

ORDINANCE NO. 701

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING PAYSON'S HOUSING ADVISORY COMMISSION BY ADDING SECTIONS 33.75 THROUGH 33.79 TO CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON.

WHEREAS, the Town of Payson has numerous standing Boards, Committees, and Commissions that act in an advisory capacity to the Town Council; and

WHEREAS, it is the intention of the Town of Payson to create a Housing Advisory Commission by adding Sections 33.75 through 33.79 to Chapter 33 of the Code of the Town of Payson relating to Town Boards, Committees, and Commissions; and

WHEREAS, the Town of Payson has found that the adoption of this Ordinance Number 701 is necessary and appropriate to protect the health, safety, and welfare of the citizens of the Town of Payson as a lawful exercise of police power vested in the Town by the State of Arizona,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

- Section 1. Sections 33.75 through 33.79 (Housing Advisory Commission) of Chapter 33 of the Code of the Town of Payson set forth in Resolution 2235 was heretofore declared to be a public record by such Resolution, and all the provisions thereof are hereby referred to and added to the Code of the Town of Payson and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 701.
- Section 2. That at least three copies of Sections 33.75 through 33.79 (Housing Advisory Commission) of Chapter 33, as adopted by this Ordinance Number 701 shall be filed in the Office of the Town Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.
- Section 3. Pursuant to Section 33.02 of the Code of the Town of Payson, the Housing Advisory Commission shall have seven members.
- Section 4. In order for the members of the Housing Advisory Commission to have staggered terms, of the first members to be appointed, three (3) shall be appointed for three (3) years, two (2) shall be appointed for two (2) years, and two (2) shall be appointed for one (1) year.
- Section 5. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 701 are hereby repealed to the extent of such conflict.
- Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 701 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 of this Ordinance Number 701. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 701 and each section,

subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases or portions would be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

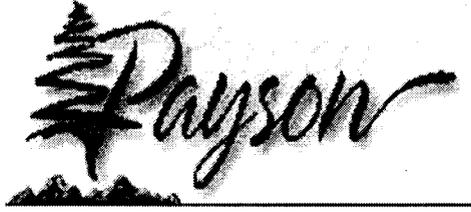
F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney



MEMO

TO: Mayor and Council

THROUGH: Fred Carpenter, Town Manager

FROM: Jerry Owen, Community Development Director

DATE: February 1, 2007

SUBJECT: Housing Advisory Commission

The attached ordinance and resolution would create the Housing Advisory Commission for the Town of Payson as recommended in the Affordable Housing Task Force Report approved by the Town Council in November. The Commission would be established in a manner similar to other town boards and commissions and work to address the duties and responsibilities outlined in § 33.76 (attached). The Task Force believes the Commission is necessary to formalize the Town's efforts to address the variety of housing opportunities available in the community. Staff supports the creation of this Commission.

**RESOLUTION NO. 2235 IS
PROVIDED FOR INFORMATION
ONLY
AT THE 2/1/07 COUNCIL MEETING.**

**RESOLUTION NO. 2235 WILL
BE AGENDIZED AS AN ACTION ITEM
AT THE 2/15/07 COUNCIL MEETING.**

RESOLUTION NO. 2235

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTIONS 33.75 THROUGH 33.79 TO CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON, CREATING PAYSON'S HOUSING ADVISORY COMMISSION, AND DECLARING SUCH AMENDMENT TO BE A PUBLIC RECORD.

WHEREAS, the Code of the Town of Payson was declared to be a public record by Resolution Number 1536 of the Town of Payson; and

WHEREAS, the Code of the Town of Payson was adopted as a public record by Ordinance Number 588 of the Town of Payson; and

WHEREAS, it is the intention of the Town of Payson to create a Housing Advisory Commission by adding Sections 33.75 through 33.79 to Chapter 33 of the Code of the Town of Payson relating to Town Boards, Committees, and Commissions; and

WHEREAS, such amendment may be enacted by reference, pursuant to A.R.S. § 9-802,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. Sections 33.75 through 33.79 (Housing Advisory Commission) of Chapter 33 of the Code of the Town of Payson is hereby added, is declared to be a public record as amended, and as amended shall read as set forth in Exhibit A, attached hereto and made a part hereto by this reference as though set forth in full at this point.

Section 2. If any section, subsection, sentence, clause, phrase or portion of Resolution Number 2235 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 of Resolution Number 2235. The Town Council of Payson declares that it would have adopted Resolution Number 2235 and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses, phrases, or portions may be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this ____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

Silvia Smith, Town Clerk

APPROVED AS TO FORM:

Samuel I. Streichman, Town Attorney

HOUSING ADVISORY COMMISSION

§ 33.75 ESTABLISHMENT.

There is hereby established the Housing Advisory Commission for the purpose of providing input and recommendations to the Mayor and Town Council on issues related to affordable and workforce housing for residents of the Town.

§ 33.76 DUTIES AND RESPONSIBILITIES.

The Housing Advisory Commission shall have the following powers, duties and responsibilities:

- (A) To educate the community about the need for and the impact of affordable/workforce housing;
- (B) To advise and make recommendations to the Mayor and Town Council on affordable and workforce housing issues, including:
 - (1) Payson's Housing Strategic Plan,
 - (2) Creation of a housing trust fund and community land trust,
 - (3) Permanent affordable/workforce housing policies and regulations,
 - (4) Development of specific incentives and strategies to increase affordable/workforce housing,
 - (5) Revisions to ordinances that affect affordable/workforce housing, and
 - (6) Any other housing issues as requested by the Mayor, Town Council, and/or the Town Manager.
- (C) To review existing Town policies and ordinances in relation to their impact on affordable/workforce housing;
- (D) Except as otherwise provided in Section 33.03 of the Town Code, to explore and facilitate partnerships with existing organizations that support or develop affordable/workforce housing;
- (E) To review proposed Low-Income Housing Tax Credit Projects and other potential affordable housing developments;
- (F) To identify Town resources that could assist in the provision of affordable/workforce housing;
- (G) To advise and consult with the Community Development Director, or his/her designee, in accordance with the open meetings law, as to items to be included in the agenda of meetings of the Commission prior to preparation and distribution of the agenda;

- (H) To review and approve the official minutes of all meetings of the Commission prior to transmittal of the minutes to the Town Clerk;
- (I) To perform any other function as may be determined, from time to time, by the Mayor and Town Council.

§ 33.77 MEMBERSHIP AND TERMS; OFFICERS; MAJORITY REQUIRED.

(A) Members and officers of the Housing Advisory Commission shall be appointed and serve terms in accordance with § 33.02.

(B) The Chairperson or, in his or her absence, the Vice-Chairperson, shall preside over the meetings of the committee and shall exercise and perform such duties as are assigned to him or her by the Mayor and Town Council. In the event that both the Chairperson and Vice-Chairperson are absent from a meeting, the remaining members of the committee who constitute a quorum shall select a Chairperson Pro Tempore, who shall perform the duties of the Chairperson for that meeting.

(C) A vote of the majority of the members of the entire Commission shall be necessary for it to take action.

§ 33.78 STAFF ASSISTANCE.

The Community Development Director, or his/her designee, shall serve the Housing Advisory Commission as staff advisor.

§ 33.79 MEETINGS.

(A) The Housing Advisory Commission shall meet at least four times each year.

(B) All proceedings of the Housing Advisory Commission and any of its subcommittees shall be conducted in conformity with the requirements of this code and the laws of the state, specifically including, but not limited to, the requirements of A.R.S. §§ 38-431 *et seq.*, the Arizona Open Meetings Law.