

City of Prescott

City Council - Workshop Meeting



April 9, 2026 | 1:00 PM
201 N Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Prescott City Council** at its **Workshop Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of the meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending the meeting through the use of a technological device.

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's website: [City of Prescott Live Meeting Feed](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION**
 - A. Presentation & Discussion From the City Attorney, City Clerk & Human Resources Offices for Council and All City Boards, Committees & Commissions Regarding Open Meeting Law, Conflict of Interest, Council Rules of Procedure, BCC Code of Conduct, Harassment & Public Records Request Law.
4. **ADJOURNMENT**

Upon a public majority vote of a quorum of the City Council, the Council 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 4/2/26 at 11:00 a.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: April 9 Open Meeting Law Training
DATE: April 9, 2026
DEPT: City Clerk
ITEM #: 3.A
SUBJECT: Presentation & Discussion From the City Attorney, City Clerk & Human Resources Offices for Council and All City Boards, Committees & Commissions Regarding Open Meeting Law, Conflict of Interest, Council Rules of Procedure, BCC Code of Conduct, Harassment & Public Records Request Law.

ITEM SUMMARY

This item is for the annual required training by City of Prescott staff on open meeting law, conflict of interest, harassment, and public records requests for its elected and appointed officials. Additionally, staff will provide an update regarding the Council Rules of Procedure and BCC Code of Conduct.

BACKGROUND

This is an annual training and presentation.

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. Human Resources Presentation
2. Legal & City Clerk Presentation
3. Council Rules of Procedure_November 2025
4. BCC Member Handbook_2026

Respectful Workplaces

Treating all City Staff with Respect and Dignity

City of Prescott 2026

Branden Nunez, HR Director

Topics of Discussion

- City of Prescott Policy
- State and Federal Laws
- A Respectful Workplace
- Complaint Process
- Retaliation

Why is this Important?



- Culture: An integral part of our culture is to ensure all employees are treated with respect and dignity. All City representatives take part in shaping our culture.
- Policy: Engaging in, condoning or not reporting workplace concerns is in direct conflict with our policies.
- Legal Compliance: We want to remain in compliance with state laws, civil rights laws, and fair employment laws.

City of Prescott Policy - Applies to All



- Article 5 Section 5.14 - Sexual Harassment
- Article 5 Section 5.15 - Anti-Discrimination, Harassment and Hostile Work Environment
- The City strives to maintain a workplace that fosters mutual respect and promotes positive and productive working relationships.
- The City does not tolerate any form of unlawful discrimination or harassment which may create a hostile work environment.

Federal Law Refresher



- Harassment is a Form of Employment Discrimination
- “Unwelcome Conduct”, Based on a Protected Class:
 - ❑ Race, Color, Religion, Sex, National Origin, Age (40 or Older), Disability, and Genetic Information
- Harassment is Unlawful if:
 - 1) Enduring the Conduct is a Condition of Employment
 - OR
 - 2) The Conduct is Severe, Pervasive, Intimidating, Hostile or Offensive to a “Reasonable Person”

A Respectful Workplace Free From

- Offensive Jokes, Slurs or Name Calling
- Physical Assaults or Threats
- Intimidation
- Offensive Objects or Pictures
- Interference with Work Performance
- Rude Gestures, and More...
- We want all employees to thrive in our work environment

Impact of Harassment



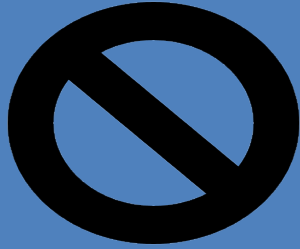
- Person Who is the Target of Harassment
 - ❑ High Stress Level—Feeling Helpless
 - ❑ Possible Decline in Work Performance
 - ❑ May Leave the Job Instead of Put Up with Harassment
- Person Who Harasses Others
 - ❑ Serious Employment Consequences—Possible Termination
 - ❑ Possible Civil or Criminal Liability

What if an employee comes to you?



- Gather the facts - Who? What? When? Where?
- Notify Human Resources, City Manager and Legal to determine course of action
- Can circumvent chain of command if necessary

Retaliation is Also Strictly Prohibited



- No Retaliation Against Employees who:
 - ❑ Complains to Management about Harassment, even if they are not the Victim
 - ❑ Participates or Cooperates in an Investigation
- Retaliation is as Serious as Actual Harassment, and the Consequences are Just as Serious

Final Takeaways

- Lead by example - everybody helps set the tone and attitude for the City.
- Set the bar high by creating a respectful culture.
- All employees should be welcomed and enabled to thrive based on their diverse backgrounds.
- Don't fail to act - If you see that there's an issue, address it.



City of Prescott: Open Meeting, Public Records, Conflicts of Interest Training

City of Prescott Legal
Department



City of Prescott: Open Meetings Law



- Intent: Openness in Government
- Arizona's public policy:
 - Official deliberations & proceedings conducted openly
 - Maximize public access & participation
 - Any uncertainty resolved in favor of openness

Open Meetings Law: Two Core Concepts



- “All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.” A.R.S. § 38- 431.01(A).
- “It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonable necessary to inform the public of the matters to be discussed or decided.” A.R.S. § 38-431.09(A).

What Is A Meeting?

- A.R.S. § 38-431(4)
- “Meeting” is a **gathering**, in person or through technological devices:
- Of a **quorum** of a public body to:
 - Discuss
 - Propose
 - Deliberate
 - Take legal action



Quorum: Majority of the Board



WHAT IF YOU DON'T HAVE A QUORUM?

- You don't have a "meeting"
- Discussions and presentations should be rescheduled

Notice and Agenda

A.R.S. §38-431.02



MEETINGS MUST COMPLY WITH NOTICE, AGENDA, AND MINUTE REQUIREMENTS:

- Notice must inform when and where the Public Body will meet
- Agendas must contain adequate information to inform the public of the matters to be discussed or decided
- “such information as is reasonably necessary to inform the public of the matters to be discussed or decided”
- *May not use topics such as “Old Business” or “New Business”*
- Prescott combines Notice and Agenda
- Minimum 24-hour public notice is required

Notice: Exceptions



- Can recess and resume a properly noticed meeting to a later date by making an announcement at the meeting and describing what agenda items will be covered
- Actual emergencies



Who Must Comply?

