

**CITY OF BUCKEYE  
RULES OF PROCEDURE**

**AMENDED AND RESTATED  
JANUARY 3, 2017**

## **SECTION 1 RULES OF PROCEDURE / AUTHORITY**

### **1.1 PROCEDURES**

The following are the basis for and are used in conjunction with these Rules of Procedure for meetings of the City Council:

- A. Arizona Open Meetings Law (ARIZ. REV. STAT. § 38-431 *et seq.*, as amended)
- B. City Code

## **SECTION 2 COUNCIL RELATIONS**

### **2.1 COUNCIL EXPECTATIONS OF THE CITY MANAGER'S OFFICE AND MANAGEMENT STAFF**

- A. Staff members agree that members of the Council deserve the highest level of professional support that staff can offer.
- B. Staff should treat members of the Council equally by providing them with the same access to City-related information.
- C. Staff will ensure that the City Manager's Office is kept informed when Council Members become involved in any City matter.
- D. The City Manager's Office will implement Council-adopted goals and objectives.
- E. The City Manager's Office will assign the appropriate management staff to Council-related projects outside of Council-adopted goals; ensuring professional attention is given to the project, and avoids creating duplicate efforts among staff.
- F. The City Manager's Office will make commitments to support members of the Council, and ensure that staff will return contact from members of the Council within 24 hours.

### **2.2 EXPECTATIONS OF COUNCIL**

- A. Members of the City Council will always distinguish between City-related work and personal interest/political work, and understand that it is inappropriate for staff to become involved in the latter; city staff is prohibited pursuant to A.R.S. § 9-500.14.
- B. Members of the City Council will be aware of conflicts of interest and will seek advice from the City Manager, City Clerk, and/or City Attorney when in doubt.

- C. When a member of the City Council serves on a committee and cannot attend a meeting at which formal action is to be taken, the member of the City Council will notify the Assistant to the Mayor and Council as soon as possible. The Assistant to the Mayor and Council will work with the rest of Council to find a voting substitute and prepare that member of the City Council for the meeting.
- D. Council understands that the entire Council will be briefed through appropriate staff on the outcome of any City-related meeting.

### **2.3 COUNCIL CONDUCT WITH CITY STAFF**

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implement and administer the Council's policies.

- A. Provide staff with clear, honest communication.
- B. City staff is accountable to their supervisors. Questions of City staff and/or requests for additional background information should be directed only to the Assistant to the Mayor and Council, who will work with the City Manager and staff to provide requested information. Information supplied to a member of the Council in response to a request will be made available to all members of the Council so that all have equal access to information.
- C. Council should refrain from publicly criticizing an individual employee or department. Comments made directly to staff could violate the City's personnel rules and limit the City's ability to fairly and efficiently address personnel matters. Concerns related to staff or department performance should be directed to the City Manager.
- D. Members of the City Council should not influence ordinary functions of the City or staff.
- E. Staff support will be provided to all members of the Council by Council staff.
- F. It is illegal to solicit political support from staff. Staff is prohibited from participating in political activity for City elections while on duty. This includes City property of any kind, (land, resources, and staff). Specific questions shall be directed to the City Attorney or through the City Clerk's Office.

### **2.4 UNOFFICIAL SETTINGS**

Behavior of public officials is constantly observed and scrutinized by the public, media, and other community leaders. Always remember that members of Council represent a single vote. Promises on behalf of Council or the City are inappropriate.

- A. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. Please direct questions and concerns to the City Manager or through the Assistant to the Mayor and Council.

- B. Refrain from making personal comments about other members of the Council. It is acceptable to publicly disagree about an issue; however, it is unacceptable to make derogatory comments about other members of the Council, their opinions, and actions.
- C. It is important to distinguish between personal interests and when interests of the City are represented in an official capacity.

## **2.5 COUNCIL CONDUCT WITH OTHER PUBLIC AGENCIES**

- A. When appearing or speaking before another governmental agency or organization to give a statement on an issue, make clear if the statement reflects personal opinion or is the official stance of the City. When making statements be aware of Open Meeting Law violations.
- B. If the Councilperson is representing another organization whose position is different from the City, the Councilperson should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Members of the Council should be clear about which organizations they represent and inform the City Council of their involvement.
- C. Correspondence should be equally clear about representation. City letterhead may be used when the official is representing the City and the City's official position. A copy of all official correspondence shall be given to the City Clerk to be filed as part of the permanent public record. Again, be aware of Open Meeting Law.

