



CITY OF PEORIA
BOARDS AND
COMMISSIONS
MEMBER HANDBOOK

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INTRODUCTION

Read this First!!

I. Welcome to the City of Peoria!

As a citizen volunteer serving on a board or commission of Peoria, you are a member of a very elite group. You have been appointed (or are pending appointment) by the City Council to study and recommend policy direction on a variety of issues vital to the City's future. This work will be like no other volunteer effort you've ever undertaken. To prepare you for this experience, we've developed this basic training course and participant manual, which applies to all Peoria boards and commissions. Specific/detailed training may be given by Staff liaisons for individual boards and commissions as required by need, by-laws or procedures for that board or commission. Our objective in creating this material is to help you make the transition from John and Jane Q. Citizen to Peoria board and commission member.

Before we go any further, let's be clear about several points. First, it takes time and work to be a good board or commission member. You will be expected to read and study materials in advance of meetings. You will have to listen to hours of discussion and testimony at public meetings from your colleagues and the citizens of Peoria. You will make recommendations that can have dramatic effects on your friends and neighbors.

Second, you will participate in a variety of discussions that help the City Council do its job. Sometimes Council decisions will directly incorporate your recommendations into their decisions, while at other times your input will be only one of many factors that must be weighed by the Council in its final decision.



Your job is to support the democratic process by considering the broadest set of perspectives on issues. You no longer just consider your own perspective, but must consider the perspectives of all the communities who have a stake in any particular issue.

Third, your group has official status and must abide by a number of written rules and unwritten ethics. For instance, "sunshine" legislation requires all official meetings to be conducted in open and advertised forums. Expect that all decisions made by your group will be reviewed and scrutinized by the public, the City Council, media, and other interested parties. You will be working very closely with a variety of City staff, policy makers, citizens, other government representatives, lobbyists, and even grass-roots organizations. You must understand the rules and regulations under which your board or commission works, and stay focused on your assigned mission.

Finally, you are now part of the City of Peoria official family. Your personal behavior, both inside and outside public meetings, will be observed and open to criticism by others. Ethics, good judgment, and dignity are expected. If you do meet those expectations, you will enhance our citizens' perception of City of Peoria government.

Being a board or commission member is not an easy job, but if you do it well ... it will be rewarding and you can help shape the future of Peoria!

II. Questions to Frame the Issues

Here are some questions that you should keep in mind as you read this handbook and participate in the training session. These are some of the more typical questions that, when answered, can help you with your deliberation and evaluation of the issues before your board or commission.

1. What is my role as a board or commission member?
2. What authority do I have to act?
3. What do others (staff, fellow board members, City Council, residents) expect of me?
4. How do I know if a recommendation is in the best interest of the community?
5. How do I know if I have a conflict of interest? If I think I may have a conflict, what do I do?
6. How do local policies and state laws govern my actions as a board or commission member?
7. What effect will my actions have on the City Council, the community, and the applicant?



CHAPTER ONE

City of Peoria Overview

To deliver services through responsive government that promote and enhance quality of life for our community

Part 1:

The City Council

The City Charter, adopted in 1983, established a Council-Manager form of government. All powers of the City are vested in the elected City Council. The City Council, comprised of six council members and the Mayor, enacts local legislation, adopts budgets, determines policies, and appoints the City Manager and other staff as necessary.

In 1989, Peoria residents approved the City's first district system through which all members of the Council, with the exception of the Mayor, are elected. As a result, the community is divided into six districts based upon population. The six districts are Acacia, Ironwood, Mesquite, Palo Verde, Pine, and Willow. A map of the current Council districts is located in the Appendix.

The City Council is committed to ensuring active public participation in their decision-making process:

- Through the appointment of citizens to the City's ongoing advisory boards and commissions
- Through special assignment of citizens to issue-oriented Ad Hoc committees such as the Bond Committee



- By hosting or attending neighborhood meetings and events
- By sponsoring regional and community forums on such topics as youth, transportation, economic development and parks.

I. The Mayor 623-773-7306

The Mayor serves a four-year term and is elected to an at-large position, meaning that the Mayor is elected by majority vote of all residents voting in the election. By law the Mayor has a variety of responsibilities:

- Convenes all public meetings of the Council
- Is the individual through which all communication is channeled during public meetings
- Takes testimony
- Works with the City Manager to implement Council direction
- Can vote on all issues presented to the Council
- Represents the City at ceremonial functions
- Is instrumental in promoting the City of Peoria throughout the Valley and United States

II. The Vice-Mayor 623-773-7306

A Council member is elected by Council to serve as Vice-Mayor and assumes all duties of the Mayor in the event the Mayor is unable to attend or preside over a Council meeting, or represents the Mayor or the City at official functions as requested by the Mayor.

III. The Council Members 623-773-7306

The six Council members serve a four-year term and are elected, one from each district, on a staggered basis with three Council members elected every two years. They debate, discuss, and act upon various issues presented to them by staff and concerned citizens.

The Council members participate in a wide variety of regional, state, and national committees and commissions. Peoria also has internal Council subcommittees comprised of one to three Council members.



IV. The Council Subcommittees

The Council Subcommittee is responsible for screening applications for appointment to the many boards and commissions authorized by the City Council. The Committee, comprised of three Council Members, reviews applications and recommends appointments to the full Council for formal action.

The Committee has accepted responsibility for development and review of policies related to boards and commissions, training, and appreciation activities.

Please check the City’s website for information on additional Council Subcommittees.

Part 2: City Administration

The City is comprised of numerous departments, all of which serve the citizens of Peoria in one capacity or another. A brief description of the major departments is listed below and a complete City organization chart is located in the Appendix.

I. Appointed Positions

The City Council appoints the City Manager, City Attorney and Municipal Judge

1. City Manager 623-773-7300

The City Manager is appointed by the City Council and is responsible for the implementation of all City Council goals and the overall administration of all city staff, programs, services and projects.

To carry out the responsibilities of the position, the City Manager appoints a professional staff of department heads to help manage the organization. Divided under two Deputy City Managers, Peoria’s departments provide services to the city’s residents and businesses.

The City Manager’s Office is responsible for and oversees the following departments or major function.

Departments

- **Intergovernmental Affairs 623-773-7785**
 - Liaison to the state legislature and other local, county, state and Federal governmental entities.



- **Fire 623-773-7279**

- Fire suppression
- Emergency medical
- Hazardous materials
- Specialized rescue response
- Promotes citizen safety through fire and injury prevention programs
- Aggressive enforcement of the Uniform Fire Code

The Fire Chief serves as a member of the executive management team and provides support to the City Manager and the City Council.

- **Police 623-773-7096**

- Public safety services - law enforcement services and crime control
- Park Ranger services
- Code Enforcement
- Community policing

The Police Chief serves as a member of the executive management team and provides support to the City Manager and the City Council.

2. City Attorney 623-773-7330

- Represents the City and its officers and employees in civil suits
- Legal advice
- Ordinances and resolutions
- Contracts
- Legal opinions
- Municipal Code Book
- Prosecution of all violations of City codes and misdemeanor violations of state law within Peoria
- Appeals from City Court to Superior Court
- Risk Management



The City Attorney is a member of the executive management team and provides legal services to the City Council and the City Manager and other staff.

3. Municipal Judge 623-773-7400

The Peoria City Court is the judicial branch of the City. The court adjudicates all criminal misdemeanors, City code violations, and certain juvenile offenses committed in the City of Peoria. In cases of domestic violence and harassment, the court issues restraining orders. In felony matters, the court has the authority to issue search warrants.

II. Deputy City Manager

Administrative Services provides for the overall direction of the activities of the Administrative Services Group and the operation of the Deputy City Manager's Administration Office.

The Deputy City Manager of the Administrative Services Group serves as a member of the executive management team and provides support to the City Manager and City Council.

Departments

- **City Clerk 623-773-7340**

- The City's records management program
- Serving as the information resource for the City
- Conducting municipal elections
- Preparing and maintaining the official record of City Council meetings and attesting all official signatures
- Being the keeper of the official seal of the City
- Coordinating the recordation, publishing and posting of the City's public notices and official documents
- Providing administrative support to the City Manager

The City Clerk is a member of the executive management team and provides support to the City Manager and City Council.

- **Finance Department 623-773-7150**

- Manages the City's investments



- Administers utility accounts and billing, tax and licensing audits, payroll, purchasing of goods and services
- Collects taxes
- Provides support within the areas of financial information
- Administers mailroom and reprographic services

The Finance Director serves as a member of the executive management team and provides support to the City Manager and City staff.

- **Human Resources 623-773-7100**

- Safety
- Employee benefits
- Training
- Recruitment and selection of new employees
- Intermediary with the City's three employee unions

The Human Resources Director serves as a member of the executive management team and provides support to the City Manager and staff.

- **Information Technology 623-773-7218**

- Computer hardware and software applications
- Technical support for telephones and other communication systems

The Information Technology Director is a member of the executive management team and provides support to the City Manager and City Council.

- **Office of Management & Budget 623-773-7126**

- Budget
- Performance Management

The Office of Management & Budget Director serves as a member of the executive management team and provides support to the City Manager and City staff.



- **Public Works/Utilities 623-773-7266**

- Solid waste collection service
- Maintenance and repair of streets, street signs and traffic signals
- Fleet of vehicles and Peoria’s Dial-A-Ride
- Water and Wastewater

The Public Works/Utility Director is a member of the executive management team and provides support to the City Manager and City Council.

III. Deputy City Manager

The Development & Community Services Group is responsible for overseeing most aspects of the planning and development of our city, as well as working to ensure a quality of life in neighborhoods by addressing code, building safety, traffic and transportation issues.

The Deputy City Manager for Development & Community Services serves as a member of the executive management team and provides support to the City Manager and the City Council.

- **Office of Communications 623-773-7300**

- Liaison with local news media
- Governmental Channel 11
- Newsletters, brochures and reports

Departments

- **Planning and Community Development 623-773-7209**

- Neighborhood Coordination
- Housing
- Planning

The Planning and Community Development Director is a member of the executive management team and provides support to the City Manager and City Council.



- **Community Services 623-773-7137**

- Library and Arts
- Special Events
- Parks and Right of Way Maintenance
- Recreation
- Sports Complex

The Community Services Director is a member of the executive management team and provides support to the City Manager and City Council.

- **Economic Development Services 623-773-7735**

- Economic planning and development
- Development engineering
- Building safety

The Economic Development Services Director is a member of the executive management team and provides support to the City Manager and City Council.

- **Engineering 623-773-7212**

- Engineering inspection
- Traffic engineering
- Capital engineering

The Engineering Director is a member of the executive management team and provides support to the City Manager and City Council.



Part 3: Governance Documents

I. City Charter

The Arizona Constitution allows cities to adopt charters to provide that the city may exercise Home Rule Authority which permits the City to make and enforce all ordinances and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters, and in respect to other matters they shall be subject to the general laws.

Charters provide, in addition to provisions allowed by constitution and laws of the state, for (1) the constitution, regulation, and government of the City Police force; (2) sub-government in all or part of a city; (3) conduct of elections; and (4) city personnel matters.

The City Charter on a municipal level holds the same powers and authority as the State Constitution does on a State level, and the Constitution of the United States does on a National level.

The citizens of Peoria elected a Board of Freeholders and directed them to prepare and submit to a vote of the people their recommendations for the highest municipal laws under which the City would be governed. The City's Charter was adopted at the City's Primary Election held in March 1983. Through the citizens' powers of the initiative by referendum of the City Council, and upon vote of the people, there have been a number of amendments since the original Charter was adopted.

II. Ordinances

The City Council, through its legislative powers adopts Ordinances, which set forth the regulatory, penal, and administrative laws of general application to the City, and in conformance to the authorities granted in the Arizona and U.S. Constitution.

Ordinances are adopted to do things such as: annex land, zone or re-zone property, and set the tax levies. Ordinances also establish laws that are called codes. These ordinances were first compiled into a Peoria City Code Book which was approved and adopted by the City Council in 1977. In 1992, the City Council approved and adopted by ordinance a new re-formatted and partially re-written City Code Book.



III. City Code

The City Code Book is a compilation of specific laws of the City. These Codes address issues such as: Establishing departments or positions, regulating the zoning laws of the City, establishing boards or commissions, adopting various building codes, providing penalties for violation of the laws, setting standards for the infrastructure of the City, conduct of elections, time for holding meetings, seating the Council, setting fees for a number of services, and a wide variety of other things.

IV. Resolutions

A resolution is a more formal motion of the Council. Resolutions are presented and adopted for issues such as: appointments to boards and commissions, accepting the budget, authorizing the submission of applications for and accepting grants, creating improvement districts, authorizing the sale of bonds, approving some of the intergovernmental contracts and a variety of other things.

V. General Plan

This is a legally required policy document that contains the major elements of land use circulation, open space, housing, noise, scenic highways, conservation, and safety. It is intended to set forth general policy for the development and conservation of the Community, and serves as the policy statement upon which the City's Zoning Ordinance is based. The General Plan can also encompass areas that are outside of the current City boundaries, but are within the planning area of the City.

Amendments to the General Plan occur once per year through a strictly regulated application and hearing process. The City holds periodic open houses to give citizens and other interested parties informational briefings on the Plan. This amendment process allows citizens, interested parties, and internal customers to participate in the direction in which they believe the City should go on the issues discussed above.

A recent change in Arizona Law commonly known as "Growing Smarter Plus," requires amendments to the Plan to go before voters for their approval. The City's Plan contains a number of sub-plans such as the Rivers and Trails Master Plan, the Transportation Plan, the Parks Master Plan. The General Plan and its component parts is a dynamic, ever evolving document designed to meet the needs of the Community, and to guide in the logical planned development for the betterment of the City as a whole.



VI. Capital Improvement Program

This document is a listing of the City’s capital improvements, purchases, and projects scheduled or phased out for a five-year up to a ten-year period, and identifies the estimated costs to do the project. The Program is used in conjunction with the preparation of each year’s budget and the Program and the City’s annual budget are reviewed thoroughly and approved of by the Council in a series of open public meetings.

VII. City Budget

Each year the City’s Department Directors compile their requests of funding needs for their Department for the next fiscal year. Through a series of meetings held with the Office of Management & Budget personnel, Deputy City Managers, and the City Manager the budget requests for the various divisions and departments are finalized and balanced in preparation for submission to the City Council.

In April, the City Manager submits the proposed budget to the City Council who, in turn, holds a series of workshop meetings (Study Sessions) and reviews, through departmental presentations and discussions, the entire budget.

Following any necessary adjustment to the proposed budget, the revised tentative budget is submitted to Council for their adoption. The adoption of the Tentative Budget sets the maximum amount that can be spent during the upcoming fiscal year. Once the tentative budget has been adopted, it is published in the City’s Official Newspaper, and then the final budget is brought back to a Council Meeting in Public Hearing. The public hearing gives citizens another opportunity to comment on the budget before Council takes action to adopt the Final Budget. Approximately one week after adoption of the Final Budget, Council convenes in another public meeting in order to consider and adopt the City’s tax levies for the upcoming fiscal year. Authorization to expend funds in a new fiscal year must be set in place prior to June 30th of each year.

VIII. Public Records 623-773-7109

With a few exceptions, the records of the City are public records. During normal business hours, any interested party may ask to inspect or purchase a copy of any City record. Records requests are generally made to the Office of the City Clerk.



The records of the City (regardless of physical form or characteristic) must be retained and disposed of in conformance with state, federal or local laws, policies, procedures or regulations. Each municipality is required to appoint a records manager and to develop their own program and to request retention periods according to municipal need. Once a record has received state approval for its retention, the City has the authority keep and then dispose of the records once they have met the fiscal, legal or administrative needs of the City and based on state authorized retention period.



Part 4:

City of Peoria Boards and Commissions

The summary on the next two pages is an overview of each of the boards and commissions authorized by the Peoria City Council. A complete job description and operating policies for each of the boards and commissions are located in the Appendix.