- “Public Bodies” – A.R.S. § 38-431(6)
- Any entity, however designated, officially established on motion or order of a public body **OR** presiding officer of a public body
- Whose members are appointed for specific purpose of making a recommendation concerning a decision to be made or considered or a course of conduct to be taken or considered by the public body
 - Standing Committee
 - Special Committee
 - Advisory Committee
 - Subcommittee

Subcommittees and Other Small Groups



- "Advisory committee" or "subcommittee" means any entity, however designated, that is officially established, on motion and order of a public body or by the presiding officer of the public body, and whose members have been appointed for the specific purpose of making a recommendation concerning a decision to be made or considered or a course of conduct to be taken or considered by the public body. A.R.S. § 38-431(1).
- Small groups of a public body should not meet to discuss City business even in the absence of a quorum
- Discussion/deliberation between less than a quorum for the purpose of circumventing the Open Meeting Law

Subcommittees and Other Small Groups



- Remember the purpose of the Open Meeting Law
- Puentes v. Arizona State Legislature (2022)
- Group of Republican legislators (26) were to attend a 3-day summit (ALEC)
- Legislative houses determine their own rules of procedure
- Political Question Doctrine

Executive Sessions

A.R.S. § 38-431.03



- Executive Sessions require prior consent of City Attorney
- Seven legal reasons for convening into Executive Session. Most common are:
 - Personnel Matters
 - Discussion of Confidential Information
 - Legal Advice from the City's attorneys
 - Discussion of settlement, contract or property negotiations

Who May Attend Executive Sessions

A.R.S. § 38-431(2)



- Members of public body
- Persons subject to a personnel discussion
- Auditor general
- Individuals **whose presence is reasonably necessary** in order for the public body to carry out its executive session responsibilities

Executive Session Pitfalls



- What happens in executive session stays in executive session!!
- Failure to advise persons about the confidentiality requirement A.R.S. § 38-431.03(C) - Mandatory
- Taking legal action. All votes must take place in public!

Attorney General Handbook

7.9.4

Confidentiality of Executive Sessions

- A public officer or employee shall not disclose or use, without appropriate authorization, any information that is acquired by the officer or employee in the course of the officer's or employee's official duties and that is declared confidential by law.
- Members of a public body and others attending the executive session must ensure that the information remains confidential. In addition to violating the Open Meeting Law, criminal charges may arise from a release of confidential information.

How to Avoid Pitfalls of Open Meeting Law

- Don't poll other members on commission business
- Limit your discussions with other members to public meetings
- Don't send e-mails to each other
- Distribute information to the council through your staff liaison
- Disband meetings when a quorum is not in attendance



Circumvention



- Cannot use any device to circumvent the law
- “Splintering the quorum”:
 - Serial communications (verbal, written, electronic, etc.)
 - Polling
 - “Hub and Spokes” of a wheel analogy
 - “Daisy Chaining”

Prohibited 2-Way Communications

- Discussing
- Deliberating
- Taking Legal Action
- Back and forth among a quorum
- On a matter that could foreseeably come before the board (board business)

Prohibited 1-way Communication

- Proposing legal action
- “Propose” means “to put forward for consideration, discussion, or adoption”
- It only takes 1 person to propose legal action
- CANNOT propose legal actions outside of a noticed meeting



Attorney General Handbook

7.5 Actions and Activities Covered by the Open Meeting Law

- If an electronic communication from one member of the public body proposes legal action and is sent to enough members of the public to form a quorum, a violation occurs even if no member of the public body responds to the electronic communication.

“Propose” EXAMPLES



“Councilperson Smith was admitted to the hospital last night”

- Does NOT propose legal action

“We should install a crosswalk at First and Main”

- Does propose legal action
- It’s more than a topic for the agenda because it urges or suggests an outcome

Staff E-mail



- Staff may send e-mail to board members
- Passive receipt of information from staff, without more, does not violate the open meeting law
- Example: Board packets
- Staff may NOT send opinion or substantive communication about board business from a board member to enough other board members to constitute a quorum

Internet Social Networking



- Blogs and Social Media like Twitter and Facebook can present the same issues as e-mail among board members
- If a quorum of members is discussing board business using any technological means, a meeting may result
- This type of communication may be considered a virtual meeting, requiring notice and access to technological equipment as it was discussed in the virtual meeting opinion
- This type of communication results in the creation of electronic public records which must be maintained, preserved and produced upon request

Meeting Etiquette



- Not Best Practice:
 - Passing notes (even if it's about when to order lunch)
 - Whispering to fellow board members
 - Privately using modern technology
 - Quorum talking to individuals before the meeting officially starts or after the meeting officially ends

Social Events



- If a quorum might be present:
- “Courtesy Agenda” to be posted
- Include statement that no business of public body will be discussed and no action taken

Public Forums, Speeches and Community Events

- If a quorum might be present when one or more council members plan on speaking or discussing City business with those in attendance:
 - Special Meeting Agenda must be posted
 - Agenda must include a description of the general topic or topics to be discussed and that no action will be taken
 - City Attorney should review all agendas for accuracy



Attorney General Handbook

7.5 Actions and Activities Covered by the Open Meeting Law

- Open Meeting Law does not prohibit a member of the public body from voicing an opinion or discussing an issue with the public either at a venue other than a public meeting of the body, or through media outlets or other public broadcast communications or technological means, so long as the "opinion or discussion is not principally directed at or directly given to another member of the public body," and "there is no concerted plan to engage in collective deliberation to take legal action."

Public's Rights

- The Public Has the Right To:
 - Attend
 - Listen
 - Tape Record
 - Videotape
- The Public Does NOT Have the Right To:
 - Disrupt



Penalties?



