

	TOWN OF DEWEY-HUMBOLDT	PG N^o TC20-03
Town Council and Town Employees		Effective Date: January 21, 2020
Subject: <i>Town Council Agenda Process</i>		

1. **Scope.** This policy applies to the Town Council and Town Employees.
2. **Purpose.** The purpose of this reference guide is to establish standards and provide general guidelines for staff involved in preparing and transmitting Town Council Reports, Council Agenda Action Request forms, and other backup materials related to Town Council meetings. The information provided in this guide will help ensure the timely and accurate preparation of Town Council agendas and backup packets, and offers suggestions for ensuring complete information on current Town issues is available to Town staff, Town Council, and the citizens.
 - 2.1. Guidelines are provided to assist staff with identifying the type of Council action they require, along with helpful hints on the content of requests to ensure the Town Council has all of the information they may require to act on an item. Timeliness, accuracy, and completeness of Town Council Minutes and Council Agenda Action Request ("CAARF") forms will facilitate the timely preparation and delivery of council packets and agendas to Town Councilmembers and staff.
 - 2.2. The information contained on the following pages is provided for use by Town staff, as a quick reference for those experienced in requesting Council action, and as a useful training tool for incoming staff that may be new to this process.

3. Overview of Council Process.

3.1. Council-Manager form of Government.

- 3.1.1. The Town of Dewey-Humboldt municipal government operates under a Council-Manager form of government, as established by Town Code § 30.001. Under this form of government, the Council provides legislative direction, sets Town policy, and monitors its execution by Town Staff. The Town Manager serves as the Town's Chief Administrative Officer and is responsible for directing the day-to-day operations of the Town. Policy is set by the Town Council, whose members are elected by the people, and is carried out by the Town Manager, who is appointed by the Council. This separation of policy-making and policy-administration is considered the most economical and durable form of municipal government.
- 3.1.2. As such, staff is responsible to ensure that the Council has adequate information to make sound policy decisions, presented without passion or prejudice, fairly describing the strengths, weaknesses, opportunities, and threats associated with any proposed Council action. That said, staff is also responsible to recommend a course of action that most closely aligns with staff's professional judgment and Council's vision for the future of the community.

3.2. Open Meeting Law

- 3.2.1. The Arizona Open Meeting Law establishes requirements that all Town Council or its subcommittee meetings be open and accessible to the public, and that all legal action be taken at a public meeting.
- 3.2.2. In accordance with the Open Meeting Law, the Town Manager and Town Clerk shall provide notice and an agenda of items to be discussed and/or acted on during the meeting to the Council and the public at least twenty-four hours prior to each Council meeting.

3.2.3. The Town Council may only discuss matters that are listed on the agenda posted in accordance with the Open Meeting Law.

3.2.4. In order to ensure compliance with the Open Meeting Law, the Town Manager and Town Clerk will provide the agenda to the Town Attorney for review.

3.3. **Consent Agenda.**

3.3.1. The Consent Agenda is made up of items that are normally routine in nature. The Consent Agenda is placed as a separate section on Regular Meeting Agendas. Items on the Consent Agenda are usually non-controversial and are voted on as a “package” in the interest of saving time. In accordance with state law and this policy, the Town Manager and Town Clerk will determine which agenda items to place on the Consent Agenda. Any Councilmember may remove any item from the Consent Agenda to be voted on separately. If a citizen desires separate consideration of an item, he or she should approach a Councilmember prior to the meeting and ask that the Councilmember request that the item be removed.

3.3.2. The Consent Agenda section of the Regular Meeting agenda is typically where minutes, routine IGAs, plats, and already-considered items will be listed.

3.4. **Town Council Study Sessions.** Study Sessions (aka “Work Sessions”) of the Town Council are held on the second Tuesday of each month at 6:30 p.m. in the Council Chambers to allow for a detailed review and discussion of important matters. They may be held at a different time, day, or location for special purposes, in which case the meeting is a “Special Study Session.”

3.4.1. The agenda and meeting packet for all Study Sessions is available to the public, Town Council, and Town Staff no later than the Friday prior to each Study Session.

3.4.2. Final formal/legal action (a collective decision, commitment or promise made by the Town Council) is not taken at a Study Session but the Town Council may discuss and interact with each other or staff as well as direct staff on further action or information required.

3.4.3. Study Sessions may be conducted jointly with another Town Board, Commission, Committee, or another governmental agency. All Study Sessions are open to the public, and the public may speak.

3.4.4. Study Sessions provide the Council with an opportunity to hear presentations by Staff, individuals or outside agencies on topics that may or will later come before the Council at a Regular or Special Town Council Meeting.

