

BOARD OF SUPERVISORS RULES AND REGULATIONS
 TABLE OF CONTENTS
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	Page No.
A. <u>DEFINITIONS</u>	1
B. <u>CHAIR</u>	
1. Presiding	1
2. Vice Chair	1
3. Acting Chair	1
4. Control of Chamber	1
5. Decides Points of Order	2
6. Motions	2
7. Declare Votes	2
8. Sign Documents	2
9. Appointments to Boards, Commissions and Committees	2
10. Sergeant at Arms	2
C. <u>CLERK OF THE BOARD</u>	
1. Prepares Agenda	2
2. Attend Meetings	2
3. Notices	2
4. Minutes	3
5. Blanks Filled In	3
6. Roll Call	3
7. Unsigned Material	3
8. Matters Continued	3
D. <u>AGENDA</u>	
1. Order of Business	3
2. Change of Order	3
3. Deadline	3
4. Addendum Deadline	4
5. Exception	4

E.	<u>BOARD CHAMBERS</u>	
	1. Described	4
	2. Dais	4
	3. Hearing Room	4
	4. Removal	4
F.	<u>VOTING</u>	
	1. To Pass Acts	4
	2. To Pass Motions/Tie Votes	5
	3. Conflict of Interest	5
	4. Pass	5
	5. Leaving Seat	5
	6. Change of Vote	5
	7. Leaving Hearing Room	5
G.	<u>MOTIONS</u>	
	1. Seconds on Motions	6
	2. Dividing a Question	6
	3. Separate Consideration	6
	4. Dilatory Motion	6
H.	<u>RECONSIDERATION</u>	
	1. Who May Make	6
	2. When May Make	6
	3. Zoning	6
	4. Contracts	6
	5. Greater Vote	7
I.	<u>READING AND PASSAGE OF ORDINANCES AND RESOLUTIONS</u>	
	1. Printed Copies Due	7
	2. Required Readings	7
	3. Available to Public	7
	4. Waiver	7

J.	<u>DECORUM AND DEBATE</u>	
	1. Being Recognized	7
	2. First Person Recognized	8
	3. Interruptions	8
	4. Decorum	8
K.	<u>PARTICIPATION BY EMPLOYEES AND PUBLIC</u>	
	1. Employees Recognized	8
	2. Public Recognized	8
	3. Call to Audience	8
	4. No Interruptions	8
	5. Procedure	8
	6. Question	9
	7. Orderly Conduct	9
L.	<u>ZONING HEARINGS</u>	
	1. Applicant Speaks First	9
	2. Questions	9
	3. Procedures	9
	4. Closing Hearings	9
	5. Decision	10
M.	<u>EXECUTIVE SESSION</u>	
	1. Procedure	10
N.	<u>PARLIAMENTARY PROCEDURE</u>	
	1. Roberts' Rules	10
O.	<u>SUSPENSION OF RULES</u>	
	1. Majority Vote	10
P.	<u>AMENDMENT OF RULES</u>	
	1. Three Votes	10

PIMA COUNTY BOARD OF SUPERVISORS
RULES AND REGULATIONS

THESE RULES AND REGULATIONS SUPERSEDE ANY RESOLUTION
OR POLICIES ADOPTED BY PREVIOUS BOARDS OF SUPERVISORS.

A. Definitions

1. Chair means the person presiding over the Board.
2. Board means the persons elected Supervisors acting as a unit.
3. Member means individual Supervisor.
4. Quorum means the minimum number of persons required to act as the Board.

A quorum requires 3 Supervisors.

5. Vice-Chair means a Supervisor elected by the Board to act as Chair in the absence or disability of the Chair.

B. The Chair

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| <u>Presiding</u> | 1. The Chair shall preside at all meetings and hearing of the Board of Supervisors. |
| <u>Vice-Chair</u> | 2. In the event of absence or disability of the Chair, the Vice-Chair shall preside. |
| <u>Acting Chair</u> | 3. In the absence of both the Chair and Vice-Chair, the Acting Chair shall preside. |
| <u>Control of Chamber</u> | 4. The Chair shall have control of the Board Chamber. |
| <u>Decides Points of Order</u> | 5. The Chair shall preserve order, decide all points of order and procedure, subject to appeal to membership. The Chair shall vote on all matters except upon the Chair's own rulings. |

- Motions 6. The Presiding Chair may make or second any motion made by a member.
- Declare Votes 7. Motions may be determined by viva voce vote, or at request of any member, by roll call. The Chair shall declare all votes. If any member doubts the vote, a roll call shall be ordered.
- Sign Documents 8. The Chair shall sign resolutions, ordinances, and subpoenas issued by the Board.
- Appointments to Boards, Commissions and Committees 9. The Chairman of the Board shall appoint members to boards, commissions and committees with the exception of those appointments to boards, commissions and committees controlled by the Arizona Revised Statutes.
- Sergeant At Arms 10. The Chair shall have the services of a Sergeant at Arms, as required, to preserve order and enforce the rules and orders of the Chair and Board of Supervisors.

