

ORDINANCE NO. 4983

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE CODE OF THE CITY OF CHANDLER, CHAPTER 8 AIRPORT, BY AMENDING AND RENUMBERING SECTION 8.2 CHANDLER AIRPORT COMMISSION TO CHAPTER 2, SECTION 2-22; RENUMBERING CHAPTER 10 POLICE PROTECTION, SECTION 10-11 CHANDLER CITIZENS' PANEL FOR REVIEW OF POLICE COMPLAINTS AND USE OF FORCE TO CHAPTER 2, SECTION 2-23; RENUMBERING CHAPTER 36 NEIGHBORHOOD RESOURCES, SECTION 36-6 COMMISSION ON HUMAN RELATIONS AND SECTION 36-7 HOUSING AND HUMAN SERVICES COMMISSION TO CHAPTER 2, SECTIONS 2-24 AND 2-25; RENUMBERING CHAPTER 33 LIBRARY, SECTION 33-6 LIBRARY BOARD TO CHAPTER 2, SECTION 2-26; RENUMBERING CHAPTER 31 COMMUNITY SERVICES, SECTION 31-27 MAYOR'S COMMITTEE FOR PEOPLE WITH DISABILITIES TO CHAPTER 2, SECTION 2-27; REPEALING CHAPTER 31 COMMUNITY SERVICES, SECTION 31-28 MAYOR'S COMMITTEE FOR THE AGING; AMENDING AND RENUMBERING CHAPTER 31 COMMUNITY SERVICES, SECTION 31-29 MAYOR'S YOUTH COMMISSION TO CHAPTER 2, SECTION 2-28; RENUMBERING CHAPTER 30 PROPERTY MAINTENANCE ORDINANCE, SECTION 30-16 NEIGHBORHOOD ADVISORY COMMITTEE TO CHAPTER 2, SECTION 2-29; AMENDING AND RENUMBERING CHAPTER 31 COMMUNITY SERVICES, BY REPEALING SECTION 31-25D.11 RELATING TO THE PARKS AND RECREATION BOARD AND RENUMBERING TO CHAPTER 2, SECTION 2-30; RENUMBERING CHAPTER 36 NEIGHBORHOOD RESOURCES, SECTION 36-5 PUBLIC HOUSING AUTHORITY COMMISSION TO CHAPTER 2, SECTION 2-31; AND BY FURTHER AMENDING AND RENUMBERING CHAPTER 49 TRANSPORTATION COMMISSION BY AMENDING SECTION 49-4.B AND REPEALING SECTIONS 49-4.C AND 49-4.D AND RENUMBERING TO CHAPTER 2, SECTION 2-32; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the Chandler City Code, Chapter 8 Airport, Section 8.2 Chandler Airport Commission, is hereby amended to read as follows (additions in ALL CAPS, deletions in strikeout):

2-22.8-2. Chandler Airport Commission.

There is hereby established a Commission to be known as the "Chandler Airport Commission," consisting of seven (7) members appointed by the Mayor with the approval of the Council. ~~In addition, the Mayor shall appoint a Councilmember as an ex officio member to serve as liaison between the Commission and the Council.~~ All members of the Chandler Airport Commission must be qualified electors of the City and have been a resident of the City for at least one (1) year

immediately preceding the date of appointment. ~~The seventh member need not be a resident of the City but must, at the time of appointment be a resident of and for the year immediately preceding have resided within, the unincorporated area bounded on the north and east by the City of Chandler City boundaries and on the south and west by the Gila River Indian community boundaries (an area commonly referred to as Sun Lakes).~~ The term of each member shall be for three (3) years. Each member shall serve until his/her successor is appointed.

8-2-22.1. Officers and bylaws. Commission members shall elect officers at the first meeting following the first day of May of each year. The Commission may adopt bylaws which may, among other things, set forth the time and place of meetings and such operating procedures as may be desired. All bylaws and any amendments thereto shall be subject to City Council review and approval. The Airport Administrator shall staff the Commission.