3.4.5. Any Councilmember may request a discussion item, by way of a CAARF, for the next Study Session and the item shall be placed on the agenda, but with little or no staff analysis expected. In order to comply with the Open Meeting Law, the Town Manager and Town Clerk may clarify the wording on the agenda and shall provide the agenda language to the Councilmember to ensure that the Councilmember’s intent is not being changed.

3.5. **Town Council Regular Meetings.** Regular Meetings of the Town Council are held on the first and third Tuesday of each month at 6:30 p.m. in the Council Chambers. They may be held at a different time, day, or location for special purposes, in which case the meeting is a “Special Meeting.” All Regular Council Meetings are open to the public, and the public are invited to address Council on any item. Ordinances and Resolutions, the laws of the Town of Dewey-Humboldt, and all other official legislative actions are enacted or rejected at these meetings.

3.5.1. The meeting may appear to proceed quickly with important decisions reached after very little discussion. However, since Councilmembers receive the agenda no later than the

previous Friday, they have usually reviewed every item on the agenda prior to the meeting. If no additional facts are presented at the meeting, they often act on matters without further discussion.

3.5.2. The agenda and meeting packet for all Regular Council Meetings is available to the public, Town Council, and Town Staff no later than the Friday prior to each Council meeting.

3.5.3. Any Councilmember may request an agenda item, by way of a CAARF, for the next Regular Council Meeting and the item shall be placed on the agenda, but with little or no staff analysis expected. In order to comply with the Open Meeting Law, the Town Manager and Town Clerk may clarify the wording on the agenda and shall provide any revised agenda language to the submitting Councilmember to ensure that the Councilmember's intent is not being changed.

3.6. **Executive Sessions.** Executive Sessions are Council meetings not open to the public, and are very rare: state law allows only very few occasions on which an Executive Session is allowed. No legal action may occur in Executive Session. All written materials and verbal information regarding Executive Session items must remain confidential. Written reports and exhibits or materials furnished to members of the Council as part of an Executive Session must not be copied or saved and must be returned to Staff at the conclusion of the Executive Session. No member of the Council, employee of the Town, or anyone else present may disclose to any other person the intent or substance of any discussion that takes place in an Executive Session, unless authorized by the Council. Staff will be invited to Executive Sessions only when necessary to the discussion. Executive Sessions will only be held in conjunction with a Regular or Special Meeting, and only upon proper notice and agenda.

3.7. **Special Meetings.** Any meeting that is scheduled outside of a regularly scheduled Study Session or Regular Meeting is considered a Special Meeting. Additionally, in certain circumstances, such as final budget adoption, Special Meetings are required. Legal Action may be taken at Special Meetings other than Special Study Sessions. Pursuant to Town Code § 30.104, no Special Meeting shall be held on the same day as a Study Session. Special Meetings may occur on the same day as Regular Meetings.

4. Agenda Amendments

4.1. The agenda for all Council Meetings may be amended prior to a Council Meeting, so long as notice is provided and the amended agenda posted no later than 24 hours prior to the meeting.

4.2. Agenda amendments will only be made to correct an error in the materials presented to Council, or to add an item that the Town Manager has determined cannot wait until the next Council Meeting.

5. Council Agenda Action Request Form (CAARF) and Citizen Agenda Requests

5.1. As noted in Sections 3.4.4. and 3.5.5, any Councilmember may add an item to a future Council Meeting by submitting a CAARF. CAARFs are due by close of business on the Friday prior to the agenda packet being distributed pursuant to Sections 3.4.1 and 3.5.2, except in the event of an emergency.

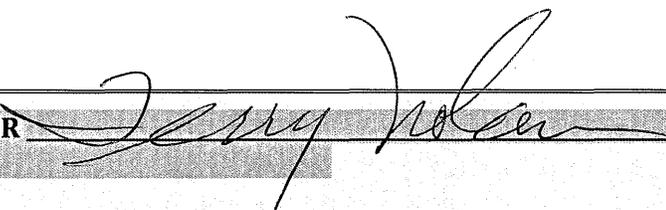
5.2. Councilmembers shall make every effort to attach supporting documentation to the CAARF when necessary. Supporting documentation may include excerpts of Council Meeting minutes, excerpts of the Town Code or other regulatory or supporting documents or reports, or other related documentation.

