

City of Prescott

Charter Review Committee



February 25, 2026 | 9:00 AM
201 N. Montezuma Street
Legal Conference Room, 3rd Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Charter Review Committee** at their meeting to be held **February 25, 2026**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38431.02.

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION & ACTION ITEMS

- A. Approval of Meeting Minutes from the May 6, 2024 Charter Review Commission Meeting and the January 28, 2026 Charter Review Commission Meeting.
Recommended Action: MOVE to approve minutes as presented
- B. Discussion Regarding Charter Amendment Review Criteria.
Recommended Action: This item is for discussion only. No formal action will be taken.
- C. Discussion & Possible Action Regarding an Update to Article IX Section 6 of the Prescott City Charter "Majority to Elect in Primary" for Approval at the November 2026 Election.
Recommended Action: MOVE to recommend forwarding proposed Charter revision to Council for approval or denial
- D. Discussion & Possible Action Regarding an Update to Article XI Section 4 of the Prescott City Charter "City Court" for Approval at the November 2026 Election.
Recommended Action: MOVE to recommend forwarding proposed Charter revision to Council for approval or denial

4. UPDATES & ADDITIONAL ITEMS

- A. Discussion Regarding Future Agenda Topics.
- B. Presentation & Discussion Regarding Upcoming Charter Review Commission Meeting Dates.

5. ADJOURNMENT

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));

- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 2/20/26 at 4:00 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: February 25 Charter Review Committee
DATE: February 25, 2026
DEPT: City Clerk
ITEM #: 3.A
SUBJECT: Approval of Meeting Minutes from the May 6, 2024 Charter Review Commission Meeting and the January 28, 2026 Charter Review Commission Meeting.

ITEM SUMMARY

This item is for the approval of the May 6, 2024 Charter Review Commission Meeting, and the January 28, 2026 Charter Review Commission Meeting Minutes. Staff recommends approval of the minutes as presented.

BACKGROUND

None.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve minutes as presented

ATTACHMENTS

1. May 6, 2024 Charter Review Commission Minutes
2. January 28, 2026 Charter Review Commission Minutes

City of Prescott

Mayor's Charter Review Commission



May 6, 2024 | 3:00 PM
201 N. Montezuma Street
Executive Conference Room, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chair Arnold called the meeting to order at 3:00 p.m.

2. ROLL CALL

Charlie Arnold - Chair
Ralph Hess - Vice Chair
Michael Broggie - Member
Michael Gjede - Member
Bonnie McMinn - Member
Vacant Seat

3. DISCUSSION & ACTION ITEMS

A. Approval of the March 4, 2024 Charter Review Commission Meeting Minutes.

**MOTION BY CHAIR ARNOLD TO APPROVE THE MINUTES AS REVISED;
SECONDED BY MEMBER GJEDE: PASSED (5 - 0)**

B. Follow-Up Discussion Regarding Suggested Open Space Addition to Article VIII, Section 12 of the Prescott City Charter, and Information from Staff.

Chair Arnold introduced the Item.

Mr. Podracky reviewed the term public purpose in follow-up to the last meeting related to open space specifically and compared it to the existing Charter language.

Recreation Services Director Joe Baynes continued regarding different types of public open space that have been identified in the city. It is important to be careful about how these things are listed in the Charter taking into consideration possible future easement needs etc. Parcels like Acker Park or Stricklin Park are areas where it is important, but being able to identify which of these would be most appropriate is difficult. Currently, Willow Lake, Watson Lake and Acker Park are already listed in the Charter.

Mr. Podracky added that any deed restrictions or special conditions would preclude them from being sold or changed in the future, so it would depend upon the property itself.

Mr. Baynes said it would be appropriate to go through at a staff level to review the open space the city owns and identify ones that would be appropriate for this type of protection, creating a more narrow list.

Member McMinn addressed Whispering Rocks, AED acreage, etc, which are "gifts" that need to be considered as well. She feels each one should be individually looked at.

Mayor Goode stated that because of this, including them in the charter makes it difficult if not impossible to manage in the future, handcuffs future management.

Mr. Baynes added that the verbiage in the city code covers what a "public purpose" is and asked if that could also be included in the Charter.

Mr. Podracky responded that it would be up to the Commission if they wanted to forward a proposal.

Member Hess stated that public purpose is not addressed in protection of land and Acker Park, for example, protects it from being sold. He read from Section 12 of the Charter which addresses Acker Park as what should be used for all open space. Protect the property from being sold in perpetuity.

Mr. Podracky stated that the public purpose portion could be included in an Ordinance.

Chair Arnold commented that it might be better to look at the policy of rezoning open space that would provide protection without having to take this to the voters but still protect the open space. Experiencing this in PV where property is designated a specific way that doesn't allow for anything other than a community purpose.