8-2-22.2. Powers and duties. The Airport Commission shall advise the City Council regarding:

- A. The maintenance and operation of the airport and its environs.
- B. Rules, regulations, and minimum operating standards under this chapter.
- C. Proposals for development at the airport and the airpark.
- D. Fees imposed by the City in connection with the airport and the airpark.
- E. Leases of City property at the airport which require Council approval.
- F. Land use policies at and surrounding the airport.
- G. The future role of the airport as part of the State-wide air transportation system.
- H. Safety matters under the jurisdiction of the airport.
- I. Such other matters as the City Council may direct and shall perform such other duties as imposed by this chapter.

Section 2. That the Chandler City Code, Chapter 10 Police Protection, Section 10-11 Chandler Citizens' Panel for Review of Police Complaints and Use of Force, is hereby renumbered to read as follows (additions in ALL CAPS, deletions in strikeout):

~~2-23.10-11.~~ Chandler Citizens' Panel for Review of Police Complaints and Use of Force.

~~10-11-23.1.~~ *Established.*

- A. There is hereby established a Chandler citizens' panel for review of Police complaints and use of force ("panel") to be composed of fifteen (15) citizen members and six (6) Police Department members, three (3) of which will be alternates.
- B. When functioning as a review sub-panel as described in section 10-11.4, each sub-panel shall consist of five (5) citizen members and three (3) Police Department members. The citizen members and chairperson of each sub-panel shall be selected by the City Manager.
- C. This panel shall act in an advisory capacity to the Chief of Police.

~~10-11-23.2.~~ *Appointment of citizen members; terms of office.*

- A. The fifteen (15) members of the panel shall be selected from residents of the city and appointed by the Mayor, subject to approval of the Council.
- B. The term of office of citizen members shall be for three (3) years, except for the initial citizen members of the panel. Such terms shall be staggered so that the term of no more than five (5) citizen members shall conclude in any given year.
- C. A vacancy during a term in office shall be filled for the remainder of the unexpired term in the same manner as the original appointment.
- D. Citizens who are selected for appointment shall have no felony convictions or convictions for misdemeanors involving moral turpitude. A criminal history records check of each citizen selected for appointment shall be conducted prior to appointment. Each appointed citizen member shall have completed the Chandler Police Department's Citizens' Academy or complete the Academy within one (1) year of their appointment.
- E. Citizen members of the panel shall receive no compensation for their services as panel members.

~~10-112-23.3.~~ *Police Department members designated.*

- A. The Chief of Police shall select six (6) Police Department employees, three (3) of whom are alternates, to serve as members of the panel.
- B. The three (3) Police members shall consist of one (1) Division Commander, who shall serve for an indefinite term, one (1) first line supervisor, and one (1) line officer, both of whom shall serve for a two year term. Alternates shall consist of one (1) Division Commander, who shall serve for an indefinite term, one (1) first line supervisor, and one (1) line officer, both of whom shall serve for a two (2) year term. Alternates may serve on the panel only in the absence of their counterpart.
- C. The appointed Division Commander shall serve, in addition to his or her duties as a panel or sub-panel member, coordinate the mailings, meeting rooms and staffing required in order to conduct meetings of the panel and sub-panels.

~~10-112-23.4.~~ *Powers and duties.* The Chandler Citizen's Panel for Review of Police Complaints and Use of Force shall have the following powers and duties:

- A. To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for meetings which shall be held as needed if there is business to transact; to establish the manner in which special meetings shall be held and the notice to be given thereof; and to provide that eight (8) citizen members and three (3) Police members shall constitute a quorum.
- B. To require attendance of the members at regular meetings and to provide that absence from three (3) consecutive regular meetings without consent of the panel shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant.
- C. To meet in sub-panels selected by the City Manager and conduct a review of the record of the following:

1. All Police shootings and Police incidents when direct physical force by the Police results in serious physical injury or death. Serious physical injury shall mean that as defined in A.R.S. § 13-105.34.

2. The findings of the Police Department's investigation of unsustained, unfounded, or exonerated citizen complaints, when that citizen requests a review of the Police Department's findings. A request for review must be made within thirty (30) days from the date the citizen is notified of the findings of the Police Department investigation.

