

SUMMARY OF AGENDA ITEM

DATE: July 18, 2007
TO: Mayor and Council
FROM: Legal Department
SUBJECT: Payson Youth Advisory Council (Ordinance 722, Resolution 2292)

PURPOSE:

Ordinance 722/Resolution 2292 creates the Payson Youth Advisory Council.

SUMMARY OF CHANGES TO ACCOMPLISH THIS PURPOSE:

- A. The Youth Advisory Council would be established for “the purpose of providing input and recommendations to the Mayor and Town Council on issues related to and of concern to the youth of the Town.”
- B. The Youth Advisory Council would be similar to the Town’s other Boards, Commissions and Committees and operate under the same procedures with the following exceptions:
 - 1) The Youth Advisory Council would have seven high school student members (who have completed at least the 9th grade) and one nonvoting adult member. The student members could attend Payson High School, Payson Center for Success, or be home school students.
 - 2) The Parks and Recreation Director would staff the Youth Advisory Council and appoint its members subject to approval by the Mayor and Council.

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ORDINANCE NO. 722

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, CREATING THE PAYSON YOUTH ADVISORY COUNCIL BY ADDING SECTIONS 33.95 THROUGH 33.99 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 Youth Advisory Council by adding Sections 33.95 through 33.99 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 722 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 33.95 through 33.99 (Youth Advisory Council) of Chapter 33 of the Code of the Town of Payson set forth in Resolution 2292 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 722.
- Section 2. That at least three copies of Sections 33.95 through 33.99 (Youth Advisory Council) of Chapter 33, as adopted by this Ordinance Number 722 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. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 722 are hereby repealed to the extent of such conflict.
- Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 722 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 722. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 722 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:

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AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

**RESOLUTION NO. 2292 IS
PROVIDED FOR INFORMATION
ONLY
AT THE 7/18/07 COUNCIL MEETING.**

**RESOLUTION NO. 2292 WILL
BE AGENDIZED AS AN ACTION ITEM
AT THE 8/2/07 COUNCIL MEETING.**

RESOLUTION NO. 2292

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADDING SECTIONS 33.95 THROUGH 33.99 TO CHAPTER 33 OF THE CODE OF THE TOWN OF PAYSON, CREATING THE PAYSON YOUTH ADVISORY COUNCIL, 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 the Payson Youth Advisory Council by adding Sections 33.95 through 33.99 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 33.95 through 33.99 (Payson Youth Advisory Council) 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 2292 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 2292. The Town Council of Payson declares that it would have adopted Resolution Number 2292 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

Payson Youth Advisory Council

§ 33.95 ESTABLISHMENT.

There is hereby established the Payson Youth Advisory Council for the purpose of providing input and recommendations to the Mayor and Town Council on issues related to and of concern to the youth of the Town.

§ 33.96 DUTIES AND RESPONSIBILITIES.

The Payson Youth Advisory Council shall have the following duties and responsibilities:

- (A) To evaluate and review problems facing the youth of the Town;
- (B) To facilitate neighborhood meetings with youth to discuss problems, needs, and suggested improvements for the Town;
- (C) To present recommended improvements to the Town Council of public projects and programs relating to youth in the community;
- (D) To identify critical issues within the community and determine if and/or how youth can contribute ideas and possible solutions to such issues;
- (E) To adopt a yearly goal or primary project and submit such goal or project to the Council for approval;
- (F) To identify the position of the Town's youth on various issues before the Town Council and to report such positions to the Town Council;
- (G) To perform any other function as may be determined, from time to time, by the Mayor and Town Council.

§ 33.97 MEMBERSHIP; TERMS; APPOINTMENT; AND OFFICERS.

(A) The provisions of § 33.02 of the Town Code shall not be applicable to the Youth Advisory Council.

(B) The Youth Advisory Council shall have seven regular members and one Ex Officio member. The Ex Officio member shall not be a voting member nor an officer of the Youth Advisory Council.

(C) The term of office for the regular members shall commence upon July 1 of each year and shall be for three years or until the regular member is no longer a high school student, whichever occurs first. The term of office of the Ex Officio member shall commence upon July 1 of each year and shall be for two years.

(D) Every member of the Youth Advisory Council shall be appointed by the Parks and Recreation Director and approved by the Mayor and Town Council.

(E) The Youth Advisory Council shall elect a chairperson and a vice-chairperson at its first meeting occurring after July 1st of each year.

(F) The Chairperson or, in his or her absence, the Vice-Chairperson, shall preside over the Youth Advisory Council's meetings. In the event that both the Chairperson and Vice-Chairperson are absent from a meeting, the Staff Advisor shall select a Chairperson Pro Tempore, who shall perform the duties of the Chairperson for that meeting.

(G) Every regular member of the Youth Advisory Council shall reside within the Town of Payson, have completed the 9th grade, and be a high school student. The Ex Officio member of the Youth Advisory Council shall be at least twenty one years of age and an elector of the Town.

(H) The Parks and Recreation Director shall have the right and power to remove any Youth Advisory Council member, with or without cause, upon approval by the Mayor and Council. A Youth Advisory Council member who has three or more consecutive unexcused absences shall be deemed to have vacated his or her appointment without further action by the Parks and Recreation Director or the Mayor and Council, and the Parks and Recreation Director shall fill such vacancy pursuant to subsection (D) above.

(I) For the purposes of this section, the term 'high school student' shall mean a person under the age of 19 who is currently enrolled at Payson High School or the Payson Center for Success or a student meeting the requirements for home schooling as defined in A.R.S. §15-802 at the high school level.

§ 33.98 STAFF ASSISTANCE.

The Parks and Recreation Director, or his/her designee, shall serve the Youth Advisory Council as Staff Advisor. The Staff Advisor shall prepare and update as necessary a Mission/Vision statement for the Youth Advisory Council.

§ 33.99 MEETINGS.

(A) The Payson Youth Advisory Council shall meet at least four times each year.

(B) All proceedings of the Payson Youth Advisory Council 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.