AGENDA 3:30 P.M.

CITY COUNCIL MEETING TUESDAY, NOVEMBER 12, 2024

NOTES:

- Public Forum:
  Comments are generally limited to 3 minutes.
- Consent Items:
  Items listed under Consent Items have been distributed to Council Members in advance for study and will be enacted by one motion. Any member of the Council, staff or the public may remove an item from the Consent Items for discussion. For additional information on pulling a Consent Item, please contact the City Clerk's Office staff, preferably in advance of the Call to Order. Items removed from the Consent Items may be acted upon before proceeding to the next agenda item.
- Meeting room is wheelchair accessible. American Disabilities Act (ADA) accommodations are available upon request. Please phone 928-282-3113 at least two (2) business days in advance.
- City Council Meeting Agenda Packets are available on the City's website at:

www.SedonaAZ.gov

THE MEETING CAN BE VIEWED LIVE ON THE CITY'S WEBSITE AT WWW.SEDONAAZ.GOV OR ON CABLE CHANNEL 4.

GUIDELINES FOR PUBLIC COMMENT

PURPOSE:

- To allow the public to provide input to the City Council on a particular subject scheduled on the agenda.
- This is not a question/answer session.
- No disruptive behavior or profane language will be allowed.

PROCEDURES:

- Fill out a "Comment Card" and deliver it to the City Clerk.
- When recognized, use the podium/ microphone.
- State your:
  1. Name and
  2. City of Residence
- Limit comments to **3 MINUTES.**
- Submit written comments to the City Clerk.

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE
2. ROLL CALL
3. SPECIAL BUSINESS LINK TO DOCUMENT =
4. PUBLIC FORUM/RECOGNITION OF OUTGOING COUNCILORS (Including any recognition from the public) (This is the time for the public to comment on matters not listed on the agenda. The City Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.)
5. SWEARING IN OF NEWLY ELECTED COUNCIL MEMBERS BY MAGISTRATE JUDGE PAUL SCHLEGEL.
6. ROLL CALL
7. APPOINTMENTS
   a. AB 3117 Discussion/possible action regarding the appointment of a Vice Mayor.
8. EXECUTIVE SESSION

   If an Executive Session is necessary, it will be held in the Vultee Conference Room at 106 Roadrunner Drive. Upon a public majority vote of the members constituting a quorum, the Council may hold an Executive Session that is not open to the public for the following purposes:

   a. To consult with legal counsel for advice on matters listed on this agenda per A.R.S. § 38-431.03(A)(3).
   b. Return to open session. Discussion/possible action on executive session items.
9. ADJOURNMENT

Posted: 10/29/2024

By: DJ

JoAnne Cook, CMC,
City Clerk

Note: Pursuant to A.R.S. § 38-431.02 notice is hereby given to the members of the City Council and to the general public that the Council will hold the above open meeting. Members of the City Council will attend either in person or by telephone, video, or internet communications. The Council may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney. Because various other commissions, committees and/or boards may speak at Council meetings, notice is also given that four or more members of these other City commissions, boards, or committees may be in attendance.

A copy of the packet with materials relating to the agenda items is typically available for review by the public in the Clerk's office after 1:00 p.m. the Thursday prior to the Council meeting and on the City's website at www.SedonaAZ.gov. The Council Chambers is accessible to people with disabilities, in compliance with the Federal 504 and ADA laws. Those with needs for special typeface print, may request these at the Clerk's Office. All requests should be made forty-eight hours prior to the meeting.

CITY COUNCIL CHAMBERS
102 ROADRUNNER DRIVE, SEDONA, AZ

The mission of the City of Sedona government is to provide exemplary municipal services that are consistent with our values, history, culture and unique beauty.

CITY COUNCIL AGENDA BILL

Agenda Item: 7a
Proposed Action & Subject: Discussion/possible action regarding the appointment of a Vice Mayor.

Department	City Clerk
Time to Present	N/A
Total Time for Item	10 minutes
Other Council Meetings	N/A
Exhibits	A. Rules of Procedure

Finance Approval	Reviewed 10/29/24 BGW			
City Attorney Approval	Reviewed 10/29/24 KWC		**Expenditure Required**	
			$	0
City Manager's Recommendation	Appoint a Vice Mayor. ABS 10/29/24		**Amount Budgeted**	
			$	0
			Account No. (Description)	N/A

SUMMARY STATEMENT

Background: Per Sedona City Code Section 2.10.020, "At the first meeting of the council following an election, the council shall designate one of its members as vice mayor, who shall serve at the pleasure of the council."

Consistent with City Council Rules of Procedure and Policies, Rule 4.B. (found on page 19-20 of the Rules), City Council will nominate from the six eligible Councilors and a vote will be taken to select a new Vice Mayor.

Community Plan Consistent: ☐**Yes -** ☐**No -** ☒**Not Applicable**

Board/Commission Recommendation: ☐**Applicable -** ☒**Not Applicable**

Alternative(s): None.

MOTION

I move to: appoint _____ to fill the office of Vice Mayor.

CITY OF SEDONA

CITY COUNCIL

RULES OF PROCEDURE

AND POLICIES

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CITY OF SEDONA
PRINCIPLES OF ETHICAL CONDUCT
FOR ELECTED OFFICIALS

The following principles are meant to reflect a commitment to the integrity, responsibility, and leadership required of those holding public office. Council members pledge to uphold these Principles of Ethical Conduct in their behavior and actions in order to merit the trust bestowed upon them by the citizens they serve.

1. I will put forth honest effort in the performance of my duties.

2. I will make no unauthorized commitments or promises of any kind purporting to bind the City of Sedona Government.

3. I will not use public office for private gain.

4. I will act impartially and not give preferential treatment to any private organization or individual.

5. I will disclose waste, fraud, abuse, and corruption to the appropriate authorities.

6. I will treat everyone with respect and fairness at all times.

7. I will endeavor to avoid any actions creating the appearance that I am violating the law or these ethical standards.

RULE 1

RULES OF PROCEDURE

A. PURPOSE

1. The purpose of these Rules is to provide standard methods and general policy guidelines for the City Council to use when conducting business with City staff, the general public, and its own members. These Rules should be read and interpreted to be in harmony with the provisions of the Sedona City Code and State and Federal law. However, in every case where a conflict of interpretation may arise, the City Code and State and Federal law will control. These Rules shall be in effect upon their adoption by the Council by motion until such time as they may be amended.
2. Where the term Mayor is used throughout this document, it shall be deemed to include, when appropriate, the Vice Mayor or other designated persons acting in the capacity of Mayor.

B. PROCEDURE FOR INITIATING OR AMENDING RULES

Two Councilors may propose a new or amended Rule. To do so, the following procedure shall be followed:

1. Present the new or amended Rule(s) in draft, written form to the City Clerk.
2. The proposed draft will be submitted to the City Attorney for review before it is released.
3. The City Council will discuss or take action on the proposed or amended Rule(s) at a regularly scheduled Council meeting.
4. Suspension of These Rules: Any provision of these Rules not governed by ordinances or the City Code may be temporarily suspended, for that meeting, by a majority vote of those eligible to vote. The vote on any suspension shall be taken by "ayes" and "nays" and entered upon the record.
5. Amendment of These Rules: These Rules may be amended, or new rules adopted, by a majority vote of all members of the Council.

C. MASTER FILE OF ORIGINALS

The Clerk will maintain a Master File of all Rules contained herein and any amendments thereto.

D. REFERENCE MANUAL – RULES OF PROCEDURE

A reference manual containing these Rules will be kept in electronic and loose-leaf form in the City Hall for City staff and public use.

E. COUNCILORS' RULES OF PROCEDURE MANUALS

All new and amended Rules will be issued to each Councilor. The Rules will be issued in electronic form.

RULE 2

CONDUCT OF COUNCILORS AND ENFORCEMENT

A. CITY COUNCILOR ATTENDANCE AT SCHEDULED CITY MEETINGS

1. Councilors will notify both the Mayor and City Manager's Office in writing (email is appropriate) of their inability to attend any scheduled City Council meeting.
2. Should a Councilor be unable to attend any scheduled City Council meeting by unforeseen circumstances, that Councilor will notify the Mayor and the City Manager's Office as soon as possible after the meeting.
3. The second failure by a Councilor to notify the Mayor and City Manager's Office of anticipated or unforeseen absences may result in actions as outlined in Section L below.

B. EQUAL VOICE AND VOTE

All members of the City Council, including those serving as Mayor and Vice Mayor, have equal votes. All Councilors should be treated with equal respect.

C. GENERAL RULES OF DECORUM

1. Councilors shall fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
2. At all times, Councilors shall be respectful of other people's time, and shall attempt to stay focused and act efficiently during public meetings.
3. Councilors shall conduct themselves so as to serve as a model of leadership and civility to the community, inspire public confidence in Sedona government, and demonstrate honesty and integrity in every action and statement.
4. Councilors will strive to always be on time for Council meetings.

D. CONDUCT IN PUBLIC MEETINGS

During all regular and special Council meetings, the following rules of decorum shall apply:

1. The role of the Mayor shall be recognized in maintaining order.
2. Councilors shall refrain from distraction during the "moment of silence".
3. Councilors shall refrain from dominating the discussion.
4. Personal attacks on other Councilors shall be avoided.
5. Councilors shall demonstrate effective problem solving approaches.
6. Councilors shall be polite to speakers and treat them with respect.
7. Councilors shall actively listen when others speak.
8. Councilors shall refrain from debating and arguing with the public.
9. Everyone attending Council meetings will turn off all cell phones. If an imminent emergency or serious family matter is anticipated, cell phones may be set on vibrate.
10. Councilors shall refrain from eating at the dais.
11. "Business Casual" is the appropriate dress standard for all scheduled meetings of the full Council.
12. Councilors should be respectful of citizens, citizen opinions, and citizen issues.

E. CONDUCT IN UNOFFICIAL PUBLIC SETTINGS

1. Councilors will continue to practice respectful behavior in unofficial public settings.
2. Councilors will always be aware that conversations can have a public presence, and therefore ensure that all City-related conversations are appropriate and respectful.
3. All Councilors will refrain from making promises on behalf of the City Council unless such promises have been approved by official action.
4. Councilors shall refrain from making negative personal comments about other Councilors that go beyond appropriate criticism of another Councilor's opinion or position on a matter.

F. PUBLIC COMMUNICATIONS

1. When speaking publicly regarding City issues, Councilors will inform their listeners that "**any expressions of opinion can only be attributed to me and do not necessarily represent the position or opinion of the City Council or City staff,**" or words to that effect.
2. When writing an item for publication, such as a letter to the editor, Councilors will conclude their written statement with the disclaimer "**Any expression of opinion that may be read into this article can only be attributed to me as the author and does not necessarily represent the position or opinion of the City Council or City staff,**" or words to that effect.
3. Articles assigned to be written by Councilors, such as City Talk, will include the disclaimer as outlined in Section F, Paragraph 2 above, and will be distributed to all local media through the City Manager's Office.

