

Chapter 2.15

RULES OF ORDER AND PROCEDURE

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2.15.010 Regular meetings.

The council shall hold regular meetings on the first and third Tuesday of each month beginning at 6:00 p.m. The mayor or city manager, upon the advice and consent of the mayor and after notifying all members of council, may adjust the regular meeting start time due to the items on the council's agenda, which time shall be specifically designated in writing in all required public notices. When the day fixed for any regular meeting of the council falls upon a day designated by law as a legal holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday unless otherwise rescheduled by council. All regular meetings of the council shall be held at the Maricopa City Hall, Council Chambers, 39700 W. Civic Center Plaza,

Maricopa, Arizona, or such other place as specifically designated in writing in all required public notices. However, when circumstances are such that there is no official business requiring council consideration or that there will be no quorum of the council present, the meeting may be cancelled by the city manager upon the advice and consent of the mayor and after notifying all members of the council and the clerk. Notice of cancellation of the meeting shall be posted at City Hall and on the city website at least 48 hours prior to the time originally scheduled for the meeting. At no time, however, shall the council meet less than once per calendar month. The clerk, upon request of the mayor, any three members of the council or the city manager, may schedule and convene a work session by notifying members of the date, hour, place and purpose and providing appropriate public notice at least 24 hours in advance of the work session by posting the agenda in accordance with A.R.S. §§ [38-431.02](#) and [38-431.09](#), as each may be amended from time to time. [Ord. 22-07 § 1; Ord. 19-01 § 1; Ord. 13-06; Ord. 10-01; Code 2004 § 2-71.]

2.15.020 Special meetings.

The mayor, upon his own motion, or the clerk upon the written request of three members, may convene the council at any time by notifying the members of the date, hour, place and purpose of such special meeting and by giving such additional notice as required by state law. The public shall be given at least 24 hours' notice of any such special meeting by the posting of such notice in at least three public places and preparation of an agenda in accordance with A.R.S. § [38-431.09](#) as amended; except that in the case of an actual emergency, a meeting may be held upon such notice as is appropriate for the circumstances in accordance with A.R.S. § [38-431.02](#) as amended. A special work session may be called in the same manner and upon the same notice as otherwise set forth in this section for a special meeting of council. [Code 2004 § 2-72.]

2.15.030 Meetings to be public.

A. All official meetings of the council at which any legal action is taken shall be open to the public. Notice of meetings shall be given in a manner consistent with state statutes. Upon

approval by a majority vote of the council, the council may meet in a closed executive session for any purpose permitted by law.

B. Minutes of executive sessions shall be kept confidential except from members of the council.

C. No executive session may be held for the purpose of taking any legal action involving making a final vote or decision. [Code 2004 § 2-73.]

2.15.040 Quorum.

A majority of the council shall constitute a quorum for transacting business but a lesser number may recess from time to time and compel the attendance of absent members. Any member of the council, at any regular or specially called meeting, may, in writing, demand the attendance of any absent member, which demand shall be entered of record forthwith by the clerk. It shall thereupon be the duty of the chief of police, upon the entry of the demand to bring the member forthwith to attend the council meeting, and upon the failure or refusal of the member to forthwith attend the council meeting, to arrest the member and bring him to the meeting, and to remain there until the business of the meeting has been performed and such meeting has regularly adjourned. [Code 2004 § 2-74.]

2.15.050 Agenda.

A. The manager and clerk are responsible for receiving and organizing all materials for the agenda. The manager and clerk are authorized to establish time frames and guidelines to assure all materials are received in a uniform, complete and timely manner for placement on the agenda and to furnish each councilmember, the mayor, and designated staff with a copy of the agenda and any material pertinent thereto in a timely manner prior to the meeting.

B. The manager will also place an item on the agenda at the request of the mayor or two councilmembers. [Code 2004 § 2-75.]

2.15.060 Order of business.

The business of the council shall be taken up for consideration and disposition in the following order:

A. *Call to Order.* The mayor shall take the chair precisely at the hour set for the meeting and shall immediately call the council to order. In the absence of the mayor, the vice mayor shall call the council to order. In the absence of both the mayor and vice mayor, the clerk shall call the council to order and an acting mayor shall be selected to chair the meeting. Upon arrival of the mayor or the vice mayor, the vice mayor or the acting mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the council.