Vice Chair Hess said he would not be supportive of that alternative because then any future Council could rezone it back. The Charter provision is the only way to really guarantee that it is going to be protected in the way they desire.

Member McMinn confirmed, this puts an exclamation point on the city of Prescott's intention and would require it to go to the voters in the future.

Vice Chair Hess added that in the 2003 Prescott General Plan Goals under Open Space is to initiate a charter amendment to protect open space in perpetuity as it is acquired.

Chair Arnold reiterated that he isn't opposed to protecting Open Space, but staff really needs to evaluate each piece and with the public safety discussion happening in the community right now, this is something we wouldn't see coming forward for a while.

Member of the public Cathey Rusing stated that she has thought for many years about having open space protected in the Charter, but she would also support the caveat of a situation like Ken Lindley Field where it would come to the voters to determine how something should be done. She wants to protect the city's open space in the charter, while giving the voters the option to decide.

Mr. Podracky added that each property is going to be unique and come forward that way. The overarching question is what is the Charter for, more a global expansion of umbrella ideas of what the government is here to do.

Member of the public JD Greenberg commented that she is concerned about anything that would give a loophole to future developments. If you begin to allow a public school to expand, could a private school come in and expand. Provisions should not allow for that.

This item was for discussion only, no formal action was taken.

C. Follow-Up Regarding Proposed Additions to the Prescott City Charter Regarding: 1) The Prohibition of Discrimination, and 2) Leasing of City-Owned Property.

Mr. Podracky provided a presentation to the Commission regarding a proposal from Vice Chair Hess requesting an anti-discrimination section to the Charter in alignment with the State Constitution and highlighted the additional verbiage suggested by Vice Chair Hess. He provided an overview of the local, state and national protections for anti-discrimination, including Title VII, Pregnancy Discrimination Act, Equal Pay Act of 1963, Age Discrimination in Employment Act of 1967, Title I of ADA, Genetic Information Nondiscrimination Act, Arizona Civil Rights Act, anti-discrimination laws within city contracts, city code, etc.

Member Hess commented that he would like to add "sex" back in regarding his proposal. He added that Scottsdale has an Ordinance that addresses this and defines "discrimination". He appreciates all of the different forms of anti-discrimination laws were provided, and understands that there are issues that have arisen over the years subjecting people to discrimination which are more broad than what is included in the State Constitution so he would like to expand that in the city charter.

Member Gjede commented that guardsmen or reservists who can't get hired or fired because of their service.

Mr. Podracky commented that there are Administrative Measures which would prohibit the release of an employee who is called back into service.

Chair Arnold asked if Member Hess wants to change the language he originally proposed.

Vice Chair Hess confirmed that he would like to add "sex" back in given what it covers and broaden the topic.

Chair Arnold recommended that he make the modifications and bring back for a future agenda.

Member of the public Cathey Rusing commented that under "medical/physical disability" a person with schizophrenia could be hired as a Police Officer, and that should be concerning.

Member Broggie stated that the Police Department has its own process and

background checks that would preclude that from happening.

Chair Arnold commented that someone could potentially argue that because this is the city's constitution if there were an additional background check that would preclude their hiring. He doesn't see that the city operations, etc, are inherently discriminatory. There are probably things that would need to be tweaked, but what happens if the voters say no.

Mr. Podracky stated that there are laws and guardrails that would eliminate that as an issue. An argument could be made that this exceeds the federal constitution, stated constitution etc.

Member of the public JD Greenberg commented that disability has to present an impairment to employment, so that could be something to address the concerns that Ms. Rusing had.

Ms. Rusing stated that if these protections already exist, this addition isn't even necessary.

Mayor Goode stated that is his concern as well. If this language is broadened to the point where it isn't manageable that creates further problems. There are so many protections already and expanding this so widely makes it nearly impossible to ensure that we are protecting.

Member of the public Robert Shegog stated that he has experienced discrimination in this community, has had Police Officers follow him home and his property has been vandalized. If this is passed, then the city is being proactive in protecting itself by stating that this is not what our community is about.

Chair Arnold responded that this section is specific to public employment, contracting and education. For example, hiring practices and the city's engagement in contracts with outside agencies.

Mr. Shegog said there are already thirteen communities that have this ordinance.

Mr. Podracky stated that there could be a Human Rights Ordinance to address these issues, the charter addresses public employment and contracting etc.

Member of the public Jim Hebling addressed the Commission regarding the public survey that was done regarding an ordinance that would make a statement like this.

Ms. Siep stated that the staff could specifically address a human rights ordinance if the Commission would like to.

Vice Chair Hess stated that he could also narrow down the specifics of the language to be brought forward at a later date.

Member McMinn stated that she likes the idea of addressing human rights,

whether that is through an ordinance or something like that. She'll look into that.

Mr. Podracky continued with a discussion regarding suggestions related to Leasing of City Owned Property. He continued with a review of how the proposed amendment would impact the city's ability to lease property. In existing state statute there is an ability for the city to negotiated economic development deals but has to go through Council for approval through adoption of an Ordinance or Resolution.