## **2.6 COUNCIL CONDUCT WITH THE MEDIA**

Members of the City Council are frequently contacted by the media for background and quotes. The Mayor is the designated representative of the Council to present and speak on the official City position. Never go "off the record" when making statements. Choose words carefully and cautiously. Comments may be taken out of context resulting in unintended issues.

## **SECTION 3 CODE OF ETHICS**

### **3.1 COUNCIL MEMBERS BEHAVIOR AND CONDUCT**

- A. It is the responsibility of the Mayor to initiate action if a Council Member's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be placed on a Council Agenda for a public meeting at the request of three Members of Council.
- B. Members of the Council should point out to the offending member of Council infractions or other intentional and repeated inappropriate conduct. If the offenses continue, then the matter should be referred to the Mayor privately. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Vice Mayor.

- C. Members of the Council who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Buckeye and with intergovernmental agencies) or have official travel restricted.
- D. If a violation or other inconsistent conduct is outside of the observed behaviors by the Mayor or Council Members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Manager and/or the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation; the investigation and its findings, as well as to recommend sanction options for Council consideration. Videotaping of the complaint hearing should be used for a Council ad hoc subcommittee.

### **3.2 IMPROPER USE OF OFFICE FOR PERSONAL GAIN**

Public officers and employees are prohibited from using or attempting to use their official positions to secure valuable things or benefits for themselves.

## **SECTION 4 MEETINGS**

Provisions set forth in Open Meeting Law apply to all meetings (ARIZ. REV. STAT. § 38-431 *et seq.*, as amended).

### **4.1 REGULAR MEETINGS**

- A. The City Council of the City of Buckeye shall hold Regular Meetings at 6:00 p.m. on the first and third Tuesday of each month, in the Council Chambers located at 530 E. Monroe Avenue, or another place, date, or time as determined by the City Council. Cancelled Meetings will be approved by Council action; at least one regular meeting a month must be held and notice of a cancelled or rescheduled meeting shall be legally posted. All regular meetings of the Council shall be held in the Council Chambers of the city, unless otherwise noticed by the city.
- B. When the day for a Regular Meeting of the City Council falls on a legal holiday, no meeting shall be held on such holiday, but said meeting may be held at the same time and the same location on the next succeeding business day thereafter that is not a holiday or at such other time as designated by the City Council. The City will take appropriate action to publicly announce such a change.
- C. The members of the Buckeye City Council may attend either in person or by telephone conference call. Arrangements will be made, as necessary, to appear by telephone through the Assistant to the Mayor and Council and the City Clerk.

- D. The City Clerk shall prepare the Agendas for all meetings of the City Council or as directed by the Mayor through the City Manager. Meeting Agenda formats are amended at the discretion of the City Clerk.

## **4.2 AGENDA**

The typical format of the Regular Agenda shall be as follows:

- 1. Call to Order/Invocation/Pledge of Allegiance/Roll Call** (All meetings of the City Council shall be called to order by the Presiding Officer.)
- 2A. Comments from the Public** (Time limited to three minutes per speaker at the discretion of the presiding officer.)
- 2B. Awards/Presentations/Proclamations**
- 3. Minutes (Approval)**
- 4. Expenditures (Ratify)**

### **\*5. CONSENT AGENDA ITEMS**

**Approval of items on the Consent Agenda - All items with an (\*) are considered to be routine matters and will be enacted by one motion and vote of the City Council. There will be no separate discussion of these items unless a member of the Council requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.**

- 6. Continued/Tabled Items**
- 7. Public Hearings/Non-Consent – New Business**
- 8. City Manager’s Report and Government Relations**
- 9. Comments from Mayor and Council Members and Reports** (The Mayor and Council Members may present or discuss information on current events or items listed on the posted.)
- 10. Adjournment** (The open public meetings of the City Council may be adjourned by a motion to adjourn, a second, and an affirmative vote of the majority vote.)