G. COUNCILOR CONDUCT WITH CITY STAFF

1. Councilors shall treat all City staff as professionals.
2. Councilors shall refrain from personal public criticism of an individual employee that goes beyond appropriate criticism or questioning of his/her position on a City matter. Concerns about an employee's performance should be discussed in private and should be brought to the attention of the City Manager.
3. Councilors should attempt to avoid unnecessary or prolonged disruption of City staff from their jobs. Councilors should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their duties, unless there is a compelling time-sensitive concern that must be addressed immediately.
4. Councilors shall refrain from involvement in administrative functions. The role of each Councilor, as an individual, is to represent the community and to share their ideas, recommendations, and point of view during consideration of matters before Council. Councilors shall respect and adhere to the Council-manager structure of the Sedona City government as outlined in City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, committees and City staff. Councilors therefore may not interfere with the administrative functions of the City or the professional duties of City staff; nor impair the ability of staff to implement Council policy decisions. Councilors shall not expressly or implicitly give orders or direction to staff, except through their participation on Council. Councilors shall also refrain from individually directing

the City Manager and City Attorney in the performance of his/her job responsibilities.

5. All Councilor requests for research, information or any other staff project shall be directed to the City Manager or City Attorney. No Councilor shall make a request requiring more than one hour researching, compiling information, or otherwise spending staff time without first seeking approval of a majority of City Council. Councilor requests that involve less than one hour staff time, as determined by the City Manager, shall be completed without the need of Council action. Councilors recognize that the City Manager and City Attorney have discretion to take any additional action they believe necessary on a request.
6. Councilors must not attempt to unduly influence City staff on the making of appointments, awarding of contracts, selecting consultants, processing of development applications, or granting City licenses and permits. However, this does not preclude City Council members from being involved in such decisions when they are part of a committee that has been formed for the purpose of recommending the selection of a professional firm or recommending the hiring of a key staff member. In being part of that committee, it is understood that they will be impartial and make their recommendation based on the merits of the applicants and will recuse themselves from the process if there is a conflict of interest.
7. Upon receipt of a citizen's complaint, a Councilor may refer the complaint to the City Manager for review and response. Before responding to a citizen complaint, Councilors should check with the Mayor or City Manager to see if any action has already been taken on the issue. Copies of any response may be provided to other Councilors and the City Manager.

H. RESPONSE TO COMMUNICATIONS FROM THE PUBLIC

1. Councilors are strongly encouraged to acknowledge telephone, letter and electronic communications from the public.
2. When responding to such inquiries regarding City issues, Councilors should indicate a disclaimer such as: **"Any expression of opinion that may be read into this response can only be attributed to me as the author and does not necessarily represent the position or opinion of the City Council or City staff,"** or words to that effect.
3. Individual Councilors may respond to correspondence that has been directed to the entire City Council. Councilors should qualify any response they make which contains their personal opinions as opposed to any official position of the City.
4. Councilors shall always be courteous and professional in any correspondence or interaction with members of the public.

I. REFERRAL OF CITIZEN COMPLAINTS CONCERNING CITY SERVICES

When contacted by a citizen concerning a complaint regarding a City service, Councilors will notify the City Manager of the complaint and inform the citizen that his/her concern has been forwarded to the City Manager's Office. The City Manager should inform the referring Councilor of what action may have been taken.

J. IMPROPER INFLUENCE

1. A Councilor may not use City staff or letterhead to support personal or non-City functions or fundraisers.
2. Councilors shall not use their official office as a means of advancing personal opinions through public statements whereby an inference can be drawn that they are speaking on behalf of the City. Any such public statements shall contain clear language indicating that such statements are the opinions and comments of the individual and are not necessarily the position of the City of Sedona.

K. GIFTS

1. Councilors shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City of Sedona, and whose interests may be substantially affected by the performance or nonperformance of the Councilor's duties.

L. ENFORCEMENT OF THE RULES OF PROCEDURE

1. City Councilors who fail to follow these Rules of Procedure are subject to both private reprimand and formal censure. It is at the discretion of the Mayor to initiate action if a Councilor's behavior is called into question by another Councilor. When this occurs, the Mayor will discuss the behavior with the concerned Councilor whose actions are being questioned and may issue a private reprimand. If the Mayor is the individual whose actions are being questioned, the same procedure will be followed after a Councilor expresses a concern to the Vice Mayor.
2. If, after a second private reprimand concerning the same behavior, the conduct continues, the matter shall be referred to the City Council to consider whether a public censure is appropriate. Any public censure for violation of these Rules of Procedure can only take place upon a (two-thirds) vote of the entire City Council.

M. COUNCILOR APPOINTMENT

1. Upon the death or resignation of a City Councilor, the City Clerk shall immediately advertise the vacancy, request applications from all interested and qualified citizens, and accept applications for a period of not less than three weeks.
2. After the application period is closed, City Council shall meet to determine which applicants will be interviewed. Applicants who receive a majority vote of Councilors present in a regular, open session shall be interviewed. A tie vote results in an applicant not being interviewed.
3. Appointments to City Council shall be made after an open session interview with the City Council and through a majority vote of Councilors present. Council may hold an executive session to consider or discuss appointment of a Councilor.

RULE 3

MEETINGS

A. GENERAL RULES CONCERNING MEETINGS

1. Meetings and Minutes to be Public: All meetings of the Council shall be open to the public, except that upon approval of a majority vote of the Council, the Council may meet in an executive session in a manner pursuant to the requirements of state law. Minutes of all open meetings shall be available for inspection by the public.
2. Regular Meetings: The Council shall meet on the second and fourth Tuesday of each month at 4:30 p.m. except for the fourth Tuesday in July and December.
   a. If the regular meeting falls upon a legal holiday, then the Council shall meet at the regular time on the next succeeding day not a holiday.
   b. All regular meetings of the Council shall be held at the Sedona City Hall or such place as determined by the Mayor or Council and as designated in the meeting notice.
   c. A regular meeting may be canceled upon a majority vote of Council or due to lack of a quorum; in such a case, the reason for cancellation shall be conveyed to the Council and the public.
3. Special Meetings: The Mayor, upon his/her own initiative, the Clerk, upon the written request of three (3) members of the Council, or the Council, by majority vote, may convene the Council at any time by notifying the members of the date, hour, place, and purpose of the special meeting. Notice of the meeting must be made pursuant to state law.
4. Work Sessions: The Council may meet in work sessions at the call of the Mayor or any three (3) members of the Council on the day following a regularly scheduled Council meeting at 3:00 p.m. except for the Wednesday following the second regular Council meeting in November. Work sessions are open to the public and are designed to allow the Council to obtain detailed information and public input, on issues of major significance so any final decision made at the regular Council meeting may be expedited. No official action may be taken at a work session unless so stated on the agenda for that meeting.
5. Executive Session: The Council may meet in executive session pursuant to the requirements of A.R.S. § 38-431 et seq. The Council may vote to go into executive session, pursuant to § 38-431.03A(3), for discussion and consultation for legal advice with the City Attorney on the matter(s) set forth in the agenda item, or for other purposes as set forth in A.R.S. § 38-431.03.
   a. The only persons allowed to attend the executive sessions are members of the Council and those employees and agents whose presence is reasonably necessary in order for the public body to carry out its executive session responsibilities. Upon reconvening in public session, following an executive session, the Council may take formal action on matters considered in that executive session.
6. Council Meeting - Quorum: State statute (A.R.S. § 9-233) specifies that, “A majority of the councilmen shall constitute a quorum for transacting business.” A vote of a majority of the quorum of those present is required in order to take

official action.

7. Recessed Meetings: A properly called regular or special meeting may be recessed and resumed the following day with less than twenty-four (24) hours' notice by announcing the time and place for resumption of the meeting in open session. Any such recess shall be made by a procedural motion in open session during the regular or special meeting. To accommodate possible continuations of regular Council meetings to the following day, all Wednesday Special Meeting and Work Session agendas shall contain an item at the beginning of the agenda giving notice of the possible continuation of any uncompleted business from the regular Council meeting that was held on the previous day. If a meeting is recessed or continued to a time longer than twenty-four (24) hours, the continued meeting will be noticed and posted in accordance with normal statutory procedures.

B. PRESIDING OFFICER, DUTIES AND FUNCTIONS

1. Presiding Officer: The Mayor shall preside at all Council meetings if he/she is present. The Mayor shall have the right to vote on all issues. In order to address the Council, a member must be recognized by the Mayor. If the Mayor is absent, the Vice Mayor shall preside. The Vice Mayor or another member who is temporarily presiding retains all of his/her rights as a member of the City Council, including the right to make motions and the right to vote. The Mayor or other presiding officer shall have the following powers:

   a. To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
   b. To determine whether a speaker has gone beyond reasonable time limits or standards of courtesy in his/her remarks and to entertain and rule on objections from other members on this ground;
   c. To resolve questions of parliamentary law or procedure;
   d. To call a brief recess at any time;
   e. To adjourn in an emergency.

2. A decision by the presiding officer under any of the first three powers listed may be appealed to the Council upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member moving the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

C. RIGHT OF FLOOR

1. The Mayor will call the agenda item and open the floor for discussion by the Council.
2. During the question and answer session, Councilors shall be recognized by the Mayor before speaking. The Mayor will make every attempt to allow each Councilor the opportunity to ask questions before recognizing a Councilor who has already asked his/her questions.
3. The Mayor shall moderate the Council's discussion and comment session by recognizing individual Councilors in the order in which they have indicated the desire to speak. The Mayor will make every attempt to allow each Councilor the opportunity to comment before recognizing a Councilor who has already

commented.

4. When a Councilor desires to ask a Councilor who has just finished speaking a question to clarify a point, he/she should immediately address the Mayor requesting the opportunity to ask the question.
5. If one or more Councilors wish to further explore a particular point made by another Councilor, he/she should address the Mayor requesting the opportunity to do so. The Mayor at his/her discretion may allow the exploration of a specific point by allowing Councilors to speak to that point before resuming the original moderated discussion.
6. During that exploration (see 4. above), the Mayor shall monitor the discussion to preclude protracted arguments over those points encouraging instead that Councilors use their moderated discussion turn to continue their argument.
7. With or without a request from a Councilor, the Mayor may announce that the Council is in “open discussion” to facilitate a freer form of conversation and debate on an issue. During open discussion, Councilors may speak without being recognized and may address each other but will adhere to the conventions of respectful, civil dialogue. The Mayor may set a time limit for the open discussion and may end it at any time.

