TEMPE CITY COUNCIL RULES OF PROCEDURE

RULE 1. GENERAL RULES

A. Rules of Journal (City Charter Section 2.10(b)): 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.

B. Written Rules, Order of Business and Procedure: The rules, order of business, and procedure of the Council shall be in writing and be available to all interested citizens.

RULE 2. CONFLICT OF INTEREST

The provisions of Arizona Revised Statutes (A.R.S.) Title 38, Article 8, §§ 38-501 to 38-511, inclusive, are incorporated herein by reference.

RULE 3. COUNCIL MEETINGS

The Council shall meet regularly at least once in every 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 Councilmembers. All meetings shall be public. Executive sessions may be held for the purposes allowed by law. Study Sessions or Issue Review Sessions are permissible to brief Councilmembers on various issues, including the items on the agenda. All public meetings and proceedings shall conform to the requirements of A.R.S. Title 38, Article 3.1, §§ 38-431 to 38-431.09, inclusive.

RULE 4. THE COUNCIL AGENDA

Staff Procedure: All reports, communications, ordinances, resolutions, contracts, documents or other matters to be submitted to the Council shall be delivered to the City Clerk.

1. The City Manager and Mayor shall review the agenda and background information material on the second day preceding the Council meeting (Tuesday, if the meeting is on Thursday). The Mayor has discretion to delete or add items to the agenda, except those items specifically requested by a Councilmember.

2. Following the agenda review, the agenda with the additions, deletions or other corrections, shall be returned to the City Clerk, who shall prepare the agenda in its final form.

3. The City Clerk shall disseminate copies of the agendas and background material to the Mayor, City Council and City Staff.

4. The agenda shall be made public in advance of the meeting both by posting in the City Clerk's Office, on the public bulletin board outside of Council Chambers at City Hall and by dissemination to public news media. Such action shall be taken concurrently with the furnishing of the agenda to individual members of the City Council.

RULE 5. ORDER OF BUSINESS

The Agenda's Order of Business shall be:

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. MINUTES
   - A. Approval of Council Meeting Minutes
   - B. Acceptance of Board & Commission Meeting Minutes
4. REPORTS AND ANNOUNCEMENTS
   - A. Mayor's Announcements
   - B. Manager's Announcements
5. AGENDA
   - A. Miscellaneous Items
   - B. Award of Bids
   - C. Ordinances and Items for Introduction and First Hearing
   - D. Ordinances and Items for Second Hearing/Final Adoption
   - E. Resolutions
6. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS
7. PUBLIC APPEARANCES – Five minute time limit per person. Speaker's visual aids or recorded visual or audio tapes will not be allowed.

RULE 6. PRESIDING OFFICER

The Mayor, or in the absence of the Mayor, the Vice Mayor, shall take the chair at the hour appointed for the Council to meet and shall immediately call the Councilmembers to order. The presiding officer shall serve as Council Parliamentarian. The City Clerk shall enter in the minutes of the meeting the names of the Councilmembers present.

RULE 7. TEMPORARY CHAIRMAN

In case of the absence of the Mayor and the Vice Mayor, the City Clerk shall call the Council to order. If a quorum is present, the Council shall proceed to elect, by a majority vote of those present, a Councilmember to chair the meeting.

RULE 8. DECORUM AND ORDER

The presiding officer shall preserve decorum and decide all questions of order, subject to appeal to the Council.

1. During Council meetings, Councilmembers shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or the Rules of the Council. Every Councilmember desiring to speak shall address the Chair and, upon recognition by the presiding officer, shall confine all comments to the question under debate and shall avoid all personalities and indecorous language. Once recognized, a Councilmember shall not be interrupted while speaking unless called to order by the presiding officer or unless a point of order is raised by another Councilmember. If a Councilmember is called to order while speaking, the Councilmember shall immediately cease speaking

until the question of order is determined. If ruled to be in order, the Councilmember shall be permitted to proceed. If ruled to be not in order, the Councilmember shall remain silent or shall alter all remarks so as to comply with the rules of the Council. Councilmembers shall confine their questions to the particular issues before the Council. If the presiding officer fails to act, any Council member may move to require the presiding officer to enforce the rules and the affirmative vote of the majority of the Council shall require the presiding officer to act.

