CITY OF SURPRISE
Rules Committee Meeting
16000 North Civic Center Plaza
Council Overflow Room
Surprise, AZ 85374

Thursday, September 24, 2020

CALL TO ORDER

Vice Mayor and Chair Chris Judd called the **Rules Committee Meeting** to order at 11:06 am.

ROLL CALL

Chair Chris Judd and Councilman Roland F. Winters Jr. were present.

PLEDGE OF ALLEGIANCE

CURRENT EVENTS AND REPORTS

None.

STAFF REPORTS

None.

STAFF PRESENT

City Attorney Robert Wingo and Government Relations Administrator Jodi Tas were present.

CALL TO THE PUBLIC

None.

REGULAR AGENDA ITEM

1. **Consideration and action pertaining to potential amendments to the Council Policies and Procedures Manual**

   Chair Chris Judd began by discussing the Surprise Council Policies and Procedures Manual. The Committee agreed to strike (c) on page 11, under Motion 11. To Amend. It states "Any amendment to a proposed legislative action (resolution/ordinance) must be reduced to writing before the vote on the amendment is taken.

   Chair Judd inquired about the Rule of Impossibility in the City of Avondale's Rules of Procedure. It states that in the unlikely situation the majority of Councilmembers have a conflict of interest and the City Council is unable to act in its official capacity,

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members may participate in the City Council's decision after making known their conflicts of interest in the official record(s). City Attorney Wingo stated this scenario is covered by state law.

Council use of city resources was briefly discussed but it is covered in the Ethics Policy and it will be reviewed at the next Rules Committee meeting.

Chair Judd asked for the definition of family members for purposes of the manual and in the conflict of interest section (Surprise Policy and Procedures, page 4 Rule 11). Mr. Wingo replied ARS Title 38 defines what constitutes a family member and he will incorporate this into that section.

The Committee reviewed discretionary funds language on page 13. After discussion, members agreed to strike items 1-4.

Chair Judd mentioned the City of Peoria utilizes an Ethics Board upon a complaint regarding a Councilmember. Should that be something considered? With that, the Committee discussed reporting violations (page 15) and complaint (page 16). The Ethics Board in Peoria consists of the Mayor, Vice Mayor and Chair of the Personnel Appeals Board. Councilman Winters did not think this was necessary since the entire Council would vote after a complaint as stated under the implementation and enforcement section of the manual.

The Committee agreed to condense Rules 4 through 6, on page 3 (Respect for Process, Conduct of Public Meetings, Decisions Based on Merit, respectively) due to redundancy.

The Committee discussed Rule 8. Advocacy. They agreed to remove "must explicitly state that the member does not represent the City of Surprise or it's Council" from the second sentence. They agree to add a clause from the City of Buckeye to this sections which states: "Members of the City Council are frequently contacted by the media for background and quotes. The Mayor is the designated representative of the Council to present and speak on the official City position. Never go "off the record" when making statements. Choose words carefully and cautiously. Comments may be taken out of context resulting in unintended issues."

At the request of the Committee, Mr. Wingo will review the policies in Mesa regarding honesty and integrity to see how we can or if we need to incorporate in this manual versus the Ethics Policy.

OTHER BUSINESS AND FUTURE AGENDA ITEMS

Councilman Winters would like to review the Ethics Policy in addition to another review of the requested changes of the Surprise Policies and Procedures Manual at the next meeting.

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The next Rules Committee Meeting will be Monday, October 19, 2020, at 11 am.

EXECUTIVE SESSION

None.

ADJOURNMENT

Councilman Winters made the motion to close the meeting. Chair Judd seconded the motion. The meeting adjourned at 12:04 pm.

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Chris Judd, Chair and Vice Mayor

ATTEST:

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Jodi A. Tas, Staff Liaison

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Rules Committee Meeting of **Thursday, September 24, 2020.**

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Sherry Ann Aguilar, City Clerk, MMC

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