## **4.3 COUNCIL PACKETS**

City Council packets, in electronic format, are generally delivered 2 weeks in advance of each meeting; updates are provided as necessary.

#### **4.4 PUBLIC COMMENT**

- A. Members of the public attending the City Council Meetings shall observe the same rules of order and decorum applicable to the City Council. Unauthorized remarks or demonstrations from the audience, such as applause, stamping of feet, whistles, boos, yells, and/or other demonstrations shall not be permitted. The Presiding Officer may, after issuing a verbal warning to persons causing such disturbances, direct a police officer to remove such offender/s from the meeting.
- B. Any member of the public desiring to address the City Council shall proceed to the podium after having been recognized by the Presiding Officer. At the podium, he/she shall clearly state his/her name and address for the Record.
- C. After the motion has been made, or after a Public Hearing has been closed, public comment shall not be allowed without a request from a Council Member or the Presiding Officer.
- D. The making of oral communications to the City Council by any member of the public during the “Unscheduled Public Appearance” or under an action item, shall be subject to the following limitations:

By policy, the City Council will refrain from commenting on the remarks given during “Unscheduled Public Appearances” but may direct staff to prepare a discussion or action agenda item at a future City Council meeting.

#### **4.5 SPECIAL MEETINGS**

At the request of Mayor and/or three Council Members, a Special Meeting of the City Council may be called and legally posted.

#### **4.6 WORK SESSIONS**

Work Sessions are held for the purpose of presentations and discussions on such issues that require more in-depth consideration of the City Council than may be possible at a Regular Meeting. No formal action of the City Council may be taken at such meetings, other than general discussion or conveying direction to Staff for further action.

#### **4.7 EMERGENCY MEETINGS**

As provided for in State law, the City Council may call a Special Emergency Meeting to discuss or take action on an unforeseen issue where time is of the essence and there is not sufficient time for posting of a meeting notice 24 hours or more before the meeting. Notice of an Emergency Meeting of the City Council will be posted within 24 hours following the holding of an Emergency Meeting. The Notice will include the Agenda and a brief but complete description of the nature of the emergency. Notices of Emergency Meetings shall be provided as required by law.

#### **4.8. EXECUTIVE SESSION**

The City Council may hold an Executive Session pursuant to ARIZ. REV. STAT. § 38-431 *et seq.*, as amended.

#### **4.9 PREPARATION AND POSTING PUBLIC NOTICES/AGENDAS**

- A. The City Clerk shall post official notices in accordance with Open Meeting Law.
- B. Official Notices shall, at a minimum, be posted in the following locations:
  - 1. City Hall, 530 East Monroe Avenue, Buckeye, AZ 85326
  - 2. City Website

#### **4.10 MINUTES OF COUNCIL MEETINGS**

- A. The City Clerk's office shall attend all Regular, Special, Work Session, Executive Session, and Emergency Meetings of the City Council for the purpose of creating official minutes.
- B. Written action Minutes instead of verbatim Minutes shall be taken so that a brief accounting of the issues discussed and actions taken are compiled and entered into the permanent records of the City and kept on file in the Office of the City Clerk. The Minutes shall reflect attendance of all members of Council for the entire meeting (if a member of the Council arrives late or leaves early, then the Minutes should reflect when the member of the Council arrived/left). Open Meetings may be recorded by means of audio or video technology.
- C. All Minutes of the City Council are deemed to be Public Records. Executive Session Minutes are deemed confidential and are only available under limited conditions or by court order.

#### **4.11 ELECTRONIC COMMUNICATIONS DURING MEETINGS**

Electronic Communication by Council to public, staff, and/or members of Council during meetings is strictly prohibited and may be a direct violation of Open Meeting Law.

### **SECTION 5 RULES/DECORUM/ORDER**

#### **5.1 PARLIAMENTARIAN**

City Council Meetings: The City Attorney shall serve as Parliamentarian for all City Council Meetings. The City Manager shall act as Parliamentarian in the absence of the City Attorney; and the City Clerk shall act as Parliamentarian in the absence of both the City Attorney and City Manager.

