

RESOLUTION NO. 07-28

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF MARICOPA, ARIZONA, APPROVING
THAT CERTAIN DOCUMENT ENTITLED "THIRD
AMENDMENT TO THE RULES AND PROCEDURES (BY-
LAWS) FOR THE MARICOPA PLANNING AND ZONING
COMMISSION".**

WHEREAS, on April 23, 2007 the Planning and Zoning Commission approved the third amendment to that certain document known as "The Rules and Procedures (By-Laws) for the Maricopa Planning and Zoning Commission"; and

WHEREAS, the amendment provides for an invocation to open the meetings held by the Planning and Zoning Commission; and

WHEREAS, the City Council believes that approving such document will be in the City's best interests;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Maricopa, Arizona as follows:

That certain document known as "THIRD AMENDMENT TO THE RULES AND PROCEDURES (BY-LAWS) FOR THE MARICOPA PLANNING AND ZONING COMMISSION" attached hereto as Exhibit "1", is hereby accepted.

PASSED AND ADOPTED by the City Council of the City of Maricopa, Arizona this 15th day of May, 2007.

APPROVED:



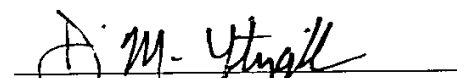
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

**Third Amendment to the
Rules for Procedure (By-Laws) for the
Maricopa Planning and Zoning Commission**

I. Organization

A. Chairman.

The Commission, organized as provided under Ordinance No. 04-03 of the City of Maricopa, shall, at its first meeting in January of each year, elect a Chairman from among its appointed members. The Chairman shall preside at all meetings and hearings of the Commission decide all points of order or procedure and perform any duties required by law, ordinance, or these rules. The term of the Chairman shall be eligible for re-election.

B. Vice-Chairman.

The Commission shall, at its first meeting every January, elect a Vice-Chairman from among its appointed members, who shall serve in the absence of the Chairman.

C. Secretary.

The City of Maricopa will designate a staff member, who is familiar with planning and zoning matters, to act as Secretary of the Commission. It shall be the duty of the Secretary to: post all agendas, send out all notices, to prepare and see to the delivery of all materials to be considered by the Commission, to be the custodian of the records, and to perform all the duties required by law, ordinance, or these rules of procedure.

D. Legal Counsel.

The City Attorney, or his or her designated representative, shall be the legal counsel for the Commission. Advice of counsel shall be received and entered in the minutes before disposition of any question of law or matter requiring legal interpretation or advice.

II. Meetings

A. Regular Meetings.

Regular meetings of the Commission shall be held on the second and fourth Monday of each month beginning at five thirty in the evening (5:30 P.M.). The meeting on the second Monday shall be for the review of and action on applications. The fourth Monday meeting shall be used for work sessions of the Commission as necessary.

B. Special Meetings.

Special meetings for good cause may be held by the Commission on call of its Chairman or by any three members, which call shall be filed with the Secretary, or as may be scheduled by a majority of the members at any previous meeting. The manner of the call shall be recorded in the minutes of the special meeting, and at least 24 hours notice of the meeting shall be given to each member and to the public as may be required by law, ordinance, or these rules of procedure.

C. Public Meetings.

In accordance with A.R.S. §38-431 et. seq., all meetings and hearings of the Commission, except Executive Sessions, shall be open to the public. Any action calling for a formal vote shall take place only at public meetings.

- D. Procedures of Meetings.
All meetings and hearings of the Commission shall, subject to A.R.S. §38-431 et. seq., be conducted in accordance to standard "*Robert's Rules of Order*".
- E. Quorum.
A quorum necessary for the transaction of business shall consist of at least four (4) members of the Commission except as specifically provided otherwise by statute, ordinance, or these rules of procedure. The business of the Commission shall be transacted by the majority vote of the quorum. A member of the Commission may abstain from voting on an issue only upon declaring a conflict of interest, which declaration shall be made prior to the presentation, and in which case such member shall not take part in either the discussions or deliberations on the matter and may leave the room.

III. **Order of Business.**

- A. Call to Order.
The Chairman shall take the chair precisely at the hour set for the meeting and shall immediately call the commission to order. In the absence of the Chairman, the Vice Chairman shall call the commission to order. In the absence of both the Chairman and Vice Chairman, the Secretary of the Commission shall call the commission to order and an acting Chairman shall be selected to chair the meeting. Upon arrival of the Chairman or the Vice Chairman, the Vice Chairman or the acting Chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the commission. The Chairman shall preserve order and decorum, decide all questions of order and conduct the proceedings of the meetings. The city attorney may serve as parliamentarian or a parliamentarian may be appointed by the council to be present at all regular meetings.
- B. Invocation and Pledge.
The Chairman or presiding official pursuant to paragraph A may request that a commissioner 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 commission, the Secretary of the Commission 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.
- D. Call to the Public.
At this time the commission shall, as it deems necessary, consider all business not specifically provided for herein. Requests, petitions, communications, comments or suggestions from citizens present shall be heard. All speakers must submit a written "Request to Speak" to the Secretary of the Commission in advance of this item or the Chairman may waive this requirement. All such remarks shall be addressed to the commission as a whole and not to any member thereof. Such remarks shall be limited to five minutes unless additional time is granted by the commission. 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.
- E. Minutes.
The Secretary of the Commission shall present the minutes of the preceding commission meeting which shall be approved if correct. Any error noted shall be corrected and initialed by the Secretary.

- F. Public Hearings.
Public hearings required by city ordinance, state statute or federal regulations shall be conducted by the commission and all interested parties given the opportunity to speak.
- G. Agenda.
The commission shall consider any business not heretofore considered including, but not limited to, rezoning requests, site plan reviews and comprehensive sign packages. No member of the public shall be permitted to speak on these items unless invited to do so by the commission after first filing a written request to speak with the Secretary.
- H. Report from Commission and/or Staff.
The commissioners or members of the city staff may present information pertinent to items under consideration or information related to the operation of the city.
- I. Adjournment.
The commission 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.

IV. Official Records

- A. Definitions.
The official records shall include these rules and regulations, and the minutes of the Commission together with all findings, decisions and other official actions.
- B. Recording of Vote.
The minutes shall show the vote of each member on every question on which the Commission is required to act, or if in abstention, or if absent and shall indicate that fact.
- C. File Retention.
The Secretary shall keep, in accordance with City policy or state law, a file of all plats, maps, charts, reports, resolutions, notices, correspondence, or other matters filed with or issued by the Commission.
- D. Public Record.
All of the records of the Commission shall be public records and shall be open to public inspection during customary working hours unless exempted by law (e.g. executive session minutes).

V. Rules and Amendments

- A. Amendment Procedure.
Amendments to these bylaws may be proposed by the Commission upon the affirmative vote of the majority of the quorum present; provided, however, that any such proposed amendment was proposed at a preceding meeting, or was submitted in writing at a prior regular meeting of the Commission and is recorded in the minutes of such meeting or meetings. Amendments proposed as above shall be submitted to the City Council for approval and shall become effective at the next regular meeting of the Commission following the approval of said amendment by the Council.