



AGENDA

**PRESCOTT CITY COUNCIL
STUDY SESSION
Tuesday, August 9, 2016
1:00 PM**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

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

◆ **CALL TO ORDER**

◆ **ROLL CALL**

MAYOR AND CITY COUNCIL

Mayor Oberg

Mayor Pro Tem Lamerson

Councilman Blair

Councilman Lazzell

Councilwoman Orr

Councilman Sischka

Councilwoman Wilcox

I. DISCUSSION ITEMS

- A. Presentation by Rosalee Darby, Yavapai Fair General Manager, re the 2016 Yavapai County Fair
- B. Council discussion re elements of the structured sober living home ordinance
- C. Requests for information re August 9, 2016, Voting Meeting agenda items

II. ADJOURNMENT

EXECUTIVE SESSION

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:

- (i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (iv) 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));
- (v) 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));
- (vi) 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));
- (vii) 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)).

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Dana R. DeLong, CMC, City Clerk

MEETING DATE/TYPES: STUDY SESSION 8-9-16

DEPARTMENT: Legal

AGENDA ITEM: Council discussion re elements of the structured sober living home ordinance

Approved By:		Date:
City Attorney:	Jon Paladini	08/03/2016
City Manager:	Craig McConnell	08/03/2016

Item Summary

At the July 26, 2016, Study Session, comments from the public and industry representatives were received by Council regarding elements for a future ordinance regulating sober living homes in Prescott. The City Attorney discussed, via Power Point presentation, options for different elements to be considered in drafting the proposed ordinance. Today's meeting is intended to further discuss and narrow down the elements that will be presented in the future ordinance.

By way of background, A.R.S. §9-500.38 (formerly HB 2107) authorizes cities and towns to adopt by ordinance standards for structured sober living homes that comply with state and federal Fair Housing laws and the Americans With Disabilities Act.

The draft ordinance will be prepared in such a way as to protect residents of sober living homes and the neighboring community from operators who fail to provide the supportive, residential family-like living environment necessary to achieve and maintain sobriety.

Recommended Action: Presented for Council discussion.