3. Any Police Department incident, at the request of the Chief of Police.

D. After a review of the record, each review panel shall make one of the following recommendations in a report to the Chief of Police:

1. Agree with the findings of the Police Department investigation.

2. Disagree with the findings of the Police Department investigation.

3. Recommend to the Chief of Police that further investigation is warranted.

4. Upon review of a use of Police Force incident, the review panel shall make a further recommendation as to whether the use of Police Force was within Police Department policy.

The recommendation shall be made within six (6) months of receiving the Police Department report pertaining to a complaint. The panel may extend the period for making a recommendation for up to one (1) year upon a majority vote of the panel.

E. The panel may make recommendations to the Chief of Police concerning training programs, revisions of policies or procedures, commendable actions, preventive or corrective measures except for employee discipline and community concerns regarding Police action and procedures.

F. Three (3) citizen members and two (2) Police members shall constitute a quorum for a sub-panel.

G. The meetings of the sub-panels dealing with confidential personnel matters shall be executive sessions and shall be subject to the confidentiality of A.R.S. § 38-431.03.

H. The panel shall make a report each July to the Chandler City Council of the number of reviews they have conducted and the recommendations they have made during the past year.

~~10-112-23.5.~~ *Review with the City Manager.* The Chief of Police shall review the recommendations of the Review Panel and sub-panels with the City Manager every quarter. The Chief may review recommendations with the City Manager more often, if he deems it necessary or for the good of the City or the Police Department to do so.

Section 3. That the Chandler City Code, Chapter 36 Neighborhood Resources, Section 36-6 Commission on Human Relations, is hereby renumbered to read as follows (additions in ALL CAPS, deletions in strikeout):

36-62-24. Commission on Human Relations.

There is hereby established the Chandler Human Relations Commission which shall consist of eleven (11) members broadly representative of the diverse demographics of the community. Such members shall be residents of Chandler and shall be appointed by the Mayor, subject to approval of the Council without regard to their political affiliations, one (1) of whom shall be elected by the other members to serve as Chairperson.

36-62-24.1. Terms of office and compensation of members. The terms of office for members of the Commission shall be three (3) years, except that the first members shall be appointed for the following terms: Three (3) members shall serve one (1) year; four (4) members shall serve for two (2) years; and four (4) shall serve for three (3) years. Thereafter, their successors shall serve a full term and may not serve more than two (2) consecutive terms. All members shall serve until their successors have been duly appointed and qualified. Vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment. The Mayor shall have the right and power to remove any Commission member, with the approval of the Council. Members of the Commission shall serve without compensation.

36-62-24.2. Staff representation and cooperation of City Departments. The City Manager or a designee shall staff the Chandler Human Relations Commission. The City Manager, and all department heads through the City Manager, shall render such aid, assistance and staff help to the Commission as may be necessary to accomplish and fulfill its purpose and functions.

36-62.24.3. Purpose, functions and duties of Commission. The Chandler City Council finds it to be of the utmost importance to work toward the elimination of prejudice and discrimination; and to promote amicable relations among all racial, cultural, religious, age, gender, disabled, socioeconomic and national groups within the community. It will be the purpose of the Chandler Human Relations Commission to act as an advisory body to the City Council. It shall recommend ways to encourage mutual respect and understanding among the many groups of people who live, work and spend time within the community. The Commission should make recommendations to discourage all manner and manifestation of discriminatory practices, and assist the City Council and City Departments on ways in which people from different racial, cultural or religious backgrounds can be made to feel at home within the Chandler community.

The Commission shall establish such rules and regulations as it deems necessary for Commission regulation and for the faithful performance of its duties. It should vote to set a time for regular meetings. Six (6) members shall constitute a quorum. The affirmative vote of six (6) members shall be required for passage of any matter before the Commission.

Section 4. That the Chandler City Code, Chapter 36 Neighborhood Resources, Section 36-7 Housing and Human Services Commission, is hereby renumbered to read as follows (additions in ALL CAPS, deletions in strikeout):

36-72-25. Housing and Human Services Commission.

There is hereby established the Housing and Human Services Commission, which shall consist of eleven (11) members, appointed by the Mayor, subject to approval of the Chandler City Council. Such members shall be citizens and electors of the City. In addition, at all times, at least one (1)

committee member shall be the resident commission member of the Chandler Public Housing Authority Commission (see Section 36-5 above).