2. The presiding officer shall have the authority to preserve decorum in meetings as far as the audience, staff members and city employees are concerned. The City Manager shall also be responsible for the orderly conduct and decorum of all city employees under the manager's direction and control. Any remarks shall be addressed to the Chair and to any or all Councilmembers. Without permission from the presiding officer, no staff member, other than the staff member who has the floor, shall enter into any discussion, either directly or indirectly.

3. Citizens attending Council meetings shall also observe the same rules of propriety, decorum and good conduct applicable to members of the Council. Any person making personal, impertinent, and slanderous remarks, or who becomes boisterous while addressing the Council or while attending the Council meeting, shall be removed from the room if the Sergeant-at-Arms is so directed by the presiding officer. Unauthorized remarks from the audience, stomping of feet, whistles, yells, or similar demonstrations shall not be permitted by the presiding officer, who shall direct the Sergeant-at-Arms to remove such offenders from the room. Should the presiding officer fail to act, any member of the Council may move to require the presiding officer to enforce the rules, and the affirmative vote of the majority of the Council shall require the presiding officer to act. Any members of the public desiring to address the Council shall be recognized by the Chair, shall state their name and address in an audible tone for the record, and shall limit their remarks to the questions under discussion. Any remarks shall be addressed to the Chair and to any or all Councilmembers.

RULE 9. RIGHT OF APPEAL

Any Councilmember may appeal a ruling of the presiding officer to the Council. If the appeal is seconded, the Councilmember making the appeal may briefly state the reason for the same, and the presiding officer may briefly explain the ruling, but there shall be no debate on the appeal, and no other Councilmember shall participate in the discussion. The presiding officer shall then ask the question, "Shall the decision of the Chair be sustained?" If a majority of the Councilmembers present vote "Aye", the ruling of the Chair is sustained, otherwise it is overruled.

RULE 10. LIMITATION OF DEBATE

Without permission of the presiding officer, no member of the Council or Public shall be allowed to speak more than once upon any one subject until all Councilmembers have had an opportunity to speak, nor for a longer time than five minutes. Citizen groups shall be represented in presentation to the Council by one of its members.

RULE 11. ROLL CALL VOTE BY LOT

The roll shall be taken for ayes and nays upon any questions before Council. It shall be out of order for members to explain their vote during the roll call. There shall be no additional debate or speaking on the subject after the vote is taken. All roll call votes shall be taken by lot.

RULE 12. MOTIONS TO BE STATED BY CHAIR – WITHDRAWAL

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 Councilmember seconding it.

RULE 13. MOTIONS OUT OF ORDER

The presiding officer may not at any time permit a Councilmember to introduce an ordinance, resolution, or motion out of the regular order as set forth in the agenda.

RULE 14. MOTION TO ADJOURN, WHEN NOT IN ORDER, NOT DEBATABLE

A motion to adjourn shall be in order at any time, except as follows:

a. when repeated without intervening business or discussion;
b. when made as an interruption of a member while speaking;
c. when the previous question has been ordered; and
d. while a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

RULE 15. MOTION TO LAY ON TABLE

A motion to lay on the table shall preclude all amendments or debate on the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon motion of a Councilmember voting with the majority of the members present.

RULE 16. DIVISION OF QUESTION

If the question contains two or more separate propositions, the presiding officer may, and upon request of a Councilmember, shall divide the same.

RULE 17. AMEND AN AMENDMENT

A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

RULE 18. RECONSIDERATION

After the decision on any question any Councilmember who voted with the prevailing side may move for reconsideration of any action at the same or at the next succeeding meeting, provided,

however, a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall require a 2/3 vote of all Councilmembers, whether present or not, not disqualified from voting by a conflict of interest, but, in no event, by less than four affirmative votes.

RULE 19. RESCIND

After the time for reconsideration has expired, any Councilmember who voted with the prevailing side may move to rescind any action. A motion to rescind shall require a 3/4 vote of all Councilmembers, whether present or not, not disqualified from voting by a conflict of interest, but, in no event, by less than four affirmative votes.

RULE 20. SUSPEND THE RULES

These Rules may be suspended with previous notice by a 2/3 vote of all Councilmembers, whether present or not. A motion to suspend these Rules without previous notice shall require unanimous consent.

RULE 21. AMEND THE RULES

These Rules may be amended with previous notice by a 2/3 vote of all Councilmembers, whether present or not. A motion to amend these Rules without previous notice shall require unanimous consent.

RULE 22. WHAT OTHER RULES SHALL GOVERN

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