This is a valuable reference tool should you need assistance on an issue that is within the scope of another board or commission.

Notes...



Department Liaison	Board or Commission	Mission/Purpose
Community Services	Arts Commission	Develops and administers a comprehensive public art program, recommending to the City Council a five-year and annual work plan relating to building, preserving the public art inventory for the city, and promoting the performing arts.
Planning and Community Development	Board of Adjustment	Hears requests for relief from terms of the Zoning Ordinance. Hears and decides appeals from decisions of the Planning Director also called the Community Development Director
Economic Development Services	Building Board of Appeals	Hears and decides appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of city building codes.
City Clerk's Office & Human Resources	Citizens Commission on Salaries for Elected City Officials	To advise the City Council regarding issues of compensation and pay levels for elected City officials.
Planning and Community Development	Design Review Appeals Board	Hears requests for appeals from decisions of design reviews.
Planning and Community Development	Design Standards Advisory Board	Review standards for commercial and residential design, recommends changes to designs or process.
Economic Development Services	Economic Development Advisory Board	Responsible for the Economic Development element of the City's General Plan and economic development related projects.
Human Resources	Employee Benefits Trust Board	Responsible for recommendations to the City Council regarding the administration of the Workers' Compensation Trust Fund.
Planning and Community Development	Historic Preservation Commission	Responsible for the identification and recommendation of designated landmarks, increase public awareness of historic, cultural and architectural preservation.
City Attorney	Industrial Development Authority	Responsible of approving secured and unsecured loans for purpose of financing or refinancing privately owned projects.
City Attorney	Judicial Selection Advisory Board	Responsible for conducting investigations into the background and qualifications of candidates for the office of Presiding Municipal Judge and Associate Municipal Judge.
Community Services	Library Board	Advises the City Council on general policy relating to the administration and provision of library services.
Finance	Municipal Development Authority	Responsible for review and approval of secured and unsecured loans for financing or refinancing city owned projects.



Department Liaison	Board or Commission	Mission/Purpose
Community Services	Parks and Recreation Board	Advises on recreational facilities and services. Advises on grant applications, licenses and permits for recreational activities
City Clerk's Office	Personnel Board	Acts as an appeal hearing board on employee punitive discipline appeals and represents the public interest in city human resources management. Decisions made by Board are final.
Planning and Community Development	Planning and Zoning Commission	Prepares and recommends a comprehensive General Plan to direct development of the community, which consists of community goals and development policies. Advises City Council if items in the Capital Improvement Program are consistent with the General Plan. Acts as a liaison for the community in making recommendations to City Council on development requests concerning General Plan amendments, rezoning, plats, and text amendments to the Zoning Ordinance. Makes final decisions on preliminary plats and conditional use permit applications.
Finance	Public Defender Contract Review	Reviews proposals for selection of Public Defender and alternative defender services, recommends appropriate terms and conditions to be added to such contracts, and recommends the awards of public defender and alternative defender services contacts.
Human Resources	Public Safety Personnel Retirement System - Fire	Administers the Public Safety Personnel Retirement System, making the provisions of the system effective for the City of Peoria Fire Department.
Human Resources	Public Safety Personnel Retirement System - Police	Administers the Public Safety Personnel Retirement System, making the provisions of the system effective for the City of Peoria Police Department.
City Manager's Office	Sister Cities Board	The Board is responsible for development and promotion of municipal partnerships and recommends business plans, policies, programs, and other sister city activities to the City Council.
Community Services	Veterans Memorial Board	Responsible for development and promotional activities related to the recognition of veterans of the armed forces of the United States and their contributions to the community. The Board recommends activities and events to the City to focus on the contributions of veterans.
Finance	Volunteer Firefighter Pension Board	Responsible for disbursement of fund and designation of beneficiaries as directed by law.
Community Services	Youth Advisory Board	Advises City on the development of public recreational and youth activities and programs in the City. Plans and implements a Student Government Day and review ordinances or proposals pertaining to youth activities



CHAPTER TWO

Your Responsibility as a Board or Commission Member

Part 1: Roles and Responsibilities

Because the City Council does not have time to study and develop recommendations on every issue that affects the community, they rely on the boards and commissions to research the issues and to recommend decisions and policies that are in the best interest of the community.

Board and commission members are *not* elected officials and, as such, are purely *advisory*. Board and commission members do *not* establish, but *recommend* public policy. They recommend action based on their expertise and their study of specific issues. Although all of their actions and recommendations are subject to approval by the City Council, the Council trusts that the board and commission members will exercise sound independent judgment so that they may offer the best advice possible.

It is the Council's role to weigh the advice and recommendations offered by the boards and commissions and numerous sources and to make decisions which it determines best serve the citizens of Peoria. The City Council can:

- follow the recommendation of the board or commission
- request further study
- decide to take different action than that recommended by the board or commission
- decide not to act at all



Part 2:

Board or Commission Service

I. Pros and Cons of Service

Although it can be very rewarding, serving on a board or commission isn't always easy. Listed below are some of the pros and cons of agreeing to serve on a board or commission.

PROS:

- Making a substantive difference in your community
- Learning about municipal government organization, processes and procedures
- Making recommendations that preserve and enhance the community
- Meeting new people in the community
- Improving your public speaking skills

CONS:

- Difficulty finding sufficient time to do the job well
- Receiving telephone calls at work and at home during inconvenient hours
- Making difficult decisions

II. Characteristics for Success

Successful board and commission members have the following characteristics in common.

- Interest in City issues and a willingness to learn about them
- Time enough to prepare for meetings and hearings and show up on time
- Open mind, patience and fairness
- Ability to envision and consider the long-term effects of a decision and to put them ahead of short-term considerations
- Ability to come to a conclusion, make a decision and resolve an issue
- Good “people” skills
- Attending all meetings and study sessions

For additional information, see the list of Frequently Asked Questions in the Appendix.



III. Attendance Policy

Board and commission members are appointed by the City Council and may, for any reasonable cause, be removed by the Council.

By ordinance the City's attendance policy for members of boards, commissions and committees, provides that if a member fails to attend three consecutive regular meetings, or more than fifty percent of all meetings of such groups held over a calendar year period, the City Council may declare the seat vacant and appoint a replacement.

If a member of any board, commission, committee or advisory body is removed, the City Council shall, within a reasonable time, appoint a new member to fill the unexpired term of the former member.

Part 3:

Public Perceptions and Ethics

As a volunteer board or commission member, you represent the City of Peoria. You are often the only contact most individuals have with the City. Therefore, board and commission members should conduct themselves in an appropriate manner at all times, not just when serving in an official capacity for the City of Peoria.

I. Serve the Public with Respect

You often only get one chance to make a good impression and that is especially true for public officials and representatives. When interacting in a public setting, perceptions are reality. Your actions before and after a meeting, your body language, the tone of your voice and many other behaviors will affect how the public views your decisions as a board or commission member.

If citizens perceive that you have listened to them and considered their issues, then they may feel they have received a fair hearing. As a public representative, members should:

1. Be honest and straightforward
2. Keep your perspective and do not take the discussion or decisions personally
3. Avoid unacceptable activities prior to a meeting which may impair your judgment
4. Avoid abusive language or comments of a racial, religious, sexual or ethnic nature that could be perceived as offensive or disrespectful
5. Dress appropriately, such as business casual



6. Do not visit with friends, applicants or other audience members before or after a meeting
7. Avoid the appearance of favoritism for friends, applicants or others in the audience who may be associated with an agenda item.
8. Do not send **group** e-mails to fellow board and commission members. This can be perceived as avoidance of the open meeting law.

II. Ethics

Board and commission members may experience situations in which ethical choices are presented. Ethical challenges take many forms and sometimes there is no one “right” answer. When making ethical decisions, it is important to keep in mind “perceptions,” those things that are viewed through the mind or senses, as being real. It is easy for things to be taken out of context and sometimes perceptions get passed on as if they were truths. If you have a question or concern regarding a potential ethical choice or decision you have to make, contact your staff liaison or the City Attorney’s Office to discuss.

III. Ex parte Communications

Ex parte communication is discussing with one of the parties the merits of a case without the other party being present or formally notified of the opportunity to be present to explain their side.

Always try to avoid ex parte communications and ask your board or commission staff liaison if there are any legal requirements for communicating with an applicant.

Part 4:

Mentoring New Members

Terms of service eventually come to an end. Because the turnover of board and commission members is continuous, new appointments are made frequently. The new appointee’s ability to *hit the ground running* as an effective contributor to the work of the group as a whole will be a function of the quality of the initial mentoring support provided by other members.

The new members of a board or commission will initially require special attention and should be made to feel welcome and comfortable. It is in everyone’s best interest that this transition occurs smoothly and with minimal disruption.



In addition to the basic training all new members **should**:

- Attend a meeting of their board or commission before they are officially appointed
- Meet with the chair and staff liaison before the first meeting

Things to remember:

1. Board and commission recommendations are advisory – the City Council has the final say.
2. Volunteering to serve on a board or commission has its rewards, but it can be very time consuming.
3. When making decisions always consider what is in the best interest of the community as a whole, not just your opinion.
4. You are a public representative and will be held to the highest standards of ethics and conduct.
5. Mentoring new members will help your board or commission be more successful.



CHAPTER THREE

Successful Boards and Commissions

Government is not a substitute for people, but simply the instrument through which they act. -- Bernard M. Baruch

Part 1:

Getting Ready for a Meeting

I. Be Prepared

1. Review and READ your agenda packet.
2. Know the facts of the case or issue and what you are talking about.
3. Consider whether or not you may have a conflict of interest on any of the agenda items.
4. For high profile issues, you may want to contact City staff for a personal briefing, if appropriate, or to set up a time to personally inspect the case file.
5. If you have questions, contact City staff as early as possible. Your early inquiries give staff an opportunity to research concerns you may have.



6. Write down any unanswered questions, comments or concerns you may have and bring them to the meeting.
7. Site visits may be necessary and should be coordinated through the staff liaison.
8. It is O.K. to ask neighbors, council members, staff members, and residents for their opinions.
9. Make arrangements so that you can be at the meeting on time.

II. The Staff Liaison

Each board or commission created by the City Council will have an appointed City staff person that acts as a liaison. If a board or commission member needs to contact City personnel for information concerning official business, he or she should always make the formal request through the staff liaison or their designee.

It is not the responsibility of board or commission members to decide or direct the priority of work for the department or the individual staff liaison that has been assigned to the board or commission.

To the extent possible, the board or commission sets priorities for their own agendas. City staff then uses its time to gather the information necessary for the board or commission to make a recommendation or decision in regard to agenda items.

The staff liaison will:

1. Establish and maintain a positive working relationship with the board or commission members.
2. Assist with the establishment of basic board or commission bylaws, structure and operating procedures.
3. Work with the chair to provide information and logistical support to board or commission members.
4. Provide board or commission members with the information necessary for making an informed decision.
5. Offer advice and counsel to board or commission members.
6. Report the board or commission's concerns and progress to the City Manager.
7. Provide advice regarding the most effective way of presenting board and commission recommendations to the City Council.



8. Facilitate interaction between boards and commissions if necessary.
9. Make meeting arrangements and prepare and distribute agenda packets to board and commission members.
10. Prepare and ensure that legal postings and public notices are completed as required by Arizona Open Meeting law.
11. Take notes during the meeting and prepare meeting minutes for approval by the board or commission; and submit to official files according to Council policies.
12. Provide board specific training and guidance to new members.

Part 2:

Successful Meetings

The business of the board or commission is conducted during a public meeting or hearing. Therefore, it is important that the meeting is conducted in a professional and efficient manner.

Meetings, whether one-on-one, in small groups or in public events are the dominant methods used to engage stakeholders in discussions about the issues they face. Therefore, people charged with engaging communities in problem solving and planning for the future need to have good meeting planning skills, good facilitation skills, and a thorough knowledge of action planning.

I. Tips for Success

1. Keep the meeting under control

- It is the chair's responsibility to ensure that the meeting is conducted in an orderly manner.
- Have a set meeting procedure to follow. Explain it to the public at the beginning of the meeting.

2. Act promptly

- Schedule topics on the agenda in order to avoid inconvenience or delays to applicants, special interests, and interested citizens.
- Follow a published agenda.
- Ensure that the applicant and/or other interested parties receive due process by rendering a decision in a timely manner.



3. Bring issues to vote

- Avoid becoming bogged down in petty details or endless requests for additional information.
- Meet with staff prior to regular meetings to review complex cases, technical reports, and to analyze issues.

4. Ask yourself:

- Were the issues clearly defined and fully addressed?
- Did the evidence provide sufficient factual information to reach a decision?
- Is the request consistent with the goals and objectives of the community?

5. Make fair decisions

- Keep an open mind
- Listen carefully to citizen and fellow commission member comments prior to making or announcing your decision
- Don't discuss the pros and cons of an agenda item before all testimony and evidence have been presented.
- Discussion should focus on the facts of the case or issue and not on the applicant or speaker.

6. State the board's or commission's findings

- Vote on specific actions in the form of a motion and include pertinent findings.

For additional information on member conduct while doing the business of the board and commission read the "Riggins Rules" located in the Appendix.

II. Effective Conflict Management

Public hearings or citizen input meetings can be challenging. However, a public meeting is an important part of the democratic process, especially at the local level, and it should be the goal of all boards and commissions to make their meetings as effective as possible.

Participants can be highly motivated and often nervous creating the possibility of conflict or contentious exchanges. A commission or board member's role is to guide conflict to positive results, not to eliminate it. When this is done effectively, all participants feel that they have been heard and their issues were considered before decisions were made.

The following are some suggestions that should help in managing conflict and confrontation effectively:



1. Do your homework so you can concentrate on the dynamics of the meeting rather than learning about the topic at hand. Be prepared to ask pertinent questions.
2. Carefully explain the purpose of the public hearing and what action is expected at the conclusion of the hearing. Insistence on playing by the rules is your best tool for conflict management in public hearings.
3. Treat all sides fairly. Set the rules of the hearing early and make sure everyone abides by them.
4. As often as possible, as a sign of respect, address the speaker by name.
5. Impassioned comments most often do not require answers. Try to diffuse the situation by asking specific, neutral questions.
6. Repetitious debates should be avoided with speakers and other commissioners.
7. Board and commission members should refrain from expressing their views on a proposal until testimony has been completed. Comments and questions should be neutral.
8. Following testimony, the chairperson should invite but not force board and commission members to discuss their views on the proposal.

III. Other Types of Meetings

Some boards and commissions may have workshops, retreats, subcommittees or other types of meetings in addition to the regular public meetings. Check with the staff liaison to determine if your board or commission has any additional meetings and the protocols for those meetings.

If your board or commission holds executive sessions, be sure to read how the open meeting law applies to executive sessions in Chapter Five, Part 2, Section 3.

Part 3:

Basic Parliamentary Procedure

Parliamentary procedure is a set of rules for conducting business at public meetings. Parliamentary procedure is important because it allows everyone an opportunity to be heard and assists in making decisions without confusion. Because implementation of the Robert's Rules of Order can be cumbersome, the rules are often adapted to fit the needs of the organization.



The following is the adaptation of the rules that should be used by the City of Peoria Boards and Commissions.

I. The Agenda

Each board or commission will publish an agenda for posting and distributing prior to each meeting. The agenda may include the following:

1. Call to Order/Roll Call
2. Minutes
3. Specific Business Items (with general description)
4. Staff Reports
5. Announcements
6. Adjournment

The method of preparing the agenda varies by group. See the operating policies in the Appendix, for specifics on the preparation and posting of agendas for each board or commission.

II. Making Motions

A board or commission member uses a motion to propose a resolution or action on an item on the meeting agenda. The process for making motions follows.