A violation of the Open Meeting Law (OML) carries the following potential enforcement and penalty options:

1. Mandatory nullification of business transacted in violation of the OML (A.R.S. §38-431.05(A))
2. Civil penalties between \$500 and \$2,500 (A.R.S. §38-431.07(A))
– the city cannot pay penalties incurred by an official
3. Equitable relieve (A.R.S. §38-431.07(A))
4. Attorney's fees (A.R.S. §38-431.07(A))
5. Removal from office (A.R.S. §38-431.07(A))

Public Records



- Any record in the custody of a government entity that has a substantial nexus to government activity is presumed a public record
- The public has a right to view public records and receive a copy for a fee
- Arizona imposes a presumption in favor of disclosure of public records.
- Exception: When public disclosure and access is outweighed by confidentiality, privacy, or the best interests of the state.

Public Records



- Records reasonably necessary to provide an accurate accounting of their official activities and of any government-funded activities
- “Other matters” include documents held by the public officer in his or her official capacity and in which the public’s interest in disclosure outweighs the governmental interest in confidentiality

Public Records



- All records made or received by public officials or employees in the course of their public duties are the property of the city. All public officers are responsible for preserving, maintaining, and caring for the public records within their offices.
- A public officer or other person having custody or possession of any record for any purpose, “who steals, or knowingly and without lawful authority destroys, mutilates, defaces, alters, falsifies, removes or secretes” all or part of public record, or permits any other person to do so, is guilty of a class 4 felony. A.R.S. § 38-421; *see also* A.R.S. § 13-2407 (making it a class 6 felony to tamper with a public record).

Public Records



- Best interests of the State permits a public body to designate a record as confidential when “release of information would have an important and harmful effect on the duties of the officials or agency in question.” Public officers must balance the possible adverse impact on the operation of the public body if the information in question is disclosed against the public’s right to be informed about the operations of its government.
- The cloak of confidentiality may not be used to save an officer or public body from inconvenience or embarrassment.

Conflict of Interest Law



- A.R.S. § 38-501 through 511
- Applicability
- Involvement in decisions; substantial and remote interests
- Prohibited acts
- Remedies and penalties
- Guidelines

Conflict of Interest Law: Applicability

- Applies to:
 - All Public Officers
 - (Including Board and Commission Members)
 - All Public Employees



Conflict of Interest Law: Involvement in Decisions



- A public officer who has, or whose relative has, a substantial interest in a decision of the public agency or in any contract, sale, purchase or service to such public agency must disclose that interest in the official record and not vote on or participate in the decision or transaction.

Conflict of Interest Law: Substantial Interests



- **Substantial Interest:** “any pecuniary or proprietary interest, either direct or indirect, other than a remote interest”.
A.R.S. § 38-502.11
- Generally, any interest that affects your financial (pecuniary) or property (proprietary) interests.

Conflict of Interest Law: Identifying Conflicts



- **Three Questions To Identify A Conflict Of Interest:**
 - Will my decision have a positive or negative impact on my interests or that of my relatives?
 - Do I have a monetary or ownership interest in the matter?
 - Is my interest other than one of the designated remotes interests?

Conflict of Interest Law: What To Do

- **What If You Have A Substantial Conflict?**
 - Refrain from voting on or participating in the decision
 - Make the conflict of interest known in the official record
 - Leave the table or the room



Conflict of Interest Law: Remote Interests



- Remote interests are financial and property interests deemed to be so minor as not to trigger the reporting and non-participation requirements
- May still vote and participate in discussions

Conflict of Interest Law: Remote Interests - Examples



- **Remote Interests – Examples:**
 - Non-compensated officer of a non-profit corporation
 - Landlord or tenant of contracting party
 - Attorney whose client is contracting party
 - Member of a non-profit marketing association
 - Owner of less than 3% of the shares of a corporation, unless the income from this ownership exceeds 5% of the officer's income

Conflict of Interest Law: Remote Interests - Examples

- **Remote Interests – More Examples:**
 - Reimbursement for actual and necessary expenses in performance of official duties
 - Receipt of municipal services under same terms and conditions as general public
 - Officer/employee of another public agency, unless a direct economic benefit or detriment to officer/employee or relative involved
 - Member of a group/class of at least 10 with an interest no greater than that of another



Conflict of Interest Law: Other Prohibitions



- **Gifts and Bribes:** Never use official position to secure, and never accept, any valuable thing or benefit that would not ordinarily accrue in the performance of official duties.

- **Additional Income:** A public officer or employee may not receive any additional compensation in matters before agency.

Conflict of Interest Law: Seeking Help

- **What If You Aren't Sure?:**
 - Ask for an opinion from the City Attorney
 - Opinions by the City Attorney regarding Conflicts of Interest are matters of public record and filed with the City Clerk



Conflict of Interest Law: Remedies

- Contracts are voidable
- Affected person may sue
- Court may assess attorneys' fees and costs



Conflict of Interest Law: Penalties

- Forfeiture of Office
- Felony
 - A knowing or intentional violation of the Conflict Of Interest Law
- Misdemeanor
 - A negligent or reckless violation of the Conflict of Interest Law



Rules of Procedure



- Council and BCC Rules of Procedure
- BCC Code of Conduct
- Roberts Rules of Order
- City Charter

Rules of Parliamentary Practice

- City follows Roberts Rules of Order, latest edition, provided they are not in conflict with state law, Council Rules of Procedures, City Code, or City Charter



Purpose of Robert's Rules of Order

- Order
- Fairness
- Majority rule
- Protection of minority rights
- Efficient decision-making



Fundamental Principles

- One thing at a time (one motion on the floor)
- One person speaks at a time
- Rules are self enforced
- Members have equal rights, privileges, and obligations
- Generally, a motion starts the discussions, but not under Open Meeting Law



Role of the Chair

- Opens and adjourns meetings
- Recognizes speakers
- States motions
- Maintains order and neutrality



Role of the Members

- Make motions
- Debate
- Vote
- Serve on committees



Prescott City Charter

- Article II, Section 6 – Mayor may make and second motions and shall have a voice and vote in all proceedings.
- Calling for Special Meetings and Placing items on the agenda
- Article II, Section 16 – vote “shall be taken simultaneously at the request of any council member”
- All members must vote, failure to vote shall be considered an affirmative vote.



