

ORDINANCE NO. 16-1330

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING ARTICLE 2-4-2 OF THE GOODYEAR CITY CODE RELATING TO REGULAR MEETINGS AND AMENDING ARTICLE 2-4-9 OF CHAPTER 2 OF THE GOODYEAR CITY CODE RELATING TO AGENDA; ORDER OF BUSINESS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING OR INCONSISTENT ORDINANCES, RULES AND REGULATIONS; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Goodyear Charter (“City Charter”) and Arizona state statutes impose various requirements for the conduct of City business, including requirements governing meetings of the Mayor and Council and actions taken by the Mayor and Council; and

WHEREAS, pursuant to the requirements of the City Charter and applicable Arizona statutes, the Mayor and Council adopted ordinances governing the procedure of council meetings, which are codified in Article 2-4 of Chapter 2 of the Goodyear City Code; and

WHEREAS, these ordinances have been revised periodically to, among other things, comply with statutory requirements, reflect technological advances, provide flexibility, and to accommodate citizens’ needs to enhance citizen participation in the affairs of the City; and

WHEREAS, the proposed amendments to Articles 2-4 of Chapter 2 of the Goodyear City Code are intended to ensure compliance with mandatory requirements under state law and the City Charter, to provide flexibility to the legislative process, and to streamline the process for the benefit of the public; and

WHEREAS, the Mayor and Council of the City of Goodyear find that the adoption of the proposed amendments to Articles 2-4 of Chapter 2 of the Goodyear City Code promote the interests, convenience and general welfare of the citizens of the City of Goodyear;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. AMENDMENT OF ARTICLE 2-4-2 OF CHAPTER 2 OF THE GOODYEAR CITY CODE

Section 2-4-2 of Article 2-4 of Chapter 2 of the Goodyear City Code is amended to read as follows:

2-4-2 REGULAR MEETINGS.

Except as otherwise provided herein, regular meetings of the Council shall be held on the second and fourth Mondays of each month beginning at 6:00 p.m. at the Goodyear Justice Center, 14455 W. Van Buren St., Suite B101, Goodyear Arizona. The Council may, by motion, cancel or reschedule any meeting, change

the meeting time, and/or change the meeting location. Notice of a change of any meeting place, date or time shall be given as required by law.

SECTION 2. AMENDMENT OF ARTICLE 2-4-9 OF CHAPTER 2 OF THE GOODYEAR CITY CODE

Section 2-4-9 of Article 2-4 of Chapter 2 of the Goodyear City Code is amended to read as follows:

2-4-9 AGENDA; ORDER OF BUSINESS

(A) Except in the event of an actual emergency, an agenda shall be prepared prior to each meeting of the Council and shall be posted not less than 24 hours prior to the meeting adjacent to the front entrance to City Hall. The agenda shall state the nature of the business to come before the Council, the action recommended and, for ordinances and resolutions, the number and title thereof.

(B) Regular Meetings

The agenda for a Regular Meeting shall follow substantially the following form:

- (1) Call to order;
- (2) Pledge of allegiance/Invocation;
- (3) Roll call;
- (4) Communications;
- (5) Citizen comment and appearances from the floor;
- (6) Consent agenda, when applicable;
- (7) Business requiring Council action;
- (8) Information items;
- (9) Future Meetings;
- (10) Adjournment.

(C) Special Meetings

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

Special Meetings that have Executive Sessions included

The agenda for a Special Meeting shall follow substantially the following form:

- (1) Call to order;
- (2) Roll call;
- (3) Business;
- (4) Adjournment of Executive Session;
- (5) Reconvening of Special Meeting;
- (6) Business requiring Council action (if necessary);
- (7) Adjournment.

(D) Work Sessions

The agenda for a work session shall follow substantially the following form:

- (1) Call to order;
- (2) Roll call;
- (3) Agenda items for discussion;
ALL ITEMS LISTED ARE FOR DISCUSSION ONLY. NO ACTION CAN OR WILL BE TAKEN.
- (4) Information items;
- (5) Adjournment.

(E) The agenda for public hearings, whether called as part of a Council meeting or scheduled separately, shall follow substantially the following form:

- (1) Open hearing;
- (2) Presentation of issue;
- (3) Receive public comment;
- (4) Close hearing.

(F) At any regular meeting of the Mayor and Council, the City Clerk shall at the instruction of the City Manager place within the agenda an agenda of matters for the Mayor and Council to act on as a consent agenda. The City Clerk shall read by title only all consent agenda matters, and the Mayor and Council shall vote upon all matters contained within the consent agenda by a single roll call vote of all those present at the meeting entitled to vote. Any matter may be removed from the consent agenda and considered as a singular item upon the request of the Mayor or any member of the Council or any member of the public in attendance at the meeting.

SECTION 3. PENALTIES

Any person or Enterprise, as defined in section 1-8-1 of Article 1-8 of the Goodyear City Code, found guilty of violating any provision of Articles 2-4 and 2-5 of Chapter 2 of the Goodyear City Code shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not to exceed \$2,500 for an individual and not more than \$20,000 for an Enterprise, or by imprisonment for a period of not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as hereinabove described.

SECTION 4. SEVERABILITY CLAUSE

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 5. REPEAL PROVISION

This Ordinance shall be cumulative of all provisions of ordinances, rules, and regulations of the City of Goodyear, as amended. All ordinances, rules, regulations, or portions thereof in conflict with the provisions of this Ordinance or that are inconsistent with the provisions of this Ordinance, are hereby repealed.

SECTION 6. EFFECTIVE DATE

This Ordinance and the amendments therein shall become effective and in full force and effect thirty (30) days from the date of its adoption.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Maureen Scott, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 16-1330 is a true, correct and accurate copy of Ordinance No. 16-1330, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____ 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 20_____.

seal

City Clerk