D. ACTION BY THE COUNCIL

1. Any member, including the Mayor, may make a motion.
2. A motion may only address a single point. Where a series of actions or decisions are required, each action or decision shall be a separate motion.
3. Last minute extended editing or “word crafting” of complex motions during Council meetings is discouraged. However, when it is necessary for the Council to “word craft” a complex motion, that motion shall be made available to the Council in writing, either on screen or in hard copy, prior to their voting. If the issue is not time sensitive, the motion may be tabled to the Consent Item Section of the next regular Council meeting to allow City staff to properly formulate the motion.
4. If the motion is time sensitive requiring immediate action by the Council, the Mayor will request a recess to allow City staff to prepare the motion on screen or in hard copy.
5. A substantive motion is out of order while another substantive motion is pending.
6. No further discussion will be allowed after a motion has been voted on, unless there is a motion to reconsider.

E. PROCEDURAL MOTIONS

Certain Other Motions Allowed: In addition to substantive motions, generally only the following procedural motions are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of votes cast for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted. In order of priority, the procedural motions are:

1. Motion to Appeal a Procedural Ruling of the Presiding Officer: A decision of the presiding officer ruling a motion in or out of order, determining whether a speakerhas gone beyond reasonable standards of courtesy in his/her remarks, or entertaining and answering a question of parliamentary law or procedure may beappealed to the Council as specified in Rule 3.B.2. This appeal is in

order immediately after such a decision is announced and at no other time. The member moving the motion need not be recognized by the presiding officer andthe motion, if timely made, may not be ruled out of order.

2. Motion to Adjourn: This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to recess to a time and place certain shall also comply with the requirements of Rule 3(A)(7).
3. Motion to Take a Brief Recess: This motion, which allows the Council to pause briefly in its proceedings, is similar to the motion to recess. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending. Under these Rules, the Mayor or other presiding officer has the power to call a brief recess at any time in accordance with Rule 3(B)(1) (d).
4. Motion to Follow the Agenda: This motion must be made at the first reasonable opportunity. It is intended to ascertain by a vote of the Council whether the open meeting laws are being adhered to with regard to the discussion being pursued by the City Council. Prior to voting on this motion, the Council may request and receive legal advice from the City Attorney.
5. Motion to Suspend the Rules of Procedure: This motion is made per Rule 1(B)(4) above.
6. Motion to Go Into Executive Session: The Council may go into executive session for one or more of the permissible purposes set forth in A.R.S. § 38-431.03(A), so long as such purpose and a description of the subject matter or issue being discussed is set forth in the meeting agenda. The motion should cite for the record the purpose of the executive session.
7. Motion to Come Out of Executive Session: This motion provides a procedural mechanism for returning from an executive session to an open meeting.
8. Motion to Defer Consideration: The Council may defer a substantive motion for later consideration at an unspecified time, or in order to ensure that a motion is duly considered, may defer consideration to a date and time certain.
9. Motion to Suspend Discussion and Vote on the Motion at Issue: This motion is not in order until there has been at least ten (10) minutes of debate, any members of the public wishing to speak on the issue have been given an opportunity to do so, and every member of the Council has had an opportunity to speak once. If this motion passes, then a vote will immediately thereafter be taken on the substantive motion at issue.
10. Motion to Amend a Pending Motion: An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A friendly amendment to a motion may be accomplished if the maker of the original motion indicates agreement to amend his/her motion in accordance with the proposed amendment. Upon such agreement, the motion is deemed amended. Absent a “friendly amendment,” a motion may be amended only upon a majority vote.
11. Motion to Reconsider a Past Action of the Council: The following rules will govern any matter coming up for reconsideration after it has been acted upon by the Council.

a. After a matter has been voted upon by the Council, any absent Councilor or Councilor who voted with the prevailing side may, within sixty (60) days, request that the City Manager place the issue of reconsideration on the next available Council meeting agenda.The motion to reconsider will be debated and voted upon by the Council, and if passed, the Council will then deliberate anew on the substantive issue being reconsidered.
b. After a motion to reconsider has been acted upon, no other motion for reconsideration may be made without unanimous consent of the Council.
c. Certain issues may or may not be subject to reconsideration depending on whether or not reconsideration would create a potential claim of equitable estoppel against the City. Examples of matters that could potentially give rise to such a claim include, but are not limited to:

    1) Reconsideration of decisions involving the rezoning of property, where a previously made decision has created vested rights in favor of the property owner.
    2) Reconsideration of bid awards where an awardee has reasonably relied on a previous Council decision and has committed money and or resources to the project.

d. The City Attorney will review any request for reconsideration to determine whether or not it creates a potential legal liability for the City and will advise the entire City Council either by way of privileged written communication or in executive session.

F. ATTENDANCE BY STAFF

The City Manager, City Attorney or Assistant City Attorney, and the City Clerk or Deputy City Clerk shall attend all regular meetings of the Council unless excused by the Mayor. The City Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council. If the City Clerk and Deputy City Clerk are excused from an executive session, an alternate Clerk will be appointed. The City Clerk shall keep the official minutes and perform such other duties as may be required by the Council. The attendance of other staff members will be as directed by the City Manager. Notwithstanding the above, the City Attorney and City Manager need not attend City Council meetings wherein the only business transacted concerns interviews for Commission or Committee positions. In addition, neither the City Manager, City Attorney, or City Magistrate shall attend annual Council evaluations outside of their own evaluation.

G. CLARIFYING COUNCIL DIRECTION

When the Council gives general direction to the staff without voting on a motion, the City Manager will restate for the record the final direction given by the Council in order to avoid any confusion. If the Council disagrees with the restatement, they may make corrections setting forth the direction to be given.

H. RECORDING VOTES

1. On all voting matters, if the vote is other than unanimous, the Mayor shall state for the record, and the Clerk shall have recorded in the minutes, all yea and nay votes. In the case of a tie vote on any motion, the motion shall be considered lost. Any motion for approval which fails to carry shall be considered a denial of

the proposal. Any motion for denial which fails to carry shall not be considered an approval of the proposal. A subsequent motion for approval may be made. A roll-call vote shall be taken upon the request of any Councilor.

2. If the Mayor calls out a vote count and a Councilor believes the vote count is incorrect, he/she must ask for a roll call at the time of the vote. Once announced, the vote total is final. If a Councilor wishes to abstain from voting, that member must do so prior to the issue being discussed and explain the abstention. A Councilor indicating an intention to abstain from voting may not participate in the discussion and should leave the dais.

I. MINUTES OF THE MEETINGS

1. Minutes of all open meetings of the Council shall be kept by the Clerk and shall be entered in a book constituting the official record of the Council.
2. Appropriate technology recordings of all open Council meetings shall be retained for a minimum of three years and may, within the City Clerk's discretion, be retained for a longer period after the minutes of the meeting are approved.
3. If a person needs to refer to the details of a discussion, he/she should refer to the meeting's recording, in accordance with Section M of this Rule. The City Clerk will exercise his/her best discretion, in accordance with appropriate minute taking procedures, to assure that the substance of the meeting is recorded accurately and that the name of each person speaking is recorded.
4. If a member of the Council or the public presents written material they wish to have included in the official record of the meeting, this will be done. The material will be attached to the original minutes that will be kept on permanent file in the Clerk's office.
5. Copies will not be included with the minutes that are distributed. Copies of attachments will be made available to Councilors upon request.
6. The City Clerk will tape record executive sessions whenever possible. Either the recording or minutes will be maintained in accordance with A.R.S. § 38-431.03, and shall be kept confidential. If the City Clerk or Deputy City Clerk cannot attend an executive session due to a conflict of interest, the tapes or minutes for that session shall be retained in the City Manager's Office until the conflict has been resolved.

J. READING OF MINUTES

Minutes will not be read unless requested by a quorum of Councilors. Copies of the minutes shall be distributed to Councilors upon request. A master copy of the minutes is available for review in the City Clerk's Office prior to the meeting at which they are to be approved.

K. CORRECTIONS TO COUNCIL MINUTES

1. If a Councilor has corrections, other than substance, such as spelling or punctuation, he/she may call them into the City Clerk or present them in writing before the next meeting and they will be corrected accordingly.
2. All corrections that have been approved by the Council at a Council meeting will be made to the original minutes in question before the City Clerk signs the certification form.

L. ORDINANCES: CONFINED TO ONE SUBJECT: EXCEPTIONS

No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances shall relate to more than one subject, which shall be clearly stated in its title.

M. APPROPRIATE TECHNOLOGY OF MEETINGS

Councilors have the right, if they wish verbatim portions of a particular meeting, to use copies of the official media to obtain this information for themselves. An appointment shall be made for the appropriate media use. (If a Councilor requests the City Clerk to perform this task, it will be done when the Clerk can judiciously do it without impeding the City Clerk's official daily work.) Master recordings shall not be removed and must physically remain in the possession of the City Clerk's Office.

N. CONFLICTS OF INTEREST

1. Each Councilor has responsibility for compliance with the provisions of A.R.S. Title 38, Chapter 3 Article 8[1], concerning conflicts of interest. When a Councilor recognizes a conflict of interest, the member shall announce the conflict, refrain from discussion or voting on the matter and shall leave the dais. A Councilor should consult with the City Attorney well in advance of any decision where there may be a potential conflict of interest.
2. A Councilor may in certain situations choose to abstain from participation in a matter even though he/she does not have a legal conflict of interest. However, such abstentions, absent compelling personal convictions or a strong perception of a moral conflict of interest, are discouraged. Ultimate discretion concerning personal abstentions are, however, left to the discretion of the individual Councilor. In such cases, the Councilor should announce his/her decision to abstain before any discussion of the item in question begins, and should thereafter refrain from discussion and voting on the matter, and should leave the dais. By participating in discussion of an item, Councilors thereby waive their right to abstain from voting.

O. MEETING TIME LIMITS

The Council will make every effort to comply with the proposed time limits established for each item on the agenda. However, any Councilor, after four (4) hours of meeting time has elapsed, may make a motion to continue the meeting to a date and time certain. Any Wednesday Work Session or Special Meeting shall contain an item at the beginning of the agenda providing for consideration of items continued from the prior meeting.

1. <u>General</u>

a. The Mayor may remind Councilors of these guidelines during a meeting.

b. Councilors are encouraged to read the packet ahead of time and submit questions to staff by the Monday of Council week.

c. As much as possible each Councilor should be given the opportunity to speak before a Councilor speaks a second time.