## **5.2 PRESIDING OFFICER**

Pursuant to Buckeye City Code Section 2-2-4, the Mayor is the Presiding Officer of all meetings of the City Council; in the absence of the Mayor, the Vice Mayor serves as the Presiding Officer; in the absence or disability of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the City Clerk, whereupon, the City Clerk shall immediately call for the selection of a temporary Presiding Officer. The Council Members present shall, by majority vote, select a Presiding Officer for that meeting. Upon the arrival of the Mayor or the Vice Mayor, the chair shall be relinquished upon the conclusion of the business immediately before the Council.

The Presiding Officer may move, second, debate and vote from the Chair, and limitations of debate are as imposed on all members of the City Council, and he/she shall not be deprived of any of the rights and privileges of membership in the City Council by reason of his/her acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. The Presiding Officer may call a recess/break if necessary during the course of a Public Meeting.

During a City Council Meeting, no person except City Officials shall be permitted within the area in front of the City Council without the invitation or consent of the Presiding Officer.

### **A. QUESTION TO BE STATED**

The Presiding Officer shall verbally restate each question immediately prior to calling for discussion and/or the vote. Following the vote, the Presiding Officer shall verbally announce whether the question carried or was defeated. The Presiding Officer may also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

### **B. MAINTENANCE OF ORDER**

The Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak unless they have first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer. When two or more Council Members wish to speak, the Presiding Officer shall determine the order of speaking and recognize the first speaker. While a Council Member is speaking, no other Council Member shall interrupt except to make a point of order or point of personal privilege.

## **5.3 POINTS OF ORDER**

The Presiding Officer shall, after consultation with the Parliamentarian, determine all Points of Order, subject to the right of any Council Member to appeal to the entire City Council. If any appeal is taken, the question (motion) shall be: "Shall the decision of the Presiding Officer be sustained?" In which event, following a second, a majority vote shall govern, and conclusively determine such question of order.

- A. When a motion is made and seconded, the Presiding Officer shall ensure that the debate is confined to the motion. The maker has the right to modify his motion as he pleases, or to withdraw it entirely. If the motion is modified, the member who has seconded it has the right to withdraw his second.
- B. The City Council may agree to limit debate on any matter before it. A limit may be formalized by a majority vote of the City Council, or the Presiding Officer. With the consensus of a majority of the City Council, the Presiding Officer may announce time limits on any Agenda item.
- C. Any Council Member may call for a previous question on any issues under debate. The call for previous question must receive a second and then receive at least a majority vote. Passage of a motion to address the previous question terminates all debate on the original motion. The City Council shall immediately vote on such motion.
- D. The City Council will not tolerate harassment, personal attacks, or discrimination against each other or by members of appointed Boards, Commissions or Committees and staff. No one should be subject to unwelcome verbal or physical conduct that shows hostility based upon gender, race, ethnicity, sexual orientation, religion, age, disability, or national origin. Any City Council appointee who violates this provision will be subject to removal.
- E. If a Council Member acts in violation of these rules, the Presiding Officer shall, or any Council Member may, call that Council Member to order. The Council Member so called shall immediately cease speaking, but may appeal to the City Council. The City Council shall decide the appeal without debate. If the appeal is granted, such Council Member may continue speaking. If the appeal is denied, such Council Member shall remain silent. Any Council Member acting in violation of these rules is subject to censure or other punishment as the City Council, by a three quarters vote of the other Council Members present, deems just and proper under the law.

## **SECTION 6 VOTING PROCEDURE**

### **6.1 CASTING A VOTE**

- A. In acting upon every motion, the vote shall be taken by casting an aye/nay vote by voice, roll call, or any other method as determined by the Presiding Officer from which the vote of each member of the Council can be clearly identified.
- B. If the roll call method of voting is used, the City Clerk shall call the names of all members with the Presiding Officer called last. Each member of Council shall respond “Aye” or “Nay”. It shall be out of order for members to explain their vote during the roll call. Comments should be made during the discussion. There shall be no additional debate or speaking on the subject after the vote is taken.

## **6.2 FAILURE TO VOTE**

All members of the City Council in attendance at a duly called meeting that requires formal City Council action are expected to vote, unless the issue involves the conduct of that member of the Council or a matter upon which that member of Council has declared a Conflict Of Interest. In the event there is an abstention from voting, such vote will not be counted either as an aye or nay vote; it has the effect of not voting at all.