1. A member makes a motion - “I move that....” Speak clearly. State your motion affirmatively – “I move we do . . .” – do not say “I move we do not...”
2. The chair asks for a second to the motion – “Second”
3. The chair asks the group to debate the motion
4. The chair states the motion on the floor – “It has been moved and seconded that we....”
5. After the motion is seconded, the member making the motion may speak to their motion first.
6. After discussion, the chair asks for a vote on the motion – “All those in favor; all those oppose”



7. Votes are taken by a roll call. Some board or commission may allow a vote by show of hands.
8. The chair announces the results of the vote.

III. Frequently Asked Questions

1. When is a motion in order?

The motion must be relevant to the current agenda item.

2. Do all motions need a second?

Yes. If a motion is not seconded, it dies and the chair asks for another motion or moves on to the next agenda item.

3. May you debate the motion?

Yes. However, the debate must be relevant to the motion. The chair may limit the debate to keep the meeting moving.

4. Can a motion be amended?

Yes. All amendments must be relevant to the original motion. Amendments must have a second and are debated and voted on before the original motion is voted.

5. Can a motion be reconsidered?

Yes. A member of the majority vote may ask to have a motion reconsidered. The board or commission would vote on the motion to reconsider a previous motion. The motion would be reconsidered if a majority agrees.

6. What is a “call for a vote” or “move the previous question?”

A member may ask for debate to end on a motion by calling for a vote or move the previous question. A second to the motion is not required. The chair may then immediately ask members to vote on the motion on the floor.



IV. Other Types of Motions

1. Motion to lay on the table

This motion is used to temporarily postpone discussion on an issue so that a more urgent matter can be discussed. Tabling an issue should not be used to prevent discussion or action.

To remove an item from the table, a member must make a motion “to take from the table” a motion for reconsideration. Tabled items must be reconsidered during the current or next meeting.

2. Motion to postpone indefinitely

This motion is sometimes used to kill a motion without having to discuss or vote on the issue. It is useful when either a yes or no vote on the original motion will have undesirable consequences.

3. Adjournment and recess

Presiding officer may call for adjournment and recess.

Part 4:

Making Good Decisions

The type of decisions or recommendations each board or commission makes varies according to their mission. Some groups are selecting projects to receive City funds; one determines if a variance should be given, another determines the capability of a project to the City’s general plan and others oversee City programs or projects.

Some of the questions to ask yourself when making decisions include:

1. Objectively consider which decisions will best serve in accomplishing the board or commission mission.
2. Make recommendations and decisions that are in the best long-term interest of the citizens of Peoria as a whole.



Part 5:

Evaluating Performance

I. Board or Commission Performance

From time to time it is helpful to evaluate the performance and effectiveness of your board or commission. Included in the Appendix is a self-assessment performance evaluation that can be completed by each board and commission member and the staff liaison.

II. Meeting Evaluation

Every six months, board and commission members should complete the meeting evaluation form that is located in the Appendix to determine the effectiveness of their meetings. Occasionally, you also may want to give the evaluation form to audience members so they can give you feedback on your meetings.

Things to remember:

1. Come to the meeting prepared.
2. At meetings
 - Actively listen
 - Ask questions
 - Avoid preconceived notions and keep an open mind
 - Treat people with respect and be sensitive to issues of race, ethnicity, religion and gender
3. Do not make decisions until all of the testimony and public comment have been heard.
4. Follow the basic parliamentary procedures to keep your meetings on track.
5. Periodically evaluate the performance of the board or commission members and the effectiveness of the meetings.



CHAPTER FOUR

Public Involvement at the Board and Commission Level

Part 1:

Representing the Community

Board and commission members should make decisions that are in the best interest of the community, but how do you determine what is in the best interest of the community? By using basic public involvement techniques, board and commission members can involve the public in their decision-making processes.

Three primary reasons public involvement is so important are:

1. People who are affected by a public decision should be given accurate information regarding the decision, should have a voice in that decision, and should have the opportunity to help determine how the decision will be implemented.
2. If people are involved in the process of policy-making, they will find ways to improve the quality of the decisions, will actively support the final policies, and will suggest methods to improve how policies are implemented.
3. If people have been given full information and their voices have been heard and recognized, they may be able to at least recognize that the process was open and fair.

I. Public Involvement Trends

1. The number of people who want to be and are involved in the “public” process is growing.
2. People want to know what is going on to the extent that it will or might affect them.



3. There is a sense of mistrust of and cynicism toward government and those who are a part of the process, including board and commission members.
4. Many people resent what they perceive to be an increasing government intrusion into their lives while others seek its protection.
5. People have better and faster means of communicating with one another and organizing to oppose something.
6. More and more citizens are organizing according to narrow or special interest issues.
7. Despite instant communication, citizens are not, necessarily, better informed.

II. There are many publics – not just one

The motivations of the people serving with you on a board or commission and those addressing your group may vary. For example, they may:

- Need something from you that they don't have
- Want to keep what they've already got
- Be interested in an issue out of a concern for themselves, their special interest or the community as a whole
- Be confused and not know the process
- Not like intrusion by government
- See government as a means to an end
- Be “old timers” who have been in town a long time
- Be “new” residents who do not have any “local” experience or history to draw upon
- Have varying language and public speaking skills
- Know an issue backwards and forwards
- Not know what they are talking about and have their facts wrong

Part 2:

Dealing with the Media

Occasionally, your board or commission may be asked to make a recommendation on a high profile case or a controversial issue. As a result, you may be asked by a reporter to make a comment or answer questions. What you say and how it is reported will have an effect on you, your board or commission and the City of Peoria. Therefore it is important to understand the principles of good press relations.



The following is intended to help you have a positive relationship with the media. Always remember that if you are uncomfortable in talking to the media, you should contact your staff liaison or the City's public information officer for assistance.

I. Good Media Relations

- Do not avoid the media by not returning calls or saying no comment
- Talk to the press only about issues and facts not opinions
- Do not lie
- Talk about only the things you know about

II. Poor Media Relations

- Refusing to talk to a reporter
- Having the wrong information
- Saying too much
- Demanding to see the text of a story prior to publication.

III. What should I do when a reporter calls?

Usually calls from a reporter are not expected and often catch people off guard. If possible, you should never talk to a reporter without preparing first.

- When a reporter calls, ask if you can set up an appointment to talk with him or her at a time that is convenient for both of you.
- If a reporter is on deadline and is pressuring you to talk, say that you need a couple of minutes to get your project file so that you can have the appropriate information and will call back in 5 to 10 minutes. Respect the urgency of the reporter's deadline and be prompt in calling back.
- Before talking to a reporter review the facts of the case or issue and call the staff liaison and/or public information officer to discuss the interview. Write down the questions you expect to be asked and the answers you want to give. When talking to a reporter on the phone be sure you will not be distracted so you can concentrate on the questions and your responses.
- Only answer the questions asked. Do not provide additional information that is not relevant to the question.
- If you do not know the answer, tell the reporter you do not know and refer them to the appropriate staff person who can provide the information.
- If the question is unclear, repeat it back to the reporter to be sure you understand what is being asked.
- Think before you answer. It is OK to pause before talking.
- Never say "no comment." However, if you don't know, say so.



IV. Other Media Tips

1. Information presented in an executive session is confidential. You can be removed from your position and subsequently prosecuted if you knowingly violate your oath of confidence. It is a violation of state law to divulge confidential information to anyone other than members of the board or commission and other persons who were present or who were entitled to be present.
2. You should not say anything to a reporter that you do not want to hear on TV or read in the newspaper.
3. How you come across in the press leaves an impression...not only what you say, but *how* you say it is important.
4. Words spoken over the telephone or in a one-on-one conversation can read differently in print.

Things to remember:

- You represent the community
- Citizens want and have a right to be involved in public decision making processes
- There is no one public – everyone is different
- Respect the media
- Never say “no comment”. If you don’t know, indicate that you get back to them, and do it!



CHAPTER FIVE

Laws, Regulations, Policies and Procedures

Part 1:

Conflict of Interest

One of the most misunderstood phrases used by the public is “conflict of interest.” The phrase carries such negative connotations, and yet it is only natural for elected and appointed officials to face potential conflict of interest situations. It is not “bad” to have a conflict of interest, but it is illegal to fail to declare a substantial conflict of interest under Arizona law or to participate or otherwise be involved in discussion on issues or contracts where such a conflict exists. The following is an overview of the State’s Conflict of Interest Law.

I. Applicability

The conflict of interest law covers all public officers and employees of incorporated cities and towns. This includes the:

- Mayor
- Councilmembers
- Members of all appointed boards and commissions
- City manager and his appointees
- All consultants
- Full-time, part-time, and contractual employees of the city or town



The conflict of interest law is also applicable when the private interests of a public official's relative are under consideration. The law defines a relative to be a husband or wife, brother or sister, parent, grandparent, child or grandchild. In addition, the provisions apply to the following: in-laws – brothers, sisters, parents, as well as the child of a spouse. All other relatives, whether by blood or marriage, are not subject to the restrictions of this law.

II. Conflict of interest defined

The conflict of interest law distinguishes between interests, which are “remote”, and those which are “substantial.”

Remote Conflict

Essentially, remote conflicts are so minor they do not constitute illegal conflicts of interest. If you have a remote interest in a matter before the board or commission you can vote, participate in discussion, and are not required to disclose the interest. Remote interests exist when the public officer or employee or his/her relative is:

1. A non-salaried officer of a non-profit corporation doing business with the city or town.
2. The landlord or tenant of a contracting party. For example, a board or commission member may lease office space to a party, which has a private interest in a public matter without it resulting in a conflict of interest.
3. An attorney of a contracting party.
4. A member of a non-profit cooperative marketing association doing business with the City or town.
5. The owner of less than three percent of the shares of a corporation doing business with the City or town, provided that: total annual income from dividends does not exceed five percent of the officer's or employees total annual income; any other payments made to the officer or employee by the corporation do not exceed five percent of the officer's or employee's total annual income.
6. Reimbursed only for actual and necessary expenses incurred in the performance of official duty; interests affecting decisions to reimburse are considered remote interests.
7. Receiving municipal services on the same terms and conditions as if not an officer or employee of the municipality. Thus, when a board or commission member who owns a business within the City or town votes for or against an increase in the business license tax, a conflict would not exist because this action would apply to all businesses in the corporate limits.
8. An officer or employee of another political subdivision, a public agency of another political subdivision or any other public agency unless it is the same governmental entity and is voting on a contract or decision which would not confer a direct economic benefit or detriment upon the officer. Thus, a board or commission member who is a school teacher may vote to enter into an intergovernmental agreement with the school district, unless such agreement would confer some direct economic benefit, such as a salary increase, upon the board or commission member.



9. A member of trade, business, occupation, profession or class of persons and has not greater interest than the other members of similar trades, business, occupations, professions or classes of persons. For example, a plumber who serves on a board or commission may vote to increase or decrease plumbing inspection fees since the effect of this decision will be equal on all plumbers within the City.

Substantial Conflict

A “substantial” conflict of interest will most often result when a board or commission member of a City or town is involved in substantial ownership or salaried employment with a private corporation doing business with the City.

The State Legislature has defined a “substantial interest” as any pecuniary or proprietary interest, either direct or indirect, other than a remote interest. For example, if a board member owns or is employed by a lumberyard selling to the City, a conflict may exist. On the other hand, if the board member is the lawyer of that lumberyard, or if the board member leased land to the lumberyard, no conflict may exist.

III. Additional Provisions

The conflict of interest law also contains the following restrictions on the activities of board or commission members and employees.

1. When a board or commission member has exercised “administrative discretion” in an issue, that individual cannot receive compensation if representing another person before an agency of the City on the same issue. This restriction extends to 12 months after termination of office or employment with the City or town.
2. A board or commission member of the City cannot receive any compensation for performance of services in any case, special proceeding, application or other matter pending before any agency of the City. This does not apply to activities such as filing or amending tax forms, applying for permits, license or other documents.
3. A board or commission member or employee cannot use confidential information obtained during the term of office or employment for personal gain.
4. A board or commission member cannot use his/her position to obtain anything of value, which would normally not be received in the performance of official duties. Something is considered to have “value” when it exerts a “substantial and improper” influence on the duties of the public official.

IV. Declaration of a Conflict of Interest

When a **substantial conflict** exists, the board or commission member must:

1. Refrain from voting or in any way influencing a decision of the governing body or agency of the City.
2. Make this conflict of interest known in the official records of the City. Declaring at a board or commission meeting that a conflict of interest exists and having this declaration



officially entered into the minutes can do this. You must disclose that you have a conflict of interest (although, generally speaking, you do not have to describe the conflict.)

The provisions of state law relating to conflicts of interest, specifically the requirement that members of a board or commission refrain from participating in or influencing a decision in which they have substantial interest, may preclude the board or commission from acting as required by law in its official capacity.

To address this potential problem, state law provides that if the conflict of interest statutes prevent a board or commission from acting, as required by law, in its official capacity, such action shall be allowed if members of the board or commission with the apparent conflicts make known their substantial interests in the official records of the board or commission.

V. What happens after you declare a conflict of interest?

When you have a conflict of interest you are prohibited from participating in any manner in the decision, and to avoid any question of improper conduct, you must not communicate in any manner with anyone who is involved in making the decision in question. During a board and commission meeting, it is best practice to leave your seat and take a seat in the audience during any discussion related to your conflict of interest.

VI. Penalties

If you knowingly or intentionally violate the conflict-of-interest law, it is a felon. A negligent or reckless violation is a misdemeanor.

You can be prosecuted for failing to disclose a conflict, which you did not but should have known. You have to be alert to this possibility and make all reasonable efforts to look into possible conflicts.

Legalities aside, the perception of a conflict of interest should be avoided. However, acquaintance (friendship) no matter how long standing does not constitute a legal conflict of interest.

Part 2:

Open Meeting Law

The operation of government and specifically the activities of government officials have always been popular topics of interest for the general public. Although there are a variety of reasons for this interest, there seems to be one distinct message delivered by the public: **The public's business must be conducted in public!**

The open meeting law provides very simply that with a few limited exceptions, all meetings of a board or commission shall be open to all persons desiring to attend. The law defines a "meeting" as



the “gathering of a quorum of members of a board or commission to propose or take legal action, including any deliberations with respect to such action.”

This means that all regularly scheduled and special meetings, all work or study sessions and all other meetings or gatherings at which a quorum of the board or commission is present to discuss or decide the body’s business, must be in compliance with the notice, agenda and minute requirements specified in the law and City policy, procedures, rules and regulations.

Additionally, except where an executive session is expressly authorized, all regularly scheduled and special meetings must be open to the public. If the board or commission or its presiding officer appoints a committee or subcommittee to study a particular issue, the law also governs the meetings of the committee or subcommittee. This is true regardless of the composition of the committee or subcommittee.

Peoria board and commission members must observe the following criteria of the State’s Open Meeting Laws.

I. Public Notice of Meetings

The open meeting law requires public notice to be given for all public meetings and executive sessions. In giving notice, the first step is to file with the City Clerk a statement identifying where public notices of the meetings of the board or commission will be posted. Once this statement has been filed, the law requires that the board or commission posts notice of each of its meetings in accordance with this statement and “give such additional notice as is reasonable and practicable.”

Except when an actual emergency is found to exist, no public meeting or executive session may be held with less than 24 hours notice to the members of the board or commission and the general public.

Notice must also be given for any executive session of the board or commission. The notice must provide more than just the specific provision of law authorizing an executive session. As such, a short description of the topic being discussed must be included on the notice. When an executive session is held, at least 24 hours notice must be given to members of the board or commission and the general public.

The only exception to these provisions for public notice is in the case of an emergency when the meeting can be called with notice appropriate under the circumstances. This action requires the approval of the board or commission by vote.

The City Clerk posts an “after the fact” notice when this happens or if an emergency item is added to an agenda of a posted meeting.

All public meetings are required to comply with the American’s with Disabilities Act. If you receive a request for a special accommodation due to a disability, please notify the staff liaison.



