



QUARTZSITE TOWN COUNCIL PROCEDURE POLICY

Ord. No. 09-29

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SECTION I – PURPOSE

1. PURPOSE:

The purpose of this manual is to provide standard procedures for the Town Council to conduct its business among its own members, the Town staff and the general public. The set of procedures presented shall be in effect upon their adoption by the Council by motion until such time as they may be amended.

2. Procedure for Initiating or Amending this Manual:

Any member of the Council may propose a new or amended procedure. To do so the following process shall be followed:

- a. Present in writing the proposed draft to the Town Clerk or appointed nominee.
- b. The draft proposal will be reviewed and considered at a scheduled Council meeting.
- c. The Town Attorney will review the draft proposal and put it into proper legal format for submission to the Council.
- d. At a second meeting the Council will review and consider for approval the proposed procedure.

3. Master File of Originals:

The Town Clerk or appointed nominee will maintain a Master File of the originals of all procedures.

4. Reference Manual:

A reference manual, in loose-leaf form, will be kept in the Town Hall for use by Members of the Town staff and the public.

5. Council Members' Manuals:

All new and amended procedure sheets will be issued to each Council Member. These will be issued in loose-leaf form, and it is each member's responsibility to keep his/her manual current.

6. Return of the Manuals:

These manuals are property of the Town. Each Council Member will return all the manuals to the Town Clerk or appointed nominee upon vacating his/her office as per A.R.S. 38-363.

7. Purpose and Form of Ordinances and Resolutions:

There are three specific instances when ordinances are required:

1. If the council is declaring something illegal and providing a penalty for violations.
2. If state law requires that Council action be in the form of an ordinance.
3. If the Council is amending or repealing another ordinance.

It should also be noted that there are two basic types of ordinances – general and special. General ordinances are those which establish a rule which applies generally, for example, no dog may run at large within the Town. Special ordinances provide for specific acts such as the annexation of a particular piece of property.

The Town Attorney should always be consulted if the Council is in doubt as to whether a specific action should be in the form of an ordinance.

Members of the Council should have some idea of the form of a typical ordinance even though the actual drafting of ordinances is usually handled by the Town staff or Attorney. In general, there are seven basic parts to an ordinance: a number, a title, an enacting clause, a body, a penalty clause, a repealer clause and a saving or severability clause.

The title should include a very general statement of the content of the ordinance phrased in sufficiently broad terms to avoid limiting the scope of the ordinance. The enacting clause declares that the ordinance is to be enacted into law and states the name of the Town which is passing the ordinance. The body is that part of an ordinance which sets forth the main provisions of the ordinance arranged so that each section consists of a single provision. Sections should be numbered, titled and arranged in a logical sequence. In addition, each section should be readily identifiable for a person looking for a specific provision. The penalty clause states the penalty to be imposed for violation of the ordinance. Particularly if a penalty clause is to be included in an ordinance, the Council should have the Town Attorney check to ensure that it is in accordance with state constitution and state law. The repealer clause states that other ordinances or sections of ordinances which are in conflict with the present ordinance are repealed. It is helpful, of course, to include the specific ordinance numbers, if known, of those previous ordinances which are repealed or affected by the new law. The saving or severability clause expresses the Council's intent that an ordinance be enforced although some parts of it may be declared invalid. In addition, an emergency clause may be attached to allow the ordinance to go into effect immediately if three-quarters of all the members of the Council vote for the ordinance.

There are posting and publication requirements for ordinances. For example, ordinances with penalty clauses do not become operative until posted in three public places. Publication requirements apply not only to ordinances, but also to notices of elections, invitations for bids, notices of letting contracts and other notices of a public

character. The frequency of publication depends on whether the newspaper in your community is a weekly or daily paper. For weekly papers, ordinances and other official acts of the municipality must be published once a week for two consecutive weeks. In a daily newspaper the law requires publication four consecutive times. If no newspaper is printed within the municipality, these publication requirements may be met by printing the ordinance or other document in a newspaper published in the county in which the municipality is located. Further, state law provides that the cost of publication of any laws or ordinances which have been enacted on behalf of private persons be paid by the individual who also can designate the newspaper in which they wish the document be printed.