## **6.3 RECONSIDERATION**

Any member of the Council who voted with the majority may move for reconsideration of any action at the same or the next available City Council Meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without the unanimous consent of the City Council.

## **6.4 TIE VOTES**

On a tie vote, a motion requiring a majority vote for adoption is a lost motion, except in the case of an appeal from official action; when all members of the Council are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal, unless City Council takes other action to further consider the matter.

## **SECTION 7 CONFLICT OF INTEREST**

### **7.1 INTRODUCTION**

Occasionally, a member of the Council may find himself/herself in a situation which requires that the member of Council remove himself/herself from participation in discussion and voting on a matter before the Council. This situation exists when the member of the Council has a “conflict of interest” as defined by State law pertaining to conflicts of interest (the “Arizona Conflict of Interest Laws”). This law establishes minimum standards for the conduct of public officers and employees who, in their official capacity with the City, are, or may become involved with, a decision which might unduly affect their personal interests or those of their relatives.

### **7.2 PURPOSE OF CONFLICT OF INTEREST LAWS**

The purpose of Arizona’s Conflict of Interest Law is to prevent self-dealing by public officials and to remove or limit any improper influence, direct or indirect, which might bear on an official’s decision, as well as to discourage deliberate dishonesty.

### **7.3 APPLICABILITY OF THE ARIZONA CONFLICT OF INTEREST LAW**

The Arizona Conflict of Interest Law, as now set forth or as amended in the future, applies to all actions taken by members of the Council.

## **7.4 DISCLOSURE OF INTEREST**

Any member of the Council who may have a conflict of interest should seek the opinion of the City Attorney as to whether a conflict exists under the Arizona Conflict of Interest Law. Any member of the Council who has a conflict of interest in any decision must disclose that interest. The member of the Council may either file a signed written disclosure statement fully disclosing the interest, or declare the existence of the conflict and the reasons therefore at a City Council Meeting and then ensure that a copy of the Minutes is filed in the City Clerk's Office in the file containing Conflict of Interest disclosures. The disclosure of the conflict shall include a statement that the member of the Council withdraws from further participation regarding the matter. The City Clerk shall maintain for public inspection all documents necessary to memorialize all disclosures of a conflict of interest by any member of the Council. Violations of the conflict of interest provisions set forth herein shall be punished as provided for in state law.

## **7.5 WITHDRAWAL FROM PARTICIPATION**

Having disclosed the conflict of interest and withdrawn in the matter, the member of the Council must not communicate about the matter with anyone involved in the decision making process in any manner. Further, the member of the Council should not otherwise attempt to influence the decision and may remove himself/herself from the City Council dais while the matter is considered.

## **7.6 RULE OF IMPOSSIBILITY**

In the unlikely situation the majority of members of the City Council have a conflict of interest and the City Council is unable to act in its official capacity; members may participate in the City Council's decision after making known their conflicts of interest in the official records.

## **SECTION 8 COUNCIL BUDGET, EXPENSES, AND FINANCIAL DISCLOSURE**

- A. The City Council shall adopt, as part of the annual budget, specific travel and expense budget amounts.
- B. Travel and expense requests shall be submitted to the Assistant to the Mayor and Council, who will then properly process the request pursuant to internal policies and procedures.
- C. Financial Disclosure Statements shall be filed with the City Clerk on a form prescribed by the Secretary of State and consistent with standards of financial disclosure under state law.

## **SECTION 9 BOARDS, COMMISSIONS AND COMMITTEES**

The City Council may create such Boards, Commissions, and Committees, regularly scheduled or unscheduled, as it deems necessary to assist in the conduct of the operation of City government. Members of City Boards, Commissions, and Committees shall be appointed by the Council, shall perform such duties as the Council may require, and shall serve at the pleasure of Council.

Any Board, Commission or Committee created shall cease to exist (i) upon the accomplishment of the special purpose for which it was created (ii) when abolished by a majority vote of the City Council or (iii) as dictated by the City Code.

Except as otherwise provided by ordinance or statute, the recommendations prepared by a Board, Commission, or Committee shall be advisory only and shall be not be binding upon the final actions of the Council.

