

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

CC: QR  
Amend No. \_\_\_\_\_

Date prepared: December 22, 2009

Council Meeting Date: January 5, 2010

TO: Carl Swenson, City Manager

THROUGH: Susan K. Thorpe, Deputy City Manager *SKT*

FROM: Mary Jo Waddell, MMC, City Clerk *mjwaddell*

**SUBJECT:** Adoption of a 2010 Calendar for Council Meeting Dates and adoption of revisions to City Council Policy CP 1-2, City Council Meeting Procedures

**RECOMMENDATION:** That the Mayor and Council (a) adopt a Resolution approving a City Council meeting schedule of regular meetings, special meetings and study sessions for the 2010 calendar year and (b) adopt revisions to the City Council Policy CP 1-2, City Council Meeting Procedures.

**SUMMARY:**

Pursuant to the Peoria City Charter, the City Council is required to meet not less than once per month and annually adopt a resolution setting forth a proposed meeting schedule. Council may modify the schedule as necessary and appropriate.

Pursuant to Section 2-16 of the Peoria City Code, the Council shall, by resolution, establish a date and time for study sessions. A resolution setting forth a schedule for study session meetings must be adopted annually.

The attached resolution identifies the proposed 2010 Council Meeting dates. Please note only one meeting date will be scheduled in the months of March, May, July, August, November, and December.

**CITY CLERK USE ONLY:**

- Consent Agenda
- Carry Over to Date: \_\_\_\_\_
- Approved
- Unfinished Business (Date heard previous: \_\_\_\_\_)
- New Business
- Public Hearing: No Action Taken

ORD. # \_\_\_\_\_ RES. # 2010-03  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

Council has expressed interest in adding additional items to the Study Session Agenda. To respond to this, staff is proposing revising the current process for City Council meetings. The proposed revisions include the meeting held on the first Tuesday of the month to include a Special Meeting with a Consent Agenda and Call to the Public followed by an extended Study Session to allow additional time for staff presentations. Council would then adjourn for the evening. The aforementioned changes will only occur when two meetings are scheduled per month. In that instance, regular agenda items will only be heard at the second meeting of the month.

In managing the flow of items, staff will work to schedule most of the consent items on the second meeting date of each month, but there may be a limited number of items that will need to be addressed at the first Tuesday meeting. Those items at the first Tuesday meeting will be Consent Agenda items only.

The proposed changes to the City Council Meeting Procedures are generally technical and administrative in nature. Additional revisions to the City Council Meeting Procedures are necessary to accommodate the proposed changes to the Council Meeting schedule.

Pursuant to the proposed City Council Policy, the Council upon motion, second and a vote may suspend the rules and consider an item on the Consent Agenda for individual discussion at the Special Meeting. Otherwise, discussion shall take place at the next scheduled meeting containing regular agenda items.

The City Attorney has reviewed these proposed changes and has determined that they could be implemented consistent with the Arizona Open Meetings Act.

**ATTACHMENTS:**

1. Resolution
2. 2010 Council Meeting Calendar
3. City Council Policy, City Council Meeting Procedures CP 1-2

RESOLUTION 2010-03

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, ADOPTING THE PROPOSED CITY COUNCIL MEETING SCHEDULE OF REGULAR MEETINGS, SPECIAL MEETINGS AND STUDY SESSIONS FOR THE CALENDAR YEAR 2010 AS ESTABLISHED AND REQUIRED BY ARTICLE II, SECTION 14 OF THE CHARTER OF THE CITY OF PEORIA, ARIZONA AND BY SECTION 2-16 OF THE PEORIA CITY CODE.

WHEREAS, Article II, Section 14 of the Charter of the City of Peoria, Arizona reads as follows:

Sec. 14. Meetings of council, boards, commissions and committees.

A. The council shall meet regularly at such times and at such places as may be prescribed by ordinance, but not less frequently than once each month. At the first meeting of the Council each year, the Council by Resolution shall adopt a proposed schedule of Regular Meetings for the year. The Resolution shall be posted in the same places as public notices of the City. The Council may modify the resolution as it deems necessary and appropriate. Notices and agendas of such meetings, including a short summary of items on the agenda, shall be posted pursuant to statute in such public places as the council may set by ordinance, and the places of such posting shall be kept on file with the city clerk.

WHEREAS, Section 2-16 of the Peoria City Code reads as follows:

Sec. 2-16. City Council; meeting schedule.

(a) The Council shall hold regular meetings not less than once each month. At the first meeting of the Council in each calendar year, the Council shall adopt by resolution a schedule of the regular meetings for the year. Following adoption of the Resolution containing a schedule of regular meetings, the Resolution shall be posted in the same public locations as Council agendas. The regular meeting shall be held at 7:00 p.m. Regular meetings of the Council shall be held at the Municipal Complex or in such other locations as Council may determine.

Resolution No. 2010-03

January 5, 2010

(b) The Council shall, by resolution, establish a date and time for study sessions to be held on such items as deemed appropriate and in conformance with the Arizona Open Meetings Act, A.R.S. §38-431, et.seq.

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and City Council of the City of Peoria, Arizona:

1. That the following proposed schedule of Regular Meetings, Special Meetings and Study Sessions for the calendar year 2010 is hereby adopted.

<b>MEETING DATE</b>	<b>TYPE OF MEETING AND TIME</b>
January 5, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
January 19, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
February 2, 2010	Special Meeting and Study Session 4:00 p.m.
February 16, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
March 2, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
April 6, 2010	Special Meeting and Study Session 7:00 p.m.
April 20, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
May 4, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
June 1, 2010	Special Meeting and Study Session 4:00 p.m.
June 15, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
July 6, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
August 17, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
September 7, 2010	Special Meeting and Study Session 4:00 p.m.
September 21, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
October 5, 2010	Special Meeting and Study Session 4:00 p.m.
October 19, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
November 16, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.
December 7, 2010	Special Meeting and Study Session 4:00 p.m. Regular Meeting 7:00 p.m.

Resolution No. 2010-03  
January 5, 2010

2. That the Mayor and or the Council in the matter provided by the Peoria City Charter may schedule such additional meetings as may be deemed necessary and appropriate.

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 5<sup>th</sup> day of January, 2010.

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Bob Barrett, Mayor

ATTEST:

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Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney



E = Election Day -- No City Council Meeting  
 Red = Observed Holidays/City Closed  
 Yellow = Jewish Holidays - No Work Permitted  
 Orange = Jewish Holidays - Work Permitted w/Restrictions

Council Meeting  
 NLC 2010 Annual Congressional City Conference  
 2010 League Annual Conference  
 Council Workshop

# CITY OF PEORIA 2010

## JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Jan 1 - New Year's / Jan 18 - Martin Luther King

## FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

Feb 15 - President's Day / Lent Begins  
 Feb 17 - Ash Wednesday / Feb 27-28 - Purim

## MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Mar 20 through Apr 6 - Passover

## APRIL

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Apr 2 - Good Friday / Apr 4 - Easter  
 Mar 20 through Apr 6 - Passover  
 NO STUDY SESSION ON APRIL 6TH

## MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

May 31 - Memorial Day  
 May 18 through May 20 - Shavuot

## JUNE

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

## JULY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Jul 4 - Independence Day (Jul 5 Observed)  
 Jul 10 through Jul 20 - Tish'a B'Av

## AUGUST

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	E/24	25	26	27	28
29	30	31				

## SEPTEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Sept 6 - Labor Day  
 Sept 8-10 - Rosh Hashanah  
 Sept 17-18 - Yom Kippur / Sept 22-29 - Sukkot  
 Sept 29 - Hoshanah Rabbah  
 Sept 29-30 - Shemini Atzeret  
 Sept 30-Oct 1 - Simchat Torah

## OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Sept 30-Oct 1 - Simchat Torah  
 Oct 11 - Columbus Day

## NOVEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	E/2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Nov 11 - Veterans Day  
 Nov 25-26 - Thanksgiving

## DECEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Dec 25 - Christmas Day  
 Jan 1 - New Year's (Dec 31 Observed)

**FINAL POLICY PRESENTED FOR ADOPTION**

 <p style="text-align: center;"><b>CITY COUNCIL POLICY</b></p>	<b>CP 1-2</b>
	Category: General  Department: City Clerk
<b>TITLE:</b>  City Council Meeting Procedures	Approved: January 5, 2010

**A. Purpose**

These Rules of Procedures for City Council meetings are intended to establish a standard policy for the conduct of City Council meetings. The City of Peoria is governed by A.R.S. §§ 38-431, *et seq.*, which is commonly known as the "ARIZONA OPEN MEETING LAW." It is the Policy of the City Council that all public meetings be conducted in a timely and orderly manner; that notices, agendas, and minutes of public meetings be prepared, published, and distributed; that all documentation relating to the City's open public meetings be made available to the public; and that all issues as set forth above be done in general conformance with the laws, the City Charter, the City Code, this or any other Council Policy, applicable Rules of Conduct, Procedures, and Regulations governing same, and Scott Foresman version of Robert's Rules of Order.

**B. Definitions**

1. "Agenda." As set forth in the Order of Business, an agenda is a formal listing of items to be considered by the City Council at a noticed public meeting of the City Council. The agenda may not be changed less than 24 hours prior to the public meeting.
2. "Adjourned Meetings." A meeting to continue discussion and action on pending business to another date, ceasing discussion and action of all pending agenda items until such date.
3. "Council Packet." A compilation of documents supporting the items listed on the agenda to be used by Council, staff, and the public for more in-depth information than may be presented in an oral report.
4. "Meeting." The gathering of a quorum of members of the City Council, as a result of a public notice and agenda, to take legal action or to deliberate regarding legal action to be taken in the future.

