



## **CITY COUNCIL RULES AND PROCEDURES**

### **SECTION I - RULES OF JOURNAL:**

The Council shall determine its own rules, order of business, conduct of public meetings, and shall provide for keeping a journal of its proceedings. This journal shall be a public record.

### **SECTION II - MEETINGS:**

The Council shall meet regularly twice each month at such times and places as the Council may prescribe by resolution. Special meetings may be held on the call of the mayor or of four or more Council members. All meetings shall be public. Executive sessions may be held for the purposes allowed by law. Pre-sessions or briefing sessions are permissible to brief Council members on the items included on the agenda. Notices of meetings will include the time, place and agenda and will be sent to the press and posted in a public place at least twenty-four hours in advance of the meeting. In case of an emergency, notice will be as long as is reasonable under the circumstances.

### **SECTION III - AGENDA:**

All agenda items to be submitted by staff to the City Council shall be delivered to the City Manager or his/her designee no later than 12:00 p.m. on the Thursday of the week prior to the Council meeting(s) at which those items are to be considered. After that time, for staff to submit matters on the agenda for either the study session or the regular Council meeting(s) the following week, the City Manager or his/her designee must have the approval of the Mayor or three Council members.

Any member or members of the Council may submit an item for the Council agenda(s) prior to 12:00 p.m. (noon) on the Thursday of the week prior to the week of the Council meeting(s) at which the item will be considered. The same Council member(s) who submit the agenda item may withdraw that item until 12:00 p.m. on Friday of the week prior to the Council meeting.

After 12:00 p.m. on the Thursday of the week prior until 3:00 p.m. on Wednesday of the week of the Council meeting(s), three Council members must agree to add or withdraw their same agenda item. Each of the Council members must contact the City Clerk individually. The City Clerk will post the revised agenda (s) as soon as possible and in compliance with open meeting law and the Mayor shall announce the addition or withdrawal of agenda items at the Council meeting(s).

The City Clerk shall list the matters according to the order of business and distribute and post the agenda(s) prior to the Council meeting(s), as early as possible. No item shall be submitted to the Council, except through the City Manager/designee or City Clerk, however,

any member of the public may address item(s) not on the agenda under “Unscheduled Public Appearances”, but due to State Statute, Council shall not discuss items not on the agenda.

**SECTION IV - PRESIDING OFFICER - DUTIES:**

The Mayor shall be the presiding officer of the Council. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council. He/she shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order. Any decision or ruling of the Mayor may be appealed to the Council as a whole by a motion and second. The Mayor shall call for roll call to see if the chair shall be upheld; if the roll call loses, the Mayor is reversed.

**SECTION V - CALL TO ORDER - PRESIDING OFFICER:**

The Mayor, or in his absence, the Vice Mayor shall call the Council to order at the scheduled meeting time. In the absence of the Mayor or Vice Mayor, the City Clerk shall call the Council to order. A temporary chair then shall be elected by the members of the Council present. When the Mayor or Vice Mayor arrives, the temporary chair shall relinquish the chair when the business immediately before the Council is finished.

**SECTION VI - ROLL CALL:**

Before proceeding with the business of the Council, the City Clerk shall call the roll of the members, and the names of those present shall be entered in the minutes.

Members of the Council may attend a Council meeting by telephone if they are too ill to attend or are out of town. Members will provide the City Clerk with three (3) hours notice of their intent to attend a meeting by telephone. In no event shall more than three (3) council members attend a council meeting by telephone. When a member of the Council attends a meeting by telephone, the Mayor shall state for the record the member of the Council who is attending the meeting by telephone, and the City Attorney, if requested to do so by any member of the Council, shall describe the procedures followed to provide the public access to all communications during the meeting.

**SECTION VII - QUORUM:**

A quorum shall consist of a majority of the members of Council; however, no action of the Council shall be valid or binding unless adopted by the affirmative vote of four or more members of the Council.

