

**ORDINANCE NUMBER 11-13**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 2-76 OF THE CITY CODE OF MARICOPA TO CHANGE THE ORDER OF CONSIDERATION AND DISPOSITION OF THE BUSINESS OF COUNCIL.**

**WHEREAS**, the Mayor and Council of the City of Maricopa, Arizona, have reviewed Section 2-76 of The Code of the City of Maricopa concerning the order of business for the City Council; and

**WHEREAS**, the Mayor and Council of the City of Maricopa, Arizona, have determined that such section should be revised to change the order of consideration and disposition of the business of the City Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:**

**SECTION 1.** Section 2-76 of the City Code of Maricopa, entitled Order of Business, and all amendments thereto are hereby repealed in its entirety and replaced with the following:

The business of the council shall be taken up for consideration and disposition in the following order:

- (a) Call to Order. The mayor shall take the chair precisely at the hour set for the meeting and shall immediately call the council to order. In the absence of the mayor, the vice mayor shall call the council to order. In the absence of both 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 arrival of the mayor or the vice mayor, the vice mayor or the acting mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the council.
- (b) Invocation and Pledge. The mayor or presiding official pursuant to paragraph (a) may request that a councilmember or member of the general public open the meeting by invocation, which shall be followed by the pledge of allegiance.
- (c) Roll Call. Before proceeding with the business of the council, the clerk 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 may adjourn pursuant to section 2-74 of this code.
- (d) Introduction of Distinguished Guests and Visitors, Awards, Presentations and Communications. The council may wish to acknowledge the presence of an individual or individuals present in the audience. Proclamations issued by the mayor, presentations

from other agencies and awards given to or received by the city will be considered at this time.

- (c) Mayor's Report. The Mayor may present information pertinent to items under consideration or information related to the operations of the city.
- (f) City Manager's Report. The manager, members of the city staff or those individuals designated by the manager may present information pertinent to items under consideration or information related to the operation of the city.
- (g) Call to the Public. At this time the council shall, as it deems necessary, consider all business not specifically provided for herein. Requests, petitions, remonstrances, communications, comments or suggestions from citizens present shall be heard. All such remarks shall be addressed to the council as a whole and not to any member thereof. Such remarks shall be limited to five minutes unless additional time is granted by the mayor. Where a group or organization wishes to present comments or discussion, one person from the group shall be designated to present said comments or discussion. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer.
- (h) Minutes. If not included as a consent agenda item, the clerk shall present the minutes of the preceding council meeting which shall be approved if correct. Any error noted shall be corrected and initialed by the clerk.
- (i) Public Hearings. Public hearings required by city ordinance, state statute or federal regulations shall be conducted by the council and all interested parties given the opportunity to speak. Public hearings shall be conducted on amendments to the zoning ordinance, if requested by the aggrieved party, any member of the public or any member of the council, or if no public hearing has been held by the planning and zoning commission.
- (j) Consent Agenda. The council may, at this time, take single action on any or all items listed as consent agenda items. These items may include, but are not limited to, acceptance of agenda, acceptance of minutes, acceptance of resignations and adoption of certain resolutions and other items which do not require a public hearing.
- (k) Regular Agenda. The council shall consider any business not heretofore considered including, but not limited to, acceptance of resignations, adoption of resolutions or ordinances, consideration of contracts, award of bids, appointments to boards and commissions and setting of dates for work sessions, special meetings and executive sessions. Council liaison reports and committee reports as required by the council shall be presented at this time. No member of the public shall be permitted to speak on these items unless they have first filed a written request to speak with the clerk or they have been invited to do so by the council.

- (l) Executive Session. The council may, by a majority vote of those present, adjourn into executive session to receive advice from the city attorney regarding any item on the agenda or any item allowed by state statute that has been properly agendized.
- (m) Adjournment. The council may, by a majority vote of those present, adjourn at the conclusion of business. A motion to adjourn shall always be in order and decided without debate.

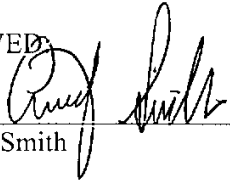
**SECTION 2.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

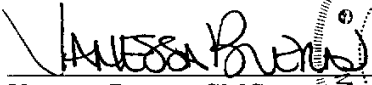
**SECTION 4.** This Ordinance shall become immediately effective thirty (30) days from the date of its passage and adoption by the City Council of the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 18<sup>th</sup> day of October, 2011.

APPROVED:

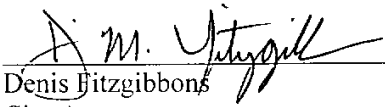
  
\_\_\_\_\_  
Anthony Smith  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, CMC  
City Clerk



APPROVED AS TO FORM:

  
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Denis Fitzgibbons  
City Attorney