5. "Motion." A motion is a proposal by the Council that formal action be taken by the City Council.
6. "Notice." A formal announcement to the public that sets forth the date, time, and place for which a meeting of the City Council will be held. Giving formal notice of meetings is done as provided by Statute, Charter, Code, City Policy, or other Rules or Regulations of the City Council.
7. "Ordinance." An ordinance is a Council action establishing the public policy of the City. Public policy includes zoning issues, annexations or any abandonment, laws of the City, and such. The ordinance, in addition to being referenced by number and brief title in the minutes, will be recorded and maintained by the City Clerk's Office in numerical sequence as a permanent record of the City.
8. "Presiding Officer." The Mayor, Vice-Mayor, or other designee, who presides over the meeting of the City Council.
9. "Point of Order." Point of Order is the motion to use if the Presiding Officer is failing to operate within the City Council Meeting Procedures. The effect of the motion alerts the membership to a breach of procedure as well as requires the Presiding Officer to defend a ruling.
10. "Quorum." A quorum is the minimum number of members of the City Council who must be present in order for business to be legally transacted. With a seven-member body, a quorum is four members.
11. "Resolution." A resolution is a formal form of a motion utilized to memorialize policy of the City. The resolution, in addition to being referenced by number and brief title in the minutes, will be recorded as provided by law and maintained by the City Clerk's Office in numerical sequence as a permanent record of the City. Resolutions are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future references back to its contents warrants a separate document to facilitate such future reference and research. Effective dates of resolutions shall be as provided by law.

C. Meetings

1. The City Council of the City of Peoria shall meet at such times and at such places as adopted by the City Council at the first meeting held each year. The City Council shall meet no less frequently than once each month. No meeting shall be held on a legal holiday. A "Call to the Public" may be provided at the discretion of the Presiding Officer.
  - a. Regular Meetings. Regular Meetings are held for the purpose of discussion or action of the Council on various issues deemed necessary to further the business of the City. Regular meetings may include Consent Agenda items.
  - b. Special Meetings. Special Meetings may include Consent Agenda items. The Council upon motion, second and a vote may suspend the rules and consider an item on the Consent Agenda for individual discussion at the Special Meeting. Otherwise, discussion shall take place at the next scheduled meeting containing regular agenda items. Special Meetings may be held in conjunction with any other meeting type.
  - c. Study Sessions. Study Sessions are held for the purpose of presentations and discussions on such issues that require more in-depth consideration of the City Council. No formal action of the City Council may be taken at such meetings, other than general consensus or conveying direction to staff for further action. These meetings shall not provide for a "Call to the Public".
  - d. Adjourned Meetings. Any meeting may be adjourned to a time, place, and date certain, but not beyond the next Regular Meeting.
  - e. Additional Meetings. Additional Meetings may be called by the Mayor, by the common consent of four members of the Council or by written request of three or more members of the City Council submitted to the Mayor and copied to the City Clerk. Additional meetings shall be titled as a Special Meeting.
  - f. Executive Sessions. As provided by State law (Arizona Revised Statutes §38-431.03), the City Council may meet in CLOSED Executive Sessions as deemed necessary by the Mayor and City Council.

- g. **Emergency Meetings.** The Mayor and Council may call a Special Emergency Meeting to discuss or take action on an unforeseen issue where time is of the essence and sufficient time does not provide for the posting of a meeting notice 24 hours or more before the meeting in accordance with the Arizona Open Meeting Law. Notice of an Emergency Meeting of the Mayor and Council will be posted in accordance with the Arizona Open Meeting Law. Emergency Meetings shall not provide for a Call to the Public.

**D. Agenda Preparation**

1. **Agendas.** The City Clerk, or designee, shall prepare agendas for all meetings of the City Council. Agendas of all meetings of the City Council shall be available no less than 24 hours prior to each meeting.
2. **Agenda Item Submittals.** Except for Executive Session matters, all City Departments will submit items for placement on the Council Agenda, as well as all attachments thereto, to the City Clerk's Office in accordance with timelines outlined by the City Clerk's Office.
  - a. City Councilmembers may submit items for placement on the Council Agenda by written request to the Mayor or City Manager. The Mayor shall work with the Councilmembers and the City Manager to obtain the necessary documentation for placement on a Council Agenda. Pursuant to the City Charter, a request by four or more members of the Council shall be placed on the agenda regardless of the concurrence of the Mayor.
  - b. The Mayor may submit items for placement on the Council Agenda by providing notice to all Councilmembers. The Mayor shall work with the City Manager to obtain the necessary documentation for placement on a Council Agenda.
  - c. The City Manager may submit items for placement on the Council Agenda by providing the appropriate documentation to the City Clerk's Office.
3. **Executive Sessions.** The City Manager or the City Attorney may submit items to the City Clerk's Office for placement on the agenda for City Council Executive Session discussion by obtaining prior approval of the Mayor.
  - a. The Mayor may submit items for Executive Session discussion by providing notice to all Councilmembers.

- b. The Mayor, City Manager, and City Attorney shall review the items for Executive Session discussion to ensure that the item is legally permissible to be discussed in Executive Session pursuant to A.R.S. § 38-431.03, prior to submission to the City Clerk's Office.

**E. Council Packets**

1. Full packets contain the agenda and all supporting documentation related to the items on a Council Agenda for all noticed meetings of the City Council. Full packets for noticed meetings of the City Council are delivered or distributed to the City Council (with the exception of Executive Session documentation).
2. Redacted packets contain the agenda and supporting documentation related to items that do not contain confidential information. Redacted packets will be made available as prescribed in City Code, Chapter 2, Sec. 2-201.
3. Supplemental documentation is documentation that was not received at the time a packet was originally printed and will be made available through the City Clerk's Office upon receipt.
4. Delivery of Packets to Councilmembers. The City Council packet for all City Council meetings shall be provided to Councilmembers in accordance with practices outlined by the City Clerk's Office.

**F. Meeting Notices**

1. Preparation and Posting of Notices.
  - a. Preparation. The City Clerk, or designee, shall prepare all public meeting notices of the City Council, and shall ensure posting of a meeting notice no less than 24 hours before the date and time set for said meeting in accordance with A.R.S. § 38-431.02(C).
  - b. Posting Locations. All City Council meeting notices shall be posted in accordance with practices outlined by the City Clerk's Office.
  - c. Emergency Meetings. Notices and agendas for Emergency Meetings of the City Council shall be posted according to the current Arizona Revised Statutes, and upon the advice of the City Attorney.

- d. Annual Notice Posting. The City Clerk, or designee, not later than January 2nd of each year, shall post a public notice for adopted City Council meetings, stating the date, time, and place of the meetings, and where copies of the agendas may be obtained.

2. Publication of Notices and Agendas.

- a. The City Clerk, or designee, shall ensure that the Mayor and Council receive copies of all City Council meeting notices and agendas, and any documentation provided for said meeting no less than 24 hours prior to the meeting.
- b. The City Clerk, or designee, shall ensure that City Council meeting notices, agendas, and documentation, as deemed necessary, are made available to the City Manager, Deputy City Managers, City Attorney, Department Directors, Press, and others as directed by the Mayor through the City Manager, no less than 24 hours prior to said meeting.
- c. The City Clerk, or designee, may amend a published agenda as follows:
  - 1) No less than 24 hours prior to the designated meeting; and
  - 2) Upon receipt of direction from the City Manager or Mayor.

G. Meetings To Be Public

1. With the exception of Council Executive Sessions, all meetings of the City Council shall be open to the public.
2. All public meetings may be recorded or photographed by means of audio, video, or photographic equipment as long as there is no interference in the orderly conduct of the meeting, and that said equipment is placed in non-hazardous locations as designated by the City's Facility Management staff.

H. Order of Business. The Order of Business of each meeting is contained in the agenda as prepared by the City Clerk's Office. The agenda shall include a topic and a brief description of the subjects that shall be taken up for consideration.

1. The Presiding Officer, or the City Council by consensus, may consider items out of sequence from the printed agenda for the meeting.

2. In the event of an emergency, action may be taken on items not listed on the agenda; however, the action must be subsequently noticed in accordance with the Open Meeting Law.
3. Call to Order. The meeting of the City Council shall be called to order by the Presiding Officer. If a Mayor Pro Tem has not been selected, in the absence of both the Mayor and Vice Mayor, the meeting shall be called to order by the City Clerk; whereupon, the City Clerk shall immediately call for the selection of a temporary Presiding Officer.
4. Roll Call. Following the Call to Order and the Pledge of Allegiance, and before proceeding with the business of the City Council, the Presiding Officer shall direct the City Clerk to call the Roll, and the names of Councilmembers both present and absent shall be entered into the minutes.
5. Under the Open Meeting Law, the City may permit members to attend by teleconference. A.R.S. § 38-431 permits attendance by technological devices when such members are outside Maricopa County, Arizona on the date and time of the meeting.
6. Public Comment.
  - a. General. At the pleasure of the Mayor, individuals may address the City Council on any subject pertaining to or related to City business, whether listed on the agenda or not, and according to the prescribed schedule.
  - b. Speaker Request Form. All citizens and interested parties wishing to speak before the Council shall fully complete a Speaker Request Form and submit the form to the City Clerk, or designee prior to the meeting being convened. The completed forms will be retained by the City Clerk in the Official Files and are a public record.
  - c. Call to the Public. Presentation of petitions, or public comments on non-agenda items are heard under "Call to the Public".
    - 1) The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer will limit the number of speakers to a maximum of five.