A number of Arizona cities and towns have enacted codes which contain all the general and permanent laws in effect in a municipal. This codification of ordinances is accomplished by reorganizing the provisions of the municipality's laws into an orderly and concise code which the Council then enacts as the official law of the Town, repealing the original ordinances. The advantages of adopting a code of ordinances include accessibility by both citizens and local officials and simplification of the task of researching laws on any given subject. It is important that a code be carefully organized and thoroughly indexed to enhance its usefulness to the Council and the Town as a whole.

The continued validity and usefulness of a code will depend on how up to date the code is kept. Accordingly every general ordinance passed by the Council should be adopted as an amendment to the code. Further, the ordinance should be inserted into every copy of the code so that current law can be referenced. A municipal code can become obsolete and useless to the Council and citizens within months of passage if it is not updated regularly. Special ordinances are not usually placed in the Town Code.

Whereas ordinances are regulations of a general and permanent nature, resolutions are generally more temporary and are used for Council action on administrative or executive matters or on statements of general Council policy. In essence, a resolution is written motion. Additionally, there is no law requiring it to have a title or a number. Although it is customary for the resolution to be signed by the Mayor, there is no statutory requirement to this effect. It is important, however, that the Town Attorney make the final determination of whether an ordinance or resolution is appropriate for the particular case, since state law does require that some action be taken by ordinance. Reference Article 2-5 of the Quartzsite Town Code.

8. Council's Duties:

1. Elected Officers

The elected officers of the Town shall be seven Council Members, one of whom shall be the Mayor. The Mayor and Council Members shall constitute the Council and shall continue in office until assumption of duties of office by their duly

elected or appointed successors. Council Members shall serve four year overlapping terms in the manner provided by state statute.

2. Corporate Powers

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution or order or motion.

3. Duties of Office

Council Members shall assume the duties of office at the regularly scheduled Council meeting next following the date of the general election at which, or effective as of the date of which, the Council Members were elected.

4. Vacancies in Council

The Council shall fill by appointment for the unexpired term any vacancy that may occur for whatever reason.

5. Compensation

The compensation of elective officers of the Town shall be fixed from time to time by resolution of the Council.

9. **Mayor's Duties:** (Ord 10-08)

The powers and duties of the Mayor shall include the following:

- A. He/she shall be the chief executive officer of the Town.
- B. He/she shall be the chairman of the Council and preside over its meetings. He/she may make and second motions and shall have a voice in all its proceedings.
- C. He/she shall enforce the provisions of this code.
- D. He/she shall execute and authenticate by his signature such instruments as the Council or any statutes, ordinances or this code shall require.
- E. He/she shall make such recommendations and suggestions to the Council he may consider proper.
- F. He/She shall perform such other duties required by state and local statute and this code as well as chief executive officer of the Town.

SECTION II – GENERAL RULES

1. Meetings and Minutes to be Public:

Council shall meet regularly twice each month. Regular meetings will be held on the second and fourth Tuesday of each month. 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 a closed executive session, in a manner pursuant to the requirement of state law. Minutes of all open meetings shall be available for inspection by the public in accordance with A.R.S. 39-121.01. Notice of meetings shall be given in a manner consistent with state statutes.

2. Conflicts of Interest:

Each Council Member has responsibility for compliance with the provisions of A.R.S. Section 38, Chapter 3, Article 8, concerning conflicts of interest. When a Council Member recognizes a conflict of interest, the Member shall announce the conflict and refrain from discussion and voting on the matter. (A.R.S. 38-501 et sec)

3. Council Meeting; Quorum; Compelling Attendance:

A majority of the Council shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time and compel the attendance of absent members.

A vote of a majority of those present is required in order to take official action.

4. Council Member Required to Vote:

Council Members are required to vote on all issues placed before them. A failure to vote or a voluntary abstention shall count as a “Yes” vote unless excused by an announced conflict of interest. Members not wishing to vote on any issue may absent themselves.

5. Recording Votes:

The Council meeting minutes shall record individual votes on all ordinances, resolutions and franchises. On all other voting matters, if the vote is other than unanimous, the Presiding Officer shall state for the record and the Clerk shall record all the individual votes.

In the case of a tie in votes on any motion, the motion shall be considered lost.

A roll-call vote shall be taken upon the request of any Council Member.