B. *Invocation and Pledge.* The mayor or presiding official pursuant to subsection (A) of this section may request that a councilmember or member of the general public open the meeting by invocation, which shall be followed by the pledge of allegiance.

C. *Roll Call.* Before proceeding with the business of the council, the clerk shall call the roll of the members, and the names of those present shall be entered in the minutes. If a quorum is not present, the members may adjourn pursuant to MCC [2.15.040](#).

D. *Introduction of Distinguished Guests and Visitors, Awards, Presentations and Communications.* The council may wish to acknowledge the presence of an individual or individuals present in the audience. Proclamations issued by the mayor, presentations from other agencies and awards given to or received by the city will be considered at this time.

E. *Mayor's Report.* The mayor may present information pertinent to items under consideration or information related to the operations of the city.

F. *City Manager's Report.* The manager, members of the city staff or those individuals designated by the manager may present information pertinent to items under consideration or information related to the operation of the city.

G. *Call to the Public.* At this time the council shall, as it deems necessary, consider all business not specifically provided for herein. Requests, petitions, remonstrances, communications, comments or suggestions from citizens present shall be heard. All such remarks shall be addressed to the council as a whole and not to any member thereof. Such remarks shall be limited to a maximum of three minutes unless additional time is granted by the mayor. Where a group or organization wishes to present comments or discussion, one person from the group

shall be designated to present said comments or discussion. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer.

H. *Minutes*. If not included as a consent agenda item, the clerk shall present the minutes of the preceding council meeting which shall be approved if correct. Any error noted shall be corrected and initialed by the clerk.

I. *Consent Agenda*. The council may, at this time, take single action on any or all items listed as consent agenda items. These items may include, but are not limited to, acceptance of agenda, acceptance of minutes, acceptance of resignations and adoption of certain resolutions and other items which do not require a public hearing.

J. *Regular Agenda – Public Hearings*.

1. The council shall consider any business not heretofore considered including, but not limited to, acceptance of resignations, adoption of resolutions or ordinances, consideration of contracts, award of bids, appointments to boards and commissions and setting of dates for work sessions, special meetings and executive sessions. Council liaison reports and committee reports as required by the council shall be presented at this time. No member of the public shall be permitted to speak on these items unless there is a public hearing, they have first filed a written request to speak with the clerk or they have been invited to do so by the council.

2. Public hearings shall be conducted as required by city ordinance, state statute or federal regulations and all interested parties given the opportunity to speak. Public hearings shall be conducted on amendments to the zoning ordinance, if requested by the aggrieved party, any member of the public or any member of the council, or if no public hearing has been held by the planning and zoning commission.

K. *Executive Session*. The council may, by a majority vote of those present, adjourn into executive session to receive advice from the city attorney regarding any item on the agenda or any item allowed by state statute that has been properly agendaized.

L. *Adjournment*. The council may, by a majority vote of those present, adjourn at the conclusion of business. A motion to adjourn shall always be in order and decided without debate. [Ord. 22-18 § 2; Res. 22-37; Ord. 22-07 § 2; Ord. 18-11; Ord. 11-13; Code 2004 § 2-76.]