II. Agendas

In addition to notice of the time, date and place of the meeting, the open meeting law requires that the board or commission provide an agenda of the matters to be discussed, considered or decided at the meeting. For a public meeting, the agenda must list the “specific matters to be discussed, considered or decided.” This does not permit the use of agenda items such as “new business” or “unfinished business”, unless the specific items of new and unfinished business are listed. The board or commission must file its notice and agenda with the City Clerk’s office, which will see that it is posted in time.

A useful guide in determining how much specificity must be included in the agenda can be found in the legislative declaration of policy which states in part that agendas should “contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided.” Accordingly, boards or commissions may include in their agendas items such as “Call to the Public” to designate that part of the meeting at which members of the public may address the board or commission on non-agenda items, since the board or commission will generally not know what “specific” matters will be raised. The board or commission may not take action on the matter raised. However, the board or commission may respond to criticism, may ask staff to review a matter, or may ask that the matter be placed on a future agenda for discussion and action.

If a matter not specifically listed on the agenda is brought up during a meeting, any discussion on the matter must be deferred until a later meeting so that the item can be “specifically” listed on the agenda.

If it is essential that the board or commission act immediately, it should declare an emergency and take action in accordance with the procedures identified later on in this handbook. Simply stated, if an item is not listed on the formal agenda as an item for discussion and/or action, board and commission members are prevented by law from even discussing that item.

Agendas for regular sessions must contain a “general description of the matters to be considered.” Agendas for executive sessions must also contain a “general description of the matters to be considered,” but should not contain information that “would defeat the purpose of the executive session.”

The agenda may be made part of the public notice, or, if the notice advises the public as to how they can obtain an agenda, it can be distributed separate from the notice. In either case, the agenda must be made available at least 24 hours before the meeting, unless an emergency has been found to exist.

III. Executive Sessions

The open meeting law permits an executive session (closed meeting) of a board or commission to be held for discussion and consideration of seven specified subjects. The public may properly be excluded from an executive session. Before an executive session may be held, 24 hours or more notice of the executive session must be given, and a majority of the board or commission must vote in public to hold the executive session.

Board and Commission executive session topics must be submitted to the City Clerk and the City Attorney’s Office for review.



Executive sessions may be held during a public meeting if the proper notice of the executive session is posted as part of the public meeting notice or as a separate notice.

If the need for an executive session arises at a time other than during a meeting, a notice calling a special meeting and an executive session must be posted. The special meeting must be convened to vote on holding an executive session, and then upon a majority vote in a public meeting the board or commission may adjourn into executive session.

No executive session may be held for the purpose of taking any legal action involving a final vote or decision.

The law specifies the purposes for which an executive session may be called. These are narrowly defined as follows:

1. Personnel Matters – discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee or employee.
2. Discussion or consideration of records exempt by law from public inspection.
3. Discussions or consultation for legal advice with the attorney or attorneys of the “Public Body”.
4. Discussion or consultation with the attorneys of the board or commission in order to consider its positions and instruct its attorneys regarding the “Public Body’s” position in pending or contemplated litigation, contracts, or negotiations.
5. Discussions or consultations with designated representatives of the board or commission in order to consider its position and instruct its representatives regarding negotiations with employee organizations regarding the salaries, salary schedules or compensation paid in the form of fringe benefits of employees of the “Public Body”.
6. Discussion, consultation or consideration for international and interstate negotiation or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town.
7. Discussions or consultations with designated representatives of the board or commission to consider its position and instruct its representatives regarding negotiation for the purchase, lease or sale of real property.

In keeping with Arizona State law, the City of Peoria observes the following guidelines with respect to the discussion of matters viewed as confidential in executive sessions:

- Under no circumstances are board or commission members permitted to act on an item discussed in an executive session. All voting must occur in public.
- Participants in the executive session are not permitted to discuss the content of the meeting outside of the meeting. Executive session issues are considered confidential up until the point it is decided the issue will be discussed at a regular board or commission meeting.



- As with regular agenda items, executive session items must be listed on the agenda, with the difference being the level of detail of the agenda item. The title and a brief worded description are necessary (i.e. Personnel Matters: The Parks and Recreation Commission will be discussing matters related to personnel actions.)
- Board and commission members should always consult with a representative of the City Attorney's Office to obtain legal advice prior to placing any item of a questionable nature for discussion on an executive session agenda.
- All board or commission members must practice proper procedure for executive sessions should the need arise to conduct them. Improper use of the executive session provision is the most common type of open meeting violation.

Remember, the law only permits an executive session in these instances, it does not require executive sessions.

IV. Minutes

All boards or commissions, except subcommittees and advisory committees, must provide written minutes or a recording of all meetings. The minutes or recording of all public meetings must include, at a minimum, the date, time, and place of the meeting, attendance or absence of members, in addition to a brief description of all items discussed by the board or commission.

The minutes or a recording of any meeting, except for the minutes of executive sessions, must be open to public inspection no later than three working days after the meeting. Minutes must be taken in executive sessions and must be kept confidential except from the members of the board or commission who met in executive session or officers, appointees or employees who are the subject of the discussions. These minutes may also be seen (by appointment) by those who were supposed to be in attendance but who could not attend.

The staff liaison will prepare the minutes.

V. Penalties for Violating Open Meeting Laws

Should a board or commission member be accused of an alleged violation of state open meeting laws, the allegation may be investigated by either the County Attorney or the State Attorney General's Office.

If the alleged violation occurred while a board or commission member was acting in the official capacity as a representative of the City, legal representation may be provided by the City Attorney's Office. If a board or commission member is to have allegedly violated state open meeting laws, that individual should immediately contact the City Attorney's Office for advice. Alleged open meeting law violations can result in the following actions:

- Investigatory Actions -- The Attorney General's Office has broad investigatory powers relating to the open meeting law. Included under these powers is the ability to examine people under oath, examine public and executive session records, and require statements from witnesses.



- Enforcement Actions – The County or State Attorney General can file suit in Superior Court for the purpose of requiring the board or commission to comply with the open meeting laws, if there has been an alleged infraction of the laws.
- Civil Penalties – If found to be in violation of State open meeting laws, a civil penalty not to exceed \$500 may be imposed against any board or commission member for each violation. This penalty is assessed against the responsible individual and not the board or commission. The City is not permitted to pay the penalty on behalf of the person found in violation.
- Attorney’s Fees – A Court can award attorney’s fees to a successful plaintiff. These fees can be paid by the city. However, if a Court determines that a board or commission member violated any provision of the open meeting laws “with intent to deprive the public of information or of the opportunity to be heard,” the Court must assess against that board or commission member all of the costs and attorney’s fees awarded to the plaintiff. In the case of an award of civil penalties, the board or commission may not pay such an award of attorney’s fees assessed against the board or commission member individually.
- Removal from Office – Board or commission members can be removed from office one of two ways. If, upon receiving the results of an alleged violation, a board or commission member has been found to have violated any provision of the state open meeting laws, the City Council by vote, can remove that individual from office. If a Court determines a board or commission member violated open meeting laws “with the intent to deprive the public of information or of the opportunity to be heard,” the Court may remove that board or commission member from office, and the court must personally assess the board or commission member with the plaintiff’s costs and attorney’s fees.

VI. Sanctions

If any business of a board or commission is conducted in violation of the provisions of the open meeting law, the actions taken at such a meeting are null and void. In addition, for any person affected, the State Attorney General, the Maricopa County Attorney, or any injured party may file an action and obtain civil penalties, attorney fees and Court injunctions against the board or commission or official if the open meeting law has been violated. If the Court finds that a public officer intentionally violated the law, the Court may remove that individual from office and assess him/her personally with the attorney’s fee award.

Part 3:

Fairness in Public Hearings/Meetings

The due process requirement has two aspects:

1. **Procedurally** – the process by which a decision is reached must be fair to everyone concerned. The objective of procedural due process, is to guarantee that the decision making body has all pertinent information – ensuring that the decision-making process will be open, fair and thorough.



2. **Substantively** – a law, rule or decision must not be arbitrary (e.g., there must be a rational relationship between the exercise of authority and the achievement of some legitimate public purpose.)

I. Procedural Fairness

1. Give adequate and timely notice.

- State enabling acts and municipal zoning ordinances contain requirements for notice of proposed legislative and administrative action on zoning matters and the hearing at which they will be considered.
- Due process goes further, requiring that the notice must be *adequate*, the information provided must be easily *comprehensible*, and its distribution be *timely* enough to allow sufficient preparation time for a hearing.

2. Let everyone be heard.

- All those interested in a decision must have a chance to offer their views and give testimony, provide evidence, or make a statement.
- Failing to conduct an adequate public hearing, a commission or board runs the risk that its decisions/recommendations will ultimately be held to be invalid.

3. Disclose all.

- All interested parties must have an opportunity to hear or see all of the evidence considered by the decision-making body.
- Private communications with the decision-makers deprive other parties of an opportunity to respond and they destroy the credibility of the hearing process as a fair opportunity for everyone to be heard. For example, don't meet privately with attorneys representing applicants.
- A common breach of the disclosure requirements is the practice of considering, at the hearing, staff reports that have not been made available to the public in advance.

4. Make findings of fact.

- The specific facts that justify the decision (the findings) should be spelled out.
- They are an essential aspect of due process in administrative hearings and without them the decision may be null.
- While findings of fact are not always required, specific findings of fact, and recommendations based on them are desirable.

5. Avoid conflicts-of-interest.

- The courts will not permit a decision to stand if it involves a local official with a financial or other personal interest in the outcome.
- The appearance-of-fairness doctrine has frequently been used to invalidate decisions in which even the indirect interest of one of the decision-makers deprived the decision of the appearance of fairness.

**6. Decide quickly.**

- Even adequate notice, a fair public hearing, and absolute impartiality do not guarantee due process if a decision is not made promptly.
- All parties have a right to expect prompt decisions and failure to provide them is itself a failure to provide fair procedures.
- A Board or Commission may continue an item by a motion to continue to a non-specific date, in which case the presiding officer will place the matter back on the agenda. In each case, the item becomes unfinished business.
- Boards and Commissions are advisory in nature; they may not postpone an item indefinitely to avoid deciding it. Their responsibility is to ultimately send it to the Council with a recommendation.
- A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be “taken from the table” at any time prior to the end of the next Regular Meeting.

7. Keep records.

- All proceedings must be recorded completely and accurately. That means a stenographic record of all testimony heard and all statements made, not simply skeletal minutes of the proceedings.
- Anything less deprives the courts of the opportunity to engage in a meaningful review if and when the dispute reaches the judicial system.
- No hearing can be considered fair if the matters taken into account by the decision-making body cannot be reconstructed when others review its decision.

8. Set ground rules.

- Participants cannot prepare themselves for a hearing if they do not know the ground rules that will govern the process.
- A copy of the rules must be available to anyone who appears before the body. (At the start of every hearing, a member of the board or commission should briefly recite the rules that will be followed during the proceedings.)
- In an ideal situation, it is good practice to require that those who expect to present evidence to supply, in advance, a list of the witnesses they propose to call and a brief summary of the testimony anticipated.
- Reports or studies prepared by witnesses should be filed in advance in addition to staff reports.



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HISTORIC OVERVIEW OF THE CITY OF PEORIA

The City of Peoria was established in the 1880's after William J. Murphy's vision of fertile farm lands fed by water from the Salt River became reality with the completion of the Arizona Canal in 1885. Once this canal was completed, Murphy went east to interest people in settling in this new community. Murphy was successful in catching people's attention – over 5,000 acres of land in the new district was purchased and settled by residents of Peoria, Illinois.

Homes in the new community sprang up, and by 1889, a school and a Post Office had been established. Peoria was platted in 1897. More people followed the original families and Peoria continued to grow as a farming community. The land was fertile and the people made a good living. Over the years the number of farms increased and the town settled into a quiet, rural lifestyle. For many years, Peoria was one of the major agricultural areas of Maricopa County.

When Peoria was incorporated in 1954, the town consisted of one square mile of land. The area began to change in the 1960's after Sun City, a retirement community west of Peoria, began to develop. The town of Peoria assumed city status April 12, 1971. A series of annexations during the 1980's and 1990's designed to preserve desert open space and manage quality growth expanded Peoria's land area to the 144 square miles it covers today. Not only did the annexations create the fourth largest incorporated area in Arizona, they also brought Lake Pleasant, the second largest lake in Arizona, which is located in both the Maricopa and Yavapai Counties, and a premier recreational asset, into the City boundaries.

As the Valley of the Sun became one of the fastest growing areas in the nation, Peoria welcomed thousands of new residents and is one of the fastest growing cities in Arizona. Peoria's population rapidly grew from 12,000 in 1980 to an estimated 101,235 in 2000. A wealth of recreational opportunities, high quality housing, a close proximity to downtown Phoenix, outstanding City services and one of the best school systems in the state are largely responsible for the influx of new residents. Peoria also boasts one of the lowest unemployment rates in the Phoenix metropolitan area, and is home to a mix of young families and retirees who enjoy a high quality of life.

Peoria's place on the national map was first etched when the Peoria Sports Complex - Spring Training home to Major League Baseball's San Diego Padres and Seattle Mariners - opened in 1994. With the opening of the Knight Space Science Center and Challenger Learning Center of Arizona in 2000, Peoria's place will be firmly established.

The continued growth has been well managed through the city's Master Plan, with a majority of low-density areas and a few planned high-density sites. The City has



attracted desirable commercial, light industrial, medical, and tourism development, all which continue to play an important role in Peoria's strong economy.

Peoria's first settlers would hardly recognize the bustling City that exists today. While Peoria has maintained the friendly family character that it developed as a small rural community, it now stands as one of the Valley's most dynamic cities, a vibrant and attractive place to live, work, and play. Fields of cotton, alfalfa, and produce are still found in Peoria, attracting many urban dwellers seeking a better quality of life for their families.