6. Minutes of the Meetings:

Minutes of all meetings of the Council shall be kept by the Clerk and shall be entered in a book constituting the official record of the Council. Recordings of all meetings shall be retained by the Clerk. (Retention rules to follow the Department of Library, Archives and Public Records.)

7. 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.

8. Right of Floor:

Any Member desiring to speak shall be recognized by the Presiding Officer and shall confine his remarks to one subject under consideration or to be considered, without interruptions, until the floor is relinquished. After a Council Member has addressed the Council he/she shall not speak again until all Members have addressed the subject. Any presenter will be permitted to respond to any direct question.

9. Town Manager:

The Town Manager shall attend all meetings of the Council unless excused by the Council. The Town Manager may make recommendations to the Council and shall have the right to take part in all discussions of the Council.

10. Town Attorney:

The Town Attorney shall attend all meetings of the Council unless excused by the Council and shall, upon request or at his discretion, give an opinion on questions of the law. All requests for written legal opinions must be submitted to the Council for consideration. No such request will be made unless approved by a majority of the Council.

Any Council Member desiring to speak with the Town Attorney will first ask the Town Manager to investigate the question. A vast amount of questions can be answered by the Town Manager and if he/she deems necessary will allow the Council Member to contact the Town Attorney. No Council Member shall call the Town Attorney on his or her own. No Council Member shall request personal advice or legal opinions from the Town Attorney.

11. Town Clerk:

The Town Clerk shall attend all meetings of the Council unless excused by the Council and shall keep the official minutes and perform such other duties as may be required by the Council. Council Members desiring to place issues on the agenda shall present those matters to the Town Clerk or Town Manager.

12. Officers and Employees:

Department heads of the Town, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings, upon the request of the Town Manager.

13. Rules of Order:

“Robert’s Rules of Order Revised” shall govern the proceeding of the Council. The Town Attorney shall serve as the parliamentarian.

No further discussion will be allowed after a motion has been voted on, unless there is a motion to reconsider.

14. Copies of Documents:

All requests for document copies must be submitted in writing to the Town Clerk or appointed nominee or in his absence to the appropriate department head. Council Members are entitled to one copy only of any public document, of reasonable length, within the Town Hall offices. The only exception would be if said Council Member is heading a sanctioned Committee and needs additional copies for his Committee members.

The general public is entitled to purchase at .20 cents per sheet any unrestricted public document within the Town Hall offices. Public requests must be made in writing in accordance with the public records law.

15. Use of Audio Tapes of Meetings:

Council Members have the right, if they wish verbatim portions of a particular meeting, to use the official recording to obtain this information for themselves. The Town Clerk shall perform this task, it will be done when the Clerk can judiciously do it without impeding the daily necessary work of the Town Clerk’s office. Recordings must physically remain in the Town Hall and shall not be removed. A fee of \$25.00 will be assessed and a blank travel drive must be provided to the Clerk. Request will be addressed within a 72 hour period.

16. Correction to Council Minutes:

If a Council Member has corrections, other than substance, such as spelling or punctuation, he may call them into the Town Clerk or present them in writing before the next meeting and they will be corrected accordingly.

All corrections that have been approved by the Council at a Council meeting will be made as an addendum to the actual minutes in question. Copies of the amendments will be put with the original and public copies of said minutes in the Town Clerk's records. Copies of the corrected minutes will be distributed to each Council Member.

17. Expense Account Procedures:

All expenses for travel, hotels, mileage, telephone, etc. must be accompanied, where applicable, by receipts which are to be attached to expense forms provided by the Town Clerk. These expense forms must be submitted by the 15th of the month in order to be paid during the current month. All other expenses and/or charges must be approved by the Town Manager. All travel reimbursement rates shall be in accordance with the Personnel Manual.

18. Reports from Council Members Concerning Meetings Attended:

All reports on meetings attended should be presented in verbal form to the Council and public at the next Council Meeting.

SECTION III – TYPES OF MEETINGS

1. Regular Meetings:

The Council shall meet on the second Tuesday and fourth Tuesday of each month at 7:00 pm.

If the regular meeting day falls upon a legal holiday, then the Council shall meet at the regular time on the next succeeding day not being a holiday.

All regular meetings of the Council shall be held at the Town Hall or such place as determined by the Council and as designated in the notice of the meeting.