Vice Chair Hess stated that he picked the \$2 million dollar amount because of his previous request during the last session when the \$4 million was determined, and he felt that was too high. He added that the city has an existing lease with the Prescott Auto Club for \$1, Prescott Rodeo Grounds, Rueger has a lease, etc. There are too many leases which are not easily accessible, they are giving away use of city property for vastly below market value and this would be one way to address that.

Member McMinn stated that looking at actual physical land would be of interest. Honing it down and defining that type of lease would be helpful.

Mr. Podracky concurred, it runs the spectrum.

Chair Arnold agreed about the daylight effect. Much of what was approved by the voters was about bringing daylight to what the city is doing. Leases are an example of a way in which the city can do a lot of good in the community. For example, the outdoor hockey arena by Pioneer Park. Public good leases are \$1/year plus the government contributes to the organizations in other ways. Something that is overwhelmingly beneficial for the community may not garner a super majority, so he is more in favor of increasing that information being shared, but he sees too much benefit to make it more difficult for important organizations to do good in the community. There has to be a community or economic benefit to be considered, increasing notification to the public and the process.

Member of the public Cathey Rusing added that the adult center and meals on wheels are other good examples of that.

Mayor Goode added that balancing the length of the lease with the lessees' operations, which requires some balancing in determining the benefit to the community and economic impacts.

Mr. Podracky commented that the super majority is probably more concerning than the additional meeting.

Chair Arnold concurred there is a middle ground here somewhere.

Member McMinn added that a for-profit versus a non-profit is also a consideration, and giving the lessee the opportunity to show the benefit to the community on a regular basis perhaps annually. Having more transparency would be a good end result to that.

Mayor Goode stated that this could also fall into the city manager's ability to manage leases, provide a 30-year lease but then require a five year update on status, etc.

Member of the public Cathey Rusing added that when city property is leased there should be something of value returned.

This item was for discussion only, no formal action was taken.

- D. Presentation & Discussion Regarding Potential Amendments Proposed by Vice Chair Hess and Member McMinn.

Member McMinn and Vice Chair Hess suggested punting these to the next meeting.

Chair Arnold asked everyone to consider the inconsistency of summer schedules and meet perhaps in September and bring back one of these items.

Member McMinn and Vice President Hess stated that Open Space would be the most critical to discuss at the next meeting.

Ms. Siep also noted that Council will be taking a break during the summer.

Next meeting tentatively scheduled for September 9th at 3 p.m.

4. ADJOURNMENT

There being no further business to discuss, Chair Arnold adjourned the meeting at 4:20 p.m.

Chair

ATTEST:

SARAH M. THORNHILL, City Clerk

City of Prescott
Mayor's Charter Review Commission



January 28, 2026 | 10:00 AM
201 N. Montezuma Street
1st Floor Conference Room, Suite 128
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

City Clerk Sarah Thornhill called the meeting to order at 10:00 a.m.

2. ROLL CALL

Michael Broggie - Member (Excused)
Michael Gjede - Member
Ralph Hess - Member
Bonnie McMinn - Member
Rod Moyer - Member

3. DISCUSSION & ACTION ITEMS

A. Discussion & Possible Action Regarding Selection of a Chair & Vice Chair.

**MOTION BY MEMBER MOYER TO APPOINT MEMBER MCMINN AS CHAIR;
SECONDED BY MEMBER GJEDE: (PASSED 4 - 0)**

**MOTION BY MEMBER HESS TO APPOINT MEMBER MOYER AS VICE
CHAIR; SECONDED BY MEMBER MCMINN: (PASSED 4 - 0)**

B. Presentation & Discussion Regarding Upcoming Elections and Important Dates.
Ms. Thornhill provided a presentation to the Commission regarding the 2026 Election cycle and important dates necessary to target if the Commission would like to bring forward any Charter Amendments during this year. At this point, the only Election deadlines they would be able to meet would be for the Tuesday, November 3, 2026 Election which would function as a special, off-cycle and unbudgeted election for the city.

Commission discussion regarding the overall costs of elections and if it would be different this year versus in a normal city election year. Members noted that if the amendment related to Majority to Elect in a Primary were to go on the November Election Ballot and be approved, it would theoretically avoid future unnecessary runoffs and election costs.

This item was for discussion only, no formal action was taken.

C. Commission Discussion Regarding Possible Future Charter Revisions.

Ms. Thornhill introduced the discussion and stated that all the proposals listed in this memo were carryovers from the last time the Commission met in May 2024. She wanted to have them discuss these and determine timing and priorities on what they might want to recommend for future amendments. Additionally, she added that anything related to open space on the list has been removed given

voter approval of Prop484. She opened the discussion for the Commission to discuss.

