

City of Prescott  
**Charter Review Committee**



April 20, 2026 | 2:30 PM  
201 N. Montezuma Street  
Council Chambers, 1st Floor  
Prescott, AZ 86301

**MINUTES**

**1. CALL TO ORDER**

Chair McMinn called the meeting to order at 2:30 p.m.

**2. ROLL CALL**

Bonnie McMinn - Chair  
Rod Moyer - Vice Chair  
Michael Broggie - Member  
Michael Gjede - Member  
Ralph Hess - Member

**3. DISCUSSION & ACTION ITEMS**

A. Approval of Minutes from the April 6, 2026 Charter Review Committee Meeting.

**MOTION BY MEMBER GJEDE TO APPROVE THE MINUTES AS PRESENTED; SECONDED BY MEMBER BROGGIE: PASSED (5 - 0)**

B. **CONTINUED ITEM:** Discussion & Possible Action Regarding an Update to Article VI, Section 17 "Approval of High Value Capital Projects Exceeding \$15 Million" for Approval at the November 2026 Election.

Chair McMinn commented that this item was continued from the last meeting given that there were two members missing from the last meeting, she opened the floor for discussion amongst the members. She reviewed the proposed language and asked about discussion related to super majority.

City Clerk Sarah Thornhill reminded the group that they can discuss "super majority" as it applies to the ballot language for this item but not more broadly throughout the Charter. This will be an agenda item moving forward in May.

Deputy City Attorney Alane Moore added that staff has advised that bids are only good for 60-days and have expressed concern regarding that requirement because it would negatively impact that part of the process. She added that a CPI adjustment is something that should be included in the language, additionally language related to an emergency provision that would allow the city to take care of projects in an emergency even if they are over the \$15 million threshold.

Member Gjede asked if they have to define "emergency".

Ms. Moore commented that they would want to, her recommendation would be to follow Charter language provisions that are similar.

Vice Chair Moyer asked if this would apply to enterprise fund projects and general fund projects.

Member Hess said it would be any capital project. He added that he wants to address all the concerns raised by the legal department. He asked how often does the city have an emergency capital improvement project. Regarding the "super majority" which should be required for high value projects or significant projects like annexations. He commented that he is comfortable with there not being a CPI adjustment included in the language. Regarding the bids, he asked if the bids could be good for 90-days.

Ms. Moore responded that infrastructure emergencies would come to mind. She doesn't have a specific example but there would be times that might be necessary. Extending the timing of the bids would be up to the bidders, costs of the bonds would be impacted by the bids as well.

Member Hess stated that for this to be implemented, the Council and staff would have to know what the exact costs are and therefore the bids would have to be in. He thinks perhaps it should go back to legal for further review and would like to hear from staff regarding what the impact would be if the bids had to be extended.

Ms. Moore stated that staff could be available to address that with the Committee to give them a better idea on how the Bids would be impacted.

Chair McMinn added that she would like to have some language related to CPI to look at as well.

Vice Chair Moyer asked if emergency language could be along the lines of "with the exception of a project to repair or restore utility or accessibility".

Member Gjede commented that he wants to have clear language of super majority versus 3/4.

Member Hess stated that it would be anything greater than a simple four out of seven vote of the Council. Could be a requirement for five votes or six.

Ms. Moore responded that they could list the specific number, but other areas in the charter use language like "super majority of 2/3 or 3/4 of Council" depending on how the Committee would like to propose it.

Member Hess stated that it seems the 2/3 or 3/4 requirement seems to be based on how significant the issue is.

Mayor Rusing addressed the Committee stating that she likes the "super majority" requirement and feels that specifically stating "a 6-1 vote" to pass would make it more clear. She added that she supports this amendment for more transparency, but said that it is getting into dangerous territory when this Committee is going to try and dictate to Public Works their bidding process. If the

city isn't careful nobody would be interested or willing to submit bids. Also, she feels there should always be an emergency off-ramp, and there should be a CPI adjustment.

Chair McMinn commented that she wonders if, from a budgeting perspective, there is a way to have the language reflect that this would be built into the budget process.