**SECTION VIII - ORDER OF BUSINESS:**

- a) The order of business at all regular meetings shall ordinarily be as follows:
  - 1) Call to Order
  - 2) Roll Call
  - 3) Invocation

- 4) Pledge of Allegiance
- 5) Scheduled Public Appearances
- 6) Unscheduled Public Appearances
- 7) Consent Agenda
- 8) Action Items
- 9) Public Hearings
- 10) Special Orders of the day
  - (a) Mayor's Announcements
  - (b) Council Members' Announcements
  - (c) City Manager's Announcements
- 11) Adjournment

The Mayor, or the Council by majority vote, may consider items out of sequence from the printed agenda. A decision by the Mayor to consider items out of sequence may be appealed to the Council in accordance with Section IV of these Rules and Procedures.

- b) The consent agenda matters are routine and may be adopted by one motion. There will be no discussion of separate items, unless members of the City Council, staff, or the public requests that a specific item be discussed or removed from the consent agenda for individual consideration.
- c) Procedures for public hearings are discussed in Section XV.
- d) Procedures for submitting petitions are discussed in Section XVI.
- e) If the City Council wishes to adjourn to a later time, the Council must pass a motion specifying the date and time to which the regular meeting is being adjourned.

A motion to adjourn shall always be in order except during roll call. When a motion is made and seconded to adjourn, any member of the Council may state why it is improper for the Council to adjourn. That statement, however, shall be debatable.

## **SECTION IX - PROCEDURES FOR DEBATE:**

On those issues requiring debate, the presiding officer shall state the issue before the Council and may call for a motion and second thereon. Unless Council by consensus determines no report is necessary, staff shall report on the issue and will respond to Council questions. Council members shall be allotted time to present their positions and concerns. Interested members of the community shall also have an opportunity to express their

positions on any issue coming before the Council. Section XI covers the proper method of addressing the Council. Council may limit the amount of time allotted for discussion.

A motion and second on the issue will be in order at any time during Council discussion. Discussion may continue after the motion is made for such period of time as is authorized elsewhere in these rules.

#### **SECTION X - RULES OF DEBATE:**

- a) **PRESIDING OFFICER MAY DEBATE AND VOTE, ETC.** The Mayor or member of the Council that is presiding may move, second and debate from the chair, subject only to such limitations of debate as are imposed on all members. The presiding officer shall not be deprived of any of the rights and privileges of a Council member.
- b) **GETTING THE FLOOR - IMPROPER REFERENCE TO BE AVOIDED.** Every member desiring to speak shall address the chair, and upon the question under debate, avoiding all personalities and indecorous language.
- c) **INTERRUPTIONS.** A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, is called to order, he/she shall cease speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed.
- d) **PERSONAL PRIVILEGE:** The right of a Council member to address the Council on a question of personal privilege shall be limited to cases in which his/her integrity, character or motives are questioned, or where the welfare of the Council is concerned. A Council member may interrupt another speaker if the Mayor recognizes the "privilege".
- e) **PRIVILEGE OF CLOSING DEBATE:** The Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

## **SECTION XI - ADDRESSING THE COUNCIL:**

Any person wishing to address the Council shall first secure permission of the presiding officer to do so. The Council may limit the length of time that a person is permitted to address the Council.

**WRITTEN COMMUNICATIONS.** Interested parties or their authorized representatives may address the Council by written communications in regard to matters under discussion.

**ORAL COMMUNICATIONS.** During the proper time on the agenda, taxpayers or residents of the City, or their authorized representatives, may address the Council on any matter concerning the City's business, or any matter over which the Council has control. Oral presentations shall not be repetitious and the Mayor may limit the length of presentations.

**AFTER MOTION MADE.** No person shall address the Council after a motion is made without first securing the permission of the Council to do so.