ARTS COMMISSION	
Mission:	The Commission promotes arts and culture for Peoria. It recommends the acquisition of art for the City's public art collection, and is involved in activities promoting the visual arts, performing arts, and arts in education.
Authority:	Ordinance No. 87-51, 88-18, 93-07, (City Code, 1992 Edition, Chapter 2, Section 2-127)
Members:	7
Terms:	4 years (staggered)
Approx. hrs/month:	4-hours
Scheduled:	2 nd Tuesday of each month
Liaison:	Community Services Director 623-773-7137

BOARD OF ADJUSTMENT	
Mission:	The Board hears zoning appeals, interprets the zoning code, grants temporary use permits and variances to the code.
Authority:	City Code (1977 Edition, Article 14-28)
Members:	5 & 1 alternate
Terms:	4 years (staggered)
Approx. hrs/month:	4-hours
Scheduled:	2 nd Tuesday of each month
Liaison:	Planning and Community Development Director 623-773-7209



BUILDING BOARD OF APPEALS	
Mission:	The Board renders technical interpretations of building, plumbing, electrical, and mechanical codes which either supports or rejects the City's Chief Building Official's interpretation.
Authority:	International Property Maintenance Code, International Building Code, International Residential Code, National Electrical Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, and International Fire Code.
Members:	7 (must have special qualifications for appointment)
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	Planning and Community Development Director 623-773-7209

CITIZENS COMMISSION ON SALARIES FOR ELECTED CITY OFFICIALS	
Mission:	This Commission conducts a review, every two years, of the compensation provided to Mayor and City Council. The review shall be made for the purpose of recommending adjustments to pay levels to the duties and responsibilities of the positions. The recommendations of the Commission as to salaries must be submitted to the City Clerk, every four years and prior to the primary election.
Authority:	Charter Amend, Approved by Voters 1997
Members:	5
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Several meetings every 2 years
Liaison:	City Clerk 623-773-7340



DESIGN REVIEW APPEALS BOARD	
Mission:	If any part of a development plan submitted to the City is rejected by Staff for noncompliance with the provisions of the City's design criteria, the applicant may appeal the decision to this Board. The Board may uphold, modify, or overrule in whole or in part the final Staff decision on the design review submittal.
Authority:	Ordinance No. 97-99 – City Code, Chapter 20
Members:	5 (must have special qualifications for appointment) + 1 Alternate
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	As needed
Liaison:	Planning and Community Development Director 623-773-7209

DESIGN STANDARDS ADVISORY BOARD	
Mission:	This Board reviews standards for commercial and residential design in the City; and recommends, to the City Council and City Manager, any changes that may be needed. The Board also works with assigned City Staff on issues in the City's design review process, and provides recommendations to the Staff, the Council, and the City Manager on modifications to the process. This Board's function ensures that there has been community review and input on design review concepts.
Authority:	Ordinance No. 97-99 – City Code, Chapter 20
Members:	5
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	Planning and Community Development Director 623-773-7209



ECONOMIC DEVELOPMENT ADVISORY BOARD	
Mission:	The Board shall make recommendations to the Council on economic development issues including the Economic Development Element of the City's General Plan, economic development related projects, strategies for promoting economic development in the City, representing the community with prospective economic development prospects, and cooperate with educational institutions and regional economic development organizations.
Authority:	Ordinance No. 02-54
Members:	7 & 1 alternate
Terms:	4 years
Approx. hrs/month:	As needed
Scheduled:	TBA
Liaison:	Economic Development Director 623-773-7735

EMPLOYEE BENEFITS TRUST BOARD	
Mission:	The Trustees shall be responsible for recommendations to the City Council regarding the administration of the Workers' Compensation Trust Fund.
Authority:	City Code, (1992 Edition) Chapter 2, Section 2-85; Section 2-152
Members:	5 members (4 public members + Chief Financial Officer)
Terms:	Initial terms effective July 1, 2009 - July 1, 2010
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	Human Resources Director 623-773-7100



HISTORIC PRESERVATION COMMISSION	
Mission:	The Commission is responsible for the identification and recommendation to Council for the designation of landmarks, increase public awareness of historic, cultural and architectural preservation, approve/disapprove applications for Certificate of Appropriateness and establish a uniform schedule of fees for services.
Authority:	Ordinance No. 02-59
Members:	7
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Unscheduled:	Meets as needed
Liaison:	Planning and Community Development Director 623-773-7209

INDUSTRIAL DEVELOPMENT AUTHORITY	
Mission:	The Authority is responsible for approving secured or unsecured loans for the purpose of financing or re-financing the acquisition, construction, improvement or equipping of privately-owned projects.
Authority:	Arizona Revised Statutes 9-1152, and Resolution No. 77-12
Members:	7
Terms:	6 years
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	City Attorney 623-773-7330



JUDICIAL SELECTION ADVISORY BOARD	
Mission:	The Board is responsible for conducting investigations into the background and qualifications of candidates for the office of Presiding Municipal Judge and Associate Municipal Judge.
Authority:	Ordinance 08-12
Members:	5
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	City Attorney 623-773-7330

LIBRARY BOARD	
Mission:	The Board renders advisory opinions on matters relating to operating hours, amounts to be charged for overdue books, library programs, and promotion of library services.
Authority:	City Code (1992 Edition) Chapter 10, Section 10-16
Members:	7
Terms:	4 years (staggered)
Approx. hrs/month:	4-hours
Scheduled:	2 nd Monday of every other month (Jan, Mar, May, July, Sept, Nov)
Liaison:	Community Services Director 623-773-7137



MUNICIPAL DEVELOPMENT AUTHORITY	
Mission:	The Authority is responsible for reviewing and approving secured or unsecured loans for the purpose of financing or refinancing the acquisition, construction, improvement or equipping of City-owned projects.
Authority:	Resolution No. 77-17
Members:	5
Terms:	Indefinite
Approx. hrs/month:	Meets at least once a year - Annual Meeting held in September
Scheduled:	Unscheduled
Liaison:	Finance Director 623-773-7150

PARKS AND RECREATION BOARD	
Mission:	The Board develops advisory recommendations for recreational facilities and services. It also renders advisory opinions on grant applications, licenses and permits for recreational facilities.
Authority:	City Code (1992 Edition), Chapter 18, Section 18-16
Members:	7
Terms:	4 years (staggered)
Approx. hrs/month:	4-hours
Scheduled:	4th Thursday of each month
Liaison:	Community Services Director 623-773-7137



PERSONNEL BOARD	
Mission:	The Board reviews City employee disciplinary and termination actions taken by the City, and the decisions made by the Board are final.
Authority:	City Code, (1992 Edition) Chapter 19, Section 19-31
Members:	3, 1 Alternate
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	Human Resources Director 623-773-7100

PLANNING AND ZONING COMMISSION	
Mission:	The commission is responsible for recommending planning and zoning policies governing land use in Peoria. It also reviews and recommends approval of zoning codes and annual revisions to the City's Comprehensive Master Plan.
Authority:	Ordinance No. 57 (9/28/65)
Members:	7 + 1 Alternate
Terms:	4 years (staggered)
Approx. hrs/month:	12-hours or more
Scheduled:	1 st and 3 rd Thursday of each month
Liaison:	Planning and Community Development Director 623-773-7209



PUBLIC DEFENDER CONTRACT REVIEW	
Mission:	The Committee reviews proposals for selection of Public Defender and alternative defender services, recommends appropriate terms and conditions to be added to such contracts, and recommends the awards of public defender and alternative defender services contracts to the City Council.
Authority:	City Code (1992 Edition), Chapter 2, Section 75
Members:	5 (1 member of the Maricopa County Public Defender's Office and 1 member of the Maricopa County Bar Association)
Terms:	1-4 years
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	Materials Management Manager 623-773-7115

PUBLIC SAFETY RETIREMENT BOARD (FIRE) & (POLICE)	
Mission:	There are two separate Boards - one representing Fire and the other Police Department employee's pension matters. The same two citizens are appointed to serve on both Boards, and the police and fire department's representatives are elected by their peers and appointments are ratified by the City Council. Meetings are held a minimum of once per year, and questions of eligibility, service credits, pension amount, and manner and time of payment of any benefit under the Public Safety Retirement System are decided by this Board, Claimants and/or the fund managers are entitled to a re-hearing in original determinations made by the Board.
Authority:	Arizona Revised Statutes, 38-847
Members:	5 (2 residents, Mayor or Designee, 2 full-time sworn employees)
Terms:	4 years
Approx. hrs/month:	Meets at least once a year
Scheduled:	Unscheduled
Liaison:	Human Resources Director 623-773-7100



SISTER CITIES BOARD	
Mission:	The Board is responsible for development and promotion of municipal partnerships and recommends business plans, policies, programs, and other sister city activities to the City Council.
Authority:	Ordinance 06-30
Members:	7
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	City Manager's Office 623-773-7306

VETERANS MEMORIAL BOARD	
Mission:	The Board is responsible for development and promotional activities related to the recognition of veterans of the armed forces of the United States and their contributions to the community. The Board recommends activities and events to the City to focus on the contributions of veterans.
Authority:	Ordinance 06-31
Members:	7
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Scheduled:	Unscheduled
Liaison:	Community Services Director 623-773-7137



VOLUNTEER FIREFIGHTER PENSION BOARD	
Mission:	The Board is responsible for providing for the disbursement of the fund and designating the beneficiaries of the fund as directed by law.
Authority:	Arizona Revised Statutes, 9-954, 9-967, Resolution 91-61
Members:	6 (5 residents + Mayor as Chair)
Terms:	4 years (staggered)
Approx. hrs/month:	As needed
Unscheduled:	Meets at least once a year
Liaison:	Finance Director 623-773-7150

YOUTH ADVISORY BOARD	
Mission:	This Board advises the City, through the City Manager on the development of public recreational and youth activities and programs in the city, plans and implements a Student Government Day, and reviews ordinances or proposals pertaining to youth activities as directed by the City Council.
Authority:	Ordinance No. 99-27
Members:	19 regular (3 representatives each district, 1 at-large) 2 Alternates at-large
Terms:	2 years (staggered) (Can be re-appointed one time)
Approx. hrs/month:	6-8 hours
Scheduled:	2 nd Tuesday each month
Liaison:	Community Services Director 623-773-7137



AD HOC COMMITTEES

From time-to-time, the Mayor and Council may identify City issues that they believe requires more in-depth study and input by citizens of the Community. Council then creates a temporary committee, called an “Ad Hoc Committee,” and assigns them the responsibility of studying the particular issue and reporting their findings and/or recommendations to the full Council. Once the Committee's assigned responsibilities have been completed and presented to the City Council, the Ad Hoc Committee normally is dissolved.

SCHEDULED VS. UNSCHEDULED

CLASSIFICATION OF BOARDS

All Boards and Commissions of the City shall be classified as a regularly scheduled or unscheduled Board or Commission. Regularly scheduled Boards and Commissions are those that meet on a regular scheduled basis or may be quasi-judicial in nature. Unscheduled Boards and Commissions meet on an as called basis.

A person shall serve on no more than one regular scheduled board at any time, and no person shall serve on any regular scheduled board and unscheduled board where the duties thereof are deemed to be incompatible.

Members of unscheduled boards and commissions may be appointed and or re-appointed at council discretion to one or more unscheduled boards or commissions.



FREQUENTLY ASKED QUESTIONS:

Board or commission members are faced with numerous questions that appear throughout their term of office. What follows is a list of commonly asked questions by board or commission members and brief responses and references for further information should it be required.

Q: Who is in charge of my board or commission?

The Mayor and Council will appoint a chairperson and occasionally a vice-chairperson. The following are some of the duties of a chairperson. The vice-chairperson assumes the duties of the chairperson when he or she is not present to preside over the meeting.

- Ensure that the meetings are run in an orderly fashion, that a quorum exists, and that all open meeting laws are followed.
- All questions, whether from the floor or from a board or commission member should be addressed directly to the chairperson.
- Providing direction to board and commission members for the fulfillment of Council goals as specified by the ordinance that created the board or commission or special Council request.
- Directing the staff liaison in preparation of the agenda.
- Responsible for leading discussion.
- Contacting board or commission members when there has been a change in the meeting location, date, or time.
- Authorize the creation of subcommittees if necessary.

Q: What is my role within the board or commission? What is the purpose of my board or commission?

You have been appointed to your board or commission because the City Council has recognized your abilities to serve the community. Your role as a board or commission member is to utilize your expertise for the study of specific issues as



delegated by the Council. Additionally, you will receive requests from citizens to consider and act upon individual requests. You will assist in determining the “best” course of action, and recommending that action to the Council for consideration.

You need to be open-minded, objective, patient of other viewpoints and above all, cognizant of your true objective: to serve the public of Peoria. The role of your board or commission is to provide the City Council with information and to recommend the best course of action. A more detailed explanation of the specific duties of your board or commission is included in the appendix.

Q: Who do I represent?

You represent the City of Peoria and its citizens when conducting official business and it is best to restrain any emotional arguments you might have over a particular issue. Avoid taking personal stands, and stress that your opinion is the result of a group consensus.

If you disagree with an action taken by your board or commission or have a different opinion on a subject, premise your public statements by distinguishing your personal opinion from that of the board or commission. Try to avoid making public statements about the board or commission, without the approval of the board or commission, unless you qualify it by stating that it is your personal opinion. If you must state your personal opinion, it is important to differentiate it from the official position of the board or commission.

Q: If I miss a regularly scheduled meeting, what should I do?

Always try to notify the board or commission chairperson ahead of time about any meetings you will not be able to attend. The chairperson, upon notice of your absence, will typically take a vote to excuse your absence from the meeting, and this will be entered into the public record. Any board or commission member missing two or more unexcused meetings in one year may be dismissed from the board or commission. If you are unable to contact your chairperson, you may contact the staff liaison. The City Council Government Services Committee is responsible for enforcing and monitoring board and commission attendance policies.

Q: Am I allowed to talk about confidential information outside of my board or commission meetings?

From time to time, you may be privy to information that must remain confidential until its content and impact can be fully assessed. Typically, such information would be presented in executive session. Information presented in an executive session is considered confidential, and you could be removed from your position and subsequently prosecuted if you knowingly violate your oath of confidence. If you are privy to such information, remember that what you hear, and what you say, should go



no further than the room you are in. It is a violation of state law to divulge confidential information to anyone other than members of the board or commission and the staff liaison.

Q: What should I do if I disagree with the other board or commission members? What if I know they are wrong?

Occasionally you will find yourself in disagreement with the vote or direction of your fellow board or commission members. This is not “bad”, and can actually be viewed in a positive manner. Diversity is a driving force behind any organization. If you find yourself in such a predicament, avoid being negative. Simply state that you disagree with the approach or result and avoid confrontation. Remember that the final decision on what your board or commission recommends will be made by the City Council.

Q: What is the function of the staff liaison?

Your staff liaison is a valuable part of the team. They are responsible for working in conjunction with the chairperson to provide basic information and logistical support to your board or commission. Only the chairperson can request that a staff liaison undertake special work for your board or commission. This liaison will take steps to ensure that you have the information necessary to make informed decisions. Additionally, the liaison is the individual responsible for making sure that your meeting room is reserved for when you need it and that you have all necessary supplies. Most importantly, the liaison is responsible for reporting to the City Manager about your group’s special concerns and progress, and acts in an advisory capacity when suggesting the best approach to present your board or commission’s recommendations to the Council. The staff liaison is also your link to the rest of the City employees.

Q: How do my decisions or recommendations impact the community?

The recommendations and decisions made by your board or commission directly impact the quality and level of service that the City affords its citizens on a daily basis. It is important to keep in mind the needs of all citizens during the decision making process.

Q: What can I do to be an effective board or commission member?

Again, educate yourself on the issues by reading published materials on the subject, studying public opinion, attending seminars and City Council workshops, remaining objective and maintaining a willingness to work with others. Your effectiveness will show through by the quality of your board or commission’s recommendations to Council. Be a good listener, and always give attendees to your meetings the level of respect that you would expect if the roles were reversed.



Q: What should the board or commission do if it needs a legal opinion, or legal information regarding proper procedure?

If you or your fellow board or commission members have questions as to the legality of your actions or proceedings, which are not addressed by this Handbook, request a legal opinion from the City Attorney's Office. Unless your board or commission has an attorney appointed to it, the Chairperson should direct the staff liaison to follow-up with the Attorney's Office.



Robert's Rules of Order In a Nutshell!

What Is Parliamentary Law

Parliamentary law is a system of rules that are designed to protect the rights of the individuals attending and running a meeting. The basic provisions of parliamentary law are quite simple:

- Ensure the rights of the majority
- Protect the rights of the minority
- Defend the rights of individual members
- Safeguard those people absent from the meeting
- Guard all these together

To guarantee these prerogatives, parliamentary law requires participants in a meeting to do the following:

- Treat one item at a time
- Extend courtesy and fairness to all
- Let the majority rule
- Guarantee the rights of the minority

Rights and Responsibilities of Members

Parliamentary law protects the rights of members to be dealt with fairly and equitably. This encourages and requires everyone's cooperation and the timely order of business. The following are the members rights guaranteed under parliamentary law:

- Receive notice of meetings
- Attend meetings
- Make motions
- Second motions (when they need a second)
- Debate motions (when they can be debated)
- Vote on motions (except those on which the person has a conflict of interest)
- Know the meaning of the question people are debating
- Object when rules are being violated
- Not have to suffer personal abuse and attack
- Have access to minutes of all meetings
- Obtain a copy of the board's, commission's, or body's rule of procedure



Along with the rights come the responsibilities. For a meeting to function smoothly under parliamentary law, members must have specific obligations. When all of the members understand their duties as part of the team, business will be accomplished with greater ease. The following are the responsibilities of the members under parliamentary law:

- Attend meetings
- Be on time
- Stay until the end of the meeting
- Be ready to talk/speak knowledgeably and intelligently on a topic
- Be attentive
- Be open-minded
- Treat everyone with courtesy
- Speak openly, but also let others have their turn to speak
- Follow the rules of debate
- Attack issues, not people
- Insist on law and order at meetings
- Work to create dignity and decorum
- Participate actively in the meetings
- Be familiar with the basic rules of parliamentary law
- Respect the rights of others
- Abide by the final decision of the majority
- Respect the chair's opinion and rulings

How to Obtain the Floor

Before a member can make a motion, address the board in debate, or bring a matter before people in a meeting, it is necessary that they *obtain the floor* – that is, being recognized by the chair as having the right to be the only person speaking at that time. One addresses the presiding officer by his/her official title, “Mr. Chairman,” or “Madam Chairman.” If the member is entitled to the floor, the chairman “recognized” him/her, or assigns him the floor, by announcing his/her name.