2.15.070 Voting.

- A. The mayor shall vote as a member of the council.
 - B. The ayes and nays upon all questions shall be taken and entered in the minutes by voice vote or electronic vote.
 - C. Upon the request of any member, the ayes and nays may be taken and entered in the minutes by roll call vote.
 - D. The following actions of the council shall require at least four affirmative votes in order to become effective:
 - 1. Adoption of amendments to the city code;
 - 2. Adoption of resolutions approving a new general plan or any amendments to the general plan;
 - 3. Adoption of amendments to the zoning code;
 - 4. Adoption of rezoning ordinances;
 - 5. Adoption of resolutions approving development agreements pursuant to A.R.S. §§ [9-500.05](#) or [9-500.11](#);
 - 6. Authorizing any eligible ballot item to be referred to the voters;
 - 7. Adoption of the annual budget;
 - 8. Adoption of a capital improvements plan;
 - 9. Adoption of any property tax levy;
 - 10. Adoption of changes to the sales tax rate;
 - 11. Adoption of changes to fees and charges, including but not limited to utility rates and system development fees;
 - 12. Approval of lease-purchase agreements or issuance of debt instruments;
 - 13. Approval of amendments to personnel rules;
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14. Approval of memoranda of understanding with employee organizations;
15. Authorizing the filing of any civil litigation;
16. Approving any nonbinding public declaration or resolution on policy or political issues;
17. Approval of actions related to the employment, suspension, or removal of the city manager. [Ord. 11-03; Code 2004 § 2-77.]

2.15.080 Conduct of meetings.

- A. *Preservation of Order and Decorum.* The mayor shall preserve order and decorum.
 - B. *In Accord with Robert's Rules of Order, Newly Revised.* The mayor shall conduct the proceedings of the meetings generally in accordance with the parliamentary rules contained in Robert's Rules of Order, Newly Revised, except where Robert's Rules of Order, Newly Revised, conflict with this code or other applicable state or local laws. The city attorney shall serve as parliamentarian or a parliamentarian may be appointed by the council to be present at all regular meetings.
 - C. *Reconsideration.* Any councilmember who voted with the prevailing side may move that the council reconsider any council decision or action at the same or the next meeting. For purposes of this section only, the next meeting is the next meeting or session after the original vote is taken, in which the agenda provides notice of possible council action. Councilmembers may move for reconsideration by:
 1. Placing the proposed reconsideration motion on the agenda for consideration at the next meeting; or
 2. Making a request at either the same or next regular meeting that the proposed reconsideration motion be placed on the agenda for consideration at the next meeting following the request. [Code 2004 § 2-78.]
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2.15.090 Addressing the council.

The public in accord with other provisions of this code shall have the right to petition council at the call to the public, the time for which to be prescribed by council, but otherwise any person wishing to address any regular or special meeting of the council shall obtain consent of the mayor or consent of a majority of the councilmembers present. [Code 2004 § 2-79.]

2.15.100 Disruption of meetings – Penalty.

It shall be unlawful to disturb or interrupt any regular or special meeting of the city council; any person violating this section, in addition to being punishable as follows, shall be summarily ejected from said meeting. Any person violating any provision of this section shall be subject to being fined not more than twenty dollars (\$20.00) and by imprisonment until payment of the fine. [Code 2004 § 2-80.]

2.15.110 Misconduct of members.

A. The mayor shall be authorized to assess a fine of not more than twenty dollars (\$20.00) upon any member for disorderly conduct at any meeting of the council upon a concurring vote of three members thereof and to hold and direct such to be imprisoned until the payment of such fine.

B. Any member of the council may be expelled for any cause determined sufficient by the council upon a vote of five of the members.

C. The judgment of the council as to the causes for fine or expulsion shall be conclusive. [Code 2004 § 2-81.]

2.15.120 Boards, committees and commissions.

Unless otherwise directed by council, the following provisions in this chapter will apply to all city of Maricopa standing committees, task force committees, council standing subcommittees,

council task force subcommittees, or any other board committee or commission council may create. The provisions of this chapter shall not supersede any board, committee, or commission that contains membership and appointment requirements within the enabling statutes or bylaws. [Ord. 12-07; Code 2004 § 2-82.]

2.15.130 Standing committee.

A. Currently Established Boards, Committees and Commissions.

1. Council Established Standing Committees.

- a. Parks, recreation and libraries advisory committee;
- b. ~~Transportation~~ Transit advisory committee;
- c. *Repealed by Ord. 21-05;*
- d. Age-friendly Maricopa advisory committee;
- e. Cultural affairs and arts committee.

2. Council Established Standing Boards.

- a. Industrial development authority board;
- b. *Repealed by Ord. 21-19;*
- c. Public safety personnel retirement system board;
- d. ~~Board of adjustments.~~

3. Council Established Standing Commission.

- a. Planning and zoning commission.