2. <u>Time Monitoring</u>

a. It is not necessary to speak on every issue. When you do speak, do not ask questions that have already been answered, do not repeat information, make

your point as quickly as possible, and be mindful of the time you take.

b. The Mayor may interrupt a Councilor if he/she is repetitious or not on topic.
c. The Mayor may remind the Council about time.
d. The Mayor may limit discussion when it appears that statements are redundant and that the time has come to vote.

3. Agendas

a. Agendas may include a recommended time limit next to each item. The Mayor may remind Councilors when the time limit is being approached.
b. Placing items on the agenda that could be handled administratively should be avoided.
c. Less time-sensitive items may be delayed to a later meeting when major substantive issues are on the agenda.
d. Agendas may be chronologically rearranged by the mayor after consulting with other Council members if it is determined to be in the best interest of facilitating the meeting while also ensuring compliance with Open Meeting laws.

4. Public Input and Presentations

a. Presentations and reports shall include detailed, written materials in the Council's packet. Speakers should present the key points only and not just read what is already in the Council packet.
b. Presenters shall make every attempt to stay within the time designated on the agenda bill. Additional time may be granted at the discretion of the Mayor.
c. The Mayor may manage public input by asking the public:

    1) To not repeat what previous speakers have said on the issue.
    2) That if they have nothing new to add to what other speakers have said, then to simply indicate they are for or against the item.
    3) For the next speaker to stand "on deck" to save time.

P. ORDER OF BUSINESS

1. Generally: The general order of business in regular meetings shall be as follows:

a. Call to Order/Pledge of Allegiance/Moment of Silence
b. Roll Call
c. Moment of Art (Second Tuesday only)
d. Consent Items
e. Appointments
f. Summary of Current Events by Mayor/Council/City Manager
g. Public Forum
h. Proclamations, Recognitions, and Awards
i. Regular Business
j. Reports on Council assignments
k. Requests for future meetings/agenda items. Councilors should be apprised of topics/issues that are being prepared for future Council agendasor possible executive session items
l. Executive Session
m. Return to Open Session
n. Adjournment

2. Consent Items: Many items of business require action by the Council, but are of a routine and non-controversial nature. In order to expedite the public business and provide time for deliberation of non-routine matters, a Consent Items Section shall be used as follows:

a. When any item of business requires action by the Council, but is routine, such items may be presented as part of the Consent Items Section.
b. Any member of the Council, City staff, or the public may request that an item be removed from the Consent Items. All such items shall be considered individually and acted upon with a motion in the order in which they appeared in the Consent Items Section.
    1) Whenever possible, Councilors should attempt to notify the Mayor and the City Manager, at least one hour before the meeting commences, of their intent to remove any item from the Consent Items Section.

c. Following the removal of items from the Consent Items Section, there shall be no debate or discussion by any Councilor regarding any items remaining in the Consent Items Section beyond asking questions for simple clarification.
d. The Consent Items shall be introduced by a motion “to approve the Consent Items” and shall be considered by the Council as a single item.
e. The motion to approve the Consent Items Section shall be equivalent to approval, adoption, or enactment of each motion, resolution, or other item of business exactly as if each has been acted upon individually. The motion of approval is only for those items that have not been removed from the Consent Items Section.

3. Proclamations: Proclamations may be placed on the agenda by the City Manager or with the sponsorship of any two Council members.

a. Before placing a Proclamation on the agenda, due consideration should be given concerning whether the Proclamation is consistent with the City’s vision statement and the goals of the Community Plan. Those that promote a particular political or religious agenda will not be accepted.
b. All Proclamations must be submitted in accordance with the City’s established timeline for placing items on a Council agenda and must be approved as part of the Consent Agenda prior to being presented. Proclamations will be read and presented only when the recipient of the Proclamation so requests and is present to receive it at the Council meeting where it is considered.

4. Summary of Current Events: This portion of the agenda should be confined to items such as recent or upcoming meetings or events of interest to Councilors and the public. It should not be used to state a position or deal with an issue. Such items should be agendized for future meetings.
5. Commission /Council Joint Meeting and Written Reports: The City Council will meet individually with each commission as needed to give direction. For this meeting, each commission chair is required to submit, a written status report summarizing accomplishments and major issues for his/her commission. The Council liaison for each commission or the Mayor, may at his/her discretion, bring back to the Council a request for an additional Council meeting if it appears to be warranted.

Q. TIME LIMITATIONS REGARDING PUBLIC PARTICIPATION

1. Public Forum: During the “Public Forum,” each member of the public will generally be limited to three minutes, unless the Mayor reduces the limit to allow time for all speakers. If at the expiration of three minutes a request for additional time is made, the request will be considered at the sole discretion of the Mayor. During an open call to the public, individual Councilors may respond to criticism made by those who have addressed the public body, may ask staff to review a matter, or may ask that a matter be put on a future agenda. However, Councilors shall not discuss or take legal action on matters raised during an opencall to the public unless the matters were properly noticed for discussion and legal action.
2. Public Input Concerning Agenda Items: During the “Agendized Portion” of the meeting, each member of the public will generally be limited to three minutes, unless the Mayor reduces the limit to allow time for all speakers. Speakers may be granted additional time by the Mayor. In the event a Councilor verbally objects, a vote will be taken.

    a. Individuals opposed to or supporting an agenda item will be recognized by the Mayor and must state his/her name and city of residence or county, then speak the issue. In the interest of time, the Mayor may request that he/she does not repeat statements presented by previous speakers. If the person does not wish to speak, the person can simply state his/her name and position on the issue.
    b. The Mayor **may** grant additional time to speakers representing two or more persons present at the meeting and who have filled out speaker cards.
    c. Councilors may ask speakers questions at the conclusion of the public input period.
    d. Any Councilor may make a procedural motion to re-open the public comment period, if it is perceived that members of the public wish to offer additional comments or rebuttal to matters presented after the original public comment period is closed. The Council will vote on the motion and if passed, the public comment period will be reopened.

3. Public Disruption: The Mayor has the authority to preserve order at all Council meetings, and may call for recess and/or remove or cause the removal of any person from any Council meeting. A member of the public who disrupts and is ordered removed from a Council meeting shall be excluded from the remainder of that meeting.
4. Planning and Zoning and Board of Adjustment Appeals: If the item before the City Council concerns an appeal of a planning and zoning issue or an appeal from the Board of Adjustment Hearing Officer, the appealing party and the party defending the prior decision will each be given twenty (20) minutes to present their position and respond to questions from the Council. The Council will then allow public comment in accordance with the three-minute rule governing such comment. Following the public comment period, the appealing and defending parties will have five (5) minutes for rebuttal. The Council will then ask questions, deliberate, and reach a decision on the appeal.

a. After an appeal has been filed in a matter where the Council is acting in a quasi-judicial capacity, and during the pendency of an appeal before the City Council, a member of the City Council may not communicate directly or indirectly with

any party or person about any issue of fact or law regarding the appeal, except at a meeting of the Council.

b. Notwithstanding Section a. above, no decision or action of the City Council shall be invalid due to ex parte contact or bias resulting from ex parte contact with a member of the decision-making body, if the member of the decision making body receiving the contact:

   1) Places on the record the substance of any written or oral ex parte communications concerning the decision or action; and
   2) Gives notice before or at the hearing of the parties' right to rebut the substance of the communication.

R. AGENDAS

1. Determination of Specific Items to be Included. Two Councilors, the City Manager or a Department Head may request to have items placed on the agenda. Council members wishing to place an item on a future agenda may make the request at a City Council meeting during Future Meeting/Agenda Items. As an alternative or if the item is of a time sensitive nature, the Councilor may contact the City Manager with the request. The City Manager shall be notified of all upcoming agenda requests from Councilors so that staff can be prepared.

   a. In the case of Council members, the support of at least two (2) Councilors is required to have items placed on the agenda. An item supported by at least four (4) Councilors shall be placed on a future agenda without the need for an introductory item discussion. If the City Manager determines that an item supported by fewer than four (4) Councilors will require substantial research and/or staff time (generally more than two hours), the item will initially be agendized as a 20-minute introductory item (10 minutes for presentation and 10 minutes for discussion) and a majority support of Council will be required to pursue the item further. Introductory items that fail to receive the majority support of Council may not again be placed on the agenda by the same two Councilors for 90 days.
   b. The general public may have items placed on the agenda only through Councilors.
   c. Requests by Councilors for information or reports concerning the administration of the City or matters having to do with actions of or failure to act by the City staff or amenable to administrative disposition shall not be placed on the agendaof any Council meeting until the City Manager shall have been given a reasonable opportunity to resolve the matter and to furnish the interested Councilor or Councilors with an explanatory statement.
   d. The City Council may, by majority vote, identify items to be added to the agenda of a specified future Council meeting.
   e. Items submitted by Department Heads for consideration as possible agenda items shall be presented to the City Manager and City Clerk under cover of a transmittal form, "Request for a City Council Agenda Item."
   f. An agenda team comprised of at least the City Manager, Mayor, Vice Mayor,City Attorney, and City Clerk shall meet prior to the regular meeting to select, discuss, and prioritize the draft agenda items and decide their placement on future agendas.

g. An agenda item submitted by Councilors shall be placed on a regularly scheduled Council meeting agenda within two (2) meetings of the submitted request. The agenda item may be postponed because of other agenda item priorities as determined by the agenda team.
h. As soon as the “draft agenda” is set, the City Clerk shall distribute it by email to all members of the City Council.
i. Only in extraordinary circumstances and after approval of the Mayor should any additional agenda items be added to the City Council packet after its distribution.
j. Once Councilors receive their meeting packets, any typographical or housekeeping errors in ordinances or resolutions under consideration should be presented in writing to the Clerk before the meeting at which they are considered and the necessary changes will be made by the Clerk for consideration by the Council at the Council meeting.

2. Posting of Agendas: All agendas for regular meetings shall be posted in one (1) official public places as well as the City’s website. All agendas will be publicized in the local newspaper on the Friday prior to the scheduled meetings. Agendas published in the newspaper will be marked “tentative,” and will have the following disclaimer “This is an unofficial tentative agenda and is subject to change until twenty-four (24) hours before the actual meeting. To review the final agenda(s), please consult with officially posted agenda(s) within twenty-four (24) hours of the meeting time.” Agendas will be posted by Friday, but in no case (other than an emergency meeting) later than twenty-four (24) hours prior to the meeting.