Prescott City Charter

- Article VII, Section 8 – When a proposed ordinance or resolution fails and a motion is made to reconsider, the vote shall not be taken within 24 hours



CITY COUNCIL RULES OF PROCEDURE



ADOPTED BY RESOLUTION NO. 2025-1944

EFFECTIVE DATE September 9, 2025

RULES



1 - GENERAL RULES

2 - COUNCIL CODE OF ETHICS

3 - CITY OFFICIALS

4 - COUNCIL MEETINGS

5 - PRESIDING OFFICER

6 - CONDUCT OF MEETINGS

7 - ATTENDANCE

8 - LIMITATION OF DEBATE

9 - VOTING

**10 - COUNCIL AGENDA
FORMAT**

**11 - CONSIDERATION OF
PETITIONS**

**12 - COUNCIL MAYORAL
PROCLAMATION POLICY**

**13 - CONDUCT OF THE
PUBLIC AT COUNCIL
MEETINGS**

Rule 1 | General Rules

A. Rules of Journal (Article II, Section 15, City Charter): The Council Shall determine its own rules and order of business subject to the provisions of this Charter. It shall keep a journal of its proceedings and the journal shall be open to public inspection during regular office hours.

B. Written Rules of Procedure: The rules of procedure of the Council shall be in writing and be available to all interested citizens.

C. Rules of Parliamentary Practice: The rules of parliamentary practice, comprised in Robert's Rules of Order, latest edition, shall govern the Council in all cases to which they are applicable, provided they are not in conflict with state law, these rules or with the Code or Charter of the City of Prescott.

Rule 2 | Council Code of Ethics

City Council members and officials occupy positions of public trust. Council members and all City officials shall strictly adhere to both the spirit and the letter of the laws of the State of Arizona pertaining to conflicts of interest.

In addition to matters of pecuniary interest, Council members shall refrain from making use of special knowledge or information before it is made available to the general public; shall refrain from violation of Council rules; shall refrain from appointing immediate family members, business associates or employees to municipal boards and commissions; shall refrain from influencing the employment of municipal employees; and shall refrain from using their influence as members of the governing body in attempts to secure contracts, zoning, or other favorable municipal action for friends, immediate family members or business associates.

Rule 3 | City Officials

A. City Manager, City Clerk, Finance Director & City Attorney: The City Manager, Clerk, Finance Director and Attorney shall perform their respective duties as set forth in the Charter of the City of Prescott. Whenever there may be any questions concerning the interpretation of the powers and duties of the aforementioned City officials as enumerated in the City Charter, the City Council shall be the final arbitrator of any such dispute and, by a majority vote of its members, shall settle any such issue as a matter of Council policy.

B. Chief of Police: The Chief of Police or such members of the Police Department as the Chief may designate, shall be Sergeant-at-Arms of the Council Meetings.

C. Officials & Employees to Attend: The head of any department, or officer or employee of the City, when requested by the Council or City Manager, shall attend any regular or special meeting and confer with the Council on all matters relating to City business.

Rule 4 | Council Meetings

A. Regular and Special Meetings: The City Council shall hold regular and special meetings according to the provisions of the City Charter. Council Meetings shall be conducted in accordance with the procedures as set forth in these rules. Regular Meetings of the Council shall begin at 3:00 pm on the second and fourth Tuesday of each month, unless a different day or time is determined by a majority of the Council. Study Sessions shall be held on the second and fourth Tuesday of each month at 1:00 pm as needed.

B. Executive Sessions: The Council may meet in the Executive Session in accordance with the procedures and purposes set forth in State Law and not otherwise.

C. Scheduling Agenda Items: The Mayor may place any item on an agenda for consideration or discussion by the Council. Any two (2) councilmembers may place an item on an agenda for consideration or discussion by the Council. The Mayor or council members making such a request may designate the particular meeting date they wish the item to be discussed or considered and all reasonable efforts shall be made to accommodate that request.

D. Withdrawing Agenda Items: When an item is initially placed on an agenda, it may only be withdrawn by the individual (Mayor or Councilmembers) who placed that item on the agenda.

Rule 5 | Presiding Officer

The Mayor or, in his absence, the Mayor Pro Tempore, shall take the chair at the hour appointed for Council to meet and shall immediately call the members to order. In the case of absence of both the Mayor and the Mayor Pro Tempore, the City Clerk shall call the Council to order. If a quorum is found to be present, the Council shall proceed to elect, by a majority vote of those present, the chairman of the meeting.



Rule 6 | Conduct of Meetings

The presiding officer shall serve as Council Parliamentarian upon advice of the City Attorney. He shall preserve decorum and decide all questions of order, subject to appeal to the Council.

A. During Council Meetings, Council members shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or the rules of the Council. Every Council member desiring to speak shall address the chair, and, upon recognition by the presiding officer, shall confine himself to the question under debate and shall avoid all offensive or indecorous language. A Council member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer or unless a point of order or other privileged motion is raised by another Council member. If a Council member is called to order while he is speaking, he shall cease speaking immediately until the question of order is determined. If ruled to be in order, he shall be permitted to proceed. If ruled to be out of order, he shall remain silent or shall alter his remarks so as to comply with the rules of the Council. A Council member, with permission of the presiding officer, may address questions to the City Manager or staff or members of the audience, but he shall confine his questions to the particular issue before the Council. If a point of order is raised and the presiding officer fails to act, any member of the Council may move to require him to enforce the rules and the affirmative vote of the majority of the Council shall require the presiding officer to act.

B. The presiding officer shall have the authority to preserve decorum in the meetings as far as to the audience, staff members, and City employees are concerned. The City Manager shall also be responsible for the orderly conduct and decorum of all City employees under his direction and control. Any remarks shall be addressed to the Chair and to any or all members of the Council. No member of the staff or audience shall enter into any discussion, either directly or indirectly, without first having obtained the floor by permission of the presiding officer.

C. Members of the public attending Council meetings shall also observe the same rules of propriety, decorum and good conduct applicable to members of the Council. Any person making personal, impertinent and slanderous remarks or who becomes boisterous while addressing the Council, or while attending the Meeting, shall be removed from the room if the Sergeant-at-Arms is so directed by the presiding officer, and such person shall be barred from further attendance at that particular Council Meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who shall direct the Sergeant-at-Arms to remove such offenders from the room.

D. Should the presiding officer fail to act, any member of the Council may move to require them to enforce the rules, and the affirmative vote of the majority of the Council shall require the presiding officer to act.

