



Town of Huachuca City

The Sunset City

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ORDINANCE NO. 2019-15

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL" TO ADD PROVISIONS FOR ESTABLISHING A PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) LOCAL BOARD IN TOWN CODE AND TO REFERENCE STATE STATUTORY REQUIREMENTS FOR PSPRS LOCAL BOARDS.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. section 9-240 (B) (28); and

WHEREAS, on March 30, 2011, the Town entered into a joinder agreement with the Board of Trustees of the PSPRS, pursuant to which, the Town's Police Department began participating in the PSPRS; and

WHEREAS, pursuant to A.R.S. section 38-847(A)(1), the Town must establish a Local Board to administer the PSPRS for the Town's members; and

WHEREAS, the Town Council has determined that it would be in the best interest of the Town to amend the Code to establish the PSPRS Local Board; and

WHEREAS, as required by the Code, section 2.25.40, this Ordinance was first read at a public meeting of the Town Council on August 8, 2019, and at a subsequent meeting on September 12, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

SECTION 1. The Code, Title 2, "ADMINISTRATION AND PERSONNEL" is amended by adding new Chapter 2.135 "PSPRS LOCAL BOARD," reading as follows:

Chapter 2.135 PSPRS LOCAL BOARD

2.135.010 Local Board.

Pursuant to A.R.S. section 38-847(A), the Town hereby establishes a Local Board to administer and implement the PSPRS for the Town's employee members. The Local Board shall be

composed as provided by A.R.S. section 38-847(A)(1), and shall operate as required by A.R.S. Title 38, Articles 4, 4.1 and 4.2.

SECTION 2. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 3. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 4. The Town Clerk is hereby directed, pursuant to the Code, sections 2.255.80 and 2.25.90, to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 12th DAY OF SEPTEMBER, 2019.



Johann Wallace, Mayor

ATTEST:



Janine Collins, Town Clerk

Approved as to Form:



Thomas Benavidez, Town Attorney