RULE 4

MAYOR, VICE MAYOR, DUTIES & SUCCESSION

A. MAYOR

1. Preservation of Order: The Mayor shall preserve order and decorum, decide all questions of order, prevent intrusion upon personalities or the impugning of members' motives, confine members in debate to the question under discussion, and conduct the meetings in accordance with parliamentary rules contained in Robert's Rules of Order (Revised). These Rules shall prevail in cases of conflict with Robert's Rules of Order.
2. Questions to be Stated: The Mayor shall state all questions submitted for a vote and announce the results. The recording of votes shall be in accordance with Rule 3, Section H.
3. Voting: The Mayor shall vote as a member of the Council.
4. Powers and Duties: The powers and duties of the Mayor shall include the following:

a. Serve as the chief executive officer of the City;
b. Be the chairman of the Council and preside over its meetings. He/she may make and second motions and shall have a voice and vote in all its proceedings;
c. Enforce the provisions of these Rules;
d. Execute and authenticate by his/her signature such instruments as the Council or any statutes, ordinances, or these Rules shall require;
e. Make such recommendations and suggestions to the Council as he/she may consider proper;
f. Declare, by proclamation, a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the City. After declaration of such emergency, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the City, including but not limited to:

    1) Imposition of a curfew in all or any portion of the City;

    2) Closing to public access of any public building, street, or other public place;
    3) Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.

g. Perform such other duties required by state statute and these Rules as well as those duties required as chief executive officer of the City.

B. VICE MAYOR

1. Designation/Election: At the Council meeting when new Councilors are seated following a general election, the Council shall designate one of its members as Vice Mayor, who shall serve, at the pleasure of the Council, until after the next general election. The designation process shall be as follows:

a. The Mayor will solicit a single nomination from the Mayor and each Councilor desiring to nominate until all nominations have been made. Nominations do not require a second. When it appears that no one else wishes to make a nomination, the Mayor will declare the nominations closed. A motion to close the nominations is not necessary.
b. After nominations have been closed, each nominee will have an opportunity to speak. If the nominee chooses to speak, it may not be for longer than three minutes. Any person so nominated may at this time withdraw his or her name from nomination.
c. Then voting for Vice Mayor will take place in the order nominations were made. Councilors will be asked for a voice vote and a raise of hands. As soon as one of the nominees receives a majority vote of the Councilors present, then the Mayor will declare that individual elected. No votes will be taken on the remaining nominees.
d. If none of the nominees receives a majority vote of Council, the Mayor will call for nominations again and repeat the process until a candidate receives a majority vote.
e. A tie vote results in a failed nomination.

2. Duties: The Vice Mayor shall have the powers to perform the duties of the Mayor during his/her absence or disability. In addition, the Mayor may delegate any of his/her ministerial duties to the Vice Mayor, including but not limited to, attendance and participation on non-City boards and committees.
3. Acting Mayor: In the absence or disability of both the Mayor and Vice Mayor, the Council shall designate another of its members to serve as Acting Mayor who shall have all the powers, duties, and responsibilities of the Mayor during such absence or disability.

C. MAYOR SUCCESSION

1. Upon the death or resignation of the Mayor, the Vice Mayor shall assume the duties of the Mayor until an interim Mayor is appointed by the City Council. The Council will fill any such vacancy by selecting the interim Mayor from among its members by majority vote. The person selected will serve until the next general election.
2. After making an interim appointment of the Mayor, the Council shall then immediately select one of its members as interim Vice Mayor, who shall serve at the pleasure of the Council until a new Mayor is elected and seated.
3. If the Councilor selected as Mayor is in his/her first or second year of a four-year Council term, then upon fulfilling the remainder of the former Mayor's two-year term, he/she will re-assume his/her position as a Councilor and complete the remainder of his/her term. If such an appointee desires to run for the office of Mayor, upon declaring his/her candidacy, he/she will be required to relinquish his/her right to re-assume his/her former position as Councilor. Upon declaring a candidacy for Mayor, because a vacancy will be created for his/her former Council seat, the Council will fill that vacancy per the options set forth in A.R.S. § 9-235.
4. Any person appointed to fill the vacancy created by a Councilor assuming the position of Mayor, will serve only until the next general election, unless appointed for a longer term per the provisions of A.R.S. § 9-235.

RULE 5

CREATION OF COMMITTEES, BOARDS & COMMISSIONS

A. COMMITTEES, BOARDS AND COMMISSIONS

The Council may create Committees, Boards, and Commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify which are not inconsistent with the City Code. No member of the City Council including the Mayor shall be allowed to independently form an official City committee, subcommittee, task force, or other body however designated, without the prior approval of the City Council.

B. MEMBERSHIP AND SELECTION OF COMMISSION OR BOARD MEMBERS

1. Individuals applying for a Board or Commission must fill out and submit the City application form by the established deadline.
2. The Mayor, Mayor's designee from City Council, and the Chair (or Vice Chair if the Chair is applying for reappointment) will interview applicants for commission seats and forward a recommendation for appointment to the Council.
3. If an existing Committee member is seeking re-appointment and is the sole applicant, he/she may be interviewed at the discretion of the reviewing body.
4. In situations where a replacement is being selected who will fill less than six (6) months of a remaining term, the reviewing body may recommend to the Council that the selected candidate be appointed to serve for the remaining term, plus the next full term for that position.
5. The recommendation will be placed in the Appointments Section of the next available Council agenda for approval.
6. Any Committee, Board, or Commission created shall cease to exist when abolished by a majority vote of the Council.

C. MEMBERSHIP AND SELECTION OF COUNCIL COMMITTEE MEMBERS

1. Council Committees may be formed and members appointed at the discretion of the Council or in the manner in which Boards and Commissions are formed.
2. Committees created through Council action are subject to the open meeting laws.
3. No Committee so appointed shall have powers other than advisory to the Council except as otherwise specified by ordinance, the City Code, or State Statute.

D. RESIDENCY REQUIREMENTS

1. Planning and Zoning Commission and Personnel Board members shall be residents of the City of Sedona. The Historic Preservation Commission and any Committees it may appoint, may have a maximum of two members each who are not residents of the City of Sedona, but only if they have a direct connection to the City corporation limits, including but not limited to, situations such as being an employee within the City limits or owning a business or property within the City limits.
2. Special, single issue, Committees set up by the City Council shall be comprised primarily of City residents, but may have up to two non-resident members, but only if they have a direct connection to the City corporate limits such as being an

employee within the City limits or owning a business or property within the City limits.

E. REMOVAL OF MEMBERS OF COMMITTEES, BOARDS & COMMISSIONS

The Council may remove any member of any Committee, Board or Commission by a majority vote of the Council, or as otherwise provided by ordinance or City Code.

F. INAPPROPRIATE ACTION/BEHAVIOR OF BOARD, COMMITTEE, OR COMMISSION MEMBERS

1. Any Committee, Board, or Commission member may not use City staff or letterhead to support personal or non-City functions or fundraisers.
2. Members of any Board, Committee, or Commission shall not use his/her official office as a means of advancing personal opinions through public statements whereby an inference can be drawn that they are speaking on behalf of the City. Any such public statements shall contain clear language indicating that such statements are the opinions and comments of the individual and are not necessarily the position of the City of Sedona.

G. ATTENDANCE AT COUNCIL, COMMISSION, COMMITTEE, BOARD OR TASK FORCE MEETINGS

In order to ensure that open meeting laws are complied with, the following procedures will govern the attendance of Council, Commission, Committee, Board and Task Force members at meetings other than those of the body that the public official serves on.

1. All notices of official City meetings will contain appropriate wording regarding the possible attendance by City Council, Commission, Committee, Board or Task Force members, such as the following example:
   "This is to notify the public that a quorum of members of the City Council or various other City Commissions, Committees, Boards, or Task Forces may be in attendance.
2. If, despite the precautions taken in Paragraph 1 above, a quorum of City Council, Commission, Committee, Board, or Task Force members appear at a public meeting, event, or private gathering, they will not congregate in a manner that would create a perception that the majority may be conducting City business.

The Mayor and City Councilors may from time to time be invited to attend and participate in staff-initiated committees, task forces, or CEP work group meetings that are not subject to open meeting laws, and they may always attend as observers; however, they may not serve as regular members of those committees, task forces, or work groups.

RULE 6

CITIZENS' INTERACTION

A. ADDRESSING THE COUNCIL

1. Following submission of a Citizen Information Card and when recognized by the Mayor, anyone may address the Council on any subject not on the agenda during the "Public Forum" portion of the meeting. Remarks shall be addressed to the Council as a whole, and not to City staff or any member of the general public. There shall be no Council discussion of such unagendized issues, other than to refer the matter to staff, respond to a personal criticism, or have the matter placed on a future agenda.
2. To speak on specific agenda items at other times throughout the meeting, a member of the public must fill out a "Public Comment Card" and present it to the City Clerk before or during the time that agenda item is discussed. The person must fill out his/her name, city/town of residence, phone number, the agenda item he/she wishes to address, and the name of the group he/she represents, if any.

3. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council.

B. CONDUCT AT MEETINGS;

1. Members of the public shall not engage in disorderly, disruptive, disturbing, delaying or boisterous conduct, such as, but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling or similar demonstrations, when such conduct substantially interrupts, delays, or disturbs the peace and good order of the proceedings of the council.
2. Members of the Council shall not, by disorderly, insolent, or disturbing action, speech, or otherwise, substantially delay, interrupt or disturb the proceedings of the Council.
3. Any person who becomes disruptive while attending a Council meeting in a manner that constitutes disorderly conduct per A.R.S. § 13-2904[2], may be requested to leavethe meeting and, if necessary, the Mayor may request that the police escort the person from that particular meeting.

C. RESPONSE TO CITIZENS' COMPLAINTS

In response to a citizen's complaint, the Councilor may refer the complaint to the City Manager in accordance with provisions of Rule 2, Section I.

D. WRITTEN COMMUNICATIONS

Interested parties or their authorized representatives may address the Council, in writing, regarding any matter concerning business over which the Council has control.

[2] A person commits disorderly conduct if, with the intent to disturb the peace or quiet of a …person, or with knowledge of doing so, such person:

1. Engages in fighting, violent or seriously disruptive behavior; or
2. Makes unreasonable noise; or
3. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person; or
4. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of business of a lawful meeting, gathering or procession; or
5. Recklessly handles, displays or discharges a deadly weapon or dangerous instrument.

RULE 7

PROCEDURE FOR COUNCIL AND CITY MANAGER (OR DESIGNEE) LIAISONS/REPRESENTATIVES TO PROVIDE INPUT TO REGIONAL BOARDS AND COMMITTEES

A. APPOINTMENT

Appointments shall be made at the Mayor's discretion with input from the City Manager. Appointments will be revisited and possibly reassigned following City Council elections. Councilors may express interest in certain liaison roles; however, the final determination for the appointment will be a decision of the Mayor. New liaison roles will be approved by the Mayor and City Manager. City staff may be assigned in lieu of a City Councilor.

B. ROLES

Roles are defined in the categories of Informal Voluntary, Financial Relationship, and Shared Governance.