Rule 7 | Attendance

In accordance with City Charter Article II, Section 11 if the Mayor or any member of Council shall be absent from at least three consecutive called meetings without prior notice to the Council, City Clerk or City Manager, he or she shall by a majority vote of the balance of Council cease to hold office. Exceptions will be made in emergency situations

"Consecutive Meetings": For purposes of this section, consecutive shall mean successively following without interruption and occurring on successive days

"Prior Notice": For purposes of this section, prior notice shall mean written notification at least 24 hours in advance of the called meeting

"Called Meeting": For purposes of this section, a called meeting shall mean an official Voting Meeting, Study Session, Executive Session or Budget Workshop of the Council duly called pursuant to local & Arizona law

The same standard for attendance at Council meetings shall also be applied to Council Subcommittee Meetings

Rule 8 | Limitation of Debate

No member of the Council or public shall be allowed to speak more than once upon any one subject until all the Council members have had an opportunity to speak. Citizens groups shall identify themselves and shall be represented in the presentation to the Council by one of the members of the group and cumulative or redundant speeches to the Council on the same issue shall be terminated at the discretion of the presiding officer.

Rule 9 | Voting

The vote on any question shall be taken by Ayes and Nays to be electronically tabulated, and the results thereof shall be disclosed simultaneously. In the event that the vote is unable to be electronically recorded there shall be a roll call vote. There shall be no additional debate or speaking after the vote is taken.



Rule 10 | Council Agenda Format

- I. Call to Order
- II. Introductions/Announcements
- III. Invocation
- IV. Pledge of Allegiance
- V. Roll Call
- VI. Any Scheduled Proclamations and/or Presentations (split into two sections as necessary)
- VII. Public Comment
- VIII. Consent Agenda
- IX. Consent Ordinance Agenda
- X. Liquor License Agenda
- XI. Regular Agenda
- XII. Adjournment

Council agenda formats are considered to be general guidelines for the published agenda. The Mayor is authorized to deviate from the order of the agenda, or to delete a specific category from a particular agenda at his or her discretion.

Rule 11 | Consideration of Petitions

Only those petitions submitted in writing at a regular Council Meeting by a citizen of the City shall require Council action within sixty (60) days thereafter. (Article II, Section 18, City Charter)

All other petitions submitted to the Mayor and/or Council members or other agencies of the City in the regular course of business, shall be considered in accordance with the laws of the State of Arizona, the City Charter or the City Code of the City of Prescott. (Examples: Annexations, Improvement Districts, Protests, Elections, etc.)

Unsigned communications or petitions, including newspaper articles or clippings, shall not be introduced in the minutes of Council meetings.

Procedure for consideration of petitions. Upon receipt of a valid petition submitted for Council action, the City Clerk shall add an item regarding the petition to the next available Consent Agenda. The Consent Agenda item shall by default constitute a vote to deny the petition. The Mayor or any Council member may pull the Item from Consent for discussion and vote. Council may then deny the petition, or provide specific direction to staff to return to Council with additional research and possible action as directed by the Council.



Rule 12 | City Council Mayoral Proclamation Policy

A. Requests for Proclamation must be submitted through the city website and are reviewed and approved solely at the discretion of the Mayor. Language for the Proclamation must be provided by the requesting party, but the Mayor reserves the right to revise wording at his/her discretion.

B. Requests for Proclamation must be submitted no less than 30-days in advance of the requested Voting Meeting date for presentation. Generally, Council meetings take place on the second and fourth Tuesday of each month at 3:00 p.m.

C. Mayoral Proclamations should be for the purpose of recognizing an event, person, milestone or other noteworthy occasion within the City of Prescott.

D. Proclamations recognizing annual events or holidays, primarily focused on national or political matters and those not from a resident of the City of Prescott or an organization without a local affiliation or advocate will not be considered.

E. If a Proclamation request is denied, the requestor may submit a Request for Council Recognition to be reviewed and approved by two (2) members of City Council with the same stipulations and requirements as a Mayoral Proclamation.

F. Upon approval, Proclamations will be presented by the Mayor (or his/her designee) and Council Recognition by one of the two approving members, at the requested Voting Meeting date and posted on the city's social media platforms.

Rule 13 | Conduct of the Public at City Council Meetings

A. Members of the public shall observe rules of propriety, decorum and good conduct set out in the Prescott City Council Rules of Procedure.

B. All remarks and questions shall be addressed to the Mayor and to members of the Council. The Mayor may direct the City Manager or staff to respond to questions posed by the public.

C. No member of the public shall be allowed to speak more than once on a subject and remarks shall be limited to three (3) minutes unless allowed by the Mayor. Groups wishing to address the Council shall identify a representative speaker to present for the group in one presentation on behalf of the group.

D. Members of the public desiring to address the Council during any agenda item's public comment period must complete, and submit to the City Clerk, a blue comment card indicating their name, city of residence and item on which they wish to speak for the record. Speakers will be called in the order that the cards are received. Remarks shall be limited to the question under discussion and shall be directed to the Council as a whole.

E. Use of the projection system is reserved for staff, and is not available to members of the public during public comment, however, if a member of the public wishes to provide materials to the Council they may do so via email by 9 am the day of the meeting OR by providing ten (10) copies (seven for Council, and the remaining for the City Clerk, City Attorney & City Manager) to the City Clerk at the beginning of the meeting. Staff presentations may be placed back on the projection screens upon the request of the public speaker/commentor during discussion.

F. Making personal attacks, rude or slanderous remarks will result in removal from the meeting.

G. Members of the public who wish to make a presentation to the Mayor and Council shall submit a Presentation Request Form to the City Clerk, and upon approval by the Mayor OR two (2) members of Council the City Clerk will schedule the presentation for a future meeting.

H. At the discretion of the Mayor, a call to the public will be included on the Agenda of Voting Meetings. During the call to the public residents may comment & address Council on matters NOT included on the posted Agenda. Speakers must be present in Chambers, submit a green comment card to the City Clerk prior to the start of the meeting and are limited to four (4) minutes, with the call to the public limited to forty (40) minutes in total. Pursuant to A.R.S. 38-431.01(H), members of the Council may NOT discuss items that are not specifically identified on the Agenda.