B. Definition of a Standing Committee. A standing committee shall be formed by council, comprised of Maricopa residents. Committees shall take directions from city council and city staff liaison for the purpose of studying, researching and advising council on topics of special interest.

C. *Criteria for Creation of a Standing Committee.*

1. Council may create a standing committee to study and review multiple dynamic issues of a common topic in order to advise and make recommendations to council in an open council meeting.
2. A standing committee is best suited when the following conditions are met:
 - a. There are many related topics that interact with each other.
 - b. There are ongoing activities in the area creating dynamic shifts.
 - c. Council will benefit from in-depth and extended citizen input.
 - d. Council will be requested to act in the future in regards to this issue.
 - e. The issue is of significant importance to a significant segment of residents.

D. *Number of Members.* All boards, committees and commissions shall consist of seven members, with each member position being nominated by a member of council.

E. *Eligibility of Members.* Members must be a current city of Maricopa resident in good standing, property owner or business owner for a minimum of one year. Members must be at least 18 years of age and registered to vote in Pinal County. Members must complete the city of Maricopa Citizens Academy within two years of appointment. Members shall not be a current member of any standing board, committee or commission, city of Maricopa council, or staff. Members appointed to boards, committees or commissions shall not be a direct family member (parent, spouse, sibling or child) of a sitting member of council unless there are not sufficient applicants for the position.

F. *Terms of Members.*

1. A member's tenure shall be coterminous with the term of office of the nominating member of council.
2. Members shall continue to serve until their successor is approved by a vote of council.
3. A member shall continue their tenure if the nominating member of council leaves council, until that seat is replaced by a vote of the ~~people~~. **Council.**

G. *Selection of Members.*

1. Each member of council shall select a candidate for appointment from the applicant bank.
2. Each member of council shall nominate a member at a meeting of council, within three months of the member of council being seated. The mayor may, if it is in the best interest of the city, make any nomination not made within three months. Any such appointment shall be approved by a majority vote of the council.
3. Interested parties shall declare their intent to serve by submitting an application, listing all qualifications, and providing a resume and/or cover letter to the city clerk for the application bank.
4. Applications will be kept active in the application bank for five years. Applicants are responsible for maintaining a current application on file.

H. *Resignations or Removal of Members.*

1. Members will notify the city staff liaison, committee chair, or nominating member of council of their intent to resign their appointed position prior to the end of their term.
2. Any member may be removed by a majority vote of council.
3. Any member who is absent for three consecutive meetings without contacting the chairperson or staff liaison, has not completed the citizen's academy, or is absent to any four meetings over a six-month period shall be considered as having resigned his/her position.
4. Resignations shall be confirmed by a majority vote of the remaining members of the board, committee or commission.

I. *Vacancies.*

1. In the event of death, resignation, removal of a member, a vacancy will be declared and will be reported to the chair, staff liaison, and city clerk's office.
 2. The nominating member of council shall be informed of the vacancy and allowed to begin the selection process for a new member.
 3. The nominating member(s) of council may request that any vacancy be announced at the next regular meeting of council.
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J. *Member Responsibility.*

1. Members shall advise the council related to policy matters relevant to the scope of the given board, committee or commission.
2. Members shall act on behalf of the best interest of the city and shall maintain ongoing communication throughout their membership term.
3. Members shall select one of its members to serve as chairman for no more than two, one-year terms.

K. *Staff Responsibility.* A city of Maricopa staff member shall be designated as a staff liaison to each board, committee and commission.

L. *Meeting Schedule.*

1. Members will meet as determined by staff liaison.
2. Members will meet a minimum of once a year for training with the staff liaison.

M. *Agenda Process.*

1. Agenda topics should reflect the needs of council to gain greater knowledge and understanding on a topic or to receive public input on a topic in support of possible council action.
2. Agenda topics may originate as a request by an individual councilmember to the mayor, by council direction in an open meeting setting, or as a recommendation from the staff liaison.
3. Agenda topics will be communicated to the committee by the staff liaisons.
4. The staff liaison will prepare the agenda language, maintain topical relevance of each individual agenda item; transmit the finished agenda to the chair and then to the city clerk in order to be posted in compliance with city procedures and Arizona Open Meeting Law.