1. Informal Voluntary - liaisons to these organizations are voluntary based on interest from Councilors. Liaisons should limit activity to attending meetings, collecting information, and reporting back to Council. Councilors are discouraged from giving general reports except those that are limited to information relevant to the organization to which the liaison serves or as otherwise directed by Council.
2. Financial Relationship - liaisons to these organizations are established based on a significant, ongoing financial contribution, often resulting in a service contract, MOU, IGA, or a specific service rendered in exchange for a fee. Liaisons should play a more active role in observing and assessing fiscal stewardship and alignment between funding and any stated goals or outcomes associated with funding from the City. Whenever practical, Council should provide input to liaisons so they can more effectively represent the City. Input could be related to seeking specific information from the organization such as annual reports or audits or direction given to advocate for certain outcomes. Liaisons should never vote or make commitments on anything without delegation from Council. The Council liaison and staff liaison should coordinate efforts to maximize effectiveness of both positions and eliminate possible conflicting information.
3. Shared Governance - liaisons should play the most active role; influencing the organization through voting, lobbying, and other means in the interest of the City. Whenever practical, Council should provide input to liaisons so they can more effectively represent the City. Input could be related to seeking specific information from the organization such as annual reports or audits or direction given to advocate for certain outcomes. Liaisons should never vote or make commitments on anything without delegation from Council. The Council liaison and staff liaison should coordinate efforts to maximize effectiveness of both positions and eliminate possible conflicting information.

C. REPORTS TO COUNCIL

After appointment by the City Council to a Board or Committee, the Council representative should periodically report items of significance to the Council as part of the Council Assignments portion of City Council meetings and may also wish to provide periodic updates to the City Manager.

D. DIRECTION FROM COUNCIL

1. Upon the request of the Council representative, issues may be agendized for Council consideration before the next meeting so the representative may receive instruction and direction from the Council. Staff may also participate in and make a recommendation to the Council.
2. The City Council will deliberate and indicate by motion the instruction and direction which the representative is to present in representing the City before regional bodies and Committees.

E. SPEAKING ON BEHALF OF COUNCIL

1. If a Councilor appears before any federal, state, regional, county or other governing body, board or committee, and has not received any direction from the City Council as a whole concerning matters which are being discussed, any comments or statements made by said Councilor should clearly indicate that the Councilor is speaking only as an individual and that his/her comments should not be construed as representing the views of the City of Sedona or the Sedona City Council. (See Rule 2, Section F, Paragraphs 1 and 2)
2. Where time constraints require immediate input on behalf of the City, and where the Councilor has a substantial good-faith basis for assuming that there would be strong Council support and there is support for the particular issue in the Community Plan and/or Strategic Plan, the Councilor may proffer a tentative City position and shall thereafter give, within twenty-four (24) hours, written notice to other Councilors and the City Manager of the position taken.

CITY OF SEDONA

POLICIES

POLICY A

LIQUOR LICENSE APPLICATIONS

The Sedona City Council shall consider all applications for Liquor Licenses in accordance with Arizona Revised Statutes, Title 4, unless that authority has been delegated to City staff by an official Council Resolution.

POLICY B

ELECTRONIC MAIL (E-MAIL) AND INTERNET POLICY

A. COUNCIL SPECIFIC PROVISION

City Councilors may communicate with each other via e-mail concerning City business under the following conditions:

1. E-mail communications concerning City business or City related issues are considered public records. If an email related to City business is received by an account other than a City email account, this email shall be forwarded to the official City email account for records preservation. The email will be preserved and made available for public inspection.
2. E-mail cannot be used as a means of discussion of City business between all or a quorum of members of the City Council.
3. E-mail cannot be used as a means of taking straw polls on City issues.
4. E-mail cannot be used to facilitate a form of “hub and spoke” communication whereby one Councilor acts as a go-between disseminating communications between other Councilors. In summary, communication by e-mail cannot be used as a means of circumventing the open meeting laws.
5. A Councilor may use e-mail to distribute informational material to all other Councilors through the City Clerk. However, such distribution should not be made with the intent to initiate responses from other Councilors. Any discussion of such informational communication should be reserved for public City Council meetings.
6. E-mail communication to or from the City Attorney concerning pending litigation or legal advice should contain a warning in the subject line stating: “Confidential Attorney-Client Privileged.” A corresponding copy of the e-mail should also be sent to the City Clerk’s direct e-mail address. The Clerk will make a hard copy of the e-mail and maintain it in a confidential non-public file. Such communications should also contain the following boilerplate at the end of the communication:

   > The information contained in this message is attorney/client privileged and/or confidential information intended only for the use of the individual or individuals named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or printing of this communication is strictly prohibited. If you have received this message in error, please notify us immediately by telephone at 928-204-7200 (or by reply e-mail) and delete this message.
   > Thank you.

B. CITY WIDE E-MAIL INTERNET POLICY

1. Purpose

a. This policy sets forth the parameters for the proper use, preservation, disclosure and disposition of electronic mail (e-mail). It also establishes appropriate standards for use of the Internet within the City.
b. This policy applies to all employees and public officials including City Councilors and members of City Committees or Commissions who access e-mail or the

Internet through the City computer network, either by way of a City computer or through a remote connection to the City computer network.

c. E-mail is a communications tool that, when made available to City employees, is provided for performance of their duties. E-mail is to be used for official business purposes. Personal messages shall be kept to a minimum. No solicitations shall be conducted through e-mail.
d. The City's connection to the Internet exists to facilitate the official work of City staff members. The Internet facilities and services are provided for staff members for the efficient exchange of information and the completion of assigned responsibilities.
e. Employees shall not be granted access to the e-mail system until they have read this policy and signed and have returned the Policy Consent Form to Human Resources.

2. General Policy Statement for E-mail

   a. The City of Sedona maintains an electronic mail system in order to facilitate expeditious communication among City employees, public officers, citizens and persons or companies doing business with the City. The contents of all electronic mail messages composed, sent or received on the City electronic mail system are the intellectual property of the City of Sedona, and are not the private property of any employee or public official. The use of the e-mail system is a privilege; therefore, acceptable use of the e-mail system is based on good judgment and common sense. Employee e-mail accounts are not to be used as the sole or primary e-mail address for personal correspondence.
   b. The confidentiality of any e-mail message should not be assumed. Even when a message is deleted, it may still be possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. The City reserves the right to review, audit, intercept, access and disclose all e-mail messages created, received, or sent over the City's electronic mail system. Except as noted in Par. A(3) below, the contents of electronic mail may be disclosed without the notice or permission of the sender. Notwithstanding the City's right to retrieve and read any electronic mail messages, such messages shall be treated as confidential by other employees and public officers and shall be accessed only by the intended recipient. No electronic messages may be monitored, reviewed, audited, intercepted, accessed, or disclosed without the authorization of the City Manager.
   c. No electronic messages created, received or sent over the electronic mail system by any employee or agent of the Sedona City Attorney's office may be monitored, reviewed, audited, intercepted accessed or disclosed without the prior written authorization of the Sedona City Attorney. This policy complies, in all respects, with the provisions of the Rules of the Supreme Court, Rule 42, Professional Conduct, including, but not limited to the provisions of ER 1.6, Confidentiality of Information.
   d. The City Clerk's Office is responsible for creating and distributing the e-mail records policy, in accordance with State Statute and City requirements.

C. DEFINITIONS

1. Electronic Mail (e-mail): Electronic Mail is any transmission of messages, including attachments and imbedded objects, through the City's computer information network by electronic means.
2. Public Records: For purposes of this policy, Public Record means any e-mail communication made or received by any City employee or public officer in pursuance of law or in connection with the transaction of public business including, but not limited to, communications that concern the City's organization, functions, policies, decisions, procedures, operations or other activities or which are of informational or historical value. Few records in the possession or control of an employee or public officer will not be considered "Public Records." Exceptions include routine e-mail communications of a personal nature, spam, or communications containing information that is not related in any way to City business.
3. Routine E-mail: Routine E-mail Communications include communications that are routine in nature such as those used to schedule meetings or conference calls, notices of vacations, times away from the office, etc., and which have little relevance in terms of recording official actions or decisions made by City staff or public officials.

D. SECURITY, PRIVACY AND OWNERSHIP ISSUES

1. E-mail is Not Secure. E-mail transmitted inside the City is more secure than e-mail transmitted via the Internet. If additional security is needed for sensitive information, such as for health records information, then additional security measures, such as encrypted e-mail messages, must be taken to secure the contents of the message or another form of communication should be used.
2. Expectation of Privacy: Employees using e-mail shall have no expectation of privacy related to the use of this technology. E-mail may be a public record subject to disclosure under the Arizona Public Records Law (Arizona Revised Statutes (A.R.S.) § 39-121). Confidential messages should never be sent electronically for two reasons:

   a. Messages may inadvertently be sent to the wrong addressee.
   b. E-mail should always be used with the assumption that messages will be read by someone other than the intended recipient.

3. Property Rights: E-mail is an information technology/computer service and is the property of the City. All messages created in the system belong to the City, not employees, vendors or customers. The City reserves the right to monitor e-mail use by any user at any time.

E. GUIDELINES FOR USING E-MAIL

1. E-mail shall be used primarily for official business purposes.
2. All City e-mail addresses should not be used on any non-official business related website form.
3. E-mail communications shall be professional in content, and consistent with City policies and procedures.
4. When communicating with the City Attorney about a legal issue, always insert the phrase "Attorney-Client Privileged" in the subject line.

5. City work rules governing use of City property, record keeping and communications with others apply to the use of e-mail. Employees should never send an e-mail communication they would not feel comfortable communicating face-to-face or over the phone.
6. No e-mail communications shall be created or sent that might constitute discriminatory, harassing, intimidating, hostile or offensive communications on the basis of gender, race, color, national origin, sexual orientation, disability, or other grounds.
7. Employees shall not read the e-mail of another employee without a legitimate business purpose consistent with the City's policies and business communications practice.
8. No employee shall send e-mail under another person's name without that person's authorization, and the sender shall indicate his/her identity in the message.
9. Examples of Unacceptable Use:

    a. E-mail shall not be used for personal business beyond that allowed in paragraph 9 below, or for personal gain.
    b. E-mail shall not be used for soliciting or for issuing or forwarding serial or "chain mail"-type messages or advertisements of any commercial nature.
    c. E-mail shall not be used for soliciting or recruiting membership for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.
    d. E-mail shall not be used for creating any offensive or disruptive messages which contain sexual implications or comments that offensively address race, color, religion, gender, national origin, ancestry, marital status, sexual orientation, age, physical or mental disability, medical condition or veteran status, or are otherwise considered unethical, illegal, unprofessional or disruptive.
    e. E-mail shall not be used for any activity that would jeopardize the legitimate interests of the City or the citizens of the City of Sedona.