- 2) All citizens and interested parties will be limited to a maximum of 3 minutes to address the Council on a non-agenda item. The time limit may be waived by the Presiding Officer.
- d. Speaker Decorum. Proper decorum must be observed by speakers in providing testimony and remarks.
- 1) During a Council meeting, no person except City Officials shall be permitted within the platform area in front of the Council dais without the invitation or consent of the Presiding Officer.
  - 2) Any member of the public desiring to address the Council shall proceed to the podium after having been recognized by the Presiding Officer. At the podium, the speaker shall clearly state their name for the record. Provisions may be made for those individuals whose physical limitations prohibit them from accessing the podium area.
  - 3) The Presiding Officer shall keep control of the meeting, and require that the speakers refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting.
  - 4) It is inappropriate for the speakers to question directly, or debate the matter under consideration with staff, other speakers, the audience, or members of the Council. All comments should be addressed through the Presiding Officer. After being recognized by the Presiding Officer, Council may question the speakers, any applicant's representatives, or City staff. Except when answering a direct question from a Councilmember, all remarks will be addressed to the Council as a whole and not to individual members.
  - 5) Personal attacks on Councilmembers, City staff, or members of the public are not allowed. Oral communications during the City Council meeting may not be used to lodge charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference, which tends to identify the employee. Any such charges or complaints against employees shall be submitted during normal business hours to the City Manager for appropriate action.
  - 6) It is inappropriate to utilize the public hearing or other agenda item for the purpose of making political speeches,

including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the Presiding Officer, will be grounds for ending a speaker's time at the podium or, at the direction of the Presiding Officer, for removal of any disruptive person from the meeting room.

- 7) After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission of the Presiding Officer.
- e. Documents. Exhibits, letters, petitions, and other documentary items presented or shown to the City Council on a public hearing item become part of the record of the public hearing. Twelve collated sets of written or graphic materials should be provided by the speaker prior to the commencement of the hearing to allow for distribution to the City Council, key City staff, and a copy for the City Clerk to include in the public record of the hearing. Reduced copies (8 1/2" x 11") of large graphic exhibits should be provided as part of the sets of materials for distribution as provided above. This requirement may be waived for signed petitions submitted by neighborhoods or other citizen groups, although these groups are required to present the originals to the City Clerk for the Record, and are encouraged to provide copies as set forth above.
- f. Scheduled Public Appearance. This item allows a citizen to speak on a specific item before the Council, including presentation of petitions, with the process being as follows:
- 1) A Scheduled Public Appearance Form is obtained from the City Clerk and, when completed, is returned to the City Clerk for submission to the City Manager.
  - 2) The City Manager (or designee) shall research the issue to determine if it may be handled administratively or will require Council discussion. If it is determined that the matter should be placed before the City Council, the City Manager shall ensure that documentation, if any, is compiled, and the material forwarded to the City Clerk in the same manner as other issues needing to go before the Council. If the City Manager determines that the subject should not be placed on a Council Agenda, an individual wishing to have an item on the agenda as a "Scheduled Public Appearance" may ask that the request be forwarded to the Mayor for consideration

- or obtain the written request of three members of the City Council, and submit that request to the City Clerk.
- 3) At the direction of the Mayor or City Manager, the City Clerk shall place the item on an agenda of the City Council, and shall advise the citizen of the date and time of the meeting.
  - 4) At the direction of the Mayor or City Manager, a "Scheduled Public Appearance" may include a specific action item if placed on a Council Agenda.
- g. Call to the Public - Agenda Item. At the appropriate item on the agenda, the Presiding Officer will, in the order in which the Speaker Request Form was received, call by name each individual who has asked to speak on a specific agenda item. Those speaking before Council will be allowed 3 minutes to address the Council, but time limits may be waived upon consensus of the Council.
7. Reports by Members of the City Council.
- a. Any Councilmember may bring before the City Council information regarding activities that the Councilmember has participated in on behalf of the City or items needing placement on future agendas. Reports may not involve items that will be the subject of future Council discussions.
  - b. In addition to information allowed to be presented by a Councilmember, the Mayor may also use "Reports from Mayor" to announce appointments to ad hoc Committees.
  - c. These informational issues, appointments, or requests are put before Council under the "Reports from Mayor" or "Reports from City Council" portion of the agenda. These matters need not be specifically listed on the agenda.
8. Adjournment. The open public meetings of the Mayor and City Council may be adjourned without motion and vote.
- I. Participation at Meetings of the Council.
1. Debate. The Presiding Officer may debate, subject to such limitations of debate as are imposed on all Councilmembers as defined in Robert's Rules of Order. He/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her status as Presiding Officer. If the Presiding Officer desires to personally engage in extended debate on questions before the Council, or to either move or second a

motion, he/she should turn the Chair over to the Vice Mayor, or another Councilmember until action on the issue under discussion has been completed.

2. Question to be Stated. The Presiding Officer shall restate each motion or request the Clerk to do so immediately prior to calling for discussion and/or the vote. Following the vote, the Presiding Officer shall verbally announce whether the motion carried or was defeated.
3. Decorum and Order.
  - a. Presiding Officer. The Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak unless they have first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer.
  - b. Councilmembers. Any Councilmember desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, may speak.
  - c. Employees. Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applied to members of the Council. The City Manager shall ensure that all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the Council or members of the public shall first be recognized by the Presiding Officer.
  - d. Public. Members of the public attending Council meetings shall observe the same rules of order and decorum applicable to the Council. Unauthorized remarks, demonstrations from the audience, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting shall not be permitted by the Presiding Officer, who may direct a Police Officer present to remove such offender(s) from the room.
4. Enforcement of Decorum. A sworn peace officer of the State of Arizona shall attend each meeting of the City Council, and is designated as the ex-officio Sergeant-at-Arms of the Council. It shall be the duty of the Sergeant-at-Arms to preserve the peace and civility of the meeting and follow the directions of the Presiding Officer within the laws and ordinances of the State of Arizona and the City of Peoria.

5. **Conflict of Interest.** All Councilmembers are subject to provisions of the Arizona Revised Statutes, City Charter and City Code relative to conflicts of interest. Any Councilmember declaring a conflict of interest must leave the dais during debate and vote on the issue.
  6. **Procedures in Absence of Rules.** In the absence of a rule herein, Robert's Rules of Order shall be used to govern a point or procedure.
  7. **Rulings of Presiding Officer Final, Unless Overruled.** The Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any decision or ruling of the Presiding Officer shall be final. The Presiding Officer, or Council by majority vote of those present, may suspend strict observance of any Policies, Rules, Regulations or Procedures, and any applicable provision of Robert's Rules for the timely and orderly progression of the meeting.
  8. **Appeal the Ruling of the Presiding Officer.** Immediately following the Presiding Officer's ruling, a motion to appeal the ruling can be made by any member of the Council. The motion must be seconded and deemed a precedential motion. and the ruling can be overridden or suspended by a majority vote of the Councilmembers present and voting. If not appealed, the Presiding Officer's ruling shall be binding and legally effective for purposes of the matter under consideration.
- J. **Motions.** In order to introduce and place an item before the City Council for debate and possible action a motion must be made.
1. **Processing of Motions.**
    - a. When a motion is made and seconded, it shall be repeated by the Presiding Officer or Clerk before Council may debate the issue. A motion may not be withdrawn by the mover without consent of the member seconding.
    - b. Prior to discussion commencing on a motion, the movant may modify the motion with the concurrence of the second, or if the mover modifies the motion, the member who seconded has the right to withdraw the second. The modified motion must either be seconded or be deemed to have died for lack of a second.

- c. Prior to discussion on the motion, a member of the City Council may request the mover accept a modification to the original motion. If the proposed modification is accepted by the original movant and the second concurs, the modified motion is considered to be on the table.
2. **Division of Question.** If the question contains two or more parts, the Presiding Officer may, and upon request of a Councilmember shall, vote on each part separately.
3. **Precedence of Multiple Motions.** When a motion is made, only the motions listed below may be considered while the original motion is pending. If multiple motions from the following list are made while the original motion is pending, the precedence of the motions shall be considered in the following order:  
  
Fix the time to adjourn  
Adjourn  
Recess  
Raise a question of Privilege  
Call for Orders of the Day  
Lay on the Table  
Previous Question  
Limit or extend limits of debate  
Postpone to a certain time (Definite)(Same as "Carry Over" or "Continue")  
Commit (Refer or remand to a Committee)  
Amend  
Postpone Indefinitely ("Kills")  
Main Motion
4. **Motion to Postpone Indefinitely.** A motion to postpone indefinitely is used to effectively "kill" a main motion. A motion to postpone is debatable. Debate on the motion to postpone indefinitely can go fully into the merits of the main motion and can be held after the motion is considered pending (a motion and second has been made and restated by the Presiding Officer).
5. **Motion to Lay on the Table.** A motion to table is used to temporarily postpone action on a pending motion. A motion to table may not be used to "kill" a main motion and cannot be amended or debated. If the motion to table prevails, the matter may be "taken from the table" at any time prior to the end of the next scheduled meeting containing regular agenda items.

6. **Motion to Limit or Terminate Discussion.** A motion to limit or terminate discussion shall be used to limit or close debate on, or amend the main motion. A motion to limit or terminate discussion cannot be debated and can be amended only as to the length of speeches or when the vote will be taken. In order to pass, a motion to limit or terminate requires a two-thirds vote of the Council. If the motion to limit or terminate discussion fails, debate on the main motion shall be reopened.
7. **Motion to Amend.**
  - a. A motion to amend must be related to the pending motion on the floor and can be debated. Only two amendments may be pending at any one time.
  - b. Amendments shall be voted on first. Adoption of the amendment does not adopt the motion; it only changes the motion on the floor. After adoption of the amendment, the motion may be further amended.
  - c. A substitute motion must be related to the subject. The vote is taken on whether the substitute motion will replace the main motion.
8. **Motion to Continue.** A motion to continue to a definite time can be amended and debated only as to the appropriateness of postponement and time set.

K. **Voting Procedure**

1. **Casting a Vote.**
  - a. In acting upon every motion, the vote shall be taken by casting a mechanical yes/no vote, voice, or roll call or any other method as determined by the Presiding Officer by which the vote of each member of the City Council may be ascertained clearly.
  - b. The vote on each motion shall be entered in the records by number of votes for or against. Members casting a vote in the minority shall be identified by name in the record. The record also shall include the name/s of any member not casting a vote by reason of being absent from the room at the time of the vote.

