

RESOLUTION 15-2017

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT ENTITLED "BENSON CITY CODE, CHAPTER 2, 'MAYOR AND COUNCIL,' ARTICLE 2-4 'COUNCIL PROCEDURE,' SECTION 2-4-3(B) 'MEETINGS TO BE PUBLIC,' SECTION 2-4-4 'QUORUM,' AND SECTION 2-4-6(A-J) 'ORDER OF BUSINESS'"

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, ARIZONA that:

That certain document entitled "Benson City Code, Chapter 2, 'Mayor and Council,' Article 2-4 'Council Procedure,' Section 2-4-3(B) 'Meetings to be Public,' Section 2-4-4 'Quorum,' and Section 2-4-6(A-J) 'Order of Business,'" is hereby declared to be a public record and three copies of such document are on file in the Office of the Benson City Clerk and such copies are hereby ordered to remain on file with the Benson City Clerk for public inspection.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA, this 12th day of June, 2017.



TONEY D. KING, SR., Mayor

ATTEST:



VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:



MESCH CLARK ROTHSCHILD
BY GARY J. COHEN
City's Attorney

MAYOR AND COUNCIL

CHAPTER 2 MAYOR AND COUNCIL

ARTICLE 2-4 COUNCIL PROCEDURE

2-4-1	Regular Meetings
2-4-2	Special Meetings
2-4-3	Meetings to be Public
2-4-4	Quorum
2-4-5	Agenda
2-4-6	Order of Business
2-4-7	Committees and Commissions
2-4-8	Voting
2-4-9	Suspension of Rules

Section 2-4-1 Regular Meetings^{1, 2}

The Council shall hold regular meetings on the second and fourth Monday of each month at seven o'clock p.m., provided that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal holiday, such meeting may be held at the same hour of the next succeeding day not a holiday if the Council so elects upon motion at a prior meeting. All regular meetings of the Council shall be held at the city hall. Council may, upon motion at any regular meeting, elect to cancel the succeeding meeting if it appears in its sole discretion that the items to be considered at the succeeding meeting may properly be postponed to the next regular meeting.

Section 2-4-2 Special Meetings

The Mayor or a quorum of the Council may convene the Council at any time after giving at least twenty-four hours notice of such meeting to members of the Council and the general public. The notice shall include the date, hour and purpose of such special meeting. In the case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances.

Section 2-4-3 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 as provided by state law.
- B. Minutes of executive sessions shall be kept confidential in accordance with Arizona law.
- C. No executive session may be held for the purpose of taking any final action or making any final decision.

¹Modified by Ordinance No. 325

²Modified by Ordinance No. 494

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Section 2-4-4 Quorum

A majority of the Councilmembers shall constitute a quorum for transacting business but a lesser number shall adjourn and may attempt to compel the attendance of absent members in order to reconvene the meeting with a quorum.

Section 2-4-5 Agenda

Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an agenda, whichever is earlier, the clerk shall collect all written reports, communications, ordinances, resolutions, contracts and other documents to be submitted to the Council, and prepare an agenda according to the order of business and shall furnish each Council member, the Mayor and the attorney with a copy of the agenda and any material pertinent thereto.

Section 2-4-6 Order of Business¹

The business of the Council shall be taken up for consideration and disposition in an order determined by the person chairing the meeting. That order will typically be as follows:

- A. Call to Order. In the absence of 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 the arrival of the Mayor or Vice Mayor, the Acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Chair shall begin at or about the hour appointed for the meeting and shall call the Council to order. The Chair shall then lead those present in the pledge of allegiance. An invocation speaker, may be called to offer an invocation. The Chair shall preserve order and decorum and conduct the proceedings of the meetings.
- B. Roll Call. Before proceeding with the business of the Council, the clerk or deputy 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 present shall adjourn pursuant to Section 2-4-4 of this code.
- C. Employee Recognition. The Chair may present employment awards to those City employees accumulating five (5) years of employment with the City and every five (5) years thereafter or to present recognition awards for specific acts regarding public service, if any.
- D. Proclamations. The Chair or his designee will read any proclamations that are on the agenda.
- E. Public Hearings. The Chair will open the public hearing, if listed on the agenda, to receive comments from the public on the proposed subject of the public hearing. The Chair shall close this hearing after those comments are received. The Chair may impose reasonable time limits for each speaker with a presumptive limit of five (5) minutes per speaker and may apportion time between those speaking in favor and those speaking against the matter which is the subject of the public hearing.

¹Modified by Ordinance No. 470

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- F. Call to the Public. If on the agenda, comments from the public shall be heard by the Council in accordance with Arizona law. The Chair may impose reasonable time limits for each speaker, with a presumptive limit of five (5) minutes per speaker.
- G. City Manager Report. The City Manager or his designee may update and inform the public of specific items of interest regarding City matters.
- H. New Business. The Council may consider business not previously considered, including the introduction of ordinances and resolutions, and may provide for a consent agenda to collectively consider routine matters, not requiring Council discussion.
1. Consent Agenda. The consent agenda may be the first item under this category and shall list separately distinct items requiring action by the City Council that are generally routine items not requiring Council discussion. A vote on a single motion can approve or reject all items on the consent agenda. A Council Member may move to remove any item from the consent agenda, and if approved by a majority vote, that item will be discussed and voted upon separately, immediately following the consent agenda.
 2. Action Items Listed for Discussion. New Business can include ordinances, resolutions, motions, contracts, or other matters listed as separate action items. These items shall be addressed separately and in the order presented on the agenda unless the Chair decides to deviate from the listed order on the agenda. City staff, an applicant, or any person authorized by the Chair may address the Council about the action item, to include taking questions from Councilmembers. A motion to amend or motion to table, takes precedence over a motion to consider the item, and shall be voted upon as part of the discussion of the item if there is a second to the motion. At the end of the discussion, the Chair shall call for a motion and the Clerk shall record the results thereof in the official minutes.
 3. Updates of On-Going Projects and City Activities. New Business may also include updates by Staff on current issues facing the City that have been or may be the subject of Council action.
- I. Department Reports. Written Department Reports may be provided to Councilmembers as part of the Council packet.
- J. Adjournment. The Council may, by a majority vote of the quorum, adjourn entirely or temporarily to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.