Mayor Rusing stated that she would vote no on any nondiscrimination language in the City Charter. She is not comfortable adding language that would allow sex offenders who decide to put on a dress and some lipstick to go into a girl's bathroom or a bi-polar person with schizophrenia to be hired by the Fire Department. This language is pulled right out of the California State Statutes and would lead to those situations. It is not one of the jobs that this body needs to focus on.

Member of the public Lois Fruhwirth concurred.

City Attorney Joseph Young commented that these provisions are included in State Statute and not entirely necessary for inclusion in the City Charter. He added that the role of Mayoral Ad Hoc can differ from typical advisory BCCs, because members are appointed by the Mayor rather than the full Council so if the Mayor determines they want to limit what moves forward to the full Council they are able to do that so that is something to consider as well.

Member Hess added that based on the City Attorney's comment, if the Mayor wouldn't support this moving forward then there is no point. He also asked for clarification on whether this body will be making recommendations to the Mayor or to the Council. Previously it was to the Council.

Mayor Rusing responded that recommendations will go through her, nothing will move forward without her authorization.

Commission consensus to not have this portion move forward.

Article VIII, Section 11 - City Leases

Member Hess stated that this was based on the language related to the sale of city property, which requires a super majority vote of the Council. This is what he proposed to start the conversation.

Mayor Rusing commented that nobody will lease city property if they have to go through this process every two years. She doesn't think the city needs that.

Member Hess stated that if this doesn't move forward, he will propose something else because the Charter needs something related to leases over an extended period of time.

Chair McMinn stated she thinks it is important to firm up the language and add protections.

Ms. Thornhill added that the Commission could give staff some direction regarding what their priorities are and what sections or articles they would like to see amended in the future at another election.

Commission consensus to look at leases and revisions in the Charter for a future

agenda item.

Article X - Initiative, Referendum & Recall

Member Hess stated that this proposal can be removed from future discussion.

Article XI - City Court

Member Hess stated this is a housekeeping issue. The proposal would be to remove the "Justice of the Peace" and simply have the title state "City Judge".

Staff said that is a simple revision that can be worked on and makes sense to bring back for approval to be included in any 2026 proposal for a ballot measure.

Commission consensus to have that revision worked on by staff and brought back for a future vote of the body.

Article XIII - General Provisions

Member Hess stated that the previous General Plan Review Committee recommended a discussion for the Charter Review Commission to have Major Plan Amendments approved by the voters rather than a super majority vote of the Council. This would be an addition of Section 9 to this Article.

Mayor Rusing stated that she thinks this is a good addition, but it is also important to be sure to not appear to be against economic development in the community.

Mr. Young added that Development Agreements and things can be worded more strongly, so there isn't such a broad brush for such a specific problem. This type of addition could potentially extend timeframes in a way that would be harmful to Economic Development.

Chair McMinn requested that staff take a look at this language and see what a potential update might look like.

Commission consensus to have staff use the proposed language as a basis for a Charter Amendment and bring it back for a future discussion.

Staff reiterated that this will take time to work through.

Member of the public Lois Fruhwirth commented that also taking away some of the authority and power of the Council makes it difficult to find people that will want to serve, so it is important not to stifle commercial economic development.

Mr. Young commented that going from residential to commercial is a major plan amendment and would therefore extend the process quite a bit so that is something to think about, but the language can be thought through.

Deputy City Attorney Matt Podracky added that some of these more major revisions would also include more legal review and input because something like what the state has already said should be the process for a major plan amendment and making a change like this could violate that.

Chair McMinn continued with a discussion regarding her carryover suggested revisions included in the packet.

Article IV, Section 3 - City Treasurer

Chair McMinn would like to have this looked at by legal staff. There have been statutory changes that need to be clarified, but does it make sense to have the Treasurer/Finance Director Report to the Council.

Article II, Section 21 - Executive Sessions

Chair McMinn commented on some of the executive session issues and information getting out from those discussion. She would like to defer to the legal department for review and have them return to the Commission with any suggestions for additional language.

Article I, Section 3, Paragraph 4 - Bringing Utilities to Property

Chair McMinn stated that this clause should be clear on the fact that the developer and/or property owner are required to bring utilities to their property. There should be no exceptions from the Council.

Adjoining & Adjacent Properties Clause:

Chair McMinn commented that this clause has been included in every annexation and development agreement (DA). She suggests an addition to the Charter, because it is not currently included, to bar the language from all DAs, annexations, districts and contracts.

Finally, Chair McMinn commented on a desire to add language that would bar grading until water, and final plat is approved by the city.

Mr. Young commented that the adjoining and adjacent properties' clause is in most DAs but not all, the Deep Well DA is a good example of this because of the "may annex" language. It is a tying of the Council's hand in a variety of ways, but there could be a requirement for new DAs when there are changes of that nature. He believes that these clauses should be left at the discretion of the Council approving the DA at the time and not the developer.