~~36-72-25.1.~~ *Terms of Office.* The members of the Commission shall serve for staggered terms of three (3) years each, provided however, a member shall continue to serve until a successor has been duly appointed and qualified. No member of the Housing and Human Service Commission shall serve more than two (2) consecutive terms on this Commission, however, a member may be reappointed after the lapse of three (3) years from the end of the previous term.

~~36-72-25.2.~~ *Powers and duties.* The Housing and Human Services Commission shall serve as an Advisory Commission to the Chandler City Council and to the Chandler Public Housing Authority Commission. The powers and duties of the Housing and Human Services Commission shall be:

A. To advise the Chandler Public Housing Authority Commission on the administration, operation and management of federal public housing programs and Section 8 tenant-based rental assistance programs administered by the City;

B. To advise City Council on the administration, operation and management of federal public housing, rental assistance or low cost housing programs administered by the City;

C. To advise City Council on the development of all City housing projects as defined in A.R.S. Section 36-1401;

D. To recommend the annual allocation of community development block grant funds to the City Council;

E. To advise the City Council on matters relating to the welfare of the City's low and moderate income citizens;

F. To assess the human services needs of the community, determine any gaps in service and utilize this information in developing the priorities for social service funding, youth enhancement funds, acts of kindness funds and any other grant or social service funds that may become available to the City;

G. To serve as the annual allocations panel for the human services funds as outlined above;

H. To make final recommendations to the City Council on the allocation of human service funds as outlined above; and

I. Such other powers and/or duties as may from time to time be approved by the City Council.

Section 5. That the Chandler City Code, Chapter 33 Library, Section 33-6 Library Board, is hereby renumbered to read as follows (additions in ALL CAPS, deletions in strikeout):

~~33-62-26.~~ Library Board.

There is hereby established a Library Board, consisting of seven (7) regular members. The seven (7) regular members shall be appointed by the Mayor, subject to the approval of the City Council. All seven (7) of the regular members of the Library Board must be qualified electors of the City and have been residents of the City for at least one (1) year immediately preceding the date of their appointments.

~~33-62-26.1.~~ *Terms of office.* The terms of office for the regular members of the Library Board shall be for three (3) years, terms to be staggered so that no more than three (3) members are replaced in each year. Members shall serve no more than two (2) consecutive full terms. The terms of office shall commence and grounds for removal from office shall be that as provided in Chapter 2 of the Chandler City Code.

~~33-62-26.2.~~ *Officers.* The Library Board shall elect its own officers at the first meeting following the appointment of new members each year. These officers shall be the chairman and vice-chairman. The Community Services Director, or his/her duly authorized representative, shall act as secretary of the Board but shall not be allowed to vote. No officer elected by the Board shall serve in the same capacity for more than two (2) consecutive one-year terms.

~~33-62-26.3.~~ *Quorum.* Four (4) members shall constitute a quorum. The affirmative vote of the majority of members present shall be required for passage of any matter before the Board.

~~33-62-26.4.~~ *Powers and duties generally.* The powers and duties of the Library Board shall be:

- A. To adopt such rules of procedure for the faithful performance of its duties.
- B. To assist and advise the Library Manager to develop essential policies, rules and regulations relating to the operation of the City Library System.
- C. To serve as liaison between the library staff and the general community and to promote the library whenever and wherever possible.
- D. To acquaint themselves with library holdings and make appropriate suggestions or recommendations.
- E. To review the annual budget as prepared by the Library Manager, make recommendations and then forward same to the Community Services Director.
- F. To make appropriate suggestions and/or recommendations on any short-range or long-range plans as prepared by the Library Manager subject to the approval of the Library Board and the Community Services Director.
- G. To establish fines and fees to be levied and collected by the library staff.

Section 6. That the Chandler City Code, Chapter 31 Community Services, Section 31-27 Mayor's Committee for People with Disabilities, is hereby renumbered to read as follows (additions in ALL CAPS, deletions in strikeout):

~~312-27.~~ Mayor's Committee for People with Disabilities.