5.3. Upon receipt of a CAARF, the Town Manager and Town Clerk shall take the following steps.

- 5.3.1. Review the CAARF to determine if the CAARF is something that can be addressed directly with the requesting Councilmember. In such a case, the Town Manager or Town Clerk shall contact the Councilmember and provide the requested information, and subsequently provide the information to the entire Town Council via email.
- 5.3.2. Determine if the CAARF fits as a Study Session or Regular Meeting item.
 - 5.3.2.1. In the event a vote or direction is a foreseeable outcome, the CAARF shall be placed on the next Regular Meeting agenda, unless the Councilmember has requested the item be scheduled for a specific meeting.
 - 5.3.2.2. If the item appears to be for a Council discussion only, staff shall schedule the item for the next Study Session agenda, unless the next Study Session is two weeks or more away, in which case staff will contact the Councilmember to determine if the Councilmember is willing to wait until the next Study Session or prefers that the item be placed on the first available meeting.
- 5.3.3. Review the CAARF to determine if there is any additional documentation that should be attached to assist Council in making an informed decision.
- 5.4. The Town Manager and Town Clerk will place CAARFs on the agenda in the order in which they are received, with the following exceptions:
 - 5.4.1. CAARFs for which staff may reasonably expect a significant level of interest from the public, in which case it will be placed earlier on the agenda;
 - 5.4.2. There is a related agenda item, in which case the CAARF may be placed immediately before or after the related item so that they may be considered together.
- 5.5. Councilmembers shall only review CAARFs submitted by other Councilmembers when the agenda is published, as part of the agenda packet. No member of the Council may remove another member's CAARF from an agenda without approval of the originating member.
- 5.6. Any person may request a matter be placed on the Council agenda by requesting such from a Councilmember, who may then place the item on a future agenda by submitting a CAARF. Normally, no item will be placed by Council on Council's agenda for discussion unless submitted on a CAARF at least ten days prior to the next Council meeting in order to give staff time to prepare the Council Packet. In an emergency, with the authorization of the Town Manager, additional items may also be "added-on" to an agenda after the CAARF submittal deadline.
- 5.7. Any person or non-governmental organization may request to give a presentation at a future Council Meeting by submitting a Town Council Presentation Request Form to the Council for review. Should a Councilmember wish for Council to hear the presentation, the Councilmember shall complete and file both a CAARF and Presentation Request form with the Town Manager or Town Clerk.
 - 5.7.1. The CAARF shall be to request that Council consider receiving a presentation from the person or non-governmental organization.
 - 5.7.2. The Council must first vote to approve hearing the presentation. If the Council approves hearing the presentation, the presentation will be scheduled for the next appropriate Council Meeting.
- 5.8. Any governmental organization wishing to present information to the Town Council shall request such in writing to the Town Manager and Town Clerk. The Town Manager will review the request and determine whether the item shall be presented to the Town Council, and if so, will schedule it for the next appropriate Council Meeting.

6. Council Communication (CC).

- 6.1. The Town Manager is responsible to discern and plan which items are ready or need to be placed on the agenda and the timing for scheduling such items.
- 6.2. Staff reports are to be in the form of a "Council Communication" as may be revised periodically by the Town Manager and Town Clerk. Council Communications ("CCs") are used to provide written information to the Town Council. The report should be concise and void of acronyms, technical or complex terms. These reports are created to provide Council (and the public) with adequate technical detail to make a policy determination, respond to a Council inquiry, or are provided as information reports to be included in the weekly Town Council Packet.
- 6.3. Council Communications must be reviewed and approved by the Town Manager.
- 6.4. Complete staff work is critical to earning the public's confidence, and necessary for the Council to be fully informed. The CC should discuss who benefits, who pays, who performs, what, where, when, why, how, and how much, critical steps to complete or follow-up actions expected, and total cost. In preparing analyses, ethics and cost are always relevant criteria.
- 6.5. CCs should include an analysis of how the proposed action is supported by a governing document, such as the Town Code, or furthers the Town. Whenever appropriate, frequent reference should be made to existing reports, plans, or policies. Further, use of studies and standards from the professional organizations of which staff are members is encouraged.
 - 6.5.1. For agenda items originated by the Town Manager pursuant to Town Code § 30.030(G)(5), the CC should include an explanation of why the Town Manager is recommending the action be taken.
- 6.6. The Town Manager and Town Clerk will provide the Town Attorney with all CAARFs and any CCs requiring legal review prior to the agenda being published and posted.
- 6.7. Study Sessions are ideal for case studies, pictorial demonstrations, and data-heavy regressive analyses. The CC for a Study Session items is the most comprehensive of any prepared by staff for Council, aside from master plans. Accordingly, much more detail should be provided, analysis should be thought fully through, and staff should have a range of answers and options available regarding who benefits, who pays, who performs, what, where, when, why, how, and how much. That said, these items are often presented to Council at an early stage, so the detail should focus on the differences between broad alternatives, not on fully developed sole solutions.

TERRY NOLAN, MAYOR	
ATTEST:	
TIMOTHY A. MATTIX, TOWN CLERK	