## **SECTION XII - DECORUM:**

- a) **BY COUNCIL MEMBERS.** While the Council is in session, the members must preserve order and decorum. A member shall neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council not disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.
- b) **BY PERSONS.** Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Council, or who interferes with the order of business before the Council, and who fails, upon request of the presiding officer to cease such activity, shall be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council.

## **SECTION XIII - ENFORCEMENT OF DECORUM:**

The City Manager shall appoint a sergeant-at-arms at the Council meetings. He/She, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at arms, to remove any person who violates the order and decorum of the meeting.

## **SECTION XIV - VOTING:**

- a) **ROLL CALL.** All votes shall be by roll call. (A device which displays the vote of each Councilmember is considered a roll call vote.)
- b) **PRECEDENCE OF MOTIONS.** When a motion is before the Council, no motion shall be entertained except: (1) to adjourn, (2) to fix hour of adjournment, (3) to lay on the table, (4) for the previous question, (5) to postpone to a certain day, (6) to refer, (7) to amend, (8) to postpone indefinitely or to (9) divide the question. These motions shall have precedence in the order indicated.

- c) **AMENDMENTS.** No more than one amendment to a main motion is permitted. When an amendment is before the Council, the Council shall vote first on the amendment. After the amendment has passed or failed, the Council shall vote on the main motion.
- d) **MOTION TO TABLE.** The purpose of this motion is to temporarily by-pass the subject. A motion to lay on the table is nondebatable and shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.
- e) **MOTION FOR PREVIOUS QUESTION.** The purpose of this motion is to close debate on the main motion. It is nondebatable, and no further discussion shall be permitted until the motion is acted upon. If the motion fails, debate is reopened; if motion passes, then the Council shall vote on the main motion.
- f) **DIVISION OF QUESTION.** If the question contains two or more divisible propositions, the Mayor may, or upon successful motion of the Council, shall divide the same.
- g) **WITHDRAWAL OF MOTION.** When a motion is made and seconded, it shall be so stated by the Chair before debate commences. A motion may not be withdrawn by the mover without the consent of the member seconding it.
- h) **CONFLICT OF INTEREST.** Council members shall abide by the provisions of A.R.S. Chapter 38, Article 3. When a Council member determines he or she has a conflict of interest, he or she shall announce such conflict and refrain from discussing or voting upon the matter.
- i) **COUNCIL MEMBER REQUIRED TO VOTE.** Council members are required to vote on all issues placed before them. A failure to vote or a voluntary abstention shall be counted an "aye" vote unless excused by State Conflict of Interest Laws.
- j) **RECORDING VOTES; TIE VOTES.** The Journal of the proceedings of the Council shall record individual's votes on all ordinances, resolutions, and franchises. In the case of a tie in votes on any motion, the motion fails.
- k) **MOTION TO RECONSIDER.** A motion to reconsider a decision on a zoning ordinance only may be made at the same meeting the decision was made or at the next Regular or Special Council meeting, but not later than thirty (30) days after the date the decision was made. If a motion to reconsider a decision on a zoning ordinance is made at the next Regular or Special Council meeting and the motion passes, the ordinance shall then be placed for decision on the agenda of the next Regular Council meeting not held in the same week. Notice of the meeting shall be posted on the affected property and an effort shall be made to notify the applicant and other persons who appeared in interest of the time and date of the meeting. A motion to reconsider any other action taken by the Council may be made at any session not later than thirty (30) days after the action was taken. A motion to reconsider must be made by one of the prevailing side, but may be seconded by any member. A question failing by virtue of a tie vote may be reconsidered by motion of any member of the Council.

