

AGENDA ITEM #: _____

DATE: July 11, 2016

COAC #: 16-5814

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Adopt Resolution 16-1763 to amend the City of Goodyear Rules of Procedure and Adopt Ordinance 16-1330 to amend Chapter 2-4-2 and 2-4-9 of the Goodyear City Code.

STAFF PRESENTER: Maureen Scott, City Clerk

CASE NUMBER: N/A

OTHER PRESENTER: N/A

RECOMMENDATION:

1. ADOPT RESOLUTION NO. 16-1763 AMENDING AND ADOPTING THE CITY OF GOODYEAR, ARIZONA RULES OF PROCEDURE PREVIOUSLY ADOPTED BY RESOLUTION 00-740, AND DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK ENTITLED "CITY OF GOODYEAR, ARIZONA RULES OF PROCEDURE".

2. ADOPT ORDINANCE NO. 16-1330 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.

PURPOSE:

The Mayor and Council adopt ordinances governing the procedures of council meetings, which are codified in Chapter 2 of the City Code. Chapter 2-4 specifically addresses Council procedure. The City Charter gives the Council authority to have rules and procedures in place for governing the procedure of council meetings. The Rules of Procedures document was adopted August 14, 2000 and periodically needs updated and revised. Some of the items impact the City Code, therefore, the City Code needs to be amended to reflect these changes.

BACKGROUND AND PREVIOUS ACTIONS:

The Goodyear City Council adopted the City of Goodyear Rules of Procedure on August 14, 2000. At the same time the Rules of Procedure was adopted, the Open Meeting Law Policy Manual was adopted. The Rules of Procedure acts as by-laws for the Council. The recommended amendments are administrative in nature and will help update the document to include current information.

On February 27, 2006, Council approved revisions to the agenda format in the Rules of Procedure (COAC 06-2803). The handbook is in need of revision again. Review of the document has been completed and staff is presenting the document to Council for review. The Open Meeting Law information has been incorporated into the Rules of Procedure, and staff is recommending elimination of the City of Goodyear Open Meeting Law Handbook.

DETAILS OF THE REQUEST:

REDLINE CHANGES TO CITY CODE

Amending Chapter 2 of the Goodyear City Code relating to regular meetings and order of business.

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, ~~185 N 145th Avenue,~~ 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 2-4-9 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) The agenda for a special meeting shall follow substantially the following form:~~

- ~~(1) Call to order;~~
- ~~(2) Pledge of allegiance/invocation, unless special meeting follows regular meeting at ——— which pledge and invocation are made;~~
- ~~(3) Roll call;~~
- ~~(4) Business requiring Council action;~~

~~(5) 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) Pledge of allegiance/invocation, unless work session follows regular meeting at which pledge and invocation are made;~~
- ~~(3) 2) Roll call;~~
- ~~(4) 3) Agenda items FOR DISCUSSION;~~
ALL ITEMS LISTED ARE FOR DISCUSSION ONLY. NO ACTION CAN OR WILL BE TAKEN.
- ~~(5) 4) Information items;~~
- ~~(6) 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.

STAFF ANALYSIS:

Staff is proposing to combine the Open Meeting Law document and the Rules of Procedure into one document to eliminate redundancy of information.

FISCAL ANALYSIS:

There is no fiscal analysis associated with this item.

ATTACHMENTS:

1. Red lined version of Rules of Procedures
2. Resolution 16-1763
3. Exhibit A – Final Rules of Procedure
4. Ordinance 16-1330