2. Special Meetings:

The Mayor or the Council upon the written request of three (3) Members of the Council, may convene the Council at any time by notifying the Members of the date, hour, place and purpose of such special meeting. Notice of such meeting must be made at least twenty-four (24) hours prior to the meeting.

3. Work Sessions:

The Council may meet informally in work sessions at the call of the Mayor or any three (3) Members of the Council. Work sessions are open to the public, with public participation. No official action can be taken at a work session.

4. Executive Sessions:

The Council may meet in executive session pursuant to the requirements of A.R.S. 38-431 et seq.

5. News Reporters Attending Council Meetings:

Reporters representing all mass media having an interest in matters discussed at meetings shall be encouraged to attend all meetings except executive sessions, which are closed to the public.

SECTION IV – PRESIDING OFFICER& DUTIES

1. Presiding Officer's Duties:

The Presiding Officer at all meetings of the Council shall be the Mayor or the Vice-Mayor in the Mayor's absence.

In the absence of both the Mayor and the Vice-Mayor, the Council shall elect a Presiding Officer. This election shall be conducted by the Town Clerk.

2. Preservation of Order:

The Presiding Officer 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 proceedings of the meetings in accordance with parliamentary rules contained in Robert's Rules of Order Revised. If the Presiding Officer fails to preserve order, any Council Member may call for a vote to establish order.

3. Questions to be Stated:

The Presiding Officer shall state all questions submitted for a vote and announce the results.

4. Mayor – Voting:

The Mayor shall vote as a Member of the Council.

SECTION V – ORDER OF BUSINESS & AGENDA

1. Order of Business: (Ord. 08-22)

The general rule as to the order of business in regular meetings may be as follows:

- a) Call to Order;
- b) Invocation;
- c) Pledge of Allegiance;
- d) Roll Call;
- e) Reports/Announcements;
- f) Consent Agenda;
- g) New Business;
- h) Old Business;
- i) Communications/Petitions & Citizen Comments (call to the public);
- j) Adjournment.

2. Agenda – Determination of Specific Items to be Included:

Requests for items to be placed on the agenda should be submitted to the Town Manager or Town Clerk in writing no later than 11:00 am on the Wednesday of the week preceding the scheduled Council meeting. The public shall request items to be placed on the agenda through a Council Member.

The Town Manager shall prepare a proposed agenda and meet with the Mayor, and Town Attorney to discuss and prioritize the agenda items and decide their placement on the agenda. A finalized copy of the agenda along with all available information pertaining thereto will be placed in the Council Members' boxes by Friday afternoon.

In no case, other than for legally required second readings, shall any agenda item which has been voted upon at a Council meeting appear on the agenda again so as to present the same or substantially same question for Council consideration unless and until any one of the following has occurred:

- 1. A motion for reconsideration regarding the item has been passed pursuant to Robert's Rules of Order at the meeting at which the matter was last voted upon or at the next succeeding meeting, or
- 2. Six (6) months have passed since the last meeting at which the item was voted upon, or
- 3. The Council has determined by a majority vote of its entire membership to have the item placed on its agenda again.

3. Posting of Agendas: (Res 09-06)

All agendas for regular meetings shall be posted in six (6) public places. Town Hall, General Store, Main Post Office, Chamber of Commerce, Police Department and the Justice Court. They will be posted no later than 24 hours prior to the meeting.

4. Consent Agenda:

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 Agenda may be used as follows:

- A) When any item of business requires action by the Council, but is routine, such item may be presented as part of the Consent Agenda.
- B) The Consent Agenda shall be introduced by a motion “to approve the Consent Agenda”, and shall be considered by the Council as a single item.
- C) There shall be no debate or discussion by any member of the Council regarding any item on the Consent Agenda beyond asking questions for simple clarification.
- D) If any Member of the Council or Town staff requests that an item be removed from the Consent Agenda, it shall be done forthwith. All such items shall be considered individually, in the order in which they were removed, immediately following consideration of the Consent Agenda.
- E) Approval of the motion to approve the Consent Agenda shall be fully equivalent to approval, adoption or enactment of each motion, resolution, ordinance or other item of business exactly as if each had been acted upon individually.