**SECTION XV - PROCEDURE FOR DEBATE DURING PUBLIC HEARING:**

The following shall be the procedure during public hearings:

- 1) Staff report, if any, by the appropriate staff members and relevant questions by Council members.
- 2) Brief opening statement by the proponent Initiator explaining and advocating the item.
- 3) Testimony by members of the public who support or oppose the item will be limited to three (3) minutes per citizen unless prolonged by questions from Council members. Testimony by an applicant or a representative of the applicant, such as attorneys who represent applicants in zoning matters, will be limited to a maximum of fifteen (15) minutes total. .
- 4) Written Communications filed with the City Clerk.
- 5) Discussion by Council members. The order of recognition of Council members desiring to speak other than the Council member who authored the item shall be determined by the chair.
- 6) The Mayor may ask for a brief closing statement by the proponent Initiator.
- 7) Motion and Second. (A motion and second may be made at any time during the hearing.)
- 8) Motion to amend (if any). (A motion to amend may be made at any time after the original motion and second.)
- 9) Vote.

**SECTION XVI - PETITIONS:**

Any citizen of the City may appear before the Council at any regular meeting and present a written petition. Petitions, remonstrance's, communications and comments or suggestions from citizens present, shall be heard by the Council. All such remarks shall be addressed to the Council as a whole, and not to any member thereof. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. No question shall be asked of a Council member except through the presiding officer.

**SECTION XVII - ORDINANCE - EMERGENCY CLAUSE:**

Ordinances shall be prepared as provided for in Sections 2.13 through 2.16 of the City of Chandler Charter. Emergency shall be further defined as not including any routine matter such as establishment of fines or penalties, the authorization for contracts, rezoning of property, creation of taxes, lease of City land, amendment of the City Code, or the levy of assessments unless harm to the public can be expected from a delay of action.

**SECTION XVIII - SPECIAL COMMITTEES:**

When the Council determines that a board, commission or citizen's committee is needed the following procedure shall be used:

- a) The party proposing the creation of the board, commission or citizen's committee will prepare a memorandum defining the purpose, duties and objectives of the committee and whether it is to be an ad hoc or continuing committee.
- b) That memorandum will be submitted to the City Manager for placement on an agenda for Council discussion.
- c) The City Manager shall request the City Attorney draft an ordinance or resolution if necessary.
- d) The Council shall approve, modify, or reject the proposal.
- e) Once a board, commission, or citizen's committee's is approved the Mayor shall prepare nominations for members including their length of terms (not to exceed three years).
- f) The Mayor's nominations shall be submitted to the Council at least seven days prior to the meeting at which nominations will be confirmed.
- g) Council members may suggest alternate nominations during the meeting. Each member appointed shall be approved by a majority of the Council.
- h) If the party proposing an ad hoc committee is a Councilmember, he/she shall serve on the committee as an ex-officio member.

**SECTION XIX - USE OF STAFF:**

No Council member shall request from the City Manager any staff project that entails over two hours of staff work without seeking approval of the full City Council. This rule pertains only to an individual research request by an individual Council person.

**SECTION XX – TV AND FRANKING PRIVILEGES DURING AN ELECTION YEAR:**

During a year in which a primary and general election(s) are held, beginning 30 days prior to the primary election date and continuing through the general election date, the City shall suspend the broadcasting of any shows or the sending of any general mailings, in any form, for incumbent Council members who are a candidate for re-election to the City Council or the office of Mayor. This does not apply after the primary election if an incumbent is re-elected at the primary election date. It also does not apply to a Council member's normal correspondence to constituents when answering mail or e-mail as official business.

**SECTION XXI - ENFORCEMENT SUSPENSION, AND AMENDMENT OF RULES :**

Enforcement of these rules shall be incumbent upon the City Council of Chandler. These rules may be suspended or amended by a two-thirds vote of the City Council.

**SECTION XXII - RULES OF ORDER:**

The rules of parliamentary practice, comprised in Roberts Rules of Order, latest edition, shall govern the Council in all cases to which they are applicable, provided they are not in conflict with these Rules or with the Charter of the City of Chandler.

Adopted 9/29/2005 (Resolution No. 3884)  
Amended 3/23/2006 (Resolution No. 3955)  
Amended 3/25/2010 (Resolution No. 4392)