A. *Mayor's Committee for People with Disabilities established.* There is hereby established a Mayor's Committee for People with Disabilities consisting of nine (9) members. The Mayor, subject to the approval of the City Council, shall appoint the nine (9) members. All members of the Committee must be qualified electors of the City and have been residents of the City for at least one (1) year immediately preceding the date of appointment.

B. *Term of office.* The term of office for the members shall be for three (3) years; terms to be staggered so that no more than three (3) members are replaced each year. The Mayor, with the approval of the City Council, shall fill a vacancy in office during a term for the unexpired term.

C. *Officers.* The Committee shall elect its own officers at the first meeting following the first of May of each year. The Community Services Director shall act as secretary to the Committee and shall not be allowed to vote. No officer elected by the Committee shall serve in the same capacity for more than two (2) consecutive one-year terms.

D. *Powers and duties generally.* The powers and duties of the Committee shall be as follows:

1. To adopt rules of procedure necessary to perform its duties.
2. To assist and advise the City Council on ordinances, policies, rules and regulations relating to advocacy issues experienced by the disabled of the community, such as accessibility, employment and education.

Section 7. That the Chandler City Code, Chapter 31 Community Services, Section 31-28 Mayor's Committee for the Aging, is hereby repealed in its entirety to read as follows (additions in ALL CAPS, deletions in ~~strikeout~~):

~~31-28. — Mayor's Committee for the Aging~~

~~A. *Mayor's Committee for the Aging established.* There is hereby established a Mayor's Committee for the Aging consisting of seven (7) members. The Mayor, subject to the approval of the City Council, shall appoint the seven (7) members. All members of the Committee must be qualified electors of the City and have been residents of the City for at least one (1) year immediately preceding the date of appointment.~~

~~B. *Term of office.* The term of office for the members shall be for three (3) years; terms to be staggered so that no more than three (3) members are replaced each year. The Mayor, with the approval of the City Council, shall fill a vacancy in office during a term for the unexpired term.~~

~~C. *Officers.* The Committee shall elect its own officers at the first meeting following the first of May of each year. The Community Services Director shall act as secretary of the Committee but shall not be allowed to vote. No officer elected by the Board shall serve in the same capacity for more than two (2) consecutive one-year terms.~~

~~D. *Powers and duties generally.* The powers and duties of the Committee shall be as follows:~~

- ~~1. To adopt such rules of procedure necessary to perform its duties.~~
- ~~2. To assist and advise the City Council on ordinances, policies, rules and regulations relating to advocacy issues experienced by the aging of the community, such as accessibility, adult day care, and volunteerism.~~
- ~~3. To serve as liaison between the City and the general community in matters regarding the aging and to promote and advocate for the elderly whenever and wherever possible.~~
- ~~4. May be active in charity events and fundraising.~~

Section 8. That the Chandler City Code, Chapter 31 Community Services, Section 31-29 Mayor's Youth Commission, is hereby amended to read as follows (additions in ALL CAPS, deletions in strikeout):

~~31-292-28.~~ Mayor's Youth Commission.

A. *Mayor's Youth Commission established.* There is hereby established a Mayor's Youth Commission consisting of nineteen (19) members. The Commission shall represent youth in the City of Chandler. The Mayor, subject to the approval of the City Council, shall appoint all nineteen (19) members.

B. *Committee member selection.* The selection of Committee members is as follows:

1. The nineteen (19) members shall represent a cross section of ninth (9th) through twelfth (12th) grade students. All members of the committee must reside in Chandler.
2. ~~Director shall serve as~~ CITY MANAGER WILL APPOINT staff liaison to the Mayor's Youth Commission.

C. *Term of office.* The terms of office for the members of the Commission shall be nineteen (19) members serving two (2) year terms, eligible for reappointment for a maximum of two (2) terms. A vacancy in office during a term shall be filled for the unexpired term by the Mayor, with the approval of the City Council. NO OFFICER SHALL SERVE IN THE SAME CAPACITY FOR MORE THAN TWO (2) ONE-YEAR TERMS.