N. *Reporting Process.*

1. Meeting notes in the form of minutes shall be prepared by staff for approval by the board, committee or commission, and forwarded to the office of the city clerk. Actions will be posted on the city website.
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2. A single board, committee or commission member who is designated by the chair may present a two-minute report to council on behalf of their respective board, committee or commission, on topics previously considered by the board, committee or commission and which are included on the council work session agenda and limited to one report per meeting. The two-minute report shall include a summary of the scope of discussion, major questions or outcomes discussed and formal action taken by the respective board, committee or commission. [Ord. 21-19 § 1; Ord. 21-05 § 3; Ord. 19-13 §§ 1, 2; Ord. 19-02 §§ 1, 2; Ord. 17-11 § 1; Ord. 16-11 § 1; Ord. 16-08 § 1; Ord. 15-01 § 1; Ord. 14-15 § 1; Ord. 12-07; Code 2004 § 2-82(1).]

2.15.140 Task force committees.

A. *Definition of a Task Force Committee.* A task force committee is a type of ad hoc committee created by council, made up of interested parties with a specialized interest or background, for a limited period of time to address one general topic and produce specific outcome(s) that can be achieved and reported to council within council prescribed time limits. A council created task force committee will end on a date determined by council.

B. *Criteria for Creation of a Task Force Committee.*

1. Council may create a task force committee to study and review specific issues and to make recommendations to council in an open council meeting.
2. A task force committee is best suited when the following conditions are met:
 - a. There is one clearly definable topic to be addressed.
 - b. There is a measurable outcome that can be achieved.
 - c. Council will benefit from in-depth and extended citizen input.
 - d. Council will be requested to act in the future in regards to this issue.
 - e. The issue is of significant importance to a significant segment of residents.

C. *Number of Members.* The number of members shall be determined by the mayor.

D. *Eligibility of Members.* Eligibility of members shall be determined by the mayor.

E. *Terms of Members.* Members shall be appointed and serve for the duration of the task force committee.

F. *Selection of Members.*

1. Members shall be appointed by the mayor.
2. Interested parties shall declare their intent to serve by contacting staff.

G. *Removal of Members.* Members serve at the pleasure of the mayor.

H. *Vacancies.* Members will notify mayor, committee chair, or staff liaison of intent to vacate their position on any task force prior to completion of their activities. Vacancies may be filled at the discretion of the mayor.

I. *Member Responsibility.* Mayor shall serve as chairperson of all task force committees for the duration of the task force committee or until such time the mayor delegates this responsibility to an appointed member. Members shall act on behalf of the best interest of the city.

J. *Staff Responsibility.* At least one city of Maricopa staff member shall be assigned as a staff liaison to each task force committee.

K. *Meeting Schedule.* Members will meet as needed to complete their goal.

L. *Agenda Process.*

1. The chairperson will maintain the agenda.
2. Agenda topics will reflect the intent in which the task force was created.
3. The chairperson or staff liaison will prepare the individual agenda language, maintain topical relevance of each individual agenda item and transmit the agenda to the city clerk and mayor in order to be posted in compliance with city procedures and open meeting law.

M. *Reporting Process.* Meeting notes in the form of action items, shall be prepared by staff liaison or chairperson, reviewed by city manager, and forwarded to the office of the city clerk to be distributed to councilmembers. [Ord. 12-07; Code 2004 § 2-82(2).]

2.15.150 Council standing subcommittees.

A. Established Standing Subcommittees.

1. A budget and finance council subcommittee shall convene from time to time as needed to conduct a review of the city's proposed budget and financial policies, and to provide city council with feedback concerning the budget, compliance with policy and laws governing the budget process and to confirm consistency with council's adopted strategic plan. The budget and finance council subcommittee will also be responsible for any projects specifically assigned to the subcommittee by city council.

B. Definition of a Council Standing Subcommittee. A council standing subcommittee is formed by the mayor, made up of councilmembers with a special interest, in order to advise the full council on topics destined for council consideration.