Mayor Rusing commented that the DA for Deep Well is a travesty, and they can't let that happen again.

Discussion whether these are charter provisions or LDC or just tighter DAs.

Commission consensus to have staff review the above items as discussed.

Staff and Commission discussion regarding how to get Items added to a future agenda. At all future meetings, the City Clerk will include a section for "Future Agenda Items" to discuss what will be upcoming and any items that Commission Members would like to add.

Article II, Section 1 - Powers of the Council

Member Hess stated that his suggestion in this section was to review to allow

flexibility for collective bargaining.

Mr. Young stated that the charter prohibits collective bargaining, the Unions for Police and Fire don't use this, but adjusting the Charter in this way would allow them more flexibility to do so. This is really a Council policy question.

Member of the public Lois Fruhwirth states that she doesn't view that language as collective bargaining.

This item was for discussion only, no formal action was taken.

- D. Discussion Regarding Possible Updates to Article IX Section 6 of the Prescott City Charter "Majority to Elect in Primary" for Approval at a Future Election. Ms. Thornhill reviewed the memo included in the packet, she stated that the three options are the same ones that were presented to Council in November and are based on previous discussions. Option 1 would retain the current process but provide clarifying language in the Charter, Option 2 would mirror State Statute and Option 3 would state that the highest vote getters for each office would be duly elected in the Primary which would eliminate run-offs. She opened the floor to the Commission discussion.

Chair McMinn asked for the legal department's opinion on this issue.

Mr. Young stated that all three of these are appropriate options. Keeping the existing language but cleaning it up makes the option for a "one shot" less likely. Staff essentially wants clarity and direction on a policy choice to make a determination.

Member Gjede asked how the County is involved in this.

Mr. Young and Ms. Thornhill stated that the County Elections Office counts all ballots and provides those numbers to the City Clerk's Office for a determination on who is elected.

Mayor Rusing stated she thinks it should be votes and not ballots that are counted, and that whoever gets the most votes wins.

Ms. Thornhill clarified that would be option 3, which would eliminate runoffs altogether.

Vice Chair Moyer stated that he likes the Statute language.

Mr. Young stated that Option 2 would have runoffs some of the time, but would make General Elections much less likely. He added that Option 3 would exacerbate the "single shot" issue.

Member Hess stated that when this becomes an issue is when there are a lot of candidates running. If there are nine candidates, for example, just because someone gets the most votes doesn't mean they would get a majority of the votes. In his opinion, the best way to do a revision is to have the language be the same as State Statute.

Mr. Young concurred, Option 3 could become a situation where the process isn't as democratic as it should be. The benefit of Option 2 is that it is run by the State, is well litigated and everyone is clear on what the expectation is.

Mayor Rusing stated that complying with State Statute makes this pitchable to the voters as well.

MOTION BY VICE CHAIR MOYER DIRECTING STAFF TO DRAFT BALLOT LANGUAGE BASED ON OPTION 2 & BRING IT BACK TO THE COMMISSION FOR APPROVAL; SECONDED BY MEMBER GJEDE: (PASSED 4 - 0)

4. ADJOURNMENT

Before adjourning the meeting, Chair McMinn stated that she would like to meet twice monthly.

Staff and Commission discussion regarding adding a Section to the February 25 Meeting to begin with meetings twice monthly in March.

There being no further business to discuss, Chair McMinn adjourned the meeting at 11:45 s.m.

BONNIE MCMINN, Chair

ATTEST:

SARAH M. THORNHILL, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: February 25 Charter Review Committee
DATE: February 25, 2026
DEPT: City Clerk
ITEM #: 3.B
SUBJECT: Discussion Regarding Charter Amendment Review Criteria.

ITEM SUMMARY

This item is for Committee review and discussion for establishing potential criteria for future charter amendments.

BACKGROUND

Chair McMinn provided staff with a list of potential criteria for the review of future charter amendments. This criteria would help to establish focus and goals for potential future amendments to be proposed to Council for approval and future ballot measures.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

ATTACHMENTS

1. Charter Review Criteria List

Mayor's Ad Hoc Charter Review Committee

Topic Consideration Criteria & Process

Legal & Procedural Note

These criteria are intended as a discussion guide only. They do not limit the City Council's authority, the Mayor's authority to appoint an ad hoc committee, or the committee's ability to consider matters within its charge.

Purpose and Explanation

The Charter Review Committee exists to assist City Council in determining whether changes to the City Charter should be considered. Because the Charter is the City's governing document, not every issue is appropriate for Charter-level review.

These criteria are intended to help the committee focus on issues that relate to governance, voter-approved provisions, and citywide authority — and that cannot be addressed through policy, ordinance, or administrative practice alone. They are designed to support consistent, transparent discussion and to ensure the committee's work remains within its charge.