~~D. *Officers.* The Commission shall elect its own officers at the first meeting following the first of May of each year. The Community Services Director shall act as secretary of the Commission but shall not be allowed to vote. No officer elected by the Commission shall serve in the same capacity for more than two (2) one-year terms.~~

~~D~~E. *Powers and duties generally.* The powers and duties of the Commission shall be as follows:

1. To assist, and advise the ~~Parks and Recreation Board~~ MAYOR AND CITY COUNCIL on issues concerning the youth of Chandler.
2. ~~Meet with the Parks and Recreation Board on a semi-annual basis to discuss plans, goals and accomplishments of the Commission.~~
23. The Commission shall meet on a regular basis to discuss various programs and events for Chandler youth.
- 3.4. The following are goals for the commission members: to develop leadership skills; learn about City government; and to provide community service.
45. The Commission may be active in charity events and fundraising.
56. Eleven (11) members shall constitute a quorum and the affirmative vote of the majority of the members present shall be required for passage of any matter before the Commission.

Section 9. That the Chandler City Code, Chapter 30 Property Maintenance Ordinance, Section 30-16 Neighborhood Advisory Committee, is hereby renumbered to read as follows (additions in ALL CAPS, deletions in strikeout):

~~30-162-29~~. Neighborhood Advisory Committee.

A. *Established.* There is hereby established a Neighborhood Advisory Committee, consisting of seven (7) members appointed by the Mayor, subject to the approval of the City Council. These members shall be selected in such a manner that they provide for a broad based geographic representation from all areas of Chandler. These members shall be qualified electors of the City and a resident of the City for at least one (1) year immediately preceding the date of the member's appointment.

B. *Terms of office.* The terms of office for members of the Neighborhood Advisory Committee shall be for three (3) years. All such terms shall expire on the first day of May of the year in which such term is due to expire. A vacancy in office during the term shall be filled in the same manner as the original appointment, and the newly appointed member shall serve out the remaining term of the member whose vacancy is being filled.

C. *Officers and bylaws.* The Neighborhood Advisory Committee shall elect its own officers at the first meeting following the first day of May of each year. The City Manager or designee shall act as Secretary of the Committee but shall not be allowed to vote. No officer elected by the Committee shall serve in the same capacity for more than two (2) consecutive one-year terms. The Committee may adopt bylaws which may, among other things, set forth the time and place of meetings and such operating procedures as may be recommended by the City Manager. All bylaws and any amendments thereto shall be subject to City Council review and approval.

D. *Powers and duties generally.* The Neighborhood Advisory Committee is an advisory committee to the Mayor and Council. The powers and duties of the Neighborhood Advisory Committee shall be:

1. To recommend the establishment of additional neighborhood focus programs for assisting neighborhoods to organize; to help develop steps by which neighborhoods can help themselves; and to make recommendations on maintaining and enhancing neighborhood programs;
2. To review and recommend revisions to the City Code in order to ensure the City Codes are up to date, applicable to conditions in Chandler, clearly understandable, and enforceable; continually monitor accomplishments and performance standards;
3. To recommend programs which will educate Chandler residents as to the importance and benefits of neighborhood stability;
4. To evaluate and assist in developing incentives for building collaborative public—private partnerships to improve and maintain neighborhoods;
5. To develop recommendations for programs to enhance participation in neighborhood activities;
6. To hold public meetings on specific programs and projects as may be necessary; and
7. Such other powers or duties as may from time to time be recommended by the City Manager, with the approval of the City Council.

Section 10. That the Chandler City Code, Chapter 31 Community Services, Section 31-25 Parks and Recreation Board, is hereby amended to read as follows (additions in ALL CAPS, deletions in ~~strikeout~~):

~~31-252-30.~~ **Parks and Recreation Board.**

A. *Parks and Recreation Board.* There is hereby created, constituted and established a Parks and Recreation Board of the City of Chandler. The Parks and Recreation Board shall consist of seven (7) members. The seven (7) members shall be appointed by the City Council. All seven (7) of the regular members of the Board must be qualified electors of the City of Chandler and have been a resident of the City for at least one (1) year immediately preceding the date of appointment.

B. *Term of office.* Pursuant to Section 6.01 C of the Charter of the Chandler, the term of office for the regular members shall be for three (3) years. Terms are to be staggered so that no more than three (3) members are replaced each year. The City Council shall fill a vacancy in office during a term for the unexpired term.