5. Accounts Payable:

Once each month the Council shall review a list of all the bills that have been paid, and may ask for clarification of any item.

The Council should designate the check numbers being approved.

List of bills paid shall be available at Town Hall for review.

SECTION VI – CREATION OF COMMITTEES, BOARDS & COMMISSIONS

1. Committees, Boards and Commissions:

The Mayor shall create such boards, committees and commissions, standing or special as deemed necessary. The Mayor and Common Council by a simple majority at a properly noticed public meeting has the right to appoint Members thereto. Boards, committees and commissions shall perform such duties as the Mayor and Common Council prescribe.

2. Membership and Selection:

Membership and selection of Members shall be as provided by the Council. Any committee, board or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council, except as otherwise specified by ordinance or the Town Code.

3. Removal of Members of Committees, Boards and Commissions:

The Council may remove any Member of any committee, board or commission by a vote of the majority of the Council, or as otherwise provided by ordinance or the Town Code.

SECTION VII – CITIZEN’S RIGHTS

1. Addressing the Council:

During the “Communications/Petitions and Citizen Comments” portion of the agenda anyone may address the Council on any subject he wishes, when recognized by the Presiding Officer. Comments will be limited to three (3) minutes and individuals may address an issue only once.

- The public will be permitted five (5) minutes to present their comments in regards to any **agenda item**.
- No one individual can address the same issue a second time.
- When public input is complete, the floor will be closed to any further public comment. Only Council Members may then debate or speak to the issues.
- Each person shall step up to the microphone and give his/her name in a clearly audible manner for the record.
- It is recommended that persons write their remarks in advance so that they can present them concisely and make maximum use the allotted time.
- All remarks shall be addressed to the Council as a body, and not to any individual Member thereof.

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 Council. No Questions shall be asked of Council Members, except through the Presiding Officer.

2. Personal and Slanderous Remarks:

Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while attending a Council meeting may be requested to leave the meeting and may be forthwith barred, by the Presiding Officer, or a majority of the Council, from further audience before the Council for that particular meeting.

3. Response to Citizen’s Complaints:

Upon receipt of citizen’s complaints, the Presiding Officer may refer the complaint to the appropriate Town staff for review and response.

4. Written Communications:

Interested parties, or their authorized representative, may address the Council in writing in regard to any matter concerning the Town’s business over which the Council has control.

SECTION VIII – SUSPENSION & AMENDMENT OF THESE RULES & PRESS RELEASES

1. Suspension of these Rules:

Any provision of these rules not governed by ordinances or the Town Code may be temporarily suspended by a vote of a majority of the Council. The vote on any suspension shall be taken by “roll call vote” and entered upon the record.

2. Press Releases:

All Town press releases must be approved by the Town Manager. If an individual Member releases information on their own, the information contained in such releases should be considered not verified as to the facts.

The Council may consider such action by individual Council Members as the basis for a censure vote by the Council.

SECTION IX - LEGAL AND ETHICAL STANDARDS OF CONDUCT

1. **Preamble**

The residents and businesses of Quartzsite are entitled to have a fair, ethical, and accountable local government. Such a government requires that public officials:

- A. Comply with both the letter and spirit of the laws and policies affecting operations of the government;
- B. Be independent, impartial, and fair in their judgment and actions;
- C. Use their public office for the public good, not for personal gain; and
- D. Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

2. **Code of Ethics**

To this end, the Quartzsite Town Council has adopted a Code of Ethics to encourage public confidence in the integrity of local government and effective operation. This Town Council Code of Ethics and Quartzsite Town Council Procedure Manual shall not be interpreted to conflict with other rights and responsibilities of public officials set forth in this code or Federal, State, or local law. The Town Council Code of Ethics shall be considered to be the definitive document relating to ethical conduct by Quartzsite Council Members.

3. **Public Interest**

- A. Recognizing that stewardship of the public interest must be their primary concern, Council Members shall work for the common good of the people of Quartzsite, and not for any private or personal interest. Council Members must endeavor to treat all members of the public and issues before them in a fair and equitable manner.
- B. Council Members shall comply with the Laws of the Nation, the State of Arizona, and the Town of Quartzsite in the performance of their public duties. These laws include, but are not limited to: the United States and Arizona constitutions; the Quartzsite Town Ordinances; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open meetings.

