions in ~~strike through text~~.

Article 3-6 ADVISORY BOARDS

Sections:

- 3-6-1 Creation and Duties
- 3-6-2 Term of Office and Membership
- ~~3-6-3 Extension of Term of Advisory Board~~ RESERVED
- 3-6-4 Officers Designated, Meetings, and Rules of Procedure
- 3-6-5 Limitation of Authority
- 3-6-6 Liaison
- 3-6-7 Powers and Duties of the Parks and Recreation Advisory Board
- 3-6-8 Oro Valley Water Utility Commission
- 3-6-9 Art Review Commission

3-6-1 Creation and Duties

The Town Council may create from time to time advisory boards of three, five or seven members who are residents of the Town for the purpose of examining areas dealing with subject matters as defined by the Council by board name and Council designation of areas for board study. The board shall submit recommendations for the Council's information and possible action.

3-6-2 Term of Office and Membership

~~Such boards shall be created for terms not exceeding two years which terms may be shortened, ended, or extended by action of the council.~~ Members of the A board shall serve at the pleasure of the Council for a term not exceeding ~~two~~ THREE years. Any vacancy shall be filled by the Council for an unexpired term. Members shall serve without compensation and shall be residents of the Town and not members of any other town body.

3-6-3 Extension of Term of Advisory Board

~~In the event the board sends a letter of intent of desire to continue to the town council three months prior to its expiration date, the council shall consider an extension of the term. In the event of extension of a board's time, the council shall advertise for other board members to volunteer for positions on the board and additionally consider existing board members should they send to the council letters of intent as to their desire to remain on the board. RESERVED~~

3-6-4 Officers Designated, Meetings, and Rules of Procedure

The board shall elect its own officers annually and ~~may~~ SHALL conduct its meetings in accordance with Roberts Rules of Order AND TOWN COUNCIL PARLIAMENTARY RULES AND PROCEDURES AND CODE OF CONDUCT as may be amended by the Council for the use of all commissions and boards and shall adhere to all open meetings laws of the State of Arizona. Board meetings shall be regularly scheduled, legally noticed and held once a month. Special meetings may be called by the chair with at least 24 hours notice or by any three board members with at least 48 hours notice under the same conditions as set forth for the Mayor and Council under Section 2-4-2 of the Oro Valley Town Code. Agendas shall be posted and meeting minutes taken and both shall be filed with the Town Clerk.

3-6-5 Limitation of Authority

Advisory boards shall not have authority to commit the Town of Oro Valley to any agreements with public or private organizations or discuss financial arrangements.

3-6-6 Liaison

The Town Manager or his OR HER designee from the Town staff shall serve as an ex-officio non-voting member of the board to facilitate reports to the Council and shall attend such meeting as he/ OR she deems necessary or as a function of the board's agenda.

3-6-7 Powers and Duties of the Parks and Recreation Advisory Board

1. To act in an advisory capacity to the Town Council in matters pertaining to parks and recreation, parks design, open space and trail use (prior to the review comments being submitted to other Boards, Commissions or the Council). The Board's powers shall be limited to an advisory role with the ~~Parks and Recreation~~ PARKS RECREATION LIBRARY & CULTURAL RESOURCES Director and/or the Town Council and shall not provide directions to Town employees regarding the activities of staff, parks operations or recreation programs.
2. As with any Board, Commission or Committee, all requests for use of any Town staff time and resources must be approved by the Town Manager or his OR HER designee.
3. Give advice to the Town Council and ~~Parks and Recreation~~ THE PARKS RECREATION LIBRARY & CULTURAL RESOURCES Director for general priorities at budget time for those items (other than administrative functions as determined by the Town Manager and the Department Head) relating to park development and recreation programs. This involves a yearly review and update of the five-year plan for park land acquisition and capital improvements as prepared by the ~~Parks and Recreation~~ PARKS RECREATION LIBRARY & CULTURAL RESOURCES Director.
4. Give due attention and study to the recreation, open space, trails and park services as they affect the residents of Oro Valley.
5. Make policy recommendations, keeping in mind that the final adoption of the policy is the prerogative of the Council.
- ~~6. Make initial contact for soliciting funds after being so directed and approved to do so by the Town Council; again keeping in mind that the Council makes the final determination for any acceptance or rejection in these areas.~~
- ~~7. Interact with the Town of Oro Valley Arts Advisory Board on all matters relating to parks and recreation matters in regards to areas of mutual concern.~~


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SECTION 2. All Oro Valley ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. 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 portions thereof.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Oro Valley, Arizona this 2nd day of February, 2011.

TOWN OF ORO VALLEY



Dr. Satish V. Hiremath, Mayor

ATTEST:



Julie K. Bower, Town Clerk

Date: 2/4/11

APPROVED AS TO FORM:



Tobin Rosen, Town Attorney

Date: 2/2/11

PUBLISH: DAILY TERRITORIAL
FEBRUARY 14, 15, 16, 17 2011

POSTED: 2/7/11 - 3/7/11