The criteria are not a gatekeeping tool and do not prevent committee members from raising questions or concerns. Their purpose is to provide a shared framework so discussions are clear, orderly, and respectful of voter intent.

Topic Consideration Criteria

A topic is appropriate for Charter Review Committee consideration if it:

1. **Relates to the City Charter**
Involves how the Charter is written, interpreted, or applied.
2. **Involves Voter-Approved Provisions**
Affects a Charter section approved by voters or clarifies voter intent.
3. **Concerns Governance or Authority**
Involves who has decision-making authority or how decisions are made.
4. **Cannot Be Resolved by Policy Alone**
Cannot be adequately addressed through ordinance, resolution, or administrative practice.
5. **Has Citywide Impact**
Affects the broader community, not a single project or individual matter.

6. Is Reasonable for Committee Review

Can be meaningfully reviewed within the committee's charge and timeframe.

Why This Matters

Clear process supports transparency, protects public trust, and preserves the legitimacy of the committee's work. Applying consistent criteria helps ensure that any recommendations forwarded to City Council are appropriate for Charter consideration and grounded in respect for voter-approved law.



TO: MAYOR AND CITY COUNCIL
AGENDA: February 25 Charter Review Committee
DATE: February 25, 2026
DEPT: City Clerk
ITEM #: 3.C
SUBJECT: Discussion & Possible Action Regarding an Update to Article IX Section 6 of the Prescott City Charter "Majority to Elect in Primary" for Approval at the November 2026 Election.

ITEM SUMMARY

This item is for a follow up discussion and possible action regarding an update to the Prescott City Charter, Article IX, Section 6.

BACKGROUND

Following discussion by Council in the Fall of 2025, staff provided a presentation to the Committee at their January 28, 2025 Meeting regarding an amendment to the Charter's language as it relates to majority calculations to elect in a City primary election.

Current Charter Language:

Section 6 - Majority to elect in primary at the primary election any candidate who shall receive a majority of all the valid ballots cast at such election for that office shall be declared elected to the office for which he is a candidate, and no further election shall be held as to said candidate. (Amended September 20, 1983; November 2, 2010)

During the January 28, 2026 Commission discussion, they unanimously directed staff to return with ballot language for the November 2026 Election utilizing Option 2 which mirrors State Statue. Attached for review and approval by the Commission is the proposed ballot language, and a Resolution calling for a Special Election for the ballot measure. Pending Commission and Mayor discussion, the Commission may take action recommending the proposal be forwarded to the Council for consideration. This item could be placed on the Tuesday, March 3, 2026 Voting Meeting agenda in order to maintain progress to meet the appropriate deadlines for the November 2026 Election.

Proposed Charter Revision

Section 6 -

*A. At the primary election any candidate who shall receive a majority of all the **votes** cast at such election for that office shall be declared elected to the office for which **the person** is a candidate, and no further election shall be held as to said candidate.*

B. For the purposes of this section, the majority of votes cast is determined by:

- 1. Calculating the total number of actual votes cast for all candidates for an office whose names were lawfully on the ballot for that office.*
- 2. Dividing the sum reached pursuant to paragraph 1 of this subsection by the number of seats to be filled for the office.*
- 3. Dividing the number reached pursuant to paragraph 2 of this subsection by two and rounding that number to the highest whole number.*

C. If more candidates receive a majority of votes cast than there are seats to be filled for the office pursuant to this section, from among those candidates who receive a majority of votes cast, the

candidates who receive the highest number of votes equal to the number of seats to be filled for the office shall be declared elected to that office.

FINANCIAL IMPACT

There is no fiscal impact associated with this item at this time, there will be future costs for conducting a Special Election and administrative costs for updates to the City Charter.

RECOMMENDED ACTION

MOVE to recommend forwarding proposed Charter revision to Council for approval or denial

ATTACHMENTS

1. DRAFT Ballot Language_PropXXX_Majority to Elect in Primary
2. Resolution No. 2026-XXXX_Calling for Special Election

PROPOSITION ____

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE IX, SECTION 6, ENTITLED “MAJORITY TO ELECT IN PRIMARY”

SHALL ARTICLE IX, SECTION 6 OF THE CITY CHARTER ENTITLED “MAJORITY TO ELECT IN PRIMARY” BE AMENDED AS FOLLOWS?

A. At the primary election any candidate who shall receive a majority of all the valid ballots VOTES cast at such election for that office shall be declared elected to the office for which THE PERSON he is a candidate, and no further election shall be held as to said candidate.