C. *Officers.* The Parks and Recreation Board shall elect its own officers at the first meeting following the first of May of each year. The Community Services Director shall act as liaison to the Board but shall not be allowed to vote. No officer elected by the Board shall serve in the same capacity for more than two (2) consecutive one-year terms.

D. *Powers and duties generally.* The powers and duties of the Board shall be as follows:

1. To adopt such rules of procedure necessary to perform its duties.
2. To review fees, charges and prices for recreational services and use of facilities in accordance with the Community Service Department Fee Policy and Procedure of the City of Chandler, and recommend changes to the City Council as needed or as requested by the City Council or the City Manager, through the Community Services Director. Fees shall be approved and adopted by the City Council.
3. To assist and advise the Community Services Director in matters relating to parks and recreation ordinances, policies, rules and regulations relating to the operation, use, care and maintenance of Department Parks and Facilities.
4. To assist and advise the Director regarding the planning, acquisition and disposition of Department Facilities.
5. To assist and advise the Director on matters relating to the Chandler Youth Sports Association (CYSA).
6. To assist and advise the Director on the development of a master plan for the City's Parks, Facilities and its recreational programs. The City Manager through the Community Director shall from time to time send such plans and programs to the Board for its review. The results of such reviews, along with any recommendations from the Board, shall be forwarded to the City Council.
7. To assist and advise the Director in establishing priorities during the City's budget process as authorized pursuant to the Chandler City Charter and state law for those items, other than administrative functions, relating to the Parks Division and the Recreation Division. The

recommendations of the Board shall be forwarded to the City Council by the City Manager when the proposed budget is submitted to the Council.

8. To receive, accept and acquire, subject to the recommendation of the Director and final action by the City Council, by gift, bequest or devise, real and personal property of any kind, nature or description in the name of the City, for park and recreational purposes subject to the terms of the gift, bequest, or devise.

9. To recommend the creation of other committees appointed by the Chandler City Council deemed helpful to the development of parks, recreation programs, or the operation of the Community Services Department.

10. In accordance with the park naming criteria, recommend names to the Chandler City Council for Community Service Parks and Facilities.

~~11. To recommend to the City Council, the name of individuals and/or groups to be memorialized in Celebration Plaza.~~

11. Upon the request of the Mayor, the Parks and Recreation Board will suggest to the Mayor and Council qualified and interested person(s) eligible for appointment for Board vacancies.

Section 11. That the Chandler City Code, Chapter 36 Neighborhood Resources, Section 36-5 Public Housing Authority Commission, is hereby amended to read as follows (additions in ALL CAPS, deletions in strikeout):

~~36-52-31. Chandler Public Housing Authority Commission.~~

There is hereby established the Chandler Public Housing Authority Commission, which shall consist of eight (8) members. Each member of the Chandler City Council, while rightfully holding office as a council member or as Mayor, shall automatically serve as a member of the Commission. The eighth member of the Commission shall be the resident commission member, who shall be appointed by the Mayor, subject to approval of the Chandler City Council.

~~36-52-31.1. Resident commission member eligibility.~~ A person who is a citizen and elector of the City is eligible to be a resident commission member if the person: (a) is directly assisted by the federal public housing or rental assistance programs administered by the City, either by being a resident of a City public housing project or by being a recipient of housing assistance in the City's tenant-based Section 8 program; (b) is expressly named in the lease for City public housing or for City administered Section 8 housing; and (c) is eighteen (18) years of age or older.

~~36-52-31.2. Resident commission member term.~~ The resident commission member shall serve a term of three (3) years, provided, however, a member shall continue to serve until a successor has been duly appointed and qualified. The resident commission member shall serve no more than two (2) consecutive terms on the PHA Commission, but may be re-appointed after the lapse of three (3) years from the end of the previous term. A resident commission member who ceases to be directly assisted by the federal public housing or rental assistance programs administered by the City may complete his or her current term on the Commission, but shall not be re-appointed to any additional term as the resident commission

member. The resident commission member shall not hold any other office or employment with the City, except for serving as a member of the Housing and Redevelopment Committee.

