

ORDINANCE NO. 16-05

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, AMENDING THE CODE OF QUARTZSITE, ARIZONA, CHAPTER 3 ADMINISTRATION, ARTICLE 3-3 PERSONNEL SYSTEM BY REPEALING SECTION 3-3-5 PERSONNEL ADVISORY BOARD TO DISSOLVE THE PERSONNEL ADVISORY BOARD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, federal and state laws governing labor and personnel matters in general and public employment in particular are complex, requiring a significant level of expertise to enable the Town to comply with and implement those laws; and

WHEREAS, the Town Council believes it to be in the best interest of the Town and its employees that a professional hearing officer conduct hearings of employee appeals under the Town Personnel Policies in order to avoid the cost of providing separate legal counsel for such hearings by the Personnel Advisory Board and to provide independent reviews and recommendations to the Town Manager; and

WHEREAS, it is common practice in other cities and towns to use independent hearing officers to hear employee appeals; and

WHEREAS, the Town Council believes an independent hearing officer with experience in labor and personnel law will provide a meaningful review for employees filing grievances and other disputes with a right to review.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Quartzsite, Arizona, as follows:

Section I. In General.

The Code of the Town of Quartzsite, Arizona, Chapter 3 Administration, Article 3-3 Personnel System, is hereby amended by repealing Section 3-3-5 Personnel Advisory Board.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or

unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Common Council of the Town of Quartzsite, Arizona, this 12th day of JULY, 2016, by the following vote:

AYES: 6 MAYOR FOSTER, CM KELLEY, CM WARNER, CM ORGERON, VICE-MAYOR DAVIDSON, CM ST. GERMAIN
NAYES: 0 ABSENT: 0
EXCUSED: 0 ABSTAINED: 0

APPROVED this 12th day of JULY, 2016.

[Signature]
Ed Foster, Mayor

ATTEST:

[Signature]
Tina Abriani, Town Clerk

APPROVED AS TO FORM:

[Signature]
Gust Rosenfeld, P.L.C.
Town Attorneys
By: Susan D. Goodwin

I, TINA ABRIANI, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 16-05 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF QUARTZSITE ON THE 12th DAY OF JULY, 2016, WAS POSTED IN THREE PLACES ON THE 15th DAY OF JULY, 2016.

[Signature]
Tina Abriani, Town Clerk