- c. If a Councilmember has declared a Conflict of Interest and is absent during the roll call vote, the City Clerk shall include "Absent for the Vote due to a declared Conflict of Interest" in the official minutes as part of the results of the vote.
    - d. If the roll call method of voting is used, the City Clerk shall call the names of all members in accordance with practices outlined by the City Clerk's Office. Councilmembers shall not explain their vote during "roll call" voting.
  2. Failure to Vote.
    - a. All members of the City Council are required to vote, pursuant to Article II, Section 18 of the Peoria City Charter and the Peoria City Code (1992), unless the issue involves the conduct of the member or a declared conflict of interest.
    - b. Should a member fail to vote, his/her "vote" shall be counted with the majority of votes cast; however, in the event of a tie vote, his/her "vote" shall be counted as a "No."
  3. Reconsideration. Any member of the City Council who voted with the majority on an item may move for reconsideration. Reconsideration of any item must be held at the same meeting. After a motion for reconsideration has been acted upon, no other motion for reconsideration thereof shall be made without the unanimous vote of the Council.
  4. Tie Votes. A tie vote is a lost vote as a majority was not obtained.

L. Minutes of Council Meetings

1. The City Manager shall ensure staff attendance at all meetings of the City Council for the purpose of producing minutes of each meeting to be kept on file and of record in the Office of the City Clerk.
2. To the extent possible, all open public meetings shall be recorded by means of audio or video technology and retained as provided in the current applicable retention schedule.
3. All minutes of the City Council are deemed to be Public Records. However, Executive Session minutes are not subject to public disclosure.

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4. Minutes of Executive Sessions (and if taped, the tape recordings) shall be confidential, are maintained and secured by the City Clerk, and may be accessed only as provided by Arizona Revised Statutes. Any confidential documentation provided to the City Council and used during Executive Session discussion shall be provided to the City Clerk, who shall maintain and secure the documentation.
5. Minutes of all Open Public Meetings of the City Council may be approved under the Consent Agenda, unless removed for discussion and separate action.
6. Minutes of all Meetings of the City Council are available through subscription for a fee as determined by ordinance of the City, and are available through the City's Web site.

CURRENT POLICY WITH PROPOSED REVISIONS  
(~~STRIKETHROUGHS~~ INDICATE LANGUAGE  
DELETED. UNDERLINED TEXT INDICATES  
LANGUAGE ADDED)

 <p style="text-align: center;"><b>CITY COUNCIL POLICY</b></p>	<b>CP 1-2</b>
	Category: General  Department: City Clerk
<b>TITLE:</b>  City Council Meeting Procedures	Approved: July 10, 2007

**A. Purpose**

These Rules of Procedures for City Council meetings are intended to establish a standard policy and identify rules and procedures for the conduct of City Council meetings, including the preparation and publication of public notices, the preparation and publication of meeting agendas, and the preparation and reporting of meeting minutes. A separate City Council Policy addresses rules of procedures for meetings of other City public bodies, including City Council Committees, City of Peoria Boards, and City of Peoria Commissions. The City of Peoria is governed by A.R.S. §§ 38-431, *et seq.*, which is commonly known as the "ARIZONA OPEN MEETING LAW." It is the Policy of the City Council that all public meetings be conducted in a timely and orderly manner; that notices, agendas, and minutes of public meetings be prepared, published, and distributed; that all documentation relating to the City's open public meetings be made available to the public; and that all issues as set forth above be done in general conformance with the laws, the City Charter, the City Code, this or any other Council Policy, applicable Rules of Conduct, Procedures, and Regulations governing same, and Scott; Foresman version of Robert's Rules of Order.

**B. Definitions**

1. "Agenda." As set forth in the Order of Business, an agenda is a formal listing of items to be considered by the City Council at a noticed public meeting of the City Council. The agenda may not be changed less than 24 hours prior to the public meeting.
2. "Adjourned Meetings." A meeting to continue discussion and action on pending business to another date, ceasing discussion and action of all pending agenda items until such date.
2. "Council Packet." A compilation of documents supporting the items listed on the Agenda and requiring Council action, which may to be used by Council, Sstaff, and the public for more in-depth information than may be

presented in an oral report. ~~The Packet is organized as set forth in the Order of Business under the Rules of Procedure; and is provided or made available to the City Council, and internal and external customers according to Council Policy.~~

3. "Meeting." The gathering of a quorum of members of the City Council, as a result of a ~~P~~ublic ~~N~~otice and ~~A~~genda, to ~~propose to~~ take legal action or to deliberate regarding legal action to be taken in the future.
4. "Motion." A motion is a proposal by the Council that formal action be taken by the City Council.
4. ~~"Newspaper." Typically, a daily or weekly publication containing recent news, feature articles, editorials, and generally advertisements.~~
5. "Notice." A formal announcement to the public that sets forth the date, time, and place for which a meeting of the City Council will be held. Giving formal notice of meetings is done as provided by Statute, Charter, Code, City Policy, or other Rules or Regulations of the City Council.
6. "Ordinance." An ordinance is a Council action ~~setting forth a rule of public conduct that is considered long term.~~ establishing the public policy of the City. ~~Long term rules~~ Public policy includes zoning issues, annexations or any abandonment, laws of the City, and such. The ordinance, in addition to being referenced by number and brief title in the minutes, will be recorded and maintained by the City Clerk's Office in numerical sequence as a permanent record of the City ~~in a separate set of books.~~ ~~Effective dates of ordinances shall be as provided by law.~~
7. "Presiding Officer." The Mayor, Vice-Mayor, or other designee, who shall presides over the ~~M~~meeting of the City Council and ~~conduct the meeting in conformance with and adherence to all applicable Statutes, Policies, Rules, Regulations, and Procedures.~~
8. "Point of Order." Point of Order is the motion to use if the Presiding Officer is failing to operate within the City Council Meeting Procedures. The effect of the motion alerts the membership to a breach of procedure as well as requires the Presiding Officer to defend a ruling.
8. "Quorum." A quorum is the minimum number of members of the City Council who must be present in order for business to be legally transacted. With a seven-member body, a quorum is four members. ~~Pursuant to State law, Council members, with the approval of the~~

~~Presiding Officer, may attend a meeting through the use of appropriate technological devices.~~

9. "Resolution." A resolution is a more formal form of a motion normally utilized to ~~set forth~~ memorialize policy of the City. The resolution, in addition to being referenced by number and brief title in the minutes, will be recorded as provided by law and maintained by the City Clerk's Office in numerical sequence as a permanent record of the City ~~in a separate set of books~~. Resolutions are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future references back to its contents warrants a separate document to facilitate such future reference and research. Effective dates of resolutions shall be as provided by law.

### C. ~~Types of Meetings~~

#### 1. ~~Regular Meetings.~~

- a. The City Council of the City of Peoria shall meet at such times and at such places as adopted by the City Council at the first meeting held each year. The City Council shall meet no less frequently than once each month. No meeting shall be held on a legal holiday. A "Call to the Public" may be provided at the discretion of the Presiding Officer.
- b. ~~hold Regular Meetings at 7:00 p.m. in the Council Chamber located at 8401 W. Monroe Street, or at another place, date or time specified by vote of the Council, on the first and third Tuesdays of each month.~~

#### a. Regular Meetings.

Regular Meetings are held for the purpose of discussion or action of the Council on various issues deemed necessary to further the business of the City. Regular meetings may include Consent Agenda items. ~~These meetings may provide for a "Call to the Public" at the discretion of the Presiding Officer.~~

- b. Special Meetings. Special Meetings may include Consent Agenda items. The Council upon motion, second and a vote may suspend the rules and consider an item on the Consent Agenda for individual discussion at the Special Meeting. Otherwise, discussion shall take place at the next scheduled meeting containing regular

agenda items. Special Meetings may be held in conjunction with any other meeting type.

c. Study Sessions.

~~Members of the City Council will convene at 4:00 p.m. on the third Tuesday of each month, and/or may meet in Study Sessions at such time, date, and location as determined by the Mayor.~~

Study Sessions are held for the purpose of presentations and discussions on such issues that require more in-depth consideration of the City Council than may be possible at a Regular Meeting. No formal action of the City Council may be taken at such meetings, other than general consensus or conveying direction to staff for further action. These meetings shall not provide for a "Call to the Public".

~~e. When the day for a Regular Meeting of the City Council falls on a legal holiday, no meeting shall be held on such holiday, but a Special Meeting shall be held at the same time and the same location on such date as the Council may determine. Special Meetings that take the place of Regular Meetings of the City Council shall provide for a Call to the Public.~~

~~d. In order to accommodate vacation scheduling of Councilmembers, Council may, by vote or consensus, adjust the schedule of the two per month Regular Council Meetings, and hold one or both of the Regular Meetings as "Special Meetings" on a mutually convenient date and time.~~

2. Adjourned Meetings.

Any meeting may be adjourned to a time, place, and date certain, but not beyond the next Regular Meeting. ~~Once adjourned, the meeting may not be reconvened.~~

3. Special Additional Meetings.

~~e. Special Additional Meetings (other than those taking the place of a Regular Meeting) may be called by the Mayor, by the common consent of four members of the Council or by written request of ~~four~~ three or more members of the City Council on 24-hour notice submitted to the Mayor, and copied to the City Manager, and then filed with the City Clerk, or as provided by Arizona Revised~~

~~Statutes, City Charter, City Code, or Council Policy. Additional meetings shall be titled as a Special Meeting. These meetings may provide for a "Call to the Public" at the discretion of the Presiding Officer.~~

- a. ~~Special Meetings are held for the purpose of presentations, discussion, or action of the Council on various issues as deemed necessary to further the business of the City. These meetings may not provide for a "Call to the Public".~~

4. ~~Study Sessions.~~

- a. ~~Members of the City Council will convene at 4:00 p.m. on the third Tuesday of each month, and/or may meet in Study Sessions at such time, date, and location as determined by the Mayor.~~
- b. ~~Study Sessions are held for the purpose of presentations and discussions on such issues that require more in-depth consideration of the City Council than may be possible at a Regular Meeting. No formal action of the City Council may be taken at such meetings, other than general consensus or conveying direction to Staff for further action. These meetings shall not provide for a "Call to the Public".~~

5. Executive Sessions.

As provided by State law (Arizona Revised Statutes §38-431.03), the City Council may meet in CLOSED Executive Sessions as deemed necessary at the City Hall Complex, 8401 W. Monroe Street, or other location as determined by the Mayor and City Council, and at such time or date as deemed necessary.