C. Criteria for Creation of a Council Standing Subcommittee.

1. Council may create a council standing subcommittee to study and review multiple dynamic issues of a common topic and to make recommendations to the full council in an open council meeting.
2. A council standing subcommittee is best suited when the following conditions are met:
 - a. There are many related topics that interact with each other.
 - b. There are ongoing activities in areas that create dynamic shifts.
 - c. Council will benefit from in-depth and extended councilmember input.
 - d. Council will be requested to act in the future in regards to this issue.

D. Number of Members. All council standing subcommittees shall consist of the mayor or his delegate and two councilmembers. The mayor or his/her delegate shall serve as chairperson.

E. Member Appointment. Councilmembers shall be appointed by the mayor at a regular session of council, within three months of elected councilmembers being seated, based on councilmember's interest and the best interest of the council standing subcommittee.

F. Term of Appointment. Councilmembers shall serve two-year terms.

G. *Member Responsibility.* Members shall advise the council related to matters destined to go before council and are relevant to the scope of the given council subcommittee.

H. *Staff Responsibility.* At least one city of Maricopa staff member shall be assigned as a staff liaison to each council subcommittee.

I. *Agenda Process.* Items shall be added to the subcommittee agenda based on a request:

1. By staff, and approval of the city manager or mayor.
2. By a request and approval of the mayor, or city manager.
3. By two or more councilmembers, and approval of the city manager or mayor.
4. By council direction in an open meeting setting.
5. Agenda language will be submitted by staff liaison, approved by city manager and posted by the office of the city clerk in compliance with city procedures and Arizona Open Meeting Law.

J. *Reporting Process.* Meeting notes in the form of discussion points and action items shall be prepared by staff liaison, reviewed by meeting chairperson and city manager, and forwarded to the office of the city clerk to be distributed to councilmembers. [Ord. 19-03 § 1; Ord. 17-10 § 1; Ord. 12-07; Code 2004 § 2-82(3).]

2.15.160 Council task force subcommittees.

A. *Definition of a Council Task Force.* A council task force is a type of ad hoc committee created by the mayor, comprised of interested councilmembers for a limited period of time to address one general topic and produce specific outcomes that can be achieved and reported to council within council prescribed time limits. A mayor created council task force will end on a date determined by the mayor.

B. *Criteria for Creation of a Council Task Force.*

1. Mayor may create a council task force to study and review specific issues and to make recommendations to council in an open council meeting.
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2. A council task force is best suited when the following conditions are met:

- a. There is one clearly definable topic to be addressed.
- b. There is a measurable outcome that can be achieved.
- c. Council will benefit from in-depth and extended councilmember input.
- d. Council will be requested to act in the future in regards to this issue.

C. *Number of Members.* All council task forces shall consist of the mayor or his delegate and two councilmembers. The mayor or his/her delegate shall serve as chairperson.

D. *Selection of Members.* Councilmembers shall be appointed by the mayor.

E. *Terms of Members.* Councilmembers shall serve for the duration of the council task force.

F. *Staff Responsibility.* At least one city of Maricopa staff member shall be assigned as a staff liaison to each council task force.

G. *Meeting Schedule.* Members will meet as needed to complete their goal.

H. *Agenda Process.*

1. The chairperson will maintain the agenda.
2. Agenda topics will reflect the intent in which the council task force was created.
3. The chairperson or staff liaison will prepare the individual agenda language, maintain topical relevance of each individual agenda item and transmit the agenda to the city clerk and mayor in order to be posted in compliance with city procedures and Arizona Open Meeting Law.

I. *Reporting Process.* Meeting notes in the form of action items, shall be prepared by staff liaison or the chairperson, reviewed by the city manager, and forwarded to the office of the city clerk to be distributed to council. [Ord. 12-07; Code 2004 § 2-82(4).]

2.15.170 Suspension of rules.

Any of the provisions of this chapter may be temporarily suspended in connection with any matter under consideration by a recorded vote of three-fourths of the members present, except that this section shall not be construed to permit any action that is contrary to state statutes. [Code 2004 § 2-83.]
