



## City of Goodyear

### Meeting Minutes

#### City Council Work Session

Meeting Location:  
Goodyear Justice Center  
14455 W. Van Buren St.,  
Suite B101  
Goodyear, AZ 85338

Mayor Georgia Lord  
Vice Mayor Wally Campbell  
Councilmember Joanne Osborne  
Councilmember Joe Pizzillo  
Councilmember Sheri Lauritano  
Councilmember Bill Stipp  
Councilmember Brannon Hampton

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Monday, November 20, 2017

5:30 PM

Goodyear Justice Center

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#### 1 CALL TO ORDER

Mayor Lord called the Work Session to order at 5:30 p.m.

#### 2. ROLL CALL

**Present** 6 - Mayor Lord, Vice Mayor Campbell, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Stipp, and Councilmember Hampton

**Absent** 1 - Councilmember Osborne

Staff Present: City Manager Brian Dalke, City Attorney Roric Massey, and City Clerk Darcie McCracken

#### 3. AGENDA ITEMS FOR DISCUSSION:

- 3.1 [17-6206ws](#) Staff will provide Council with a review of Arizona Open Meeting Law and its requirements.

Assistant City Attorney Lisa Maxie-Mullins presented. Ms. Maxie-Mullins provided an overview of the legal requirements and best practices of the Open Meeting Law (OML) and stated that it had been several years since Council had an overview of the requirements.

The Arizona legislature enacted the Arizona OML in 1962. The underlying principle of the OML is that a public body's decision-making process shall be open to the public. The goal is to maximize the public's access to government decision-making process.

In 1978, the OLM was amended to state:

- \*Meetings of public bodies must be open to the public.
- \*All people can attend and listen to deliberations and proceedings.
- \*All legal action must occur in a public meeting.

Exceptions:

- \*Executive Sessions

\*Emergencies

Ten General Requirements of the OML:

1. Provide proper notice of all public body meetings.
2. Discussions of public body matters should not be discussed outside of a meeting among a quorum of the public body.
  - The public body may not circumvent the OML by splintering the quorum or engaging in serial communications.
  - A quorum cannot meet in person, via phone, email, or other mechanisms outside of a properly-noticed meeting for the purpose of deliberations, discussion, or legal actions concerning matters within the public body's authority.
3. A public body may only discuss items noticed on the agenda.
4. A public body's agenda should contain specific details and not general references.
5. A public body must maintain accurate minutes for all public body meetings and subcommittee meetings.
6. A public body may not discuss an issue raised by a citizen during the Call to the Public, unless the issue presented by the citizen is properly noticed on the agenda or the issue is covered by one of the statutory exemptions.
7. Executive Session may only be convened for one of the seven specific purposes set forth in the law.
  - Discussion of personnel matters
  - Discussion of confidential records
  - To obtain legal advice
  - Instructions regarding pending litigation/negotiations
  - Employee compensation
  - International/Interstate/Local/Tribal negotiations
  - Disposition of real property
8. Executive Sessions are confidential.
9. The OML is also applicable to subcommittees and advisory committees of the public body.
10. Violations of the OML may result in consequences as set forth in the provisions.

Possible results of Open Meeting Law violations:

- \*Actions are null and void.
- \*The Attorney General or County Attorney may investigate (court action may be utilized if someone fails to comply with an investigation)
- \*Ratify previous actions
- \*\$500 penalty
- \*Pay attorney's fees and court costs
- \*Removal from the public office
- \*Embarrassment and loss of public trust

The Arizona legislature and Arizona courts have consistently emphasized that any uncertainties concerning the law should be resolved in favor of public access and openness.

Ms. Maxi-Mullins included a list of resources for further information on the OML:

- The Arizona Ombudsman - Citizens' Aide Handbook - The Arizona Open Meeting Law
- Ombudsman website - [www.azoca.gov](http://www.azoca.gov)
- Arizona Agency Handbook, Chapter 7 - [www.azag.gov](http://www.azag.gov)
- Attorney General Opinions - [www.azag.gov](http://www.azag.gov)
- City Attorney

**4. INFORMATION ITEMS**

None.

**5. ADJOURNMENT**

There being no Council discussion, Mayor Lord adjourned the Work Session at 5:45 p.m.

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Darcie McCracken, City Clerk

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Georgia Lord, Mayor

Date: \_\_\_\_\_