What Precedes Debate

Debate is discussion (by the board) of the merits of a specific question. Before any subject is open to debate, it is first necessary that a motion be made by a member who has obtained the floor; second, that it be seconded; and third, that it be stated by the chair.

Motions

A motion is a proposal that the board takes certain action, or that it expresses itself as holding certain views. It is made by a member's obtaining the floor as described above and saying, “I move that” (which is equivalent to saying, “I propose that”), and then stating the action he/she proposes to have taken.

Seconding Motions

As a general rule, every motion should be seconded. This is to prevent time being consumed in considering a question that only one person favors. A motion is seconded by a member's saying, “I second the motion,” or “I second it,” which is done without obtaining the floor, and without waiting for recognition, “Mr. Chairman, I second the motion.”



The fact that a motion is made and seconded does not put it before the board, as the chair alone can do that. He/She must either rule it out of order, or state the question on it so that the board may know what is before it for consideration and action, that is, what is the *immediately pending question*.

Stating the Question

When a motion has been made and seconded, it is the duty of the chair, unless he/she rules it out of order, immediately to *state the question*- that is, state the exact question that is before the board for its consideration and action. This may be done as follows, "It is moved and seconded to adopt etc."

Debate

After a question has been stated by the chair, it is before the board for consideration and action. All motions may be debated before final action is taken on them, unless the board decides to dispose of them without debate.

Debate must be limited to the merits of the immediately pending question-that is, the last question stated by the chair that is still pending.

Speakers/board members must address their remarks to the chair (presiding officer), be courteous in their language and avoid all personalities.

Putting the Question and Announcing the Vote

When the debate appears to have closed, the chair asks again, "Are you ready for the question?" If no one answers he/she proceeds to *put the question*-that is, to take the vote on the question, first calling for the affirmative and then for the negative vote. In putting the question the chair should make perfectly clear what the question is that the board is to decide.

The vote should always be announced, as it is a necessary part of putting the question. The board is assumed not to know the result of the vote until announced by the chair, and the vote does not go into effect until announced. As soon as the result of the vote is announced the chair should state the next business in order.



Parliamentary Definitions

Agenda – an outlined plan of an entire business session; an order of business.

Accept – adopt, approved, agree to.

Adopt – approve, agree to, accept.

Amend – modify or change the wording of a motion before action is taken upon the motion itself.

Announcing the Vote – declaration by the chair of the result of the vote.

Assembly – a body of people assembled for the transaction of business.

By Laws – basic rules of a society which relate to itself as an organization.

Carried – adopted, approved.

Chair – the presiding officer; the place or station of the presiding officer.

Consensus – general agreement of Public Body without taking a vote.

Division of the Assembly – a motion requiring that a vote taken by voice or by show of hands be retaken by rising.

Ex Officio – “from the office” or by virtue of the office or chairmanship. Bylaws frequently provide that the president shall be an ex-officio member of all committees except the nominating committee.

Floor, Obtain the – securing recognition by the chair as having the right to speak in a meeting.

General Consent – unanimous consent; informal agreement of the assembly. The chair asks if there is any objection to a certain procedure; silence gives consent.

Germane – closely related; of the same subject matter. An amendment must be germane to the motion to which it is applied.

Immediately Pending Question – the latest question (motion) stated by the chair when more than one question is pending.

Incidental Motions – motions which deal with questions of procedure arising out of the other motions or items of business.

Main Motion – A motion that introduces business to an assembly.

Majority Vote – over half of the votes cast.

Meeting – a single gathering of persons or members of an organization, usually for the purpose of transacting business.



Minutes – the record of the proceedings of an assembly. Sometimes referred to as the journal.

Motion – a formal proposal that certain action be taken, or that a certain statement express the sense, opinion, desire, or will of the assembly.

Parliamentary Law – a consistent system of rules which govern procedure in all deliberative assemblies; founded upon certain fundamental principles originated in the unwritten customs of the House of Parliament in England; first compiled for use in this country by Thomas Jefferson, whose manual has been the foundation for rules used in the United States House of Representatives and Senate.

Pending – before the assembly. A motion is “pending” after it has been stated by the chair and until it is disposed of temporarily or permanently.

Plurality Vote – the largest number of votes received by a candidate or proposition when three or more choices are possible. A plurality vote never decides a question or election except by specific rule of the organization.

Precedence, Takes – outranks; used in reference to the order in which motions can be introduced and must be considered by the assembly.

Previous Notice- announcement that a specific motion will be introduced at the next meeting; substance of the proposal should be described at least briefly; unless specified otherwise in the bylaws, must be made at the preceding meeting or included in the call of the meeting at which it is to be brought up.

Privileged Motions – a class of motions which, although they are not directly concerned with the business before the assembly, are of such immediate importance that they have the privilege of interrupting the consideration of anything else. All motions of this class are not debatable.

Pro Tem – for the time being; most frequently applies to the office of secretary or presiding officer.

Putting the Question – putting the motion to vote.

Question – the business before the assembly; the motion as stated by the chair.

Quorum – The number of members who must be present in order that business can be transacted legally.

Recess – an intermission taken by the assembly.

Resolution – a main motion usually of such importance and length as to be written; may or may not have a preamble setting forth the reason for the resolution.

Revision of the Bylaws – a complete set of bylaws submitted as a substitute for existing bylaws.



Secondary Motions – motions which can be made while a main motion is pending and which relate to business already before the assembly, to questions of order or procedure, or to matters of comfort or privilege. There are three classes of secondary motions: subsidiary, privileged, and incidental.

Seconding a Motion – agreeing that a motion should come before a meeting. Indicates at least 2 members of a Public Body want to bring a motion before the whole body.

Session – a meeting or series of meetings with a single order of business, agenda, or program.

Standing Rules – regulations for the guidance of an organization usually adopted by majority vote without previous notice.

Stating the Question – formally placing a motion before the assembly and indicating that it is open to debate. Wording of a motion in the minutes should be exactly the same as the when stated by the chair.

Subsidiary Motions – motions that assist the assembly in treating or disposing of a main motion.

Two-thirds vote – two out of three of the votes cast. The two-thirds vote of the Public Body depends upon the number of members of the Public Body. Example – 7 member body, the two-thirds vote would be 6. If only 6 members at a meeting, vote must be unanimous. 5 members cannot get a two-thirds vote. Also called a Super Majority.

Unfinished Business – questions that have come over from the previous meeting because that meeting adjourned without completing its order of business.

Vote – a formal expression of the will, opinion, or preference of the members of an assembly in regard to a matter submitted to it.

Yield – give way to. A pending question yields to one of higher rank.



THE RIGGINS RULES

Fred Riggins, a former chairman of the Phoenix Planning Commission, wrote the Riggins Rules in 1967. Although written nearly 30 years ago, these rules still hold true today. Some of the rules may seem harsh, may be redundant of the other materials provided in this handbook, and may not apply to your board or commission. These rules are a reflection of how one gentleman viewed his position as a board and commission member and have been included for your review and reflection.

- 1. Don't accept an appointment or nomination to a board or commission unless you expect to attend 99.9999 percent of the regular and special meetings, including inspection trips, briefings and public functions where your presence is expected.** If your participation falls below 85 percent during any six-month period, you should tender your resignation. You aren't doing your job. You aren't keeping well enough informed to make intelligent decisions, and you're making other people do your work for you and assume your not inconsiderable responsibilities. Your effectiveness and the regard given to your opinions by other members will be in direct relation to your attendance.
- 2. Do Create a Good Impression of City Government.** Remember that this is the first contact that many people have with the administration of their city. For some, this is the most important matter in which they have ever been involved. Many will never be back again and many will never have another such contact or experience. Your performance will create, in their minds, the picture that they will always carry with them of "the way the city is run." Make it as pleasant and comforting a picture as possible
- 3. Do Be on Time.** If the hearing is scheduled at 7:30 p.m., the gavel should descend that exact hour, and the hearing should begin. If you have to wait ten minutes for a quorum and there are 100 people in the room, the straggler has wasted two full working days of someone's time besides creating a very bad beginning for what is a very important occasion for most of those present.
- 4. Dress Professionally.** Many people in the audience think that you're an important person. Don't disappoint them by your appearance, conduct or attitude.
- 5. Don't Mingle with Friends, Acquaintances, Applicants or Objectors in the Audience** before the meeting or during a recess period, if it can be politely avoided.

You will invariably create the impression that there is something crooked going on, especially when you vote favorably on the case of the applicant with who you were seen conversing. Save your socializing and fraternizing for some other time and place.

- 6. Don't Discuss a Case** privately and as a single member of a body with an applicant or objector prior to a filing or prior to the hearing. In the event that such contact is unavoidable, be very noncommittal. Don't be too free with advice, and explain that you're only one member of the body, that you've not had an opportunity to study the matter thoroughly, that you have not seen the staff recommendation, and that you've no way of knowing what opposition may develop or what will occur at the public hearing.



- Even if a case (issue) looks pretty cut-and-dried to you, it's wise to be pessimistic about an applicant's chances of securing approval. If you give an applicant any encouragement/advice and they're denied, the applicant will hate you until your dying day. If you've been unable to avoid these "ex parte" contacts, you should put them on record at the hearing.
7. **Do Your Homework.** Spend any amount of time necessary to become thoroughly familiar with each matter, which is to come before you. It is grossly unfair to the applicant and to the City for you to act on a matter with which you have no previous knowledge or with which you are only vaguely familiar. Additionally, as a result, you'll make some horrible and disturbing decisions.
 8. **Don't Indicate by Word or Action How You Intend to Vote** during the portion of the hearing devoted to presentations by the applicant, presentations by any persons appearing in objection and comments by members of the staff. During this period your body is the judge and the jury. It's no more appropriate for you to express an opinion as to the proper decision prior to hearing all of the testimony than it would be for a judge or jury member to announce their firm conviction in the middle of a court trial regarding the guilt or innocence of a defendant. This is not clearly understood by a majority of persons sitting on public panels. It is not too difficult to phrase one's questions/comments in a manner that implies that you are seeking information rather than stating an irrefutable fact, and that your mind is closed to further argument.
 9. **Don't Fail to Disqualify Yourself** if either directly or indirectly you have any financial interest in the outcome of the hearing, and let your conscience be your guide where it could be said that moral, ethical, political, or other considerations, such as personal animosity, would not permit you to make a fair and impartial decision. In disqualifying yourself, do not state your reasons inasmuch as the mere stating of your reasons can be construed as exerting undue influence on your fellow members. To avoid all accusations of undue influence, it's generally wise to leave the room and ask that the records show that you did so and that you did not indicate by word or action whether you were in favor of, or opposed to the matter under discussion.
 10. **Do Rotate the Seating** in some regular manner each successive meeting. This will prevent the forming of little cliques.
 11. **Do be Polite and Impartial.** Be as helpful as possible to the nervous, the frightened and the uneducated. Be patient with the confused.
 12. **Do be Attentive.** Those appearing before you have probably spent hours preparing and rehearsing their arguments. The least you can do is listen and make them think that you are as interested as you should be. Refrain from talking to other members, passing notes and studying unrelated papers.
 13. **Don't Interrupt a Presentation** until the question period, except for very short and necessary clarifying remarks or queries. Most applicants have arranged their remarks in logical sequence and the item about which you're concerned will probably be covered if you can force yourself to be quiet for a few minutes.



14. **Don't Permit More Than One Person** at the podium and microphone at any one time.
15. **Don't Permit a Person to Directly Question** or interrogate other persons in the audience. All questions should be addressed to the Chair and to the hearing body. Do not permit anyone to demand answers to all and sundry questions especially if it is obviously done for the purposes of harassment.
16. **Don't Use First Names** in addressing anyone during the course of the hearing. This includes audience, applicant, members of your particular body, even if the person concerned is your brother or your best friend. Nothing, repeat nothing, creates a more unfavorable impression than this practice. It is poor hearing manners that destroys the formality of an occasion and causes people to think that some sort of "buddy-buddy" deal is about to be consummated.
17. **Do Show Great Respect for the Chair**, and always wait to be recognized. This will set an example for applicants and others wishing to be heard. It will contribute a great deal toward the orderliness of the proceedings.
18. **Don't be Too Critical** of attorneys who sometimes give unnecessarily lengthy presentations on behalf of their clients.
Avoid the strong temptation to make matters as difficult as possible for them. They're just trying to make a living and must convince their client that they are really earning the rather substantial fee, which they feel, their service merits.
19. **Don't Indulge in Personalities**, and don't permit anyone else to do so.
20. **Don't Try to Make the Applicant or Any Other Person** appearing before you look like a fool by the nature of your questions or remarks. This is often a temptation, especially when it is apparent that someone is being slightly devious and less than forthright in his testimony. But don't do it. If you must "expose" someone, do it as gently and kindly as possible.
21. **Don't Become Involved in Altercations.** Some persons come to hearings with the express purpose of causing trouble. If you answer their irrelevant ranting, you're immediately involved in a fight. Don't answer or try to defend yourself. You're there to hear testimony and make decisions based thereon, not to head up a debating society.
22. **Do Invite Interested Persons to Come Forward** where they can see when an applicant is discussing or talking from a diagram, site plan, or exhibit which is not visible to the audience.
23. **Do Not Permit People to** speak from the audience. If it's important enough for them to speak at all, it's important enough for them to be recognized, come forward, give their name and address and say what they care to, if their remarks are pertinent.
24. **Do Not Permit People to** leave the podium and microphone and approach closer to the hearing body except in unusual circumstances, usually to show a small exhibit or to explain some detail. This ordinarily breaks down into a small mumbling session at one end of the dais with one or two members of the hearing body; the others are uncertain



about what is going on. The conversation usually does not get recorded, cannot be heard by the audience, and is almost impossible to control from the Chair.

25. Don't Become Involved in Neighborhood Quarrels or you'll wind up as a referee.

Stick to the merits of the case and rule out-of-order testimony which is irrelevant, personal, hearsay and not pertinent to the matter being heard.

26. Don't be Vindictive and "punish" the applicant for some real or imagined affront to you or your panel on some previous occasion, perhaps bearing no relation to the present hearing. It must be assumed that he/she is there legally, he/she has a right to be heard, and he/she has a right to fair and impartial hearing on the merits of his/her case without reference to something which he/she might or might not have done in the past or will perhaps do in the future.

27. Don't Try to be a Hero. Be sympathetic, but objective. Don't get carried away with such a strong desire to help that you throw the rulebook out the window. Ninety-nine times out of a hundred you will do them some questionable service at the expense of their neighbors or the City and your kind-hearted action will come back to haunt you much sooner than anyone could have imagined. Stick to the rules.

28. Don't Assume the Role of a fairy godmother to those who have become involved in bad business deals or other self-imposed difficulties.

29. Do Not Fail to Give a Reason when making, a motion for approval or denial of an applicant's request. If you fail to do this, the applicant, any objectors, a reviewing body of higher authority or the courts may well assume that your decision was an arbitrary one not supported by the facts and should be reversed. Always mention the staff recommendation.