### **9.1 SELECTION OF BOARD, COMMISSION OR COMMITTEE MEMBERS**

- A. A call for applications to fill vacant seats to Boards, Commissions and Committees shall be advertised as the Clerk deems appropriate via government access channel, newspaper advertising, website and other means as available to the City.
- B. Individuals applying for Boards, Commissions or Committees must fill out and submit the City application form to the City Clerk. The City Clerk will forward the applications to the Assistant to Mayor and Council, who will then forward the application to the appropriate Council liaison and staff liaison.
- C. The Council liaison and staff liaison to that Board, Commission or Committee will review the application(s) and interview the applicant(s) as deemed necessary.
- D. After review and consideration, the Council liaison and staff liaison to that Board, Commission or Committee shall announce and submit their recommendation to the Assistant to the Mayor and Council, who will then forward the recommendation to Mayor and Council.
- E. The City Clerk, in coordination with the staff liaison, shall prepare an Agenda item for the next appropriate City Council Meeting after the recommendation(s) to fill open Board, Commission or Committee seat(s) has been announced.
- F. The staff liaison shall notify recommended applicants for the open seat(s) of the recommendation that he/she is a candidate for appointment. The staff liaison shall request that recommended candidates be present when the recommendation is presented to the City Council as a scheduled Agenda item.

- G. The staff liaison will notify the appointees in writing as to their appointment and the next meeting date of the new member's Board, Commission or Committee scheduled meeting. Included in this notification is any official literature, agendas, minutes or other materials specific to the Board, Commission or Committee appointment. All newly appointed members are responsible for reading and becoming familiar with all material provided by the staff liaison, to include these Rules of Procedure. The City Clerk will swear in all newly appointed members prior to acting in the capacity as a body member.

## **9.2 QUALIFICATIONS FOR APPOINTMENTS; EMPLOYEES OR APPOINTED OFFICERS AS MEMBERS**

- A. All members of Boards, Commissions and Committees shall meet the following minimum qualifications upon their appointment to any board, commission or committee. Each member must be:
1. Eighteen years of age or older, except for seats designated by City Council for youth representation.
  2. A Buckeye resident for at least one year.
  3. A registered voter, except for seats designated by City Council for youth representation.
- B. City employees or appointed officers shall not be eligible for appointment to any Boards, Commissions, or Committees but may be requested to provide staff support thereto.

## **9.3 TERMS, VACANCIES, REMOVAL, REAPPOINTMENTS**

- A. All members of *unscheduled* Boards, Commissions and Committees shall serve a term of up to three (3) years, or until the Board, Commission or Committee is dissolved, unless terms are specifically designated by City Council action or by State law.
- B. All members of *regularly* scheduled Boards, Commissions and Committees shall serve four (4) year terms, with the terms of the members so staggered that the terms of less than a majority number of members shall expire in any one year; provided, however, that no staggering of terms shall be required for any Board, Commission or Committee that will be in existence for a single term. Terms shall expire, when possible, in the month of December.
- C. No individual may serve as a voting member on more than two (2) regularly scheduled or unscheduled Boards, Commissions and Committees at one time.
- D. A vacancy on a Board, Commission or Committee shall be deemed to have occurred upon the following:
1. Death or resignation of a member of a Board, Commission or Committee.

2. A member ceasing to be a Buckeye resident.
  3. A pattern of documented unexcused absences by a member from Board, Commission or Committee meetings.
  4. A member serves two consecutive four-year terms.
- E. Any Board, Commission or Committee member may be removed as a member to that Board, Commission or Committee upon a vote of not less than a majority of a quorum of the Council Members for any reasonable cause as determined by the City Council.
- F. Whenever a vacancy has occurred on a Board, Commission or Committee and no alternate has been appointed as set forth in Section 9.4 below, procedures described in Section 9.1 above will be used to generate applicants, review applications, and make a recommendation.
- G. Members of Boards, Commissions and Committees shall serve no more than two consecutive four-year terms. However, a member appointed to fill a vacancy may serve two consecutive terms after conclusion of the unexpired term to which he/she was appointed.
- H. At the conclusion of a member's term, a recommendation shall be made to Mayor and Council by the Council liaison and staff liaison as to whether or not the member shall be reappointed to serve an additional term. The City Clerk, in coordination with the staff liaison, shall prepare an Agenda item for the first meeting in December to approve recommended reappointments.
- I. In the event that any regular or alternate member's term expires due to the lack of appointment or reappointment, that member shall maintain all rights and responsibilities of membership until such time that a nomination is approved.