I. In order to maintain civility and respect for all points of view, there will be no clapping, booing or any other verbal form of support or non-support in chambers. Continued unauthorized remarks or actions from the audience will be grounds for removal.

J. General Conduct Expected from the Public is as Follows: be courteous, honest and respectful, focus on the city's vision & goals, come prepared with comments, avoid side conversations and disruptions when sitting in the audience.

The background of the page is a scenic photograph of a lake surrounded by a dense forest of green trees. In the foreground, there are some green leaves and branches, possibly from a vine or grape plant, framing the bottom and right sides of the image. The sky is overcast with grey clouds.

CITY OFFICIALS

Mayor

Cathey Rusing

Council Members

Lois Fruhwirth (Mayor Pro Tem)

Mary Frederickson

Ted Gambogi

Jim Garing

Patrick Grady

Jay Ruby

For Mayor & Council Contact: (928) 777-1248 or city.council@prescott-az.gov

City Manager

Dallin Kimble

City Attorney

Joseph D. Young

City Clerk

Sarah M.

Thornhill

City of Prescott

201 N. Montezuma Street

Prescott, AZ 86301

(928) 777-1100



Boards, Commissions & Committees



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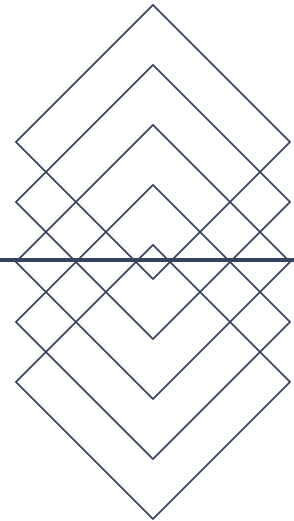
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Contact Information

Member Handbook





Welcome

Welcome to the team of dedicated Board, Commission, and Committee (BCC) members!

Your participation is essential in shaping the strategies, policies, and initiatives that influence our community and impact our stakeholders. The role you are stepping into is crucial, and your contributions will help drive the effectiveness and success of our organization.

Purpose of the Handbook:

- **Understanding Structure:** This handbook is designed to provide you with a comprehensive overview of the City’s structure. It will help you understand how different components of the organization fit together and how they interact with one another.
- **Processes and Procedures:** You will find detailed information about our processes and procedures. This will guide you through your responsibilities and the steps involved in various activities and decision-making processes.
- **Expectations and Responsibilities:** Clearly outlined expectations and responsibilities will be provided to ensure you are well-informed about your role and how you can effectively contribute.

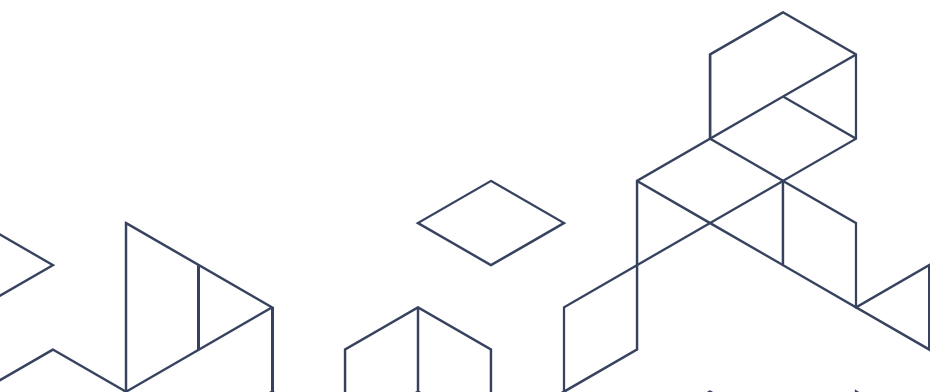
Guidance for Your Role:

- **Unique Contributions:** We encourage you to bring your unique perspectives, skills, and experiences to the table. Each member’s individual background and expertise benefit discussions and help in creating well-rounded solutions to community challenges.
- **Active Participation:** Your active involvement is key to achieving our collective goals. Engage with fellow members, and contribute to discussions effectively to make the most of your role.

Commitment to Our Mission:

- **Shared Objectives:** As you work with the BCC members, focus on advancing our mission and fulfilling our goals are central to the success and well-being of the community we serve.
- **Upholding Values:** Upholding the City’s core values in your work will ensure that we remain aligned with our mission and continue to positively impact those we serve.

Thank you for your commitment and for stepping into this important role; we look forward to the positive contributions you will make. Together, we will make a meaningful difference in the lives of our community members and strive towards achieving our goals.





BCC Appointment

The City of Prescott has more than 20 active BCCs, that play a crucial role in the functioning and development of our community. These BCCs provide an excellent platform for residents to engage with city government, contribute their expertise, and influence local policies and projects. We are fortunate to have an involved resident base who serve.

Annually, the Council Subcommittee on Appointments review submitted applications to fill vacancies that come available for various term endings on the city's BCCs. After a thorough review of the applications, the Subcommittee makes recommendations to City Council.

City Council then makes the final appointments, selecting members based on their qualifications, experience, and alignment with the needs of the respective BCCs.

It is the goal, through appointments, that volunteers continue to serve on BCCs and have the opportunity to provide their experience and expertise. At the same time, the appointment of new members often brings fresh insights and perspectives that contribute to the many ongoing city projects and initiatives.



For additional information regarding BCCs and the appointment process please feel free to contact the City Clerk's Office.



City Council



Cathey Rusing
Mayor



Jim Garing
Councilmember



Mary Fredrickson
Councilmember



Lois Fruhwirth
Mayor Pro Tem



Patrick Grady
Councilmember



Ted Gambogi
Councilmember



Jay Ruby
Councilmember



City Organization

Organization

The Prescott City Charter was adopted by the city voters in 1958 and is the basic governing authority of the City. The City Charter establishes a Council-Manager form of government. This means that the City Council provides leadership and formulates the laws and general policies of the City which are then administered by the City Manager. The Charter also outlines the duties and responsibilities of each area of City government.

