

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA, AMENDING THE TOWN OF WICKENBURG CODE, CHAPTER 4 ADMINISTRATION, ARTICLE 4-2 OFFICERS, SECTION 4-2-1 TOWN MANAGER, BY ADDING NEW SUBSECTION H(17) TO POWERS AND DUTIES RELATING TO SETTLEMENT OF ADMINISTRATIVE CLAIMS AND DISPUTES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

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

Section I. In General.

The Code of Wickenburg, Chapter 4 Administration, Article 4-2 Officers, Section 4-2-1 Town Manager, is hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 4-2-1 TOWN MANAGER

...

- H. Powers and Duties. The Town Manager shall be the Chief Administrative Officer of the Town government and shall be responsible to the Council for the proper administration of all affairs of the Town under the specific direction and control of the Council. In addition to the general powers as the Chief Executive Officer and the head of the administrative branch of the Town government, and not as a limitation thereon, it shall be the Manager's responsibility and duty and the Manager shall have the power:

...

17. THE TOWN MANAGER IS AUTHORIZED TO NEGOTIATE AND SETTLE ON BEHALF OF THE TOWN CLAIMS AND DISPUTES BROUGHT AGAINST THE TOWN, ITS OFFICERS, APPOINTEES AND EMPLOYEES, FOR AN AMOUNT NOT TO EXCEED \$25,000.00 SUBJECT TO THE FOLLOWING CONDITIONS:

- A. THE TOWN MANAGER HAS INVESTIGATED QUESTIONS OF LIABILITY AND DAMAGES RAISED BY THE CLAIM AND HAS DETERMINED A REASONABLE DOLLAR VALUE OF THE CLAIM.
- B. THE CLAIM AND ANY PROPOSED SETTLEMENT HAS BEEN REVIEWED AND APPROVED BY THE TOWN ATTORNEY.
- C. THE SETTLEMENT IS CONDITIONED UPON AN APPROPRIATE WRITTEN RELEASE BY THE CLAIMANT.

...

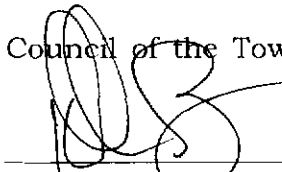
Section II. Repeal of Conflicting Ordinance.

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in conflict with the provisions of this ordinance or any part of the Code adopted herein by reference are hereby repealed.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 Town Council of the Town of Wickenburg, Arizona, this 2nd day of July, 2012.


KELLY C. BLUNT, MAYOR

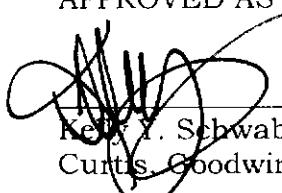
Date Signed: 7-2-12

ATTEST:


Donna Riffel, Town Clerk

Date Signed: 7-2-12

~~APPROVED AS TO FORM:~~


Kelly Y. Schwab, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I, Donna Riffel, Town Clerk, HEREBY CERTIFY that the foregoing Ordinance Number 1109 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 2nd day of July 2012, and that a quorum was present at the meeting.


Donna Riffel, Town Clerk