6. Emergency Meetings.

~~As provided for in State Statutes, T~~he Mayor and Council may call a Special Emergency Meeting to discuss or take action on an unforeseen issue where time is of the essence and sufficient time does not provide for the posting of a meeting notice 24 hours or more before the meeting in accordance with the Arizona Open Meeting Law. Notice of an Emergency Meeting of the Mayor and Council will be posted ~~within 24 hours following the holding of an Emergency Meeting. The Notice will include the Agenda and a brief but complete description of the nature of the emergency.~~ in accordance with the Arizona Open Meeting Law. Emergency Meetings shall not provide for a Call to the Public.

D. Agenda Preparation

1. Agendas.

a. ~~The City Clerk, or designee, shall prepare the Agendas for all meetings of the City Council, in conformance to the Order of Business as set herein, or as directed by the Mayor through the City Manager. Agendas of all meetings of the City Council shall be available no less than 24 hours prior to said each meeting.~~

b. ~~Upon request, Agendas will be provided at no charge to political subdivisions or educational institutions, and are made available through the City's web site.~~

2. Agenda Item Submittals. Except for Executive Session matters, all City Departments will submit items for placement on the Council Agenda, as well as all attachments thereto, to the City Clerk's Office in accordance with timelines outlined by the City Clerk's Office. items may be placed on the Agenda for City Council Open Public Meeting discussion and possible action to the following process:

a. ~~All City Departments. Preparation of a Routing/Topic Listing Transmittal Form, and a Council Communication (including all attachments) by the appropriate department, and submission to the City Manager, through the City Clerk;~~

b. City Council Members may submit items for placement on the Council Agenda ~~By~~ written request to the Mayor or City Manager. The Mayor shall work with the Council-members and the City Manager to obtain the necessary documentation for ~~submission to the City Clerk~~ placement on a Council Agenda. Pursuant to the City Charter, a request by four or more members of the Council shall be placed on the agenda regardless of the concurrence of the Mayor.

c. The Mayor may submit items for . ~~P~~placement on the Council Agenda by providing with notice of the placement on the Agenda to all Council Members. The Mayor shall work with the City Manager to obtain the necessary documentation for placement on a Council Agenda., and submission of the appropriate documentation ~~to the City Clerk.~~

d. The City Manager may submit items for . ~~P~~placement on the Council Agenda by the City Manager, and submission of by

providing the appropriate documentation to the City Clerk's Office.

3. ~~Timelines for Submission of Agenda Items.~~
  - a. ~~The Topic Listing shall be submitted to the City Clerk by 12 noon approximately two weeks prior to the Regular City Council Meeting, or at such time and day in order to ensure Council's receipt of the City Council Packet 6 days prior to the meeting.~~
  - b. ~~The Council Communication, and all supporting documentation as required, shall be submitted to the City Clerk by 12 noon approximately 1 1/2 weeks prior to Regular City Council Meeting, or at such time and day in order to ensure Council's receipt of the City Council Packet 6 days prior to the meeting.~~
  - c. ~~The City Manager may modify submission time lines as required in order to ensure that the distribution of all Council Meeting documentation to the City Council is in conformance with Council Policy.~~
4. ~~Agenda Item Submittals for City Council Executive Sessions, if in compliance with the City Charter, the City Code, and applicable State Statutes, and by the following process:~~
  - a. Submission by Executive Sessions. The City Manager or the City Attorney may submit items to the City Clerk's Office for placement on the agenda for City Council Executive Session discussion by obtaining, with prior approval of the Mayor, or in the absence of the Mayor with the prior approval of the Vice Mayor, to the City Clerk.
  - c. The Mayor may submit items for Executive Session discussion by providing notice to all Councilmembers, to the City Clerk.
  - d. The Mayor, City Manager, and City Attorney shall review the items for Executive Session discussion submittal for Executive Session discussion, prior to submission to the City Clerk, to ensure that the item is legally permissible to be discussed in Executive Session pursuant to A.R.S. § 38-431.03, prior to submission to the City Clerk's Office.

~~e. If required, the City Attorney shall advise the City Clerk regarding the appropriate wording of Executive Session Agenda Items.~~

E. Council Packets.

1. ~~Full Packets. These packets contain the Agenda and all supporting documentation related to the items, Minutes of previous Council Meetings, Council Communications, and documentation that may be attached to support items contained on a Council Agenda for all noticed meetings of the City Council. Full pPackets for ALL noticed meetings (with the exception of excepting Executive Session documentation) of the City Council are delivered or distributed to the City Council (with the exception of Executive Session documentation), and as follows:~~

2. Redacted packets contain the agenda and supporting documentation related to items that do not contain confidential information. Redacted packets will be made available as prescribed in City Code, Chapter 2, Sec. 2-201.

~~Representatives of a weekly or daily newspaper having general circulation within the City will have the Packet available for pickup by 8 am or no later than 12 noon 5 days prior to the meeting;~~

~~b. Candidates. All candidates for City of Peoria elected offices will have the Packet available for pickup by 5 pm 5 days before the meeting, commencing with the first Council Meeting following the deadline for filing of Nomination paperwork, and ending immediately following the election in which the candidate.~~

~~c. Outgoing Elected Officials.~~

~~If desired, outgoing elected officials, for two months following the end of their term of office, will have the Packet available for pickup by 5 pm 5 days before the meeting.~~

~~d. Subscribers of Packet Service.~~

~~Paying subscribers to the Packet Service, at a cost per Packet as provided by Ordinance of the City, will have the Packet for Regular Council Meetings available for pickup from 5:00 p.m. five days before the meeting until 5:00 p.m. of the day of the meeting.~~

~~Subscription requests must be received seven days prior to a Council Meeting.~~

~~2. Summary Packets:~~

~~These packets contain the Agenda, Minutes of previous Council Meetings, and Council Communications only for items contained on the Council Agenda for a noticed Regular Meeting of the City Council.~~

~~a. Summary Packets for ALL noticed meetings of the City Council are delivered to Staff persons as directed by the City Manager, Municipal Judge, and City Attorney.~~

~~b. Summary Packets for only Regular Meetings of the City Council are made available for pickup to those persons having subscription services.~~

~~3. Discontinuance:~~

~~Packets will not continue to be provided to anyone who fails to pick up two packets within a two-month time period, unless prior arrangements have been made with the City Clerk to prepare and hold the packet or discontinue preparation for a specific time period.~~

4. Supplemental dDocumentation: is documentation that was not received available at the time a pPacket was originally printed was prepared and will be made available through the City Clerk's Office upon receipt, ~~to internal customers receiving complete packets (copied on colored paper). All other customers receiving a Full or Summary Packet may request and receive supplemental documentation at no charge if the number of copies is less than 20 pages.~~

5. Delivery of Packets to Council mMembers. The City Council pPackets for all Regular and Special City Council mMeetings ordinarily shall be provided delivered to the homes of the Councilmembers in accordance with practices outlined by the City Clerk's Office., or to other locations within the City as requested by individual Council Members. Delivery shall be completed by 5 p.m. on the Wednesday preceding the following Tuesday's Regular Council Meeting. The Packet for the monthly Study Session Meeting on the third Tuesday of the month shall accompany delivery of the Packet for the Regular Meeting on the same date.

F. Meeting Notices

1. Preparation and Posting of Notices.

a. Preparation. The City Clerk, or designee, shall prepare all public meeting notices of the City Council, and shall ensure posting of a meeting notice no less than 24 hours before the date and time set for said meeting in accordance with A.R.S. § 38-431.02(C).

b. Posting in ~~3~~ Locations. All City Council ~~m~~Meeting ~~n~~Notices shall be posted in accordance with practices outlined by the City Clerk's Office. ~~in the following three locations: (1) Peoria Post Office, 85th & Peoria Av; (2) City of Peoria Community Center, 84th & Jefferson; and (3) Peoria City Hall, 8401 W. Monroe Street on the Administrative Building Posting Boards.~~

~~c.~~ Additional Posting.

~~The City Council may, by motion, direct and authorize the City Clerk to post or publish notices of City Council meetings in additional locations in order to better inform the public.~~

cd. Emergency Meetings. Notices and Agendas for Emergency Meetings of the City Council shall be posted according to the current Arizona Revised Statutes, and upon the advice of the City Attorney.

de. Annual Notice Posting.

The City Clerk, or designee, not later than January 2nd of each year, shall post a public notice for Regular adopted City Council mMeetings, stating the date, time, and place of the meetings, and where copies of the agendas may be obtained.