~~36-52-31.3.~~ *Resident commission member duties.* The resident commission member is a full member of the Commission and shall take part in decisions related to the administration, operation, and management the federal public housing or rental assistance programs administered by the City, including the City's Section 8 tenant-based rental assistance programs. The resident commission member may not be excluded from participating in any matter before the Commission on the grounds that the resident commission member's lease for City public housing, or the resident commission member's status as a public housing resident or recipient of Section 8 tenant-based assistance, either results or may result in a conflict of interest, unless the matter is clearly applicable to the resident commission member only in a personal capacity and applies uniquely to that member and not generally to residents or to a subcategory of residents.

~~36-52-31.4.~~ *PHA Commission power and duties.* The Chandler Public Housing Authority Commission shall be the final governing authority for matters related to the administration, operation and management of the federal public housing and rental assistance programs administered by the City. The powers and duties of the Commission shall be:

- A. To administer, operate and manage the federal public housing programs and rental assistance programs administered by the City;
- B. To, within its area of operation, exercise the specific powers enumerated in A.R.S. Section 36-1403, except as otherwise reserved herein or by applicable law to the Chandler City Council;
- C. To adopt rules and procedures not inconsistent with this Code or applicable law for the conduct of its business;
- D. To perform such other duties as may from time to time be approved by the Chandler City Council.

~~36-5.5.~~ *PHA Commission limitations.* The Commission's authority is limited to those matters enumerated above. More specifically, the Commission:

- A. Has no authority in matters that involve non-federal types of housing assistance (such as State financed housing assistance);
- B. Has no authority in matters that do not involve housing assistance;
- C. May not levy or impose any tax or other assessment against the taxpayers of the City of Chandler;
- D. May not borrow money, issue bonds or acquire real property through the exercise of eminent domain.

~~36-5.6.~~ *Officers, bylaws/RULES OF PROCEDURE, voting, staffing.* The Mayor shall designate which of the commissioners shall be chairman and vice-chairman, respectively. The Commission may adopt bylaws OR RULES OF PROCEDURE that may, among other things, set forth the time and place of meetings and such operating procedures as may be desired. A majority of the authorized members of the Commission constitutes a quorum for

all purposes. If a meeting of the Commission is duly noticed and a quorum is present, action may be taken by the Commission on a vote of a majority of the commissioners present. The Housing and Redevelopment Manager or a designee shall staff the Commission.

Section 12. That the Chandler City Code, Chapter 49 Transportation Commission, Section 49-4 Powers and duties generally, is hereby amended to read as follows (additions in ALL CAPS, deletions in strikeout):

49-42-32. Powers and duties generally.

The transportation commission is an advisory commission to the Mayor and Council. The powers and duties of the Transportation Commission shall be:

A. To advise the Mayor and City Council concerning community transportation policy issues including freeway, arterial streets, public transit, bicycle and pedestrian issues.

B. To review, monitor, and propose changes to the Transportation MASTER PLAN, ~~study,~~ transit AND ACTIVE TRANSPORTATION STUDIES AND PROJECTS, , ~~bicycle plan~~ and other similar community transportation studies.

~~C. To assist and advise the Transportation Policy Manager or designated City Engineer in establishing priorities for budget time for those items, other than administrative functions, relating to transportation programs and projects. The recommendations of the commission shall be forwarded to the City Council by the City Manager when a tentative budget is submitted to the City Council.~~

~~D. To work with transportation staff to develop and recommend criteria to guide neighborhood traffic mitigation programs and projects.~~

CE. To act as a forum for communication, education, and dialogue with Chandler citizens on transportation issues.

Section 13. Providing for Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed.

Section 14. Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona this 9 day of December, 2021.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this 13 day of January, 2022.

ATTEST:

Dana R. DeLong
CITY CLERK

Kevin Harthe
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4983 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 13 day of January, 2022, and that a quorum was present thereat.

Dana R. DeLong
CITY CLERK



APPROVED AS TO FORM:

Rosemary Rosales
CITY ATTORNEY

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REFERENCED EXHIBIT(S) AND/OR ATTACHMENT(S) ON FILE AT THE CITY CLERK'S OFFICE.