

ORDINANCE NO. 2018-1392

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING ARTICLES 2-4 (COUNCIL PROCEDURE) AND 2-5 (ORDINANCES AND RESOLUTIONS) OF THE GOODYEAR CITY CODE, AND PROVIDING FOR CORRECTIONS, SEVERABILITY AND 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 and the passage and adoption of ordinances and resolutions, which are codified in Article 2-4 and Article 2-5 of Chapter 2 of the Goodyear City Code; and

WHEREAS, in addition to Chapter 2 of Goodyear City Code, Council established rules and procedures related to City Council meetings with the adoption of “City of Goodyear, Arizona City Council Meetings Rules of Procedure” on August 14, 2002 by Resolution 00-740 and was subsequently amended with the adoption of Resolution 16-1763 on July 11, 2016 and Resolution 16-1773 on November 21, 2016; and

WHEREAS, there is substantial overlap between the policies and procedures in Articles 2-4 and 2-5 of the Goodyear City Code and the city of Goodyear City Council Meeting Rules of Procedure; and

WHEREAS, because of the overlap, revising provisions in Articles 2-4 and/or 2-5 often require a corresponding changes to the city of Goodyear City Council Meeting Rules of Procedure and vice versa; and

WHEREAS, this ordinance will eliminate the redundancy that currently exists and provide more flexibility in changing procedural rules when circumstances warrant, by removing procedures and process related to Council Meetings, currently included in Articles 2-4 and 2-5, and replaces them with references to the city of Goodyear Arizona City Council Meetings Rules and Procedures; and

WHEREAS, the Mayor and Council of the city of Goodyear find that the adoption of the proposed amendments to Articles 2-4 and 2-5 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. CHAPTER 2, SECTION 2-4-2 ENTITLED REGULAR MEETINGS, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

2-4-2 REGULAR MEETINGS.

Regular meetings of the Council shall be held on the second and fourth Mondays of each month. The location and the starting time shall clearly be identified on the agenda of the meeting and posted on the city's website. Notice of a change of any meeting place, date or time shall be given as required by law.

SECTION 2. CHAPTER 2, SECTION 2-4-7 ENTITLED PUBLIC HEARINGS, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

2-4-7 PUBLIC HEARINGS.

The Council may call a public hearing to receive evidence on any matter properly before it. A public hearing shall be subject to the open meetings law and may be held before, during or after a meeting of the Council or at such other time as the Council may deem expedient. The agenda for a public hearing shall be in substantially the form specified in the City Council Meetings Rules of Procedure as adopted by Resolution of the City Council.

SECTION 3. CHAPTER 2, SECTION 2-4-9 ENTITLED AGENDA; ORDER OF BUSINESS, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

2-4-9 AGENDA; ORDER OF BUSINESS.

The requirements for agendas and order of business for the meetings of the City Council shall be established in the City Council Meetings Rules of Procedure as adopted by Resolution of the City Council.

SECTION 4. CHAPTER 2, SECTION 2-4-10 ENTITLED VOTING, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

2-4-10 VOTING.

The requirements for voting in the meetings of the City Council shall be established in the City Council Meetings Rules of Procedure as adopted by Resolution of the City Council.

SECTION 5. CHAPTER 2, SECTION 2-5-2 ENTITLED INTRODUCTION, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

2-5-2 INTRODUCTION.

Ordinances, resolutions and other matters requiring action by the Council shall be introduced by city staff.

SECTION 6. CHAPTER 2, SECTION 2-5-9 ENTITLED POSTING, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

Ordinances imposing a penalty, fine, forfeiture or other punishment shall, after enactment, be posted in accordance with Arizona Revised Statutes.

SECTION 7. CORRECTIONS

The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, sections/subsection numbers and any references thereto.

SECTION 8. SEVERABILITY

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 9. EFFECTIVE DATE

This ordinance shall become effective as prescribed by law. Those provisions of Chapter 2 of the Goodyear City Code – Mayor and Council that are amended by this ordinance shall remain in force and effect until the effective date of this ordinance.

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:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2018-1392 is a true, correct and accurate copy of Ordinance No. 2018-1392, 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