City Council

The City Council consists of a Mayor and six Councilmembers who are elected at large to serve as the legislative body of the City. The Mayor is elected every two years and acts as Chairperson of the Council presiding over Council meetings. Councilmember's hold staggered, four-year terms, with three seats decided every two years. Soon after every City General Election, the Council chooses a Mayor Pro Tempore to serve in the absence of the Mayor.

Consistent with applicable laws and regulations enacted by the Federal and State Governments, the City Council bears sole responsibility and exercises sole authority in establishing the policies governing the operation of the City of Prescott. The City Council enacts local legislation, adopts budgets, and establishes public policy. To do this, the Council sets goals and objectives based on strategic planning; recommendations from the City Manager, City Attorney, boards and commissions, public input, and through the budgeting process. Members of the City Council also serve as Council representatives to most of the City's boards, commissions, and committees.

City Manager

The City Manager is the City's administrative head and is directly responsible to the City Council. The City Charter grants the City Manager a non-voting seat on the Council, which allows the City Manager to take part in Council discussions. The City Manager implements Council policies and directives and makes recommendations to the Council on measures necessary for the efficient and effective operation of municipal services. It is the Manager's responsibility to direct the preparation of the City's annual budget and submit it to the Council for approval. In addition, the City Manager oversees the day-to-day operation of the City and directs the activities of City employees.

City Attorney

The City Council appoints the City Attorney to serve as the legal branch of the City. The City Attorney represents the City's legal interests and rights, providing legal advice, and prosecuting criminal complaints. Among other things, the City Attorney's office drafts and reviews the City's legal documents and issues legal opinions.



City Organization

City Clerk

The City Clerk is appointed by the City Council. The Clerk conducts City elections and maintains the permanent records of the City, including the City Code and City Charter, and oversees the overall City Records Management Program. Additionally, the City Clerk administers the City's BCC program, conducts BCC member training, maintains membership rosters for the City's BCC members and processes all BCC applications.

Be sure to provide any changes in your contact information as soon as possible to the Clerk's office so that your record is accurate.

BCC Roles & Responsibilities

Council Representatives

All city BCCs have a Councilmember, selected annually by the Mayor, who serves as a liaison between the BCC and the Council. These Liaisons are not members of the BCC and do not vote but rather serve as a conduit for the Council and provide quarterly updates on the work of the BCC at regularly scheduled Council meetings.

Staff Liaison(s)

Your staff liaison wears many hats and one of those is to provide support for your BCC.

Among other things, the staff liaison's role is to:

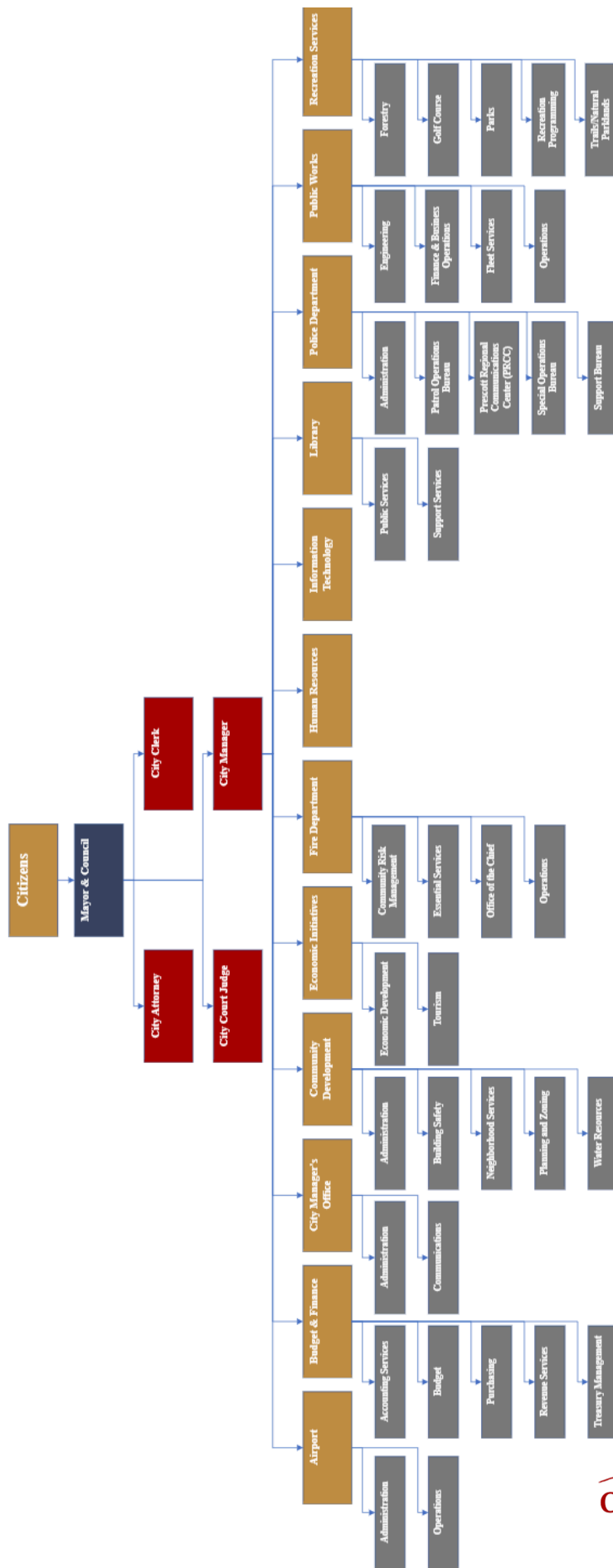
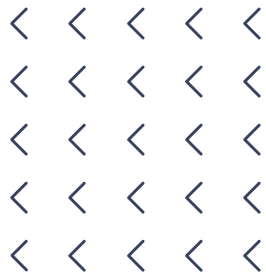
- Prepare meeting agendas with input from the BCC and staff.
- Ensure compliance with Open Meeting Law requirements.
- Assist in distributing information to the body of the BCC according to proper protocols.
- Respond to appointee requests for information related to BCC business.
- Prepare letters & communications of the BCC and process them for review and approval.
- Facilitate interaction with other BCCs.
- Place items on a BCC meeting agenda, in response to direction from the City Council or City Manager, a citizen petition, a request from a commissioner or chairperson, a request from other BCCs, or as deemed necessary by the staff liaison.
- Coordinate requests for legal assistance with the City Attorney.
- Prepare BCC recommendations to the City Council.