#### **9.4 ALTERNATES**

The City Council may appoint alternates to serve on Boards, Commissions and Committees in the event of vacancy. Such alternates may attend meetings of the Board, Commission or Committee but shall not participate until such time as a vacancy has occurred and the alternate has filled such vacancy. In the event of a vacancy, a recommendation shall be made by the Council liaison and staff liaison of the alternate who should fill the unexpired vacant seat and procedures described in 9.1(C-F) above shall be adhered to.

#### **9.5 BY-LAWS**

Each Board, Commission, or Committee may create and adopt by-laws; however, rules and regulations set forth in such by-laws shall not supersede or conflict with the rules, regulations, and policies set forth herein.

## **9.6 APPLICABILITY OF THE ARIZONA OPEN MEETING LAW**

All Boards, Commissions and Committees are subject to the Arizona Open Meeting Law.

## **9.7 APPLICABILITY OF THE CITY OF BUCKEYE RULES OF PROCEDURE**

All Boards, Commissions, and Committees are subject to the following Sections of the City of Buckeye Rules of Procedure set forth above:

1. Section 3 CODE OF ETHICS
2. Section 2.6 COUNCIL CONDUCT WITH THE MEDIA
3. Section 4 MEETINGS
4. Section 5 RULES/DECORUM/ORDER
5. Section 6 VOTING PROCEDURE
6. Section 7 CONFLICT OF INTEREST
7. Section 9 BOARDS, COMMISSIONS, AND COMMITTEES

## **SECTION 10 DEFINITIONS**

### **AGENDA**

An Agenda is the formal description of items to be considered by the City Council at a noticed meeting of the City Council. The final Agenda must be posted at least 24 hours prior to the City Council's meeting.

### **COUNCIL PACKET**

The City Council packet is comprised of documents supporting the items listed on the Agenda and requiring Council Action, which may be used by City Council, staff, and the public for more in-depth information than may be presented in an oral report. The Packet is provided to the City Council and made available to the public on the City Website.

### **MEETINGS**

A meeting is the gathering, in person or by technological devices, of a quorum of members, at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action. If a quorum is not present, those in attendance will be named for the record and in the absence of the Presiding Officer, the City Clerk or Departmental Liaison will adjourn the meeting.

## **ORDINANCE**

An Ordinance is a City Council action setting forth a City law of public conduct that is considered long-term and may result in a penalty for violations thereof. Long-term laws include, but are not limited to zoning issues, annexations and abandonments. The Ordinance, in addition to being referenced by number in the Minutes, will be recorded in the Office of the City Clerk and maintained electronically in numerical sequence as a permanent record of the City in a separate set of books. Effective dates of Ordinances shall be as provided by law.

## **PUBLIC BODY**

Means the City Council, all Council-appointed Boards, Commissions and Committees of the City, and any specially created Board, Commission, Committee or Sub-Committee of the City whose members are appointed by the Council.

## **PUBLIC NOTICE**

A formal announcement to the public that sets forth the name of the City Council, date, time and place for which a meeting of the City Council will be held. Giving formal notice of meetings is done as provided by Statute, or other Rules or Regulations of the City Council.

## **QUORUM**

A quorum is the minimum number of members of the City Council that must be present in order for business to be legally transacted. With a seven-member body, a quorum (by State Statute) is four members.

## **RESOLUTION**

A Resolution is a less formal type of action than an ordinance normally utilized to set forth policy of the City. The Resolution, in addition to being referenced by number and brief title in the Minutes, will be recorded in the Office of the City Clerk as provided by law and maintained electronically in numerical sequence as a permanent record of the City in a separate set of books. Resolutions are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future references back to its contents warrants a separate document to facilitate such future reference and research. Effective dates of Resolutions shall be as provided by law.