B. FOR THE PURPOSES OF THIS SECTION, THE MAJORITY OF VOTES CAST IS DETERMINED BY:

1. CALCULATING THE TOTAL NUMBER OF ACTUAL VOTES CAST FOR ALL CANDIDATES FOR AN OFFICE WHOSE NAMES WERE LAWFULLY ON THE BALLOT FOR THAT OFFICE;
2. DIVIDING THE SUM REACHED PURSUANT TO PARAGRAPH 1 OF THIS SUBSECTION BY THE NUMBER OF SEATS TO BE FILLED FOR THE OFFICE;
3. DIVIDING THE NUMBER REACHED PURSUANT TO PARAGRAPH 2 OF THIS SUBSECTION BY TWO AND ROUNDING THAT NUMBER TO THE HIGHEST WHOLE NUMBER.

C. IF MORE CANDIDATES RECEIVE A MAJORITY OF VOTES CAST THAN THERE ARE SEATS TO BE FILLED FOR THE OFFICE PURSUANT TO THIS SECTION, FROM AMONG THOSE CANDIDATES WHO RECEIVE A MAJORITY OF VOTES CAST, THE CANDIDATES WHO SHALL RECEIVE THE HIGHEST NUMBER OF VOTES EQUAL TO THE NUMBER OF SEATS TO BE FILLED FOR THE OFFICE SHALL BE DECLARED ELECTED TO THAT OFFICE.

FULL BALLOT TEXT:

OFFICIAL TITLE: PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE IX, SECTION 6 ENTITLED “MAJORITY TO ELECT IN PRIMARY”

DESCRIPTIVE TITLE: AMENDMENT TO THE CITY CHARTER SHALL REVISE THE MAJORITY CALCULATION FOR DETERMINING ELECTION IN THE PRIMARY TO MIRROR ARIZONA REVISED STATUTES.

A “YES” vote shall have the effect of revising Article IX, Section 6 of the City Charter of calculating the majority to elect in primary elections by mirroring state statute.

A “NO” vote shall have the effect of maintaining the current wording.

RESOLUTION NO. 2026-XXXX

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, PROVIDING NOTICE OF A SPECIAL ELECTION TO BE HELD IN CONSOLIDATION WITH THE YAVAPAI COUNTY GENERAL ELECTION ON NOVEMBER 3, 2026; AND AUTHORIZING THE CITY CLERK TO ENTER INTO ANY AGREEMENTS NECESSARY TO PROVIDE SERVICES FOR SUCH ELECTIONS

RECITALS:

WHEREAS, the holding of Primary and General Elections is enabled by law and prescribed by the City of Prescott Charter; and,

WHEREAS, the Council wishes to propose amendments to the Prescott City Charter for voter approval at a Special Election; and,

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT Yavapai County will conduct a General Election on Tuesday, November 3, 2026 for various county, state and federal races.

Section 2. THAT the City of Prescott may conduct a Special Election for its purposes in consolidation with the November 3, 2026 General Election.

Section 3. THAT the City Clerk is authorized to enter into any agreements with the Yavapai County Elections Department and any necessary vendors to provide election services for the November 3, 2026 Special Election.

Section 5. THAT said elections shall be vote-by-mail balloting, and otherwise held in accordance with the provisions of applicable State Statutes, City Charter provisions, city code and Ordinances and Resolutions of the City.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Prescott this ___ day of March, 2026.

CATHEY RUSING, Mayor

ATTEST:

APPROVED AS TO FORM:

SARAH M. THORNHILL
City Clerk

JOSEPH L. YOUNG
City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
County of Yavapai) ss.

I, the undersigned Sarah M. Thornhill, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Resolution No. 2026-XXXX is a true, correct and accurate copy of Resolution No. 2026-XXXX, passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the _____ day of _____ 2026, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 2026.

Seal

City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: February 25 Charter Review Committee
DATE: February 25, 2026
DEPT: City Clerk
ITEM #: 3.D
SUBJECT: Discussion & Possible Action Regarding an Update to Article XI Section 4 of the Prescott City Charter "City Court" for Approval at the November 2026 Election.

ITEM SUMMARY

This item is for a follow up discussion and possible action regarding an update to the Prescott City Charter, Article XI, Section 4.

BACKGROUND

At their January 28, 2025 Meeting, Committee Members provided direction to staff to return with a revision to Article XI, Section 4 of the Prescott City Charter related to the City Court. This simple revision would remove the words "Justice of Peace" and simplify the Section 4 title as follows:

Current Charter Language:

Section 4 - Presiding Officer; appointment; term; Justice of Peace as City Judge

Proposed Charter Revision

Section 4 – Presiding Officer; Appointment; Term; ~~Justice of Peace as City Judge~~

This revision is in alignment with the title of the appointed City Judge and cleans up the section of the City Charter.

Attached for review and approval by the Commission is the proposed ballot language. Pending Commission and Mayor discussion, the Commission may take action recommending the proposal be forwarded to the Council for consideration. This item could be placed on the Tuesday, March 10, 2026 Voting Meeting agenda in order to maintain progress to meet the appropriate deadlines for the November 2026 Election.

FINANCIAL IMPACT

There is no fiscal impact associated with this item at this time, there will be future costs for conducting a Special Election and administrative costs for updates to the City Charter.