The staff liaison also has authority to call special meetings, when necessary, to meet program directives for the BCC.

BCC members do not have authority over the work program of city staff. Rather, the liaison acts as an information resource and provides technical assistance. BCC members may not direct City staff in the performance of their BCC-related activities, nor can they assign projects or direct the work of staff. A BCC may request staff's assistance on various projects; however, the City Manager must approve all requests which create a substantial demand for a work product.



City Organization



Code of Conduct

This section is intended to describe a code of conduct for City BCCs and designed to define the way members shall treat one another, city staff, constituents, and others they come into contact with while representing the City of Prescott. The Council encourages positive and respectful dialogue. Therefore, members shall refrain from abusive conduct, personal charges, disrespectful language, or verbal attacks upon the character of others. It is both encouraged and expected that the Chair of each BCC will intercede when the conduct of another member is in violation of this code of conduct.

BCC members must treat each other and the public with respect. Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals but have chosen to serve the public in order to preserve and protect the community. In all cases, this common goal should be acknowledged.

Residents, property owners and businesses of the City of Prescott are entitled to have fair, ethical and accountable local government. Such a government requires that public officials are independent, impartial, and fair in the judgment, actions, and recommendations, use their public office for the public good and not personal gain, and conduct public deliberations and processes openly, unless legally confidential in an atmosphere of respect and civility.

BCC members shall honor this code of conduct from the time of appointment to office.

BCC members shall act in the public interest, recognizing that stewardship of the public interest must be their principal concern. All shall work for the common good of the City of Prescott and not for any private or personal interest. Members will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

BCC members shall comply with the laws and rules of the Constitution of the United States, the Constitution and laws of the State of Arizona, and the City of Prescott City Charter, City Code, and Policies & Procedures, and all other governing documents related to conflict of interest, election campaigns, financial disclosures, and open meeting law.

BCC members shall refrain from abusive conduct and verbal attacks upon the character or motives of other members of the BCC or City Council, staff, and the public.

BCC members shall have respect for the process and duties shall be performed in accordance with those processes and rules of order established by the Council.



Code of Conduct

(continued)

BCC members shall be present and active for meetings of their respective Board, and inform themselves of public issues, listen attentively to public discussions before the body and focus on the business at hand.

BBCC members are responsible for their communication related to city matters. They shall publicly share substantive information that is relevant to a matter under consideration that they received from sources outside of the public decision-making process.

BCC members shall ensure public confidence in decision-making by being familiar with and complying with conflict of interest laws.

BCC members shall respect and preserve the confidentialities of information provided to them concerning matters of the city. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their financial or private interests.

BCC members have the primary responsibility to ensure that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of their city government.




Loyalty Oath of Office

I, (name), do solemnly swear that I will support and defend the Constitution of the United States, the Constitution and laws of the State of Arizona, and the Prescott City Charter, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the position of a (BCC) (Position), according to the best of my ability, so I do affirm.

Agendas & Minutes

Agendas are distributed to members in advance of meetings. They may also be found here:

- Visit www.prescott-az.gov
- Click on “Council & BCC Meetings” (under “Government”)
- You will be taken to the public CivicClerk portal for Events
- Click on the event date
- Click on the event title, then under Meeting Files click on “Agenda Packet” or “Minutes”
- Click on  to download the document



Board Commission Committee Member Training



Effective | Spring 2026



Open Meeting Law

- All agendas must be followed as posted.
 - Items may be taken out of order, if necessary, at the discretion of staff or the BCC Chair
 - If an item needs to be moved to a future meeting, a motion to postpone or defer must be made
 - Only one subject may be before the Committee at a time
 - Discussion on topics which are not on the posted agenda is prohibited



Open Meeting Law & Meeting Process



- Staff Liaisons shall read the Item Title to introduce each item & discussion will take place as follows:
 - Staff will present the item
 - The Committee will discuss
 - Public comment (if any) will be taken – speakers are limited to three (3) minutes each
 - Motion, second, and vote (when applicable)
 - When all items on the agenda have been discussed, the Chair will adjourn the meeting (no motion is necessary for this action)



Discussion vs. Action Items

- Below the description of each item on the agenda is stated whether the item is an action item or for discussion only.
 - Discussion only items
 - Staff will present
 - Committee will discuss
 - Chair will take public comment
 - Action items
 - Staff will present
 - Committee will discuss
 - Chair will take public comment
 - Chair will call for a motion, second, vote
 - Staff liaison will announce pass or fail and vote (ie "Passes 6-0")

DISCUSSION & ACTION ITEMS

- A. Approval of the June 10, 2024 Pedestrian, Bicycle & Traffic Advisory Committee Meeting Minutes.
Recommended Action: MOVE to approve or approve with changes the minutes as presented
- B. Presentation & Discussion Regarding Westridge Drive Traffic Concerns.
Recommended Action: MOVE to approve or deny recommendations for Westridge Drive Traffic Concerns.
- C. Presentation & Discussion Regarding Sign Request for Lee Boulevard.
Recommended Action: MOVE to approve or deny sign request for Lee Boulevard.
- D. Presentation & Discussion Regarding Ongoing Project Updates.
Recommended Action: This item is for discussion only. No formal action will be taken.

Making a Motion

- If a Committee member wishes to speak, they must be recognized by the Chair.
- A motion can be made by any member of the Committee, including the Chair.
 - The motion should be in this format:
I move to (approve, deny, defer, etc) the (June 10, 2024 minutes) (as presented, with changes, etc)
 - I second the motion
 - Staff liaison states “all in favor”; “any opposed”
 - Vote
 - Staff liaison announces vote “Passes 6-0”




Public Participation

- City BCCs allow public comment following discussion regarding items on the posted agenda.
- For all public comment
 - Members of the public must complete a comment card
 - When the Chair has opened the floor to public comment, Staff liaisons will call each person separately and give them three (3) minutes to speak
 - Members of the public may only address the Committee regarding the item being discussed






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