C. The Clerk of the Board

- Prepares Agenda 1. The Clerk of the Board shall prepare copies of the Board agenda and deliver the same to the Members together with such other memoranda and communications as the Board directs.
- Attend Meetings 2. The Clerk or a Deputy shall attend meetings of the Board and attest all instruments signed by the Chair.
- Notices 3. The Clerk shall send out and publish all required notices.

- Minutes 4. The Clerk shall prepare and maintain minutes of the proceedings and such journals and records as required.
- Blanks Filled In 5. The Clerk shall fill in blanks in ordinances and resolutions before vote thereon.
- Roll Call 6. The Clerk shall call the roll in the order directed by the Board. On votes, after the roll has once been called, the names of those who passed or did not vote shall again be called.
- Unsigned Material 7. Unsigned communications shall not be introduced to the Board.
- Matters Continued 8. Matters on the agenda which are not acted upon shall be continued to the next regular agenda unless otherwise directed by the Board.

D. Agenda

- Order of Business 1. The Clerk shall prepare a written Agenda for each meeting. Business matters of regular meetings shall be considered as deemed appropriate by the Board.

It is understood that matters for hearing or consideration shall be taken up at the hour set or as soon thereafter as practical.
- Change of Order 2. At any time after Roll Call, any Member may move that the order of business be changed.
- Deadline 3. All material submitted by staff for inclusion on the Board's agendas must be accompanied by the required copies (21) for inclusion in the books, and be delivered to the Clerk's office by Wednesday, 5:00 p.m., thirteen calendar days prior to the meeting date.

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| <u>Addendum
Deadline</u> | *4 | The deadline for addendum submission is 5:00 p.m. Thursday preceding the meeting. |
| <u>Exception</u> | *5 | Addendum items submitted after 5:00 p.m. Thursday and prior to 9:00 a.m. Monday <u>must</u> have three Supervisor's signatures for placement on the addendum. |
| | | *If there is a holiday, all deadlines are moved back one day. |

E. Board Chambers

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| <u>Described</u> | 1. | The Board chambers consist of the Hearing Room, the press gallery, the raised dais, and executive dais. |
| <u>Dais</u> | 2. | Except by permission of the Board Chair, no person shall have the privilege of, or be admitted to, the dais. |
| <u>Hearing Room</u> | 3. | The Hearing Room shall, at all public meetings, be open to the public. |
| <u>Removal</u> | 4. | The sergeant at arms shall maintain order in the Hearing Room, and under the direction of the Chair may remove from the chambers persons causing disturbances or otherwise violating the rules. |

F. Voting

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| <u>To Pass Acts</u> | 1. | A quorum (i.e., a majority) may act. (Conduct the business of the County.) |
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To Pass
Motions/Tie
Votes

2. A Tie vote results in the postponement of consideration of the matter until the next regularly scheduled meeting of the Board, not including a meeting scheduled for the following day.
 - a. Motion to approve or grant. A second tie vote on a motion to approve or grant is a denial of the item.
 - b. Motion to approve or grant - rezoning applications. A second tie vote on a motion to approve or grant, if the item is a rezoning application, requires the item be set to a time certain within 30 days for final action. Should a tie vote occur again, on a motion for approval, the rezoning application is denied.
 - c. Motion to deny or disapprove. A second tie vote on a motion to deny or disapprove leaves the item before the Board for future disposition.

Conflict of
Interest

3. A Member shall not vote where there is a possible conflict of interest and may disqualify himself or herself in such event. If there is such conflict of interest the Member shall not debate the matter.

Pass

4. A Member may “pass” on the first roll call but must vote “aye” or “nay” on the second and final roll call.

Leaving Seat

5. When a roll call is commenced, no Member shall leave his or her seat until the vote is disclosed.

Change of Vote

6. A Member may change his or her vote after the roll has been completed and before announcement of the result, but not thereafter.

Leaving
Hearing Room

7. No Member shall leave the Board Hearing Room during session without permission of the Chair.

G. Motions

Seconds on Motions

1. A second to a motion is required.

Dividing a Question

2. Upon demand, before a question is put, a question shall be divided if it includes propositions so distinct in substance that, one being taken away, a substantial proposition shall remain.

Separate Consideration

3. Upon request, each amendment shall be considered separately.

Dilatory Motion

4. No dilatory motion shall be entertained by the Chair.

H. Reconsideration

Who May Make

1. When a motion has been carried or lost, it shall be in order at the same or next regularly scheduled meeting of the Board for any Member who voted with the prevailing side to move for reconsideration for cause.

When May Make

2. At the same or next regularly scheduled meeting, a Member on the prevailing side may file an intention to move for reconsideration on a given date, for cause.

Zoning

3. No motion concerning a zoning matter may be reconsidered without cause.

Contracts

4. No motion approving a contract may be reconsidered after execution of the contract by the Chairman of the Board of Supervisors unless there is evidence that the contract was not awarded in conformance with applicable federal, state and local laws and policies or that the party awarded the contract did not meet the contract specifications.