2. Publication of Notices and Agendas.

a. The City Clerk, or designee, shall ensure that the Mayor and Council receive copies of all City Council mMeeting nNotices and agendas, and any documentation provided for said meeting no less than 24 hours prior to the Mmeeting.

b. The City Clerk, or designee, shall ensure that City Council meeting notices, agendas, and documentation, as deemed necessary, are made available distributed to the City Manager, Deputy City Managers, City Attorney, Department Directors, Press, ~~public~~

~~subdivisions, and educational institutions, and others as directed by the Mayor through the City Manager, no less than 24 hours prior to said meeting.~~

- c. The City Clerk, or designee, may amend a published Agenda as follows; ~~but~~
  - i. ~~n~~No less than 24 hours prior to the designated meeting; ~~and only~~
  - ii. Upon receipt of direction from the City Manager or Mayor, or to correct minor errors. Amended Agendas will indicate the sequential number of the amendment and the date amended.

#### G. Meetings To Be Public

1. With the exception of Council Executive Sessions, all mMeetings (including Regular, Special, Study Session, and Emergency) of the City Council shall be open to the public.
2. All public meetings may be recorded or photographed by means of audio, video, or photographic equipment ~~provided, however,~~ as long as that there is no interference in the orderly conduct of the meeting, and that said equipment is placed in non-hazardous locations as designated by the City's Facility Management sStaff.
3. ~~Public Comment (Call to the Public) is not taken at Study Sessions, Emergency Meetings, or at Special Meetings (unless the Special Meeting is held in place of a Regular Council Meeting or the called Special Meeting includes a Public Hearing on the Agenda). Time permitting, public comment may be taken at Regular Council Meetings.~~

#### H. Order of Business

The Order of Business of each meeting shall be as is contained in the Agenda as prepared by the City Clerk's Office. The Agenda shall include ~~be a sequentially numbered listing by topic and a brief description of the subjects that shall be taken up for consideration.~~

- ~~1. Regular Meetings. The Agenda shall be prepared in the following order:~~
  - ~~Call to Order (Convene), Moment of Silence, Pledge of Allegiance~~
  - ~~Roll Call~~
  - ~~Final Call to Submit Speaker Request Forms~~
  - ~~Presentations (at the request of a City Official)~~
  - ~~Proclamations as directed by the Mayor~~

~~———— Scheduled Public Appearances ———— may include presentation of petitions ————  
———— Consent Agenda ———— Explanatory paragraph, with motion and vote to  
———— approve.~~

~~“The items are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.”~~

~~Items may include “Public Hearing” liquor and bingo license applications where no public comments have been submitted during the 20-day public notice posting time period. If there are no requests received from the public regarding these items, they are considered routine and may be enacted by one motion without discussion. A Councilmember or citizen may ask that these items be removed from the Public Hearing Consent Agenda listing and, if removed, the items will be considered in its normal sequence on the Agenda.~~

~~———— Consent Agenda Items: (listed in numerical order)~~

~~Minutes~~

~~Disposition of Absence/s (from previous Regular Council Meeting)~~

~~Unfinished Business (items continued from previous meetings)~~

~~New Business — including Authorization to hold Executive Session~~

~~Public Hearing Consent Agenda Items: Liquor and Bingo License Applications~~

~~———— Unfinished Business — Public Hearings and/or Action (items continued  
———— from previous meetings and listed in numerical order)~~

~~———— New Business — Public Hearings and/or Action (listed in numerical order)~~

~~Public Hearings and/or Action:~~

~~Action Items: (grouped by subject to the extent possible)~~

~~———— Call to the Public (Non-Agenda Items — which may also include  
———— presentation of petitions)~~

~~———— Reports From City Manager~~

~~———— Reports From City Council~~

~~———— Reports From Mayor~~

~~———— Adjournment~~

2. ~~———— Special Meetings.~~

a. ~~———— If a Special Meeting is being held in place of a Regular Meeting, the  
———— Agenda shall be as set forth for a Regular Meeting.~~

b. ~~For all other Special Meetings, the Agenda shall be prepared in the following order:~~

- ~~Call to Order (Convene)~~
- ~~Roll Call~~
- ~~Presentations~~
- ~~Consent Agenda (Explanatory paragraph, is the same as for~~
- ~~Regular Meetings)~~
- ~~Consent Agenda Items (if any and listed in numerical order)~~
- ~~Unfinished Business~~
- ~~New Business (Including Executive Session if any)~~
- ~~Public Hearing Consent Agenda Items~~
- ~~Unfinished Business Public Hearings and/or Action (if any~~
- ~~continued from previous meetings and listed in numerical order~~
- ~~New Business Public Hearings (if any) and/or Action (listed in~~
- ~~numerical order)~~
- ~~Public Hearings:~~
- ~~Action Items: (as set forth in 6.1 Regular Agenda of these Rules)~~
- ~~Adjournment~~

3. ~~Study Sessions (Work Sessions):~~

~~Public Comment may be made regarding an agenda item only as approved by the Mayor. Questions may be directed by the Council to a member of the public or another interested party, or, in appropriate circumstances, a brief presentation may be permitted by a member of the public or another interested party on an agenda item or a particular question related to an agenda item. The Presiding Officer may limit or end the time for such response to questions or presentations.~~

~~The Agenda shall be prepared in the following order:~~

- ~~Call to Order (Convene)~~
- ~~Roll Call~~
- ~~Listing of Items "FOR DISCUSSION ONLY" (Items numbered for~~
- ~~order)~~
- ~~Adjournment~~

1.4. a. ~~Items to be Taken In Order:~~

1.a. ~~The Presiding Officer, or the City Council by consensus, may consider items out of sequence from the printed agenda for the meeting.~~

~~2b.~~ ~~Action may be taken on all items listed for action on the Agenda. In the event of an emergency, action may be taken on items not listed on the Agenda; however, the subsequent action must be subsequently noticed in accordance with the Open Meeting Law.~~

~~2.5.~~ Call to Order.

The meeting of the City Council shall be called to order by the Presiding Officer. If a Mayor Pro Tem has not been selected ~~appointed by the Mayor~~, in the absence of both the Mayor and Vice Mayor, the mMeeting shall be called to order by the City Clerk; whereupon, the City Clerk shall immediately call for the selection of a temporary Presiding Officer.

~~36.~~ Roll Call.

Following the Call to Order and the Pledge of Allegiance, and before proceeding with the business of the City Council, the Presiding Officer shall direct the City Clerk to call the Roll, and the names of Councilmembers both present and absent shall be entered in to the minutes. ~~The order of roll call shall be: Mayor, Vice Mayor, then Council Members from the Mayor's far right to the Mayor's far left.~~

~~4.7.~~ Under the Open Meetings Act Law, the City may permit members to attend by ~~Teleconference~~, as A.R.S. § 38-431 permits attendance by technological devices, when such members are outside Maricopa County, Arizona on the date and time of the meeting. ~~In the event that a member is attending by technological device, then such meeting would automatically be moved to a location such as Economic Development Conference Room that has appropriate equipment for such purposes. A Council member shall request the City Manager to provide appropriate equipment that a Council Member could take with them, such as a computer with appropriate video capability to facilitate this.~~

~~7.~~ Consent Agenda.

~~a.~~ ~~The Consent Agenda lists items that are of such a nature that discussion is not required, or concern issues that have been previously studied by the City Council. These items may be adopted by one motion.~~

~~b.~~ ~~There is no detailed discussion on items listed under the Consent Agenda, unless a member of the City Council requests that an item or items be removed for discussion. Council may ask a question without removal of the item from the Consent Agenda.~~

~~c. Items removed from the Consent Agenda are considered in their normal sequence as listed on the Agenda, unless called out of sequence as provided for herein.~~

~~8. Public Hearings:~~

~~a. Generally Public Hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:~~

- ~~1) The Presiding Officer will announce the matter that is set forth for a Public Hearing, and (if appropriate) ask the Staff to provide a short summary of the matter.~~
- ~~2) The Presiding Officer will then ask the Applicant to speak on their application if they so desire.~~
- ~~3) At the conclusion of the Staff Report and/or presentation by the Applicant, the Presiding Officer will open the Public Hearing for comments from the public.~~
- ~~4) After all public comments are heard, the Presiding Officer will close the Public Hearing, and may ask Staff or the applicant to respond to the comments.~~
- ~~5) The Presiding Officer may then call for a motion and second (if applicable) and ask if Council wishes to discuss the issue. Council may then proceed to discuss the matter.~~
- ~~6) Upon conclusion of discussion, the Presiding Officer will call for action on the motion.~~

~~b. Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the Agenda, and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the hearing, limit testimony, but in no event to less than 3 minutes per individual. Upon approval of the City Council, persons may be allowed to speak longer than 3 minutes. Council may ask the individual speaker questions, and the speaker may respond.~~

~~c. Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the City Attorney shall advise the City Council in this regard.~~

96. Public Comment.

a. ~~General:~~ At the pleasure of the Mayor and City Council, individuals may address the City Council on any subject pertaining to or related to City business, whether listed on the Agenda or not, and according to the prescribed schedule.

b. ~~Speaker Request Form:~~ All citizens, and interested parties wishing to speak before the Council shall fully complete a Speaker Request Form/s and, ~~if possible,~~ submit the form/s to the City Clerk, or designee prior to the meeting being convened; ~~but in any case submissions should be made no later than the Presiding Officer announcing the "Final Call to Submit Speaker Request Forms and Call to the Public".~~ Sufficient Speaker Request Forms are located in the Council Chamber's Lobby (the public entry area into the Chamber), and at the City Clerk's position on the dais. The completed forms will be retained by the City Clerk in the Official Files for a period of 1 year and are a public record.

c. ~~Call to the Public:~~ ~~Non-Agenda Items:~~

Presentation of petitions, or public comments on Non-Agenda issues items are heard under "Call to the Public".

- 1) The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer will limit the number of speakers to a maximum of five.
- 2) All citizens and interested parties will be limited to a maximum of 3 minutes to address the Council on a Non-Agenda item. The time limit may be waived by the Presiding Officer.
- 3) ~~The Council may not discuss any issue not listed on the Agenda, except to thank the speaker, or direct Staff to address appropriately. Any questions raised by the speaker on non-agenda items will not be answered by the Council, but will be referred to the City Manager or City Staff for follow-up.~~

d. Speaker Decorum:

Proper decorum must be observed by speakers in providing testimony and remarks.