Member Hess commented that reducing the 60-day comment period to 30-days could make it more palatable. He is ok with a public meeting rather than a public hearing.

Vice Chair Moyer added that he supports that idea.

Ms. Moore recapped Committee comments related to revisions on the proposed language: 30-day public comment period, public meeting rather than public hearing, Committee consensus for "3/4 of Council" for the super majority language and staff will provide options for emergency provisions.

**MOTION BY MEMBER GJEDE TO TABLE ACTION ON THIS ITEM TO A FUTURE MEETING; SECONDED BY MEMBER BROGGIE: PASSED (5 - 0)**

- C. Discussion & Possible Action Regarding an Update to the Prescott City Charter Establishing Certain Restrictions on Development Agreements by City Council.

Chair McMinn discussed proposed DA restrictions.

Ms. Thornhill read from the proposed provisions included in the agenda packet.

Committee consensus that 30-years is too long a term for the agreements and they would like to see something shorter.

Member Hess stated that he feels the maximum should be 10-years and no renewals or extensions for a period greater than 5 years, and received Committee consensus. He added that for provision E he thinks, for consistency, the provision should state 25% so it is in alignment with the Land Development Code (LDC), and received Committee consensus.

Mayor Rusing thanked the Committee for addressing these amendments that have been needed for some time.

Member Broggie asked who would be liable for the required open space if something occurred.

Ms. Moore responded that it would depend upon who is maintaining it. If the city is responsible for maintenance it would be our liability.

Chair McMinn commented that she would advocate for it to be private open space, creating meaningful open space for their developments but ultimately being liable. She also asked if the Committee wanted to consider including all developments and not just large ones.

Member Hess stated that smaller developments may not be able to absorb that in the same way that larger developments can.

Ms. Moore recapped Committee direction regarding revisions to the proposed language: update open space to 25%, and she asked for clarification on term beyond the initial 10-year agreement does the Committee want one or more 5-year extension options.

Vice Chair Moyer commented that he would like the open space to be accessible to the public, but if he is the developer, he would question it being "private" open space.

Ms. Moore agreed and stated that it is a consideration for this Committee.

Member Gjede asked if maintenance of the open space could be built into the DA negotiations.

Chair McMinn asked about water.

Ms. Moore stated that there is the city's water policy, and there are Water Service Agreements which the city is contractually bound to.

Mayor Rusing stated that she would like to see the water attached to the land and potentially renegotiated in the future.

Committee consensus on numeric changes and bringing this item back with the noted revisions and have a discussion related to water as well.

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

D. Discussion & Possible Direction Regarding a Potential Addition to the Prescott City Charter Regarding "Lease of Property by the City" (Tenant Safeguards).

Member Hess commented that he likes the proposal, but added that there is a typo in the word "lessor".

Ms. Moore stated that from a legal standpoint most any lease will include a capital improvement component, so use of the word "OR" would make it so that every lease of city property would come forward which is something to consider. She also highlighted that the Legal Department would like the "total cost of property" to be better defined, she also asked if with use of the word "reasonable" the Committee is seeking a minimum number of properties that were investigated or a full list. Finally, Ms. Moore commented that in the event of an emergency situation it needs to be considered whether the public comment requirement could impact the ability to lease as needed.

Chair McMinn commented that it was not her intention to have every lease be considered so she would be comfortable adjusting that language related to capital improvements.

Member Hess stated that he thinks perhaps a specific dollar amount on the capital improvements would be appropriate.

Chair McMinn agreed.

Member Gjede stated that he looks at this amendment from the perspective of the lease of the courthouse building.

Ms. Moore asked "cost of occupancy" would be cost of lease, related costs, maintenance, inspection/appraisal and whatever the cost is for any improvements that would need to be made.

Committee consensus.

Member Hess asked if "reasonable" is changed to "comparable."

Mayor Rusing stated that she does support this amendment and she added that the city has a tendency to purchase property without an appraisal and this continues that.

Committee consensus on the following items: capital improvements, 20% of the lease amount or more funded by the city; language update to "and" rather than "or" on all stipulations, and to add in "over the term of the lease" to language.