10. Personal Use of E-mail: In addition to the use of electronic mail in the performance of their job duties, employees may make limited personal use of electronic mail in circumstances similar to those appropriate for personal phone communication such as the following:

    a. Scheduling of personal appointments as an effective extension of ones overall time management, i.e., lunches, meetings, medical appointments, etc.
    b. Sharing of event-driven information and planning of work-related social events where the intent is to enhance employee morale, i.e. birthdays, marriages, birth announcements, etc.
    c. Limited personal use in corresponding to associates or family members during allowed break or lunch time.

F. E-MAIL RECORDS, RETENTION AND DISPOSITION

1. Public Record: E-mail communications may be public records. Any e-mail communication that meets the definition of a "public record" shall be preserved in accordance with this policy and the records retention and disposition, as

approved from time to time by the State Department of Archives.

2. E-mail Retention: You are responsible for saving the e-mail record and any attachments if you are (a) the sender of the message or (b) the person receiving an e-mail record from a source outside the City. The sender includes the person who sent the original message, the sender of a response and the person forwarding a message with comment. Employees who transmit e-mail shall determine whether to preserve or delete the e-mail communication as follows:

a. Routine e-mail, communications of a transitory value, may be deleted after being read and after the required action is taken, subject to the limitations set forth in paragraphs 3, 4, and 5 below.
b. Communications that meet the definition of a "public record" transmitted on the City's electronic mail system, or received from outside the City, through the City's electronic mail system, shall either be printed and preserved in the appropriate file, in permanent paper format or, shall be preserved, unedited, in the employee's or public official's e-mail system without printing in a manner that will enable it to be easily retrieved upon request. With every communication that qualifies as a "public record," the sender shall ensure that the following information is included and preserved.

    1) The time and date the message was sent and received.
    2) The complete sender and receiver identification.
    3) An accurate description of the subject matter of the e-mail and whether or not the e-mail is attorney-client privileged or confidential in the "Subject" section of the e-mail message.
    4) The complete message, and any and all attachments to the message. The content of the message, not the medium, determines whether and how long you save it.

3. Examples of E-mail Messages that Should be Saved as a Record:

    a. E-mail discussions with colleagues on how to deal with an issue or case are part of the public record and should be saved.
    b. If documentation is needed for a project, then save the e-mail messages related to the project.
    c. If you would save and file a message transmitted on paper, you should also save and file it if it is transmitted via e-mail.

4. Examples of E-mail Messages that Should be Deleted:

    a. E-mail messages related to routine phone calls, or routine announcements such as bulletins about social or recreational events can be deleted when you have acted on them.
    b. If you invite coworkers to a business meeting, then the messages should be deleted as soon as they are not needed.
    c. E-mail messages between you and a supervisor about a memo you are drafting for his/her signature and the various drafts of the memo itself do not need to be saved. The supervisor should save a copy of the final signed memo.

5. Records Management Manual: Each department has a Records Management Manual that has a Department of Library and Archives approved Records

Disposition schedule. If you have a question about records retention and disposition, call the City Clerk's Office.

a. Communications subject to an existing public record request, or to formal discovery in ongoing litigation, will be preserved in the appropriate file or the e-mail system.
b. If an e-mail message has been saved in another authorized medium, it may be deleted from the e-mail system.

6. The volume of e-mail received daily builds quickly and can affect e-mail system performance. Employees should practice good file management by regularly deleting routine e-mails when their value has been served, and consider printing a paper copy of records to retain for the length of time required for that record series, as noted in the City of Sedona's Records Management Manual.
7. Records saved in the e-mail system should be organized by topic within folders inside the employees e-mail cabinet, in which folders are named appropriately to clearly describe the contents.
8. The Information Technology Division (IT) is responsible for a weekly backup of the data of the entire e-mail system, in accordance with the following procedures:

a. The system administrator will structure the e-mail system so that all City users will not be able to permanently delete e-mails that are moved to the "trash" folder on their individual systems. E-mails in the "trash" folder will be deleted monthly by the System Administrator in accordance with the procedure set forth below.
b. Full data backups of the e-mail system server will be performed weekly.
c. Each of these weekly backups will be maintained for a period of four weeks.
d. On the first weekend of every month, the complete e-mail system backup, as required in paragraph b. above, will be made and preserved for a period of three years. This is to insure that no e-mail that is to be preserved for at least three years under the City's retention policy is inadvertently deleted. Following the successful completion of this monthly system backup, the system administrator will delete all e-mail placed in every City user's "trash" during the preceding month.

G. SPAM MANAGEMENT

1. The City of Sedona may use e-mail filtering, blocking, and or management software to limit, minimize, and/or delete e-mail messages that are not in accordance with the City's E-mail and Internet policy. Examples of e-mail messages that may be filtered or blocked include:

a. Messages that are obscene in nature;
b. Messages that are personal and are not relevant to business conducted at the City of Sedona;
c. Messages that have a blank subject line;
d. Messages that are from a randomly generated address;
e. Messages that have content that is randomly generated;
f. Messages that do not have a message body;
g. Messages that have an attachment that may contain a virus;
h. Messages that have embedded HTML comments

2. The rules for filtering and blocking messages are centralized through software. However, all employees are responsible for managing the release of all and/or any messages that have been filtered or blocked by the software. The software provides a method for employees to perform release messages from the software directly and unreleased messages will be deleted from the City's system after a specified number of days.
3. The City is not responsible for any personal messages that are blocked and/or deleted in accordance to these policy guidelines.

H. GENERAL POLICY STATEMENT FOR INTERNET USE GUIDELINES

1. Access to the Internet is provided to City employees for the primary purpose of conducting official City business. Employees should use the Internet to accomplish job responsibilities more effectively. The Internet may not be used for prohibited purposes, such as but not limited to, conducting private business, political campaigning, any illegal uses, or any actions listed in Section 2: Unacceptable Use. Personal use of the Internet should not have any cost to the City, be excessive in time, or interfere with an employee or co-worker's work. Employee e-mail addresses are not to be used during personal Internet usage.
2. Certain features of the Internet can clog the City's network and e-mail system, and should be used strictly for work-related purposes, such as:

   a. Subscriptions to a listserv. In order for an employee to join a work-related listserv, the employee must gain permission from his/her supervisor. Then, IT must be notified in writing with the e-mail address, web address, and purpose of the listserv in order to ensure delivery of listserv e-mail.
   b. Streaming media, which uses a large amount of bandwidth (for example, Internet Radio).

3. Use of the Internet is a privilege and not a right. Users should be aware that monitoring of Internet usage, including sites visited, occurs without user consent or prior notice on a regular basis. If inappropriate use is determined, the City may deny, revoke, or suspend Internet access to any user at any time.

   a. Acceptable Internet use includes the following:

      1) Communications and information exchanges directly relating mission, goals and work tasks of the City.
      2) Use for advisory, standards, research, analysis, professional society or development activities related to the user's job duties and responsibilities.
      3) Official legal or law enforcement investigations.
      4) Those specifically instructed by supervisors

   b. Examples of Unacceptable Use

      1) It is unacceptable for an Internet user to view, submit, publish, display, or transmit on the network, or any agency computer system, any unauthorized information that:

         i. Violates or infringes on the rights of any other person.
         ii. Contains defamatory, false, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive, or otherwise biased, discriminatory, or illegal material.

iii. Violates any applicable laws, including federal, state and agency regulations, prohibiting sexual harassment.
iv. Uses the system for any illegal purpose.

2) It is also unacceptable use of the Internet or City e-mail address to:

i. Conduct personal or unapproved business, or personal business transactions.
ii. Solicit any activity prohibited by law.
iii. Transmit material, information, or software in violation of any law.
iv. Conduct any political activity.
v. Conduct any gambling, betting or gaming activity.
vi. Conduct any activity for personal gain.
vii. Make unauthorized purchases.
viii. Download software or browser plug-ins without obtaining pre-authorization from IT.

c. Personal Responsibility

1) Some Internet sites routinely keep logs of who visits their website. Individual users must be aware of and at all times attempt to prevent potential City liability in their use of the Internet. For that reason, all Internet communication, wherein the employee is expressing a personal opinion and which does not reflect the official position of the City or department, must include the following disclaimer: “The opinions expressed here are my own and do not necessarily represent those of the City of Sedona.”
2) Employees should be aware that there is a wide variety of information on the Internet. Some individuals may find some information on the Internet offensive or otherwise objectionable. Individual users should be aware that the City has no control over and can therefore not be responsible for the content of information available on the Internet.

d. Records Retention. The same policy for retention of records, set forth in the City of Sedona E-mail and Internet Policy, shall apply to all records obtained or received via the Internet. City employees who transmit or receive material via the Internet shall determine whether to preserve or delete the material and communications consistent with the records retention schedule and records retention policy of their department.

e. Copyrighted Material

1) All communications and information accessible via the Internet should be assumed to be private property. Internet users shall honor copyright laws including those protecting software and intellectual property.
2) Duplicating, transmitting, or using software not in compliance with software license agreements is considered copyright infringement.
3) Users shall not make copies of software or literature without authorization and the full legal right to do so.
4) Unauthorized use of copyrighted materials, or another person’s original writings, is considered copyright infringement.

5) Internet users shall not transmit copyrighted materials, belonging to others, over the Internet without permission.
6) If the agency permits, users may download copyrighted material from the Internet, but its use must conform to the restrictions posted by the author or current copyright law.
7) Copyrighted information used on websites must be clearly identified as such.

f. Public Domain Material. Internet users may download public domain materials for business related use. Redistribution of public domain materials is done so with the assumption of all risks regarding the determination of whether or not the materials are in the public domain. Any redistribution of public domain materials is strictly limited to non-commercial use.

I. SOFTWARE ACQUISITIONS AND USE

1. IT must review, approve, and purchase or acquire all software to be used or installed on City owned computers. Employees who wish to download software or browser plug-ins must obtain authorization from their department head prior to contacting IT.
2. No games other than the standard ones supplied with Windows will be approved for purchase or installation.
3. A valid license or shareware documentation must be held for all software. Illegal duplication of software will not be allowed.
4. Only IT personnel or an approved alternate may install software. It is the responsibility of IT for tracking and recording all software licenses for the City. If shareware products are being used, documentation should certify that the registration fee has been paid or that the software is provided free of charge.

J. HARDWARE USAGE

1. The City's computer systems are a valuable resource, and they should not be abused or wasted. Examples would include excessive use of printer supplies and disk space.
2. Food and beverages can damage a computer, and therefore are prohibited in the immediate computer workstation area. Any other activities that may result in damage to the hardware or software must be avoided.
3. Employees are responsible for periodically reviewing files and removing those that are unnecessary or obsolete.
4. All screen savers and background should be professional and not display any offensive messages. For purchasing, please see the City of Sedona's Purchasing Manual.