- 1) During a Council meeting, no person except City Officials shall be permitted within the platform area in front of the Council dais without the invitation or consent of the Presiding Officer.
- 2) Any member of the public desiring to address the Council shall proceed to the podium after having been recognized by the Presiding Officer. At the podium, the speaker shall clearly state their name for the record. Provisions may be made for those individuals whose physical limitations prohibit them from accessing the podium area.
- 3) The Presiding Officer shall keep control of the meeting, and require that the speakers refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting.
- 4) It is inappropriate for the speakers to question directly, or debate the matter under consideration with staff, other speakers, the audience, or members of the Council. All comments should be addressed through the Presiding Officer. After being recognized by the Presiding Officer, Council may question the speakers, any applicant's representatives, or City staff. Except when answering a direct question from a Councilmember, all remarks will be addressed to the Council as a whole and not to individual members.
- 5) Personal attacks on CouncilMembers, City staff, or members of the public are not allowed. Oral communications during the City Council mMeeting may not be used to lodge charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference, which tends to identify the employee. Any such charges or complaints against employees shall be submitted during normal business hours to the City Manager for appropriate action.
- 6) It is inappropriate to utilize the public hearing or other agenda item for the purpose of making political speeches, including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the Presiding Officer, will be grounds for ending a speaker's time at the podium or, at the direction of the Presiding

Officer, for removal of any disruptive person from the meeting room.

7) After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission of the Presiding Officer.

eh. Documents: Exhibits, letters, petitions, and other documentary items presented or shown to the City Council on a public hearing item become part of the record of the public hearing. Twelve collated sets of written or graphic materials should be provided by the speaker prior to the commencement of the hearing to allow for distribution to the City Council, key City staff, and a copy for the City Clerk to include in the public record of the hearing. Reduced copies (8 1/2" x 11") of large graphic exhibits should be provided as part of the sets of materials for distribution as provided above. This requirement may be waived for signed petitions submitted by neighborhoods or other citizen groups, although these groups are required to present the originals to the City Clerk for the Record, and are encouraged to provide copies as set forth above.

fd. Scheduled Public Appearance. This item allows a citizen to speak on a specific item before the Council, including presentation of petitions, with the process being as follows:

- 1) A Scheduled Public Appearance Form is obtained from the City Clerk and, when completed, is returned to the City Clerk for submission to the City Manager.2) The City Manager (or designee) shall research the issue to determine if it may be handled administratively or will require Council discussion. If it is determined that the matter should be placed before the City Council, the City Manager shall ensure that documentation, if any, is compiled, and the material forwarded to the City Clerk in the same manner as other issues needing to go before the Council. If the City Manager determines that the subject should not be placed on a Council Agenda, an individual wishing to have an item on the Agenda as a "Scheduled Public Appearance" may ask that the request be forwarded to the Mayor for consideration or obtain the written request of three members of the City Council, and submit that request to the City Clerk.
- 3) At the direction of the Mayor or City Manager, the City Clerk shall place the item on an Regular Meeting Agenda of the

City Council, and shall advise the citizen of the date and time of the meeting:

- 4) At the direction of the Mayor or City Manager, a "Scheduled Public Appearance" may include a specific action item if placed on a Council Agenda.

eg. Call to the Public - Agenda Item: At the appropriate item on the Agenda, the Presiding Officer will, in the order in which the Speaker Request Form was received, call by name each individual who has asked to speak on a specific Agenda item. Those speaking before Council will be allowed 3 minutes to address the Council, but time limits may be waived upon consensus of the Council.

~~f. Interaction between Speaker and Council:~~

~~The purpose of all public comments is to provide information and the speaker's views for Council consideration. It is not appropriate for the speakers to question directly, or debate the matter under consideration with Staff, other speakers, the audience, or members of the Council. All comments should be addressed through the Presiding Officer. After being recognized by the Presiding Officer, Council may question the speakers, any applicant's representatives, or City Staff. Except when answering a direct question from a Councilmember, all remarks will be addressed to the Council as a whole, and not to individual members.~~

~~g. Speaker Decorum:~~

~~Proper decorum must be observed by speakers in providing testimony and remarks.~~

- 1) ~~During a Council Meeting, no person except City Officials shall be permitted within the platform area in front of the Council dais without the invitation or consent of the Presiding Officer.~~
- 2) ~~Any member of the public desiring to address the Council shall proceed to the podium after having been recognized by the Presiding Officer. At the podium, the speaker shall clearly state their name for the record. Provisions may be made for those individuals whose physical limitations prohibit them for accessing the podium area.~~

- 3) ~~The Presiding Officer shall keep control of the Meeting, and require that the speakers refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting.~~
  - 4) ~~Personal attacks on Council Members, City Staff, or members of the public are not allowed. Oral communications during the City Council Meeting may not be used to lodge charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference, which tends to identify the employee. Any such charges or complaints against employees shall be submitted during normal business hours to the City Manager for appropriate action.~~
  - 5) ~~It is inappropriate to utilize the public hearing or other Agenda item for the purpose of making political speeches, including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the Presiding Officer, will be grounds for ending a speaker's time at the podium or, at the direction of the Presiding Officer, for removal of any disruptive person from the Meeting Room.~~
  - 6) ~~After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Council without first securing permission of the Presiding Officer.~~
-

~~h. Documents:~~

~~Exhibits, letters, petitions, and other documentary items presented or shown to the City Council on a public hearing item become part of the record of the public hearing. Twelve collated sets of written or graphic materials should be provided by the speaker prior to the commencement of the hearing to allow for distribution to the City Council, key City Staff, and a copy for the City Clerk to include in the public record of the hearing. Reduced copies (8 1/2" x 11") of large graphic exhibits should be provided as part of the sets of materials for distribution as provided above. This requirement may be waived for signed petitions submitted by neighborhoods or other citizen groups, although these groups are required to present the originals to the City Clerk for the Record, and are encouraged to provide copies as set forth above.~~

740. Presentations/Reports by Members of the City Council.

- a. Any Councilmember may bring before the City Council information regarding activities that the Councilmember has participated in on behalf of the City or items needing placement on future Agendas. Reports may not involve items that will be the subject of future Council discussions.
- b. In addition to information allowed to be presented by a Councilmember, the Mayor may also use "Reports from Mayor" to announce appointments to ad hoc Committees.
- c. These informational issues, appointments, or requests are put before Council under the "Reports from Mayor" or "Reports from City Council" portion of the Agenda. These matters need not be specifically listed on the Agenda.

811. Adjournment. a.—The open public meetings of the Mayor and City Council may be adjourned without motion and vote.

- ~~b.—The Presiding Officer shall ask: "Is there any further business to come before the Council?" Being none, the Presiding Officer shall then formally adjourn the meeting by saying: "There being no further business to come before the Council, the meeting is adjourned," or "Hearing none, the meeting is adjourned."~~

I. Rules, Decorum, and Order Participation at Meetings of the Council.

1. ~~Participation of Presiding Officer Debate.~~ The Presiding Officer is responsible for the maintenance of order and decorum at all times. ~~No person is allowed to speak unless they have first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer.~~ The Presiding Officer may debate from the Chair, subject only to such limitations of debate as are imposed on all CouncilmMembers as defined in Robert's Rules of Order.; and ~~h~~He/she shall not be deprived of any of the rights and privileges of a Councilmember by reason of his/her status acting as Presiding Officer. If the Presiding Officer desires to personally engage in extended debate on questions before the Council, or to either move or second a motion, he/she should turn the Chair over to the Vice Mayor, or another Councilmember until action on the issue under discussion has been completed.

2. Question to be Stated. The Presiding Officer shall restate each motion or request the Clerk to do soquestion immediately prior to calling for discussion and/or the vote. Following the vote, the Presiding Officer shall verbally announce whether the motion question carried or was defeated. -

3. ~~Points of Order.~~

~~The Presiding Officer shall determine all Points of Order, subject to the right of any member to appeal to the whole City Council. If any appeal is taken, the question (motion) shall be: "Shall the decision of the Presiding Officer be sustained?" In which event, following a second, a majority vote shall govern, and conclusively determine such question of order.~~

3. Decorum and Order.

a. Presiding Officer. The Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak unless they have first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer.

b. CouncilmMembers: Any Councilmember desiring to speak shall address the Chair Presiding Officer and, upon recognition by the Presiding Officer, may speak.

cb. Employees: Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applied to members of the Council. The City

Manager shall ensure that all City employees observe such decorum. Any staff members, including the City Manager, desiring to address the Council or members of the public shall first be recognized by the Presiding Officer Chair.

de. Public: Members of the public attending Council meetings shall observe the same rules of order and decorum applicable to the Council. Unauthorized remarks, or demonstrations from the audience, such as applause, stamping of feet, whistles, boos, yells, and/or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting shall not be permitted by the Presiding Officer, who may direct a Police Officer present to remove such offender(s) from the room.

45. Enforcement of Decorum. A sworn peace officer of the State of Arizona shall attend each Regular meeting of the City Council, and is designated as the ex-officio Sergeant-at-Arms of the Council. It shall be the duty of the Sergeant-at-Arms to preserve the peace and civility of the meeting and follow the directions of the Presiding Officer within the laws and ordinances of the State of Arizona and the City of Peoria.

56. Conflict of Interest. All Councilmembers are subject to provisions of the Arizona Revised Statutes, City Charter and City Code relative to conflicts of interest. Such Any Councilmember declaring a conflict of interest must leave the dais during debate and vote on the issue.

67. Procedures in Absence of Rules. In the absence of a rule herein to govern a point or procedure, Robert's Rules of Order shall be used to govern a point or procedure as a guide.

