

# **RULES OF COUNCIL PROCEEDINGS**



**City of Phoenix**

**FEBRUARY 2009**

## INTRODUCTION

This brochure was designed to provide these rules to the Mayor and Council, City staff, and the citizens an efficient, easy-to-reference format.

Detailed information about Phoenix City Council meetings is also available in the City Clerk Department. These materials include procedures for placing items on Council Agendas, compliance requirements for the Open Meeting Law, and information on the City's Lobbyist Ordinance. Please feel free to contact City Clerk Department staff regarding any questions pertaining to Phoenix City Council Meetings which are not covered in this brochure. For further information on any of these subjects, please contact the City Clerk Department at 602-262-6557.

Upon request, the City Clerk Department will make this publication available through appropriate auxiliary aids or services to accommodate an individual with a disability by calling the City Clerk Department, (602) 262-6557; faxing a request to (602) 534-4393; or calling TTY number (602) 534-2737.

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**PHOENIX CITY CODE  
CHAPTER 2, ARTICLE II  
RULES OF COUNCIL PROCEEDINGS**

In accordance with the provisions of Chapter IV, Section 7 of the Charter of the City of Phoenix, the Rules of Council Proceedings were established and incorporated into the Code of the City of Phoenix, 1969; Chapter 2, Administration; Article II, City Council, as follows:

**RULE 1. APPLICABILITY**

The proceedings of the Council of the City of Phoenix shall be governed by these Rules, resorting to the latest standard edition of Robert's Rules of Order, if necessary.

**RULE 2. MEETINGS [1]**

- (a) The Council shall meet regularly as follows: [2]
  - (1) Policy Sessions to receive information and determine policy at 2:00 p.m. each Tuesday.
  - (2) Formal Meetings to consider and act on general business at 3:00 p.m. each Wednesday.
  - (3) Zoning Meetings to consider and act on zoning matters at 5:00 p.m. on Wednesdays, according to the adopted zoning calendar.
- (b) Special meetings may be called by the Mayor or three Council Members. [3]
- (c) Meeting times, dates, and locations may be changed, or meetings may be canceled by the Mayor or a majority of the Council. [4]

**RULE 3. ORDER OF BUSINESS FOR FORMAL MEETINGS**

The business of all Formal Meetings, except zoning, shall be transacted in the following order:

- (a) Roll call of members;
- (b) Approval of minutes of the preceding meeting;
- (c) Administering oaths to Board and Commission members;
- (d) Consideration of bids;
- (e) Liquor license applications;
- (f) Petitions, communications, and public hearings;
- (g) Consideration of old business;

- (h) Formal recorded actions;
- (i) Reading and passage of ordinances and resolutions;
- (j) Consideration of new business;
- (k) Reports from the City Manager, committees, or city officials.

#### **RULE 4. POLICY SESSIONS**

- (a) The Policy Agenda shall be set by the Mayor, provided that an item also shall be placed on the Policy Agenda upon the written request of four Council Members.
- (b) The Policy Agenda shall include time for Council Members to request information from City staff.
- (c) The Policy Agenda shall include a Consent Agenda set by the Mayor, which shall be adopted, rejected or continued without discussion.
- (d) Items, except those relating to the removal of Board or Commission Members, shall be removed from the Consent Agenda upon the request of any Council Member prior to 5:00 p.m. of the day preceding the Policy Session.

#### **RULE 5. GENERAL PROCEDURES**

- (a) A majority of the members of the Council shall constitute a quorum. [5]
- (b) The Mayor shall be the presiding officer [6] and have a voice and vote in all Council proceedings. During the absence or disability of the Mayor, the Vice Mayor shall act as Mayor. [7] During the absence or disability of both Mayor and Vice Mayor, the Council shall elect a presiding officer for all meetings.
- (c) Members shall occupy seats assigned by the Mayor.
- (d) Council Members may request additional information on any Formal Agenda items no later than the Tuesday Policy Session preceding the Formal Meeting.
- (e) No more than one amendment to a motion shall be permitted.
- (f) Any member, at any time, may request a roll call vote.
- (g) Council Members shall not be excused from voting. A failure to vote or a voluntary abstention shall count as an “aye” vote unless excused by an announced conflict of interest. [8]

- (h) The Journal of the Proceedings of the Council shall record individual votes on all ordinances, resolutions, franchises, and formal actions. [9] For voice votes of ayes and nays that are not unanimous, the Mayor shall indicate the individual votes. The Mayor may require that Council Members' votes be clarified.
- (i) In the case of a tie in the vote on any measure, the measure shall be considered defeated.
- (j) A motion to reconsider any measure may be made only by a member on the prevailing side.