A Greater Vote 5. The motion to reconsider may be agreed to by a majority of those voting, even when the vote reconsidered requires a greater vote for affirmative action. After a motion to reconsider has been acted upon, a second motion to reconsider shall require a unanimous vote.

I. Reading and Passage of Ordinances/Resolutions

All proposed ordinances and resolutions shall be subject to the following requirements for passage:

Printed Copies Due 1. Typed or printed copies shall be in the possession of the Board prior to the meeting.

Required Readings 2. Any member may request a full reading: otherwise, said ordinance and resolution shall be read by number and title only. An ordinance may be passed and adopted at any time after the reading.

Available to Public 3. Copies of proposed ordinances and resolutions shall be available to the public, when feasible, at the Clerk of the Board's Office not less than forty-eight hours before the hour the Board convenes to act upon the ordinance. Should copies not be available, said ordinance shall be ordered read in full before the vote upon request by any member of the public at the meeting.

Waiver 4. The requirement relating to reading and passing of ordinances and resolutions is considered waived by the Board voting upon them without an objection being raised.

J. Decorum and Debate

Being Recognized 1. When a Member desires to speak or make a motion, the Member shall address the Chair. Upon being recognized, the Member may address the Board.

First Person Recognized 2. When more than one Member addresses the Chair, the Chair shall name the person who is to speak, recognizing the person who first addressed the Chair.

Interruptions 3. No Member shall interrupt another except to call to order or to correct a mistake.

Decorum 4. No Member shall indulge in personalities, arraign motives of Members, or use language tending to hold a Member up to contempt.

K. Participation by Employees and Public

Employees Recognized 1. When an officer or employee of the County admitted to the dais desires to speak, the officer or employee shall address the Chair and, upon being recognized, state his or her name and position with the County and then speak.

Public Recognized 2. No person in the Hearing Room shall be permitted to speak unless recognized by the Chair who may permit persons to speak on any agenda item.

Call to Audience 3. On calls to the audience, a person desiring to speak shall address the Chair. Upon being recognized, the person shall advance to the dais, state his or her full name, address, and whom he or she represents, and state the subject matter.

No Interruptions 4. No person shall interrupt legislative proceedings.

Procedure 5. Orderly procedure requires that each person shall proceed without interruption from the audience and shall retire when his or her time is up; that all arguments shall be addressed to the Board, and that there be no questioning or argument between individuals.

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| <u>Question</u> | 6. The Members of the Board and staff members may ask questions and make appropriate comments; however, no Member should argue or debate an issue with the petitioner. |
| <u>Orderly Conduct</u> | 7. Citizens attending meeting shall observe rules of propriety, decorum and good conduct. Any person making personal, impertinent, or slanderous remarks or who becomes boisterous while addressing the Board, may be removed by the Sergeant at Arms if directed by the Chair. Such person may be barred from further audience before the Board. Unauthorized remarks from the audience, stamping of feet, whistling, yells, and similar demonstrations shall not be permitted by the Chair, who may direct offenders from the Hearing Room. |
| L. <u>Zoning Hearings</u> | |
| <u>Applicant Speaks First</u> | 1. The applicant shall speak first. Then all persons in favor of the applicant. Then all those opposed. The applicant may then rebut, and a spokesperson for the opposition may also have the opportunity to rebut. Applicants and others may appear in person or by counsel. |
| <u>Questions</u> | 2. Members may direct questions to the applicant or any person speaking in order to bring out relevant facts, circumstances or conditions affecting the case and may call for questions from the staff. |
| <u>Procedures</u> | 3. All supporting evidence for and against each case shall be presented to the Board. The applicant shall be responsible for the presentation of all information supporting his or her case. |
| <u>Closing Hearings</u> | 4. The Board may close or continue the hearing by motion. |

Decision 5. The Board may take the case under advisement for later consideration and determination, or may defer action whenever it concludes that additional evidence is needed or further study is required, or may make its decision immediately.

M. Executive Session

Procedure 1. The Board may, by motion, resolve itself into executive session for discussion of any business which may in the opinion of the Board be required. The Members may retire to the Executive Board Chambers and expel all personnel as the Chair or Board may deem necessary. Rules of the Board shall apply in executive session, but no final vote shall be taken.

N. Parliamentary Procedure

Robert's Rules 1. Robert's Rules of Order shall be followed in all cases to which they are applicable, not in conflict with superior rules. The order of precedence in determining parliamentary procedure is:

- a. Constitution of Arizona
- b. State Statutes
- c. County Ordinance
- d. Rules of the Board
- e. Roberts' Rules of Order

O. Suspension of Rules

Majority Vote 1. No rule of the Board shall be suspended except by at least three (3) affirmative votes supporting the proposed suspension. A motion to suspend the rules shall be decided without debate. Inconsistent procedure, without objection, implies suspension.

P. Amendment of Rules

Three Votes 1. No rule of the Board shall be amended except by three (3) affirmative votes.