78. Rulings of Chair Presiding Officer Final, Unless Overruled. In ~~presiding over Council meetings,~~ The Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any decision or ruling of the Presiding Officer shall be final. The Presiding Officer, or Council by majority vote of those present consensus, may suspend strict observance of any Policies, Rules, Regulations, and or Procedures, and any applicable provision of Robert's Rules for the timely and orderly progression of the meeting.

89. Appeal the Ruling of the Presiding Officer Chair. ~~As applies to members of the City Council, any such decision or ruling of the Chair Presiding Officer shall be final.~~ However, immediately following the

~~Chair's Presiding Officer's ruling as it applies to other than members of the City Council, a motion and second to appeal the ruling can be made by any member of the Council. The motion must be seconded and deemed a precedential motion. and The ruling can be overridden or suspended by a majority vote of the Council Members present and voting. If not appealed, the Chair's Presiding Officer's ruling shall be binding and legally effective for purposes of the matter under consideration.~~

J. ~~Motions. A motion is the formal action taken by the City Council in order to introduce and place an item before the City Council for debate and possible action. A a motion must be made. also may be made following the presentation of a report or other communication.~~

1. Processing of Motions.

- a. When a motion is made and seconded, it shall be repeated stated by the Presiding Officer or Clerk before Council may debate the issue. A motion ~~so stated shall~~ may not be withdrawn by the mover without consent of by the mover ~~without the consent of the person member seconding it.~~
- b. Prior to discussion commencing on a motion, the movant may modify the motion with the concurrence of the second, or ~~if the mover modifies the motion is modified~~, the member who has seconded it has the right to withdraw the second. ~~The modified motion must either be seconded or be deemed to have died for lack of a second.~~
- c. ~~Also p~~Prior to discussion on the motion, and without recognition by the Presiding Officer, a member of the City Council may request the mover accept a modification to the original motion. can say: "Mr. or Madam Mayor, I would like to ask the maker of the motion if he/she would accept the following modification to his/her motion..." If the proposed modification is accepted by the original movant and the second concurs, the modified motion is considered to be on the table.
- d. ~~If a modification made by another Councilmember is accepted by the maker of the motion, then the person suggesting the modification has, in effect, seconded the modified motion and no further second is needed. If the Councilmember who seconded the unmodified motion withdraws the second after modification, the second is presumed made by the member suggesting the modification.~~

2. Division of Question. If the question contains two or more parts ~~propositions that could be divided~~, the Presiding Officer may, and upon the request of a Councilmember shall, vote on each part separately~~divide the same~~.
3. Precedence of Multiple Motions. When a motion ~~is made is before the Council~~, only the motions listed below may be considered while the original motion is pending. no motion shall be entertained except the following. If multiple motions from the following list are made while the original motion is pending, the precedence of the motions shall be considered in the following order: , which shall have precedence in the following order:
- Fix the time to adjourn
  - Adjourn
  - Recess
  - Raise a question of Privilege
  - Call for Orders of the Day
  - Lay on the Table
  - Previous Question
  - Limit or extend limits of debate
  - Postpone to a certain time (Definite)(Same as "Carry Over" or "Continue")
  - Commit (Refer or remand to a Committee)
  - Amend
  - Postpone Indefinitely ("Kills")
  - Main Motion
4. Motion to Postpone Indefinitely. A motion to postpone indefinitely is used to effectively "kill" a main motion. action to vote on an item. A motion to postpone This motion is debatable. Debate on the motion to postpone indefinitely can go fully into the merits of the main motion and can be held after the motion is considered pending, and because it can be applied only to the main question it only can be made while the main question is immediately pending (a motion and second has been made and restated by the Presiding Officer is on the floor).
5. Motion to Lay on the Table. A motion to table ~~is shall be~~ used to temporarily postpone bypass action on a pending motion the subject. A motion to table may not be used to "kill" a main motion and A motion to table cannot be amended or debated. shall be un-debatable and shall preclude all amendments or debate of the subject under consideration. If the motion to table shall prevails, the matter may be

“taken from the table” at any time prior to the end of the next scheduled Regular mMeeting containing regular agenda items.

6. Motion to Limit or Terminate Discussion. ~~Such a~~ A motion to limit or terminate discussion shall be used to limit or close debate on, or further amendment to, the main motion, and A motion to limit or terminate discussion cannot be debated and can be amended only as to the length of speeches or when the vote will be taken. In order to pass, a motion to limit or terminate requires a two-thirds vote of the Council shall be un- ~~debatable. If the motion to limit or terminate discussion fails, debate on the main motion shall be reopened; if the motion passes, a vote shall be taken on the main motion.~~

7. Motion to Amend.

- a. A motion to amend must be related to the pending motion on the floor and can be debated. Only two amendments may be pending at any one time. ~~A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to the amendment shall not be in order.~~
- b. ~~An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.~~
- be. Amendments shall be voted on first. Adoption of the amendment does not adopt the motion; it only changes the motion on the floor. After adoption of the amendment, the motion may be further amended. A substitute motion on the same subject shall be acceptable and voted on before a vote on the amendment.
- cd. A substitute motion must be related to the subject. The vote is taken on whether the substitute motion will replace the main motion. Amendments shall be voted on first, then the main motion as amended.

8. Motion to Continue. ~~A m~~Motions to continue to a definite time shall can be amendedable and debatedable only as to the appropriateness propriety of postponement and time set.

K. Voting Procedure

1. Casting a Vote.

- a. In acting upon every motion, the vote shall be taken by casting a mechanical yes/no vote, voice, or roll call or any other method as determined by the Presiding Officer by which the vote of each member of the City Council may be ascertained clearly.
- b. The vote on each motion shall be entered in the records by number of votes for or against. Members casting a vote in the minority shall be identified by name in the record. The record also shall include the name/s of any member not casting a vote by reason of being absent from the room at the time of the vote.
- c. If a Councilmember has declared a Conflict of Interest and is absent during the roll call vote, the City Clerk shall include "Absent for the Vote due to a declared Conflict of Interest" in the official minutes as part of the results of the vote.
- d. If the roll call method of voting is used, the City Clerk shall call the names of all members in accordance with practices outlined by the City Clerk's Office. ~~as follows: the Presiding Officer shall be called last; and Council Members shall be called upon to vote starting with the Councilmember seated at the Mayor's far right and concluding with the Councilmember seated at the Mayor's far left. Members shall respond "Yes" or "No." Councilmembers~~ It shall not be in order for members to explain their vote during "roll call" voting.
- e. ~~The minutes shall reflect all reasons for failure to vote.~~

2. Failure to Vote.

- a. All members of the City Council, ~~in attendance of a duly called meeting that requires formal Council action,~~ are required to vote, pursuant to Article II, Section 18 of the Peoria City Charter and the Peoria City Code (1992), unless the issue involves the conduct of the member or a declared conflict of interest.
- b. Should a member fail to vote, his/her "vote" shall be counted with the majority of votes cast; however, in the event of a tie vote, his/her "vote" shall be counted as a "No."

3. Reconsideration. Any member of the City Council who voted with the majority on an item may move for a reconsideration. Reconsideration of any item action must be held at the same or next available meeting. After a motion for reconsideration has ~~once~~ been acted upon, no other motion

for reconsideration thereof shall be made without the unanimous vote ~~consent~~ of the Council.

4. Tie Votes. ~~On a tie vote, a motion requiring a majority vote for adoption is a lost motion. When all Council Members are present, a tie vote is a lost vote as a majority was not obtained. on whether to grant an appeal from official action shall be considered a denial of such appeal, unless Council takes other action to further consider the matter.~~

L. Minutes of Council Meetings

1. ~~The City Manager of the City of Peoria shall ensure sStaff attendance at all Regular, Special, Study Session, Emergency, and Executive Session mMeetings of the City Council for the purpose of taking notes and producing minutes audio-recording of the each mMeeting to be kept on file and of record in the Office of the City Clerk.~~
2. ~~To the extent possible, all open public meetings shall be recorded by means of audio or video technology and retained as provided in the current applicable retention schedule. In addition, written notes shall be taken so that a brief accounting of the issues discussed and actions taken is compiled and entered into the permanent Minute Book of the City; and kept on file and of record in the Office of the City Clerk. Audio or video recordings of meetings will be retained for a period of time in accordance with the current City of Peoria State approved Records Retention and Disposition Schedules.~~
3. ~~All minutes of the City Council are deemed to be Public Records. However, Executive Session minutes are not subject to public disclosure, which, while they fall under the definition of and are considered public records, by State Statute are deemed confidential and are only available under limited conditions or by Court Order. Transcribed minutes, or the audio or video recording of all open meetings of the City Council must be on file in the Office of the City Clerk, and available for public review by 5:00 p.m. on the third working day following each meeting, or as provided by Arizona Revised Statutes.~~
4. ~~Minutes of Executive Sessions (and if taped, the tape recordings) shall be confidential, are maintained and secured by the City Clerk, and may be accessed only as provided by Arizona Revised Statutes. Any confidential documentation provided to the City Council and used during Executive Session discussion shall be provided to the City Clerk, who shall maintain and secure the documentation.~~

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5. Minutes of all Open Public Meetings of the City Council may be approved under the Consent Agenda, unless removed for discussion and separate action.
6. Minutes of all Regular Meetings of the City Council are made available through subscription for a fee as determined by ordinance of the City, and are made available through the City's wWeb site.
- ~~7. Any confidential documentation provided to the City Council and used during Executive Session discussion shall be provided to the City Clerk, who shall maintain and secure the documentation.~~

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APPROVED:

Bob Barrett, Mayor

/S/

APPROVED AS TO FORM:

/S/

Stephen M. Kemp, City Attorney

Adopted: 08/26/98, CC #258-8C [Prior Numbering: PPR Section 1-9]  
Amended 7/10/07, CC # SS3B