30. Do Not Take Staff Recommendations Lightly. These recommendations are made after much study by professional people with years of experience in their field and are based on pertinent laws, ordinances, regulations, policies and practices developed by you and your predecessors. The recommendations of staff in possession of all of the factors will almost always produce a technically correct recommendation.

Your job is to temper this recommendation with information developed during the hearing, which was not available to the staff. It is not unusual for staff to voluntarily reverse or change the details of its recommendation during the course of a hearing. Always announce the staff recommendation prior to hearing any testimony and always make appropriate mention of it in the final decision.

31. Don't Forget that the Staff is There to Help. It's composed of very capable professional people with vast experience. Lean on them heavily. They can pull you out of many a bad spot if you give them a chance. Or they may just sit and let you stew, if you do not give them the respect, which is their due. Remember that their usual practice is to remain silent unless they're specifically asked to comment. Most of them consider it presumptuous and unprofessional to inject any unsolicited comments into the hearing. Always ask staff to comment prior to a final vote.



32. **Don't Try to Answer Technical Questions** even if you're sure that you know the answer. You probably don't and will wind up looking like a fool. Refer these matters to the staff. That is one of the things they are there for. They have intimate day-by-day working experience with all pertinent ordinances and can nearly always give a timely, up-to-the-minute professional dissertation on any subject in their field.

It reinforces an important image of competency which is most helpful in assuring the public that their case has received more than a cursory glance and an arbitrary decision. Lay members of a hearing body who "explain" ordinances to the audience usually wind up their less than accurate remarks with the pretty lame comment, "that's the way I understand ' it and if I am wrong, I would appreciate it if the staff would correct me." The staff usually does correct them and ordinarily, at some length. Don't try to show how smart you are. You're not.

33. **Don't Try to Ease Your Conscience and Toss the Applicant a Bone** by granting something less than what was asked for, something the applicant doesn't want or can't use. In all cases where it is appropriate, give the applicant what they asked for or deny it. To do otherwise will only encourage applicants to ask for the "moon and the stars" in the hope that they'll, at the worst, get the minimum requirements.

34. **Do Vote by Roll Call**, except for routine administrative matters. This is wonderful character training for each member of the body and emphasizes the "moment of truth" when he/she must look the applicant in the eye, make his own individual decision, and say "aye" or "nay" in a loud clear voice, all alone, with no one to hide behind. The alternate voting method is difficult for the secretary to record, doesn't mean anything on a tape recording, is many times quite confusing, and gives cowards an opportunity to change their minds and vote twice when they are caught in the minority.

35. **Don't Show Any Displeasure or Elation**, by word or action, over the outcome of a vote.

This is very bad hearing manners and won't lead to the maintenance of a friendly cooperative spirit among members of a panel. It'll lead to the creation of little cliques whose members vote in a block and become more interested in clobbering each other than in making fair and equitable decisions.

36. **Do Discourage any Post-Mortem Remarks** by the applicant, objectors, or members after the final vote and decision is announced.

37. **Do Not Hesitate to Continue a Case or Take it Under Advisement** if more information or greater deliberation is necessary. Don't use administrative actions to avoid or delay making a decision before a hostile applicant or audience.

38. **Do Sit Down and Have a Long Soul-Searching Session with Yourself** if you find that you are consistently "out in left field," that no one seems inclined to second your profound motions, and that you're quite often a minority of one. You may be theoretically right (and probably are). But, give some thought to what is practical, possible and just. Don't be "stiff-necked" in your opinions give a little.



39. **Don't Select a Chairman on a Seniority Basis Alone** and **don't** pass the office along from member to member as a reward and honor. The nicest guy in the world, the hardest working, the most interested and your most valuable member can be indescribably horrible in the Chair. This is just one of those facts of life which is hard to explain, but, unfortunately, is all too true. As occasion presents itself, give prospective chairmen a chance to head up a sub-committee, report on special projects, and otherwise prepare themselves and demonstrate their abilities and leadership under pressure.

BOARD AND COMMISSION PERFORMANCE EVALUATION

Name of Board or Commission: _____

Date of Evaluation: _____

Performance Measure	Excellent	Good	Average	Fair	Poor
Effectiveness of the board or commission:					
Board and commission members work together	5	4	3	2	1
Clear understanding of the mission and goals of the board or commission	5	4	3	2	1
Clear understanding of our role as a board or commission member	5	4	3	2	1
Encourage the discussion of issues and welcome new information	5	4	3	2	1
Talk to the staff and to each other	5	4	3	2	1
Members do not dominate the meeting	5	4	3	2	1
Well informed	5	4	3	2	1
Make effective use of staff support and advice	5	4	3	2	1
Make decisions in a timely manner	5	4	3	2	1
Make clear, comprehensive motions with well thought out stipulations	5	4	3	2	1
Subtotals <i>(Add number of points for each column)</i>					
Individual Performance:					
Meeting attendance	5	4	3	2	1
Overall performance	5	4	3	2	1
Demeanor, attitude and temperament	5	4	3	2	1
Knowledge of issues and facts	5	4	3	2	1

Performance Measure	Excellent	Good	Average	Fair	Poor
Contribute to the work of the board or commission as a whole	5	4	3	2	1
Prepare before meetings	5	4	3	2	1
Subtotals <i>(Add number of points for each column)</i>					
Staff Liaison Performance:					
Overall performance of staff liaison	5	4	3	2	1
Staff provides information in a timely manner	5	4	3	2	1
Meetings are well organized	5	4	3	2	1
Agenda packets are complete and delivered on time	5	4	3	2	1
Subtotals <i>(Add number of points for each column)</i>					
TOTALS <i>(Add up the 3 subtotal scores)</i>					

PERFORMANCE SCORES: 100 POSSIBLE POINTS

Less than 50 points: Need an action plan on how you will improve performance

51-60 points: Doing well, look for the lowest scoring measures and develop an action plan for improvement

61-80 points: Good Job, but don't let up

81-100 points: Excellent – pat yourselves on the back!

WHAT ARE OUR STRENGTHS?

WHAT ISSUES OR PROBLEMS DO WE NEED TO ADDRESS OR RESOLVE?

MEETING EVALUATION FORM

PLUS + (Positives from the meeting)	Δ DELTA (Things to Change)

QUESTIONS TO ASK AT THE END OF THE MEETING:

- Did we achieve the meeting objective as stated in the agenda? If so, why? If not, why not?
- What did we do that helped us achieve our objectives?
- What would we change about this meeting if we ever did it again?
- What specific actions should the leader take to improve the next meeting?
- What specific actions should the participants take to improve the next meeting?

 <p style="text-align: center;">CITY COUNCIL POLICY</p>	CP 1-6
	Category: General Department: City Clerk
TITLE: Public Body Meeting Procedures	Approved: July 5, 2011

A. Purpose

1. These Rules of Procedures for meetings of City of Peoria Public Bodies are intended to establish a standard policy for the conduct of public meetings of public bodies. These rules of procedure are not intended to apply to public meetings of the City Council, which are addressed in separate rules of procedure (“City Council Meeting Rules of Procedure,” City Council Policy CP 1-2).
2. The City of Peoria is governed by A.R.S. §§ 38-431, *et seq.*, which is commonly known as the “ARIZONA OPEN MEETING LAW.” It is the policy of the City Council that all public meetings be conducted in a timely and orderly manner; in general conformance with the laws, the City Charter, the City Code, By-laws, this or any other Council Policy, applicable Rules of Conduct, Procedures, and Regulations governing same, and Scott Foresman version of Robert’s Rules of Order.
3. If a Public Body adopts specific additional rules that are designed to reflect the unique nature of the material that it considers, then in the event of a conflict between the specific rules and these general Rules of Procedures, the specific rules of the Public Body shall govern.

B. Defined Terms.

1. “Agenda.” As set forth in the Order of Business, an agenda is a formal listing of items to be considered by the Public Body at a noticed public meeting. The agenda may not be changed less than 24 hours prior to the public meeting.
2. “Legal Counsel.” The City Attorney will determine whether an attorney is necessary to attend a Public Body Meeting to provide legal advice. Depending on the role of the Public Body, the designated counsel may be

a member of the Office of the City Attorney or outside counsel hired by the City for such purpose.

3. "Meeting." The gathering of a quorum of members of the Public Body, as a result of a Public Notice and Agenda, to propose to take or deliberate legal action.
4. "Meeting Packet." A compilation of documents supporting the items listed on the Agenda to be used by Public Body members, Staff, and the public.
5. "Minutes." The documented history of each meeting of the Public Body and the discussion and action taken by that Public Body.
6. "Motion." A motion is a proposal by the Public Body that formal action be taken by the Public Body.
7. "Notice." A formal announcement to the public that sets forth the date, time, and place for which a meeting of a Public Body will be held.
8. "Presiding Officer." The Chairperson, Vice Chairperson, or other designee of a Public Body, who presides over the Meeting of the Public Body.
9. "Public Body." Any formally created Board, Commission, or Committee of the City.
10. "Quorum." A quorum is the minimum number of members of the Public Body who must be present in order for business to be legally transacted. An alternate member of a Board or Commission does not count when determining a quorum, unless the alternate is serving as a regular member due to an absence of the Regular Member.

With a 3-member body, a quorum is 2.

With a 4- or 5-member body, a quorum is 3.

With a 6- or 7- member body, a quorum is 4.

With a 10- or 11- member body, a quorum is 6.

With a 19-member body, a quorum is 10.

11. "Staff Liaison." The City employee, or designee, assigned by the City Manager to support all meetings of a Public Body.

C. Agenda Preparation

1. Preparation and Distribution. The Staff Liaison shall prepare the Agenda

for any meeting of a Public Body and file a Notice and Agenda with the City Clerk no less than 72 hours before the date and time set for the meeting.

2. Placement of Items on Agenda. Items shall be placed on the agenda for a meeting of a Public Body by request of a member of the Public Body or the Staff Liaison, with the approval of the Chairperson.
3. Submission of Items for Executive Sessions. A request for an Executive Session pursuant to State law should be reviewed by the Legal Counsel who shall ensure compliance with applicable laws.
4. Documentation for Meetings of Public Bodies. A meeting packet containing documentation for a meeting of a Public Body shall be assembled, and made available to members of the Public Body and the public at least 24 hours prior to the meeting. A meeting packet should contain the Agenda, Minutes from the Public Body's most recent meeting, and documentation that may be attached to support items on the Agenda, such as a Staff Report.

D. Meeting Notices

1. Preparation. The Staff Liaison shall prepare all public meeting notices of a Public Body and file a Notice and Agenda with the City Clerk no less than 72 hours before the date and time set for the meeting.
2. Posting Locations. All Public Body meeting notices shall be posted in accordance with practices outlined by the City Clerk's Office.
3. Annual Notice. The Staff Liaison for each Public Body shall file a statement with the City Clerk's Office stating where all public notices of their meetings will be posted and shall give such additional public notice as is reasonable and practicable as to all meetings.

E. Meetings to Be Public

1. All meetings of a Public Body are open to the public, with the exception of those meetings called as Executive Sessions pursuant to A.R.S. §§ 38-431.02 et seq.
2. All public meetings may be recorded or photographed by means of audio, video, or photographic equipment provided, however, that there is no interference in the orderly conduct of the meeting, and that said equipment

is placed in non-hazardous locations as designated by the City's Facility Management staff.

- F. Order of Business. The Order of Business of each meeting shall be contained in the Agenda. The Agenda shall be a sequentially numbered listing by topic and a brief description of the subjects that shall be taken up for consideration.
1. The Presiding Officer, or the Public Body by consensus, may consider items out of sequence from the printed agenda for the meeting.
 2. In the event of an emergency, action may be taken on items not listed on the agenda; however, the action must be subsequently noticed in accordance with the Open Meeting Law.
 3. Call to Order. The meeting shall be called to order by the Presiding Officer.
 4. Roll Call. The Presiding Officer shall direct the roll be taken.
 5. Under the Open Meeting Law, the City may permit members to attend by teleconference. A.R.S. § 38-431 permits attendance by technological devices on the date and time of the meeting.
 6. Consent Agenda.
 - a. The Consent Agenda lists items that are of such a nature that discussion is not required, or concern issues that have been previously studied by the Public Body. These items may be adopted by one motion.
 - b. There is no detailed discussion on items listed under the Consent Agenda, unless a member of the Public Body requests that an item or items be removed for discussion. Members may ask a question without removal of the item from the Consent Agenda.
 - c. Items removed from the Consent Agenda are considered in their normal sequence as listed on the Agenda, unless called out of sequence as provided for herein.
 7. Public Hearings.
 - a. Generally Public Hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

- 1) The Presiding Officer will announce the matter that is set forth for a Public Hearing, and (if appropriate) ask the Staff to provide a short summary of the matter.
 - 2) The Presiding Officer will then ask the Applicant to speak on their application if they so desire.
 - 3) At the conclusion of the Staff Report and/or presentation by the Applicant, the Presiding Officer will open the Public Hearing for comments from the public.
 - 4) After all public comments are heard, the Presiding Officer will close the Public Hearing, and may ask Staff or the applicant to respond to the comments.
 - 5) The Presiding Officer may then call for a motion and second (if applicable) and ask if the Public Body wishes to discuss the issue. The Public Body may then proceed to discuss the matter.
 - 6) Upon conclusion of discussion, the Presiding Officer will call for action on the motion.
- b. Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the Agenda, and the number of persons desiring to speak on an issue, the Presiding Officer may, at the beginning of the hearing, limit testimony, but in no event to less than 3 minutes per individual. Upon approval of the Public Body, persons may be allowed to speak longer than 3 minutes. The Public Body may ask the individual speaker questions, and the speaker may respond.
- c. Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the Legal Counsel to the Public Body shall advise the Public Body in this regard.
8. Public Comment.
- a. General. At the pleasure of the Public Body, individuals may address the Public Body on any subject pertaining to or related to the Public Body's business, whether listed on the Agenda or not, and according to the prescribed schedule.

- b. Speaker Request Form. All citizens and interested parties wishing to speak before the Public Body shall fully complete a Speaker Request Form and submit the forms to the City Clerk, or designee, prior to the meeting being convened.
- c. Call to the Public - Non-Agenda Items. Presentation of petitions, or public comments on Non-Agenda issues are heard under "Call to the Public."
 - 1) The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting.
 - 2) All citizens and interested parties will be limited to a maximum of three minutes to address the Public Body on a Non-Agenda item. The time limit may be waived by consensus of the Public Body.
- d. Call to the Public - Agenda Item.

The Presiding Officer will call each individual who has asked to speak on a specific Agenda Item. Those speaking before the Public Body will be allowed three minutes to address the Public Body, but time limits may be waived upon consensus of the Public Body.

- e. Interaction between Speaker and Public Body.

The purpose of all public comments is to provide information and the speaker's views for the Public Body's consideration. It is not appropriate for the speakers to question directly, or debate the matter under consideration with Staff, other speakers, the audience, or members of the Public Body. All comments should be addressed through the Presiding Officer. After being recognized by the Presiding Officer, the Public Body may question the speakers, any applicant's representatives, or City Staff. Except when answering a direct question from a Public Body member, all remarks will be addressed to the Public Body as a whole, and not to individual members.

- f. Speaker Decorum.

Proper decorum must be observed by speakers in providing testimony and remarks.

- 1) The Presiding Officer shall keep control of the Meeting, and require that the speakers refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting.
- 2) Personal attacks on Public Body members, City Staff, or members of the public are not allowed. Oral communications during the Public Body Meeting may not be used to lodge charges or complaints against any employee of the City, regardless of whether such employee is identified in the presentation by name or by any other reference, which tends to identify the employee. Any such charges or complaints against employees shall be submitted during normal business hours to the City Manager for appropriate action.
- 3) It is inappropriate to utilize the public hearing or other Agenda item for the purpose of making political speeches, including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the Presiding Officer, will be grounds for ending a speaker's time at the podium or, at the direction of the Presiding Officer, for removal of any disruptive person from the Meeting Room.
- 4) After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Public Body without first securing permission of the Presiding Officer.

g. Documents.

