



Legislation Text

File #: 18-072, **Version:** 1

TO: Mayor Collins and Town Council Members

FROM: Kevin Burke, Town Manager
Andrew M. Miller, Town Attorney

DATE:

DEPARTMENT: Town Attorney

AGENDA TITLE:

Adoption of Resolution 2018-04; Amending the Municipal Property Corporation Bylaws

Town Value(s):

- ☐ Primarily one-acre, residential community
- ☒ Limited government
- ☐ Creating a sense of community
- ☐ Partnerships with existing schools and resorts to enhance recreational opportunities
- ☐ Improving aesthetics/creating a brand
- ☐ Preserving natural open space

The Town of Paradise Valley makes every effort to enhance the community's unique character for its residents and people from around the world.

Council Goals or Statutory Requirements:

RECOMMENDATION:

Adopt Resolution No. 2018-04 amending the Municipal Property Corporation Bylaws.

SUMMARY STATEMENT:

During the Mayor and Council's discussion of governance issues the Council expressed a desire to have all boards and commission member selections completed by April 1 of each year and to have new members (and reappointed members) start their terms on April 1 or at the first meeting of each board or commission immediately after April 1. Regarding the Municipal Property Corporation Board ("MPC"), the Council also expressed a desire to also change the process for filling vacancies of the directors of the MPC that may arise due to a resignation, death, disqualification, removal, or otherwise be changed so that the Council would fill the vacancy instead of the MPC selecting an individual to fill the vacancy. To effect these changes amendments will need to be made to the

Bylaws of the MPC, specifically to Sections 301 and 602.

The MPC held its annual meeting on January 23, 2018 and was advised of the Council's desire to make the two changes to the MPC director appointment process. The MPC agreed that these changes were appropriate and that such changes would be considered at a special meeting of the MPC subsequent to the Council approving the necessary changes to the MPC Bylaws (Section VII of the MPC Bylaws provides that Bylaw amendments must be approved by the Council before the MPC can adopt them). The MPC also desired to change the provisions Section 301 of the Bylaws regarding the annual meeting date such that instead of the annual meeting being held on the "second Wednesday in the month of October" it should be held "within sixty (60) days after the Council approves the Town's Comprehensive Annual Financial Report" ("CAFR"), with the acknowledgment that the Council typically approves the CAFR in December or January of each year.

Adoption of Resolution No. 2018-04 will provide Council approval of changes to the MPC Bylaws that will:

- Move the director terms in office to an April 1 date
- Provide that all vacancies will be filled by the Council instead of the MPC
- Modify the annual meeting date from October to within 60 days after the Council approval of the CAFR

The Resolution also requests that the MPC hold a special meeting to adopt the appropriate amendments to the MPC Bylaws once Resolution No. 2018-04 is adopted by the Council. It is respectfully recommended that the Council adopt Resolution No. 2018-04.

BUDGETARY IMPACT:

None.

ATTACHMENT(S):

Resolution No. 2018-04.