4. **Conduct**

- A. Council Members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the Town Council, boards, commissions, committees, staff or the public.
- B. Council Member duties shall be performed in accordance with the processes and rules of order established by the Town Council.

- C. Council Members shall inform themselves on public issues, listen attentively to public discussions before the body and focus on the business at hand.
- D. Council decisions shall be based upon the merits and substance of the matter at hand.
- E. It is the responsibility of Council Members to publicly share sensitive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Council Members and the public prior to taking action on the matter.
- F. Appropriate Town staff should be involved when Council Members meet with officials from other agencies and jurisdictions to ensure proper staff support as needed and to keep staff informed.
- G. Council Members shall not attend internal staff meetings or meetings between Town staff and third parties unless invited by Town staff or directed by Council to do so.
- H. Council Members shall respect and adhere to the council-manager structure of Town of Quartzsite Town Government as provided in State law, and the Town Ordinances. Council Members shall support the maintenance of a positive and constructive environment for residents, businesses, and Town employees.
- I. The Code of Ethics shall be included in the regular orientations for Town Council candidates. Council members entering office shall sign a statement affirming they have read and understand the Town of Quartzsite Town Council Code of Ethics.

5. Conflict of Interest

- A. In order to assure their independence and impartiality on behalf of the public good, Council Members are prohibited from using their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under applicable state law.
- B. In accordance with state law, Council Members must file annual written disclosures of their economic interests.
- C. Council Members shall not take advantage of services or opportunities for personal gain by virtue of their public office that are not available to the public in general.
- D. Council Members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Town. They must

neither disclose confidential information without proper legal authorization, nor use such information to advance the personal, financial, or private interests of themselves, or others.

- E. Town Council Members should avoid any action that could be construed as, or create the appearance of, using public office for personal gain, including use of Town stationary or other Town resources to obtain or promote personal interest or business interests.
- F. Public resources that are not available to the general public (e.g., Town staff time, equipment, supplies, or facilities) shall not be used to obtain or promote personal interests business interests.
- G. In keeping with their role as stewards of the public interest, Council Members shall not appear on behalf of the private interests of a third party before the Town Council or any board, commission, or committee, or proceeding of the Town, except as permitted by law.
- H. To the best of their ability, Council Members shall represent the official policies and positions of the Town Council. When presenting their personal opinions or positions publicly, members shall explicitly state that they do not represent the Council, or the Town.

6. Compliance and Enforcement—All Rules

Council Members take an oath or affirmation when they assume their office in which they promise to uphold the laws of the State of Arizona, the Town of Quartzsite and the United States of America. Consistent with this oath or affirmation, is the requirement of this Council policy to comply with the laws as well as report violations of the laws and policy of which they become aware.

- A. Any suspected violation of alleged violation by a Council Member must be reported to the Mayor. Any suspected violation or alleged violation by the Mayor must be reported to the Vice Mayor. In the case of a Town staff member making the report regarding a Council Member or Mayor, the report should be made to the Town Manager, who will then report it to the Mayor (or, when appropriate, the Vice Mayor). Upon report, the Town Manager and Town Attorney will assist the Mayor in following one of the two protocols for addressing the violation or alleged violation:
- B. If the Mayor, Town Manager, and Town Attorney all agree that the violation or alleged violation is minor in nature, the Mayor and either the Town Manager or Town Attorney may contact the individual Council Member and advise the Council Member of the concern and seek to resolve the matter (**Protocol 1**).
- C. If the Mayor, Town Manager, and Town Attorney do not agree that the violation or alleged violation is minor in nature, or agree that it is not minor in nature, then

the Mayor shall convene a special ad hoc committee of the Mayor (who will serve as Chair), Vice Mayor, and a third person selected by the Mayor and Vice Mayor (the “Ethics Committee”) who will meet with the Town Manager and Town Attorney, and appropriate staff and witnesses to determine how the matter may proceed, be resolved, or be reported to the appropriate authorities (**Protocol 2**).