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

- E. Discussion & Possible Direction Regarding a Potential Addition to the Prescott City Charter Regarding a Replacement of Title & Addition of Sections Patterned After Article 2, Section 13 and 36 of the Arizona State Constitution.

Member Hess stated that this is a modification of a previous provision put before the Committee two years ago and patterned off of the state Article 2 Section 13 and 36 of the State Constitution. He reviewed the proposed language for the Committee from the packet materials. This was drafted after he was approached by the MLK Committee with modifications based on previous feedback from the Council, and has been reviewed and approved by the MLK Committee as well.

Ms. Moore stated that the Legal Department has reviewed this and is approaching it from the standpoint that the information is contained within the state constitution and federal law so it may not be necessary to include in the Charter. She added that when looking at contracting, some of the language would need to be tightened.

Member Gjede stated that he has the same concern he had before when this was initially discussed related to potential impacts for the city based on the President's Executive Order and specific wording being used.

Member Broggie commented that Mr. Hess' effort to provide a guide and have the public understanding is a worthwhile effort.

Vice Chair Moyer didn't have any comments.

Chair McMinn said that this came up previously, and she asked City Attorney Joseph Young if this should be in the Charter, and he said that these types of things are typically done via Ordinance. She would be curious to know how many other charter cities do this in their charter and that is something the Committee should look at. Also, it is important to look at the probability of success in getting something approved by the Council.

Member Hess stated that whether other cities have this charter provision or not, he is still supportive of including it in the Prescott's Charter because it functions as the city's constitution and the State Constitution contains it.

Member Broggie commented that there is nothing wrong with being a leader and not a follower.

Vice Chair Moyer asked if the exceptions listed in the proposed language are in the state constitution.

Member Hess responded that they are.

Member Gjede stated that the word "gender" should be replaced with "sex".

Member of the public Jim Helbling addressed the Committee as the Chair of the MLK Committee in favor of the proposed Charter language provision. He commented that this is the thirteenth time he has spoken in front of a city committee about this, and he fears that it says something about this community.

Mayor Rusing addressed the Committee stating that the city needs to take a look at the impacts of these types of changes. She commented that there could be issues with a transgender person being able to go into a girls' bathroom and gawk at them, or violations of Title 9, or impacts on contracts and funding. Also, she stated that she thinks this needs to be looked at more because it is difficult to define.

Member Hess reiterated that this language was pulled directly from the Arizona State Constitution.

Vice Chair Moyer said that while one could say if it is in the State Constitution it should be in the charter, it could also be said that if it is in the Constitution it applies to a city anyway.

Member Gjede agreed.

Member Hess stated that violating the City Charter is a misdemeanor, so there is a little bit of teeth to this provision which provides some enforceability.

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

- F. Discussion & Possible Direction Regarding Requested Updates to the Prescott City Charter Article XI - City Court.  
Committee consensus to continue this item without discussion.

- G. Presentation & Discussion From Staff Regarding Future Agenda Items.  
Ms. Thornhill reviewed the upcoming Committee meeting schedule and future agenda items. She also commented that it might be beneficial for the group to limit the number of items on each agenda given the significant discussion related to each of them, and suggested prioritizing the amendments the Committee wants to suggest to the Council.

Chair McMinn commented that she would like to see the DA item, revisions to City Court section and possible revisions to the "public hearing" versus "public meeting" language in the section for Consideration of Petitions come back at the next meeting.

Member Gjede said he would like to focus on what is before the Committee at this time, and not add any new items for discussion.

Vice Chair Moyer stated that he would like to focus on the items that were continued from this meeting.

Member Hess suggested that on May 4 the Committee address the city court proposal, public hearing vs. public meeting related to consideration of petitions, and DAs.

Mayor Rusing thanked the Committee for their work, but stated that moving forward the anti-discrimination language will overshadow all of that good work.

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

**4. ADJOURNMENT**

There being no further business to discuss, Chair McMinn adjourned the meeting at 4:49 p.m.



BONNIE MCMINN, Chair

ATTEST:



SARAH M. THORNHILL, City Clerk