Exhibits, letters, petitions, and other documentary items presented or shown to the Public Body on a public hearing item become part of the record of the public hearing.

9. Presentations/Reports by Members of the Public Body or Staff.

- a. Any Public Body member or City staff may bring before the Public Body information regarding activities of outside agencies, City or Community events or programs, or items needing placement on future Agendas related to the duties of the Public Body.

- b. These informational issues, appointments, or requests are put before the Public Body under the “Reports from the Members” or “Reports from Staff” portions of the Agenda. These matters need not be specifically listed on the Agenda.

10. Adjournment.

- a. The open public meetings of the Public Body may be adjourned without motion and vote.
- b. The Presiding Officer shall ask: “Is there any further business to come before the Public Body?” Being none, the Presiding Officer shall then formally adjourn the meeting by saying: “There being no further business to come before the _____ (name of the Public Body), the meeting is adjourned,” or “Hearing none, the meeting is adjourned.”

G. Rules, Decorum, and Order

1. Robert’s Rules of Order.

Certain rules known as *Robert’s Rules of Order* shall be used as a general guide for the conduct of all Public Body meetings.

2. Participation of Presiding Officer.

The Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak unless they have first been recognized by the Presiding Officer. All questions and remarks shall be addressed to the Presiding Officer. The Presiding Officer may debate from the Chair, subject only to such limitations of debate as are imposed on all Public Body members; and he/she shall not be deprived of any of the rights and privileges of a member by reason of his/her acting as Presiding Officer.

3. Question to be Stated. The Presiding Officer shall verbally restate each question immediately prior to calling for discussion and/or the vote. Following the vote, the Presiding Officer shall verbally announce whether the question carried or was defeated.

4. Points of Order. The Presiding Officer shall determine all Points of Order, subject to the right of any member to appeal to the whole Public Body. If any appeal is taken, the question (motion) shall be: “Shall the decision of the Presiding Officer be sustained?” In which event, following a second, a

majority vote shall govern, and conclusively determine such question of order.

5. Decorum and Order.

a. Public Body members.

Any member desiring to speak shall address the Chair and, upon recognition by the Presiding Officer, may speak.

b. Employees.

Members of the administrative staff and employees of the City shall observe the same rules of procedure and decorum applied to members of the Public Body.

c. Public.

Members of the public attending Public Body meetings shall observe the same rules of order and decorum applicable to the Public Body.

d. Enforcement.

The Presiding Officer may direct a Police Officer present to remove from the room any person who violates the decorum and order of the meeting. If no Police Officer is available, a member of the Board or a Staff Member may be designated as the ex-officio Sergeant-at-Arms of the Public Body. Upon instructions from the Presiding Officer, it shall be the duty of the Sergeant-at-Arms to remove any person from the public meeting.

6. Conflict of Interest.

All Public Body members are subject to provisions of the Arizona Revised Statutes, City Charter, City Code, and the City's Ethics Policy relative to conflicts of interest. Such member must leave the dais during debate and vote on the issue.

7. Rulings of Chair on Procedural Issues.

In presiding over Public Body meetings, the Presiding Officer shall decide all questions of interpretation of these rules, points of order, or other questions of procedure requiring rulings.

- a. The Presiding Officer, or Public Body by consensus, may suspend strict observance of Policies, Rules, Regulations, and Procedures, and any applicable provision of Robert's Rules for the timely and orderly progression of the meeting.
 - b. In the event of a conflict between these rules and Robert's Rules of Order, these rules shall govern.
 - c. In the absence of a rule herein to govern a point or procedure, Robert's Rules of Order shall be used as a guide.
8. Appeal the Ruling of the Chair.

Immediately following the Chair's ruling, a motion and second to appeal the ruling can be made, and the ruling can be overridden or suspended by a majority vote of the members present and voting. If not appealed, the Chair's ruling shall be binding and legally effective for purposes of the matter under consideration.

H. Motions. In order to introduce and place an item before the Public Body for debate and possible action, a motion must be made.

1. Processing of Motions.
 - a. When a motion is made and seconded, it shall be repeated by the Presiding Officer before the Public Body may debate this issue. A motion may not be withdrawn by the mover without the consent of the person seconding.
 - b. Prior to discussion commencing on a motion, the movant may modify the motion with the concurrence of the second, or if the mover modifies the motion, the member who seconded has the right to withdraw the second. The modified motion must either be seconded or be deemed to have died for lack of a second.
 - c. Prior to discussion on the motion, a member of the City Council may request the mover accept a modification to the original motion. If the proposed modification is accepted by the original movant and the second concurs, the modified motion is considered to be on the table.

2. Division of Question.

If the question contains two or more parts, the Presiding Officer may, and upon the request of a member shall, vote on each part separately.

3. Precedence of Motions.

When a motion is made, only the motions listed below may be considered while the original motion is pending. If multiple motions from the following list are made while the original motion is pending, the precedence of the motions shall be considered in the following order:

Fix the time to adjourn
Adjourn
Recess
Raise a question of Privilege
Call for Orders of the Day
Lay on the Table
Previous Question
Limit or extend limits of debate
Postpone to a certain time (Definite)(Same as "Carry Over" or "Continue")
Commit (Refer or remand to a Committee)
Amend
Postpone Indefinitely ("Kills")
Main Motion

4. Motion to Postpone Indefinitely.

A motion to postpone indefinitely is used to effectively "kill" a main motion. A motion to postpone is debatable. Debate on the motion to postpone indefinitely can go fully into the merits of the main motion and can be held after the motion is considered pending (a motion and second has been made and restated by the Presiding Officer).

5. Motion to Lay on the Table.

A motion to table is used to temporarily postpone action on a pending motion. A motion to table may not be used to "kill" a main motion and cannot be amended or debated. If the motion to table prevails, the matter may be "taken from the table" at any time prior to the end of the next scheduled meeting containing regular agenda items.

6. Motion to Limit or Terminate Discussion.

Such a motion shall be used to limit or terminate discussion on, or amendment the main motion. A motion to limit or terminate discussion cannot be debated and can be amended only as to the length of speeches or when the vote will be taken. In order to pass, a motion to limit or terminate requires a two-thirds vote of the Public Body. If the motion to limit or terminate discussion fails, debate on the main motion shall be reopened.

7. Motion to Amend.

- a. A motion to amend must be related to the pending motion on the floor and can be debated. Only two amendments may be pending at any one time.
- b. Amendments shall be voted on first. Adoption of the amendment does not adopt the motion; it only changes the motion on the floor. After adoption of the amendment, the motion may be further amended.
- c. A substitute motion must be related to the subject. The vote is taken on whether the substitute motion will replace the main motion.

8. Motion to Continue.

A motion to continue to a definite time can be amended and debated only as to the appropriateness of postponement and time set.

I. Voting Procedure

1. Casting a Vote.

- a. In acting upon every motion, the vote shall be taken by casting a mechanical yes/no vote, voice, or roll call or any other method as determined by the Presiding Officer by which the vote of each member of the Public Body may be ascertained clearly.
- b. The vote on each motion shall be entered in the records by number of votes for or against. Members casting a vote in the minority shall be identified by name in the record. The record also shall include the name/s of any member not casting a vote by reason of being absent from the room at the time of the vote.

- c. If a member has declared a Conflict of Interest and is absent during the roll call vote, the Staff Liaison shall include "Absent for the Vote due to a declared Conflict of Interest" in the official minutes as part of the results of the vote.
 - d. If the roll call method of voting is used, the Presiding Officer shall call the names of all members. Members shall respond "**Yes**" or "**No**." It shall not be in order for members to explain their vote during "roll call" voting.
 - e. The minutes shall reflect all reasons for failure to vote.
 2. Failure to Vote.
 - a. All members of the Public Body are required to vote, unless the issue involves the conduct of the member or a declared conflict of interest.
 - b. Should a member fail to vote, his/her "vote" shall be counted with the majority of votes cast; however, in the event of a tie vote, his/her "vote" shall be counted as a "No."
 3. Reconsideration. Any member of the Public Body who voted with the majority may move a reconsideration. Reconsideration of any item must be held at the same meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without the unanimous vote of the Public Body.
 4. Tie Votes. A tie vote is a lost vote as a majority was not obtained.
- J. Minutes of Meetings
 1. Minutes of all Public Body meetings will be produced and kept on file and of record in the Office of the City Clerk.
 2. Open public meetings may be recorded by means of audio or video technology.
 3. All minutes of a Public Body are deemed to be Public Records, with the exception of Closed Executive Session Minutes, which shall be maintained and accessed as provided by Arizona Revised Statutes.

4. Minutes of all Open Public Meetings may be approved under the consent agenda, unless removed for discussion and separate action.

APPROVED:

/S/
Bob Barrett, Mayor

APPROVED AS TO FORM:

/S/
Stephen M. Kemp, City Attorney

Adopted: 8/31/93 (CC #4439)
Amended: 1/31/94 (No CC)
Amended: 8/26/98 (CC #257-8C) [Prior Numbering: PPR Section 1-2]
Amended: 7/10/07, CC #SS3B
Amended: 7/5/11, CC #12C

 <p style="text-align: center;">CITY COUNCIL POLICY</p>	CP 1-5
	Category: General
TITLE:	Department: City Clerk
Appointment to Boards and Commissions	Approved: July 10, 2007

A. Purpose

Pursuant to City Code § 2-157, to establish a standard policy for the City Council to make appointments to the official boards and commissions. In the event of any inconsistency between the terms of this Policy and the terms of a City Code provision, the City Code shall govern.

B. General Provisions

1. By January 30th of each year the Mayor shall appoint three Council Members to serve on the City Council Subcommittee on Board and Commission Appointments.
2. The Mayor shall appoint one member to serve as chair.
3. The Council Subcommittee on Board and Commission Appointments shall determine how members are identified, selected, processed, trained and recognized for service.
4. To the extent possible, the City's Boards and Commissions membership shall be comprised of equal representation from all areas of the City.
5. All official Advisory Boards, Commissions, Authorities, and Committees meet a minimum of once per year to elect officers and discuss or act on other issues as appropriate to the Public Body.

C. Applicability/Definition

For the purposes of this policy, the term board or commission shall include the appointed bodies identified in Peoria City Code §§ 2-150 and 2-152, as may be amended by Ordinance.

D. Eligibility

Eligibility for appointment to a board or commission is identified in City Code.

E. Non-discrimination

The Council shall not discriminate on the basis of an applicant's race, ethnic background, creed, age, sex, marital status, or sensory or physical handicap in the making of appointments.

F. Terms

Terms and term limitations for service on each board or commission are identified in City Code.

G. Concurrent Offices

A person shall serve on no more than one regular scheduled board at any time and no person shall serve on any regular scheduled board and unscheduled board where the duties are deemed to be incompatible by the City Council.

H. Attendance

1. Boards and Commissions shall set policy and procedures through By-laws to act upon member absences.
2. Three consecutive unexcused absences, or as determined by City Code or individual Board or Commission By-laws, may result in a recommendation to remove a member from a Board or Commission.
3. It shall be the responsibility of the Staff Liaison Department to notify the member of the Board's or Commission's recommended action and to forward the recommendation to the City Council for the consideration.
4. A vacancy upon a Board or Commission shall be deemed to have occurred by vote of the City Council by Resolution.

I. Appointment/Reappointment

1. An open competitive process will be used to fill any vacancies. The City Council Subcommittee on Board and Commission Appointments will initiate an open and competitive application process and solicit applicants for the position(s). All board members or commissioners completing their

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term and who are interested in reappointment will be required to go through the open competitive process.

2. Alternate Board members, unless otherwise provided by code, shall not automatically succeed to the seat of a vacant board member, and will be required to go through the open competitive process required to fill the vacancy.

J. Application Process

1. Applicants as well as the incumbent shall be required to complete an application form provided for this purpose and to submit a completed application to the City Clerk by the specified recruitment deadline.
2. Copies of all applications will be available to the City Council.
3. The Council Subcommittee may screen and interview applicants for specific Boards and Commissions prior to recommending the applicant for appointment or re-appointment.
4. Annual renewal and/or update of all applications on file are required.

K. Recruitment

Openings for Board or Commission positions shall be advertised through press releases, the web page, as well as other means available and appropriate for this purpose. Target recruitment will occur at the discretion of the City Council Subcommittee.

L. Interview Process

1. In order for an applicant to be considered for appointment, the City Council may require that candidate interviews be conducted for certain Boards or Commissions as identified in the City Code.
2. At the discretion of the Council Subcommittee, Staff Liaisons may be asked to attend and participate in the interview process. The interviews are scheduled for and conducted at an open public meeting of the Council Subcommittee.
3. As designated by the Council Subcommittee certain Boards or Commissions require only a review of the application on file. The

Subcommittee shall seek recommendations from the Staff Liaisons in regards to the applications on file.

M. Criteria for Appointment/Reappointment

1. As applicable, the Council Subcommittee will consider an applicant on the following criteria:
2. Minimum Performance – attendance, basic understanding of the issues and participates in discussion. Has well thought out arguments, logically presented, and is a good advocate. Shows ability to analyze complex issues and to judge issues on substantive grounds. Understands difference between quasi-judicial and legislative matters.
3. Personal Relations – has good understanding of relative roles of Council, Commissioners, and Staff, and is sensitive to Staff's job. Is generally respectful of other's viewpoints. Is a good team player, shows willingness to compromise, and works toward a solution without sacrificing his/her principles.
4. Growth/improvement – has shown personal and or intellectual growth in the position. Has shown improved performance, has taken advantage of continuing education opportunities, and attended available training.
5. Public Benefit – provides a benefit to the commission as a body; provides or enhances balance on the commission geographically and/ or philosophically.

N. Appointment Process

1. Upon completion of the interviews, the Subcommittee will discuss the qualifications of the candidates and make their recommendations.
2. The recommendations are forwarded to the Mayor and Council with the request that Council respond/comment in writing to the Mayor within 10 days.
3. Upon the Mayor receiving no adverse comments from a majority of Council members, the Council Subcommittee's recommendations are made by Resolution to the full Council at the next scheduled Council Meeting.

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4. The prospective appointee shall be notified of the Council Meeting dates at which they shall be introduced to the Council and the public and presented a mounted certificate of appointment.

O. Training Process

1. The City will provide Boards and Commissions Basic and Advanced Training and others as determined necessary to assist members in their appointed roles.
2. Basic Training is required for all new members. Staff Liaisons and Department Directors are also required to attend the basic training. Chairs and Vice Chairs are encouraged to attend the Advanced Training.
3. Basic and Advanced Training will be offered a minimum of one time per year.

P. Loyalty Oath

1. State Statute requires that the Loyalty Oath be taken by all appointed members no less than 24 hours prior to the first Board or Commission meeting.
2. Newly elected/appointed members of the Public Safety Retirement Boards for Fire and Police must take the Loyalty Oath within 10 day following appointment.
3. Staff Liaisons are responsible for obtaining the Loyalty Oaths, and ensuring the new member is sworn in as required by laws.

Q. Vacancy/Resignation

Resignations must be submitted in writing and forwarded to the City Clerk's Office. All vacancies must be declared by an adopted Resolution of the City Council.

R. Service Recognition

An annual recognition event shall be held to honor all seated Board and Commission members for their service and dedication. Out going members shall be presented an engraved service award plaque; Chairpersons will receive a plaque with a gavel signifying the designation.

APPROVED:

/S/
Bob Barrett, Mayor

APPROVED AS TO FORM:

/S/
Steve Kemp, City Attorney

Adopted: 10/02/02, CC #92-2R [Prior Numbering: CP 02-02]
Amended: 7/10/07, CC #SS3B