RECOMMENDED ACTION

MOVE to recommend forwarding proposed Charter revision to Council for approval or denial

ATTACHMENTS

1. DRAFT Ballot Language_PropXXX_City Court

PROPOSITION ____

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE XI, SECTION 4, ENTITLED “PRESIDING OFFICER; APPOINTMENT; TERM; JUSTICE OF PEACE AS CITY JUDGE”

SHALL ARTICLE XI, SECTION 4 OF THE CITY CHARTER ENTITLED “PRESIDING OFFICER; APPOINTMENT; TERM; JUSTICE OF PEACE AS CITY JUDGE” BE AMENDED AS FOLLOWS?

Section 4 – Presiding Officer; Appointment; Term; ~~Justice of Peace as~~ City Judge

FULL BALLOT TEXT:

OFFICIAL TITLE: PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE XI, SECTION 4 ENTITLED “PRESIDING OFFICER; APPOINTMENT; TERM; JUSTICE OF PEACE AS CITY JUDGE”

DESCRIPTIVE TITLE: AMENDMENT TO THE CITY CHARTER SHALL REVISE ARTICLE XI, SECTION 4 BY REMOVING “JUSTICE OF PEACE AS” FROM SECTION TITLE.

A “YES” vote shall have the effect of removing “Justice of Peace as” from Section title.

A “NO” vote shall have the effect of maintaining the current wording.



TO: MAYOR AND CITY COUNCIL
AGENDA: February 25 Charter Review Committee
DATE: February 25, 2026
DEPT: City Clerk
ITEM #: 4.A
SUBJECT: Discussion Regarding Future Agenda Topics.

ITEM SUMMARY

This item provides an opportunity for staff to overview possible timelines for future agenda item discussions and to take direction from the Commission regarding additional items they would like to discuss at future meetings.

BACKGROUND

Below is a list of follow-up items which were discussed at the the January 28, 2026 Meeting and if or when staff plans to bring them forward to the Commission:

- A. Article VIII, Section 11 (Leases) - if this is an item the Committee would like more research or work on staff will need specific direction regarding revisions before beginning work.
- B. Article XIII (Add Section 9 Re: Major Plan Amendments) - City Attorney believes this would likely be a violation of state law and should be shelved from further discussion
- C. Article II, Section 21 (E-Session Guardrails) - a policy or other document might be more appropriate for this than a Charter addition or amendment. For example information could be added to the Council Rules of Procedure
- D. Article 1, Section 3, Paragraph 4 (Language regarding costs of utility connections to property & upsizing of utility cost responsibility) - language could be drafted for this, however, concern regarding the binding of future Council's leads the Legal Department to want to wait and look into this further
- E. Adjoining & Adjacent Properties - if the Committee would like language drafted for a potential Charter addition or amendment the Legal Department would like to have more discussion on this

The Council has also requested the Committee do a Study Session discussion similar to the presentation in 2023 before thirteen Charter Amendments were placed on the ballot for voter approval. They have requested an April discussion, however, staff would like to get a better idea of any proposals the Committee may have outside of the City Judge revisions and Majority to Elect in a Primary in order to determine appropriate timing.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken, but Commission should provide direction to staff regarding future agenda items they would like to discuss.

ATTACHMENTS

None



TO: MAYOR AND CITY COUNCIL
AGENDA: February 25 Charter Review Committee
DATE: February 25, 2026
DEPT: City Clerk
ITEM #: 4.B
SUBJECT: Presentation & Discussion Regarding Upcoming Charter Review Commission Meeting Dates.

ITEM SUMMARY

This item is for staff to review the proposed meeting schedule with the Committee Members.

BACKGROUND

In follow up to discussion at the January 28, 2026 Commission Meeting, the City Clerk's Office has put together the below proposed meeting schedule for 2026. This schedule has the Commission convening on the 1st and 3rd Monday of each month beginning after the February & March meetings with revisions as needed for holidays and in alignment with the Council Meeting schedule:

February:

Wednesday, February 25 at 10 am

March:

Monday, March 16 at 2:30 pm

April:

Monday, April 6 at 2:30 pm

Monday, April 20 at 2:30 pm

May:

Monday, May 4 at 2:30 pm

Monday, May 18 at 2:30 pm

June:

Monday, June 1 at 2:30 pm

Monday, June 15 at 2:30 pm

July:

Monday, July 6 at 2:30 pm

August:

Monday, August 17 at 2:30 pm

September:

Wednesday, September 9 at 10 am

October:

Monday, October 5 at 2:30 pm

Monday, October 19 at 2:30 pm

November:

Monday, November 2 at 2:30 pm

Monday, November 16 at 2:30 pm

December:

Monday, December 7 at 2:30 pm

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

This item is for discussion only. No formal action will be taken.

ATTACHMENTS

None