K. REGULATION AND ENFORCEMENT

Department Heads (or their designee) shall be responsible for agency compliance with the provisions of this policy and for investigating suspected non-compliance. Violation of any element of this policy may result in disciplinary action, which will follow the guidelines of the Employee Manual.

POLICY C

TRAVEL POLICY FOR COUNCILORS

A. INTRODUCTION

The City of Sedona provides its Councilors with adequate accommodations when traveling on City business, while maintaining an obligation for reasonable use of public funds. The procedures contained herein are designed to provide guidelines for appropriate use of such funds. (Refer to the City's Purchasing Policy for further rules)

B. TRAVEL AUTHORIZATION

Each Councilor has the primary responsibility to ensure validity of travel, and that all expenses are properly documented and correctly incurred within the guidelines of the City's Travel Policy. Management is also responsible for providing/communicating City travel guidelines to Councilors.

C. ELIGIBLE EXPENDITURES

1. All expenses for travel, hotels, mileage, telephone, etc., should be submitted promptly, and accompanied, where applicable, by receipts attached to expense forms provided by the City Clerk. These expense forms should be submitted within two weeks of the activity.
2. Generally, eligible expenditures include travel and living costs incurred by the Councilor while away from the City, and expenses incurred within the City necessitated by City business. If a spouse, friend or any one not employed by the City accompanies a Councilor, the other person's expenses are not covered.
3. Approval must be obtained for training, conferences, and travel expenses prior to the intended travel. A copy of the conference/registration form and supporting documentation, indicating the purpose/business nature of the trip, should be submitted for review by the City Manager and Finance Manager prior to payment.

D. ELIGIBILITY FOR PURCHASING CARD CHARGES

Eligibility for purchasing card charges and expense reimbursement will be based on the following conditions:

1. Registration:

   a. The actual cost of registration of any Councilor at a meeting, conference, or convention which is specifically for City business is an eligible expense.
   b. Receipts must be submitted for reimbursement, or accompany the credit card billing statement if paid with City purchasing card. If a check is needed, the request must be submitted at least three weeks in advance of the deadline for registration to the Finance Department so that it will be processed with the regular accounts payable procedures.

2. Air Travel:

   a. Air coach transportation will be considered standard for out-of-state travel. All airfare arrangements must be made by the traveler or a department representative. Since travel agents charge varying "ticketing fees," it is suggested that travelers look for an agent that offers low fares and reduced fees.

b. In some cases, the lower airfare may require the traveler to endure a connecting flight or slightly longer layover between flights. Travelers are encouraged to attempt this whenever it makes business sense and helps to contain expenses.
c. Travelers are expected to make travel arrangements in advance (at least twenty-one (21) days prior to travel) to take advantage of less expensive flight options. Waiting until the last minute becomes extremely costly to the City. Travel arrangements made less than twenty-one (21) days in advance should be supported by an explanation as to the business necessity for last minute travel arrangements.
d. Criteria for flight selection must always be based on the lowest-priced airfare rather than the opportunity for personal benefit of the traveler. A Councilor must check a minimum of two airline quotes to ensure the best rate. Councilors should maintain documentation supporting the airline and flight chosen was procured using the best possible rate to the City (using a twenty-one (21) day advance, coach fare, non-refundable ticket).
e. When a traveler makes personal stops enroute to a business destination point, the traveler will only be reimbursed for the round-trip coach fare from Phoenix to the business destination point.

3. Lodging:

a. All hotel arrangements must be made by the Councilors traveling or the appropriate department representative. It is suggested that Councilors try to make arrangements to stay at a hotel that is close to the business meeting or training facility. It is even possible, in a lot of instances, to stay in the hotel where the event is taking place. This will reduce the need for a rental car or other ground transportation expenses.
b. When making the room reservation, travelers should also inquire about a government room discount rate and the event's discount rate and select the lesser of the two.

4. Meals and Incidentals:

Meals for City Council, Boards, Commissions, and staff conducting formalCity business during meal times are specifically authorized according to the City's current policy on staff per diem amounts. While traveling, individuals must submit detailed receipts (nota summary that only shows the total) for all reasonable meals and incidentalsincurred. No alcohol, tobacco, reading material, personal items, etc. may be included. Gratuity may not exceed 20% of the total bill.

a. Except for lodging where individuals share the same room or transportation conveyance (cab, rental car, etc.), each individual seeking reimbursement must incur his/her own expense and seek individual reimbursement. The only exceptions are group meals arranged for working sessions or banquets arranged by a department.
b. In the case of group meals, each Councilor does not have to be broken out separately.

5. Ground Transportation:
    a. It is the traveler's responsibility to use the most economical means for ground transportation and parking in order to maintain control over the departmental travel budget.
    b. In most cases, it is more reasonable to take a taxi, public transportation, or hotel transportation instead of renting a car. Travelers should also check ahead to see if a shuttle service is available for airport pick-up to conference or seminar locations.
6. Personal Auto Usage:
    a. Travelers will be reimbursed for use of their personal vehicle for City business only if a City vehicle is not available and the travel is greater than ten (10) miles outside of the City limits. However, if the absence is to be more than three (3) days, a City vehicle may not be used. The mileage reimbursement rate will be updated periodically in accordance with the approved IRS guidelines. To find out what the current reimbursable rate is, contact Financial Services. The origination and destination of the trip, total number of miles, and odometer reading must be indicated on the Standard Expense Voucher.
    b. Though a personal vehicle may be used in lieu of air travel, only the lesser of the mileage reimbursement or airfare, rental car, and parking will be paid.

E. CITY POOL VEHICLE

1. Vehicle Usage: Vehicles shall be used for City of Sedona business only. City pool vehicle(s) shall be available to all on a first come first serve basis. “Pool Vehicle” is defined as a vehicle which is not designated to a specific department. Pool vehicle(s) may be used for in town or out of town City business not to extend beyond a three (3) working day period without written approval of the City Manager.
2. Passengers: Passengers shall not be permitted in City vehicles unless such passengers are in the vehicle in regard to official City business or serve as City officials. A spouse or other family member may accompany the City official on City related business, however, only the City official may operate the City vehicle.
3. Licensing: All operators of City vehicles shall possess a valid Arizona driver’s license. Proof of valid registration and automobile insurance is located in each City vehicle.
4. Safety: Vehicles shall be operated in a safe and responsible manner at all times. All drivers and passengers shall wear seat belts at all times.

F. VEHICLE ACCIDENTS

1. Incident Report: In the event of an accident, Councilors are required to complete an Incident Report form located in each City vehicle or obtained from the Legal Department. The Incident Report is used to provide information about the incident and is required by the insurance company. Report this information to the Legal Department at the earliest possible time (928-204-7200).
2. Damage to a Personal Vehicle: Damage to a traveler's personal vehicle that was used while on City business is a non-reimbursable City expense.

G. RENTAL CARS

1. Most transportation needs are met through air travel, taxi, personal vehicles, or motor pool vehicles.
2. Conferences and seminars usually do not require attendees to do extensive driving during the event. However, should the need for a rental car arise, the Councilor should base the quote on an intermediate size car.
3. In addition to the twenty-four (24) base rate, other items to ask about include:

   a. Mileage costs, if any.
   b. Hourly pro-rata cost beyond the twenty-four (24) period.
   c. Availability of grace periods (each agency has their own policy).
   d. Any special or discount rates available.

4. Non-City individuals (guests) are not permitted to use/drive a City rented vehicle.

H. NON-REIMBURSABLE EXPENDITURES

The following expenditures are considered personal, not directly related to business travel, and therefore non-reimbursable. If any of the following expenses are inadvertently paid for by the City, the, Councilor or Commissioner must reimburse the City for the expense.

This is not meant to be an all-inclusive list.

1. Beauty parlor or barber,
2. Personal entertainment, social events, sporting events, golf, movies, etc. including those at a business conference,
3. Liquor,
4. Theft, loss, or damage to personal property,
5. Personal postage, reading materials, or phone calls,
6. Personal toiletry articles,
7. Fines or penalties for parking or traffic violations,
8. Hotel charges for failure to notify and/or cancel reservations,
9. Valet parking and services.

I. PURCHASING CARDS

With pre-approval of the Mayor, a Councilor will be issued a purchasing card. Purchasing cards should be used for payment of travel, lodging, registration, and meal approval in attending training classes or conferences.

J. TRAVEL AND TRAINING PURCHASE ORDER REQUISITION (PRE-TRIP PAPERWORK)

A Travel and Training Purchase Order Requisition is required in all cases where a Councilor will be traveling or attending a workshop, seminar or conference. This requisition process is completed in the Finance Department’s Caselle program, Accounts Payable, Data Entry, Requisition Entry.

K. STANDARD EXPENSE VOUCHER (POST-TRIP PAPERWORK)

This form is used to report reimbursable expenses such as mileage, meals, lodging, and any other expenses paid out of pocket. Receipts must be attached to the Standard Expense Voucher. Do not include City purchasing card charges. These

charges will be accounted for on your monthly statement. This form is available on the Intranet, Department Documents area, in the Finance folder under Forms, Standard Expense Voucher (SEV).

CITY OF SEDONA

APPENDIX

APPENDIX A

SERVICE CONTRACT POLICY LANGUAGE

The City of Sedona has a long established practice of using public funds to support not-for-profit organizations through contractual agreements. The organizations funded through these service contracts provide services to City residents that the City does not provide. While all of the services within this category are not mandatorily provided by a municipality, it has been determined that the desire/need for those services has broad based citizen support and provides a community benefit. It has also been determined that in the absence of these organizations, the City may provide these services directly.

There may be other not-for-profit organizations that also provide strong community benefits, and may be desirous of entering into a contractual arrangement with the City of Sedona for ongoing operational support. At this time the City has determined that the list of existing services/service contracts are beneficial to the community and sustainable by the City. Given the City's longstanding commitment to the existing service contract organizations, the contract program for these organizations should be maintained. Expansion of the service contract program is not warranted at this time.

If other not-for-profit organizations came forward with a compelling justification for a new community service contract, prior to being presented to the Sedona City Council, a sustainable funding source would need to be identified to sufficiently fund the service into the future.

New service contract requests must also meet the following criteria:

- Be a not-for-profit organization as defined by the IRS
- Be seeking funding for a program/project that is non-religious and non-political
- Provide a benefit for the entire community
- Principally serve community needs within the boundaries of the City
- Demonstrate a broad based citizen support for funding that service with public funds.

Should an organization meet the above criteria, the City Manager and/or two City Councilors may request the item be placed on a City Council agenda for further discussion/consideration.