- D. In implementing the provisions of this section, the Ethics Committee will be authorized to conduct all inquiries and investigations as necessary to fulfill their obligation.
- E. The incident or violation is not minor if it involves the injury, or potential injury to any person (e.g., physical, emotional, defamation, harassment, etc.), significant exposure to the Town Treasury or probability for a repeat occurrence.
- F. Council Members wishing to report a suspected violation by a Town staff member should report it to the Town Manager or Town Attorney.
- G. In the event any Council Member with a role in this policy is the subject of the inquiry, the role of that official shall be assumed by the next ranking official in the chain. For example, if the Mayor is the subject of the inquiry, the Ethics Committee shall be comprised of the Vice Mayor (who will serve as Chair) and the two (2) most senior Council Members (by duration on the Council). If the Town Manager or Town Attorney is the subject, the Committee will exclude that individual.
- H. The term “Committee” or “Ethics Committee” is used for ease of reference only, as it is not intended by this policy to create a permanent or standing committee, but rather to assemble the officials necessary to review complaints should the need arise.
- I. This and the protocols set forth are alternatives to any remedy that might otherwise be available, or prudent. In order to ensure good government, any individual, including the Town Manager, and Town Attorney, who believes a violation may have occurred is hereby authorized to report the violation to other appropriate authorities. Reports from the public should be submitted to the Mayor for review as noted in Protocol 1.
- J. Town Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the Town of Quartzsite, or with intergovernmental agencies) or have official travel restricted. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Council.
- K. Council Members should advise the offending Council Member of infractions of the Code of Ethics or Town Ordinances. If the offenses continue, then the matter

should be referred to the Mayor, pursuant to Section 6.

7. Request for Staff Resources.

Council requests for research or other staff work must be directed to the Town Manager, or to the Town Attorney regarding legal matters, or to the Town Clerk regarding matters within the Clerk's authority.

- A. If more than one hour of staff time will be required to complete the task/project, the item will be placed on the agenda to ask the Town Council if time should be spent preparing a report on the proposed item.
- B. Staff responses prepared to Council inquiries shall be distributed to all Town Council Members.

8. Relationship/Communications with Town Staff.

Staff serves the Town Council as a whole, therefore:

- A. A Council Member shall not direct town staff to initiate any action, change a course of action, or prepare any report, nor shall a Council Member initiate any project or study without the approval of the Town Council.
- B. Council Members shall not attempt to pressure or influence Town staff discussions, recommendations, workloads, schedules, or departmental priorities absent the approval of the Town Council.
- C. When preparing for Council meetings, Council Members should direct questions ahead of time to the Town Manager so that staff can provide the desired information at the Town Council meeting.
- D. Any concerns by a member of the Town Council regarding the behavior or work of a Town employee should be directed to the Town Manager privately to ensure the concern is appropriately resolved.
- E. Council Members serving on Council committees or as the Town's representative to an outside agency may interact directly with the Town staff assigned to that effort as the Town Manager's designee. The Town staff member so designated and assigned will keep the Town Manager appropriately informed.
- F. Soliciting political support from staff (e.g. financial contributions, display of posters or lawn signs, name on support list, etc.) is prohibited. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must occur away from the workplace, and may not be conducted while in uniform or wearing indicia of association with the Town.

9. Handling of Litigation and Other Confidential Information.

All written materials and verbal information provided to Council Members on matters that are confidential under State law shall be kept in complete confidence to ensure that the Town's position is not compromised. No disclosure or mention of any information in these materials may be made to anyone other than Council Members, the Town Attorney, or Town Manager.

- A. Confidential materials provided in preparation for and during Executive Sessions must be returned to staff at the conclusion of the Executive Session.
- B. Confidential materials provided to Council Members outside of Executive Sessions must be destroyed, or returned to staff within thirty (30) days of their receipt.
- C. Council Members may not request confidential written information from staff that has not been provided to all Council Members. Such requests shall be directed to the Town Manager.

10. Representing an Official Town Position

- A. Council Members may use their title only when conducting official Town business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority.
- B. Once the Town Council has taken a position on an issue, all official Town correspondence regarding that issue will reflect the Council's adopted position.
- C. In most instances, the Town Council will authorize the Mayor to send letters stating the Town's official position to appropriate legislators.
- D. If a member of the Town Council appears before another governmental agency organization to give a statement on an issue affecting the Town, the Council Member should indicate the majority position adopted by the Council.
- E. Personal opinions and comments may be expressed only if the Council Member clarifies that these statements do not reflect the official position of the Town Council.