## **RULE 6. DEBATE AND DECORUM**

- (a) When a measure is presented for consideration, the presiding officer shall recognize the appropriate person or persons to present the matter.
- (b) Council Members may speak after recognition by the presiding officer. The presiding officer shall not unreasonably withhold such recognition; however, the presiding officer may not recognize similar repetitive discussions or motions which would delay the meeting.
- (c) When two or more members of Council wish to speak, the presiding officer shall determine the order of speaking and recognize the first speaker.
- (d) While a member of the City Council is speaking, no other member shall interrupt except to make a point of order or point of personal privilege.
- (e) When a motion is made and seconded, the presiding officer shall insure that the debate is confined to the motion.
- (f) The Council may agree to limit debate on any matter before it. A limit may be formalized by a majority vote of the Council, or the presiding officer may announce time limits on any agenda item.
- (g) Any member may call for the previous question on any issue under debate. The call for previous question must receive a second and then receive at least a two-thirds vote. Passage of a motion to address the previous question terminates all debate on the original motion. The Council shall immediately vote on such motion.
- (h) If a member breaks these rules, the presiding officer shall, or any Council Member may, call that member to order. The member so called shall immediately cease speaking, but may appeal to the Council. The Council shall decide the appeal without debate. If the appeal is granted, such member may continue speaking. If the appeal is denied, such member shall remain silent. Such offender is subject to censure or other punishment as the Council, by a three quarters vote, deems just and proper under the law.

## **RULE 7. ENFORCEMENT, SUSPENSION OF RULES**

- (a) These rules shall be enforced by the presiding officer, subject to an appeal to the Council.
- (b) Unless otherwise provided by law, these rules may be suspended or modified at any time by a majority vote of the Council.

## **RULE 8. CITIZEN COMMENTS**

Immediately after adjournment or recess of the regular weekly Formal Meeting, any member of the public may address the Council to comment on issues of interest or concern to them. A quorum of the City Council may or may not be present, but in either event, no decisions will be made and no action on any issue raised will be taken.

## **RULE 9. OPEN MEETINGS LAW**

The Council and its committees, subcommittees and ad hoc committees shall hold all meetings and conduct all business in accordance with the provisions of the Arizona Open Meetings Law, A.R.S. § 38-431 et seq.

## **RULE 10. CONFLICT OF INTEREST**

Each member shall comply with the Arizona Conflict of Interest Law, A.R.S. § 38 501 et seq. When a member recognizes a potential conflict of interest, the member shall disclose the interest giving rise to the potential conflict and refrain from voting or participating in any manner in the disposition of the matter.

## **RULE 11. EMERGENCIES**

Emergencies shall be handled as provided by the Charter, Chapter 4, Section 14 and Chapter 5, Section 4; the City Code, Administration Article II, Section 2-79 and the provisions of the Arizona Open Meeting Law.

## **RULE 12. USE OF STAFF**

No Council Member shall request any staff project requiring over eight hours of staff work without first seeking approval of the full City Council.

## **RULE 13. SUBCOMMITTEES**

- (a) The Mayor may establish, modify and terminate subcommittees of the Council and charge them with their powers, duties and responsibilities. Subcommittee membership shall not exceed four. The Rules of Council Proceedings shall govern all subcommittee proceedings.

- (b) The Mayor may refer matters to subcommittees for the purpose of collecting information, providing analysis and making recommendations to the Council. Subcommittees may conduct public hearings on matters referred to them.
- (c) The Mayor shall appoint and remove the members and chairperson for each subcommittee. Only the Mayor and Council Members may serve on a subcommittee. The Mayor shall be a non voting ex-officio member of all subcommittees, unless otherwise designated.
- (d) The subcommittee chairperson shall determine the agenda for subcommittee meetings consistent with the subcommittee's charge.
- (e) The Mayor may establish, modify, and terminate ad hoc committees of the Council and charge them with their powers, duties and responsibilities. The Mayor shall appoint and remove the members and chairperson for each ad hoc committee. Membership of ad hoc committees may include citizens and up to four Council Members. Ad hoc committees shall be established to study, review and make recommendations regarding specific issues designated by the Mayor. Ad hoc committees shall be established only for a limited, clearly defined, time and at the end of the designated time shall automatically be abolished unless the time is extended by the Mayor.
- (f) The Mayor shall file with the City Clerk a list of all subcommittees and ad hoc committees, together with each subcommittee's and ad hoc committee's members, chairperson and charge. Any changes in subcommittee or ad hoc committee information shall also be filed with the City Clerk.

## FOOTNOTES

- [1] Charter, Chapter IV, Section 19, requires the Council to meet at least once a month.
- [2] Charter, Chapter IV, Section 4, requires the Council to provide for the time and place of its regular meetings.
- [3] Charter, Chapter IV, Section 4, requires the Council to provide the manner in which special meetings will be called. Charter, Chapter IV, Section 20, provides that special meetings may be called by the Mayor or three Council Members.
- [4] Meetings are not usually held during the fourth week of any month.
- [5] Charter, Chapter IV, Section 6, establishes a majority of the Council as a quorum.
- [6] Charter, Chapter IV, Section 3, provides that the Mayor preside at Council meetings.
- [7] Charter, Chapter III, Section 5(A), provides that in the Mayor's absence the Vice Mayor shall act as Mayor pro tempore.
- [8] Charter, Chapter IV, Section 23, requires Council Members to vote on all matters.
- [9] Charter, Chapter IV, Section 9, requires Council votes to be recorded in the Journal of the Proceedings of the Council.