

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

**CC:** \_\_\_\_\_  
**Amend No.** \_\_\_\_\_

**Date Prepared: February 18, 2010**

**Council Meeting Date: March 2, 2010**

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**TO:** Honorable Mayor and Council  
**FROM:** Steve Kemp, City Attorney  
**SUBJECT:** Charter Amendment-The Council, Journal

**RECOMMENDATION:** It is my recommendation should the Mayor and Council desire to change the charter pertaining to the Council; journal that the Mayor and Council adopt the attached resolution placing a charter amendment on the ballot proposing to amend the Peoria City Charter.

**SUMMARY:**

Attached is a Resolution placing a proposition before the voters of the City of Peoria at the August 24, 2010 regular election. This resolution pertains to an amendment of the City Charter, Article II, Sections 12, 16, and 17 pertaining to the Council; journal.

The proposed amendment would delete language in three sections in this Article that require the existence of a council journal. This harkens back to a time when legislative bodies maintained a daily journal of their activities. Today, we are required to maintain minutes that contain all of this information and are available for public inspection.

At the prior City Council study session, the council consensus was that a proposed resolution should be brought back to the Council for its consideration.

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**CITY CLERK USE ONLY:**

**ORD#**                      **RES#**  
**LCON#**                    **LIC#**  
**Action Date:**

**FISCAL NOTE:** (If Applicable)

None

**ATTACHMENT:**

1. Resolution

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**CITY CLERK USE ONLY:**

**ORD#**  
**LCON#**  
**Action Date:**

**RES#**  
**LIC#**

RESOLUTION NO. 2010-

A RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE CITY OF PEORIA, MARICOPA COUNTY,  
ARIZONA PROPOSING AN AMENDMENT TO THE  
CITY OF PEORIA, ARIZONA, CITY CHARTER,  
AMENDING ARTICLE II, SECTION 12, ARTICLE II,  
SECTION 16, AND ARTICLE II, SECTION 17  
PERTAINING TO THE COUNCIL.

TEXT OF PROPOSED AMENDMENT

IT IS RESOLVED by the Mayor and Council of the City of Peoria:

1. The following amendments of Article II, Section 12, Article II, Section 16, Article II, Section 17 is proposed to become valid when approved by a majority of the qualified electors voting thereon and upon proclamation of Mayor after completion of the official canvass in accordance with Article X, Section 2 of the Peoria City Charter.

2. The Charter of the City of Peoria, Arizona is amended by amending Article II, Section 12 to read as follows:

Sec. 12. Absence to terminate membership.

If any councilmember shall be absent from more than three (3) consecutive regular meetings, or a total of four (4) regular meetings in any calendar year, without the consent of the council ~~duly recorded in the journal~~, he shall thereupon cease to hold office.

3. The Charter of the City of Peoria, Arizona is amended by amending Article II, Section 16 to read as follows:

Sec. 16. Rules of procedure; ~~journal~~.

The council shall determine its own rules and order of business subject to the provisions of this charter. ~~It shall keep a journal of its proceedings and the journal shall be open to public inspection.~~

4. The Charter of the City of Peoria, Arizona is amended by amending Article II, Section 17 to read as follows:

Sec. 17. Quorum; ayes and nays.

A majority of the members of the council shall constitute a quorum, but a smaller number may adjourn from day to day or from time to time until a quorum

can be compelled. The vote on any question shall be by ayes and nays. ~~and shall be entered in the journal.~~ At the request of any member of the council, a roll call vote shall be taken. The vote may be taken by mechanical device.

5. The proposed amendment approved by the Mayor and a majority of the members of the City Council and entered into the minutes shall be submitted by the Peoria City Clerk to the qualified electors of the City at the August 24, 2010 regular municipal election as provided by Article X, Section 2 of the Peoria City Charter.

6. This Resolution shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria this \_\_\_\_\_ day of \_\_\_\_\_, 2010, as follows:

Ayes: _____	Nays: _____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
Bob Barrett, Mayor

ATTEST:

\_\_\_\_\_  
Mary Jo Waddell, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen M. Kemp, City Attorney