



**CHANDLER**  
arizona

# **Board and Commission**

**Member Handbook**

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## **Congratulations on being appointed as a City of Chandler Board or Commission member!**

The Chandler City Council thanks you for your participation in the governing process of our community. As a citizen volunteer serving on a Board or Commission you are a member of a select group. Citizen input and participation is a valuable asset to any government organization and assists the City Council with its goals and decision-making, benefiting the community as a whole.

Being a Board or Commission member takes a commitment of time and hard work, but it will be an exciting and rewarding experience as you help shape the future of our community. This handbook will help prepare you in serving as a member of the City of Chandler's Boards and Commissions program.

# About Chandler

The Chandler community was founded by Dr. A.J. Chandler on May 17, 1912. In 1920, the town's first Charter was drafted and the citizens voted to incorporate and become the Town of Chandler. In 1954, the status of Chandler was upgraded from town to City. On May 25, 1964, the Code containing the Charter and the General Ordinances of the City was adopted.



**Dr. A. J. Chandler**

## Form of Government

The City of Chandler operates under a Council-Manager form of local government. Under this model, the Mayor and Council provide leadership and formulate the laws and general policies of the City. The Council appoints a professional manager to serve as the chief administrative officer. The Mayor, Council, and City Manager work together to provide city services.

## City Council

The City Council consists of a Mayor and six Councilmembers. A person is eligible to hold office if they are a qualified elector, a resident of the City or annexed area for at least two years immediately preceding the election, and hold no other public office. All Councilmembers represent all areas of the City at large.

Policy making and all other powers of the City are vested in the Council, except as otherwise provided by law or the Charter. The Council must provide for the performance of all duties and obligations imposed on the City by law.

The term of office for the Mayor and Councilmembers is four years or until their successors are elected and qualified. No one is eligible for the same office after two consecutive terms and cannot hold office again for four years. Within 30 days after taking office, the Council elects a Vice Mayor to act as Mayor in the temporary absence or disability of the Mayor.

# Appointed Officials



## **City Manager - John Pombier**

The City Manager is the City's administrative head who implements Council policies and directives and makes recommendations to the Council on measures necessary for the efficient and effective operation of municipal services. It is the City Manager's responsibility to direct the preparation of the annual budget, oversee the City's day-to-day operation, and direct employees.



## **City Attorney - Kelly Schwab**

The City Attorney serves as chief legal advisor to the Council, City Manager, and all City departments. The City Attorney represents the city in all legal proceedings and provides legal opinions to Council and staff concerning matters which are in the city's interest.



## **City Clerk - Jennifer Ekblad**

The City Clerk conducts City elections, maintains the City's permanent records regarding the City Code and City Council actions, and administers the Board and Commission Program. The City Clerk's Office preserves legal documents and is the source of information on City Council legislation and actions.



## **City Magistrate - Alicia Skupin**

The Presiding City Magistrate is the presiding officer over the Chandler Municipal Court. The function of the Court is to promptly and fairly process all criminal and traffic violations filed and effectively obtain compliance of the Court's orders. The Court facilitates mediation of neighborhood disputes and issues Harassment Injunctions and Orders of Protection. Judges in the Municipal Court also serve as juvenile hearing officers.

# Who We Are



## City Council

**Back row:** Councilmember Matt Orlando, Councilmember OD Harris, Councilmember Jane Poston, Councilmember Jennifer Hawkins

**Front row:** Councilmember Christine Ellis, Mayor Kevin Hartke, Vice Mayor Angel Encinas

## Our Vision

We are a world class city that provides an exceptional quality of life.

## Our Brand

A safe, diverse, equitable and inclusive community that connects people, chooses innovation and inspires excellence.

## Future Focus

Planning and wise investments position Chandler for the future.

City Council's focus areas provide the strategic planning framework of priorities that guide the city's decision making.

Each focus area highlights ways we are focused on the future.

## Focus Areas

City Council has identified six focus areas as priorities for innovation and investment.



Community Safety



Connectivity



Economic Vitality



Neighborhoods



Quality of Life



Sustainability and Technology

# About Boards and Commissions



## Creation

The City Charter authorizes the Council to create boards, commissions, or citizens' committees as, in its judgment, are required to provide guidance, advice or implement policies in the community. Boards and Commissions may be granted power and duties that are consistent with the Charter. The Council establishes the rules and regulations governing the Boards and Commissions and ratifies their bylaws.

## Current Boards and Commissions

Airport Commission	Mayor's Committee for People with Disabilities
Arts Commission	Mayor's Youth Commission
Board of Adjustment	Merit System Board
Board of Appeals	Military and Veterans Affairs Commission
Citizens' Panel for Review of Police	Municipal Property Corporation
Complaints and Use of Force	Museum Foundation Board
Cultural Foundation Board	Neighborhood Advisory Committee
Design Review Committee	Parks and Recreation Board
Domestic Violence Commission	Planning and Zoning Commission
Economic Development Advisory Board	Public Housing Authority Commission
Health Care Benefits Trust Board	Public Safety Fire Personnel Retirement Board
Historic Preservation Commission	Public Safety Police Personnel Retirement
Housing and Human Services Commission	Board
Human Relations Commission	Transportation Commission
Industrial Development Authority	Workers' Compensation and Employer Liability
Library Board	Trust Board

# About Boards and Commissions



## Selection

Citizens must submit an online application.

Board and Commission Staff Liaisons coordinate Board and Commission appointments and work with the City Clerk's Office regarding vacancies, applications, and contact information for Board and Commission members. The Mayor reviews each Board and Commission vacancy and makes nominations as necessary.

Applications are kept on file for two years. After that time, an applicant will need to reapply if there is continued interest in serving. All information submitted in an application is a public record and is subject to disclosure in response to a public records request.

## Appointment

The Mayor nominates all Board and Commission members with the approval of the Council. Councilmembers may be appointed to serve on a Board or Commission in an ex-officio, nonvoting capacity. The Council can remove Board and Commission members.

## Term of Office

Terms of office for Board and Commission members is three years and most expire April 30. After the initial term limit, members may be appointed for additional terms. Most of the Boards and Commissions require members to be a resident of Chandler for at least a year, a registered voter, and committed and able to attend the meetings. Please review each Board or Commission for specific information on term limits, additional terms, and other requirements.

# Roles



## Members

Board and Commission members are representatives of the City, and the members must preserve order and decorum. A member shall not interrupt, refuse to obey the orders of the presiding officer, or delay the proceedings or peace of a meeting.

Members should act in a professional manner at meetings when representing the City, even when different ideas and opinions are presented. Be aware that opinions publicly expressed by an individual member reflects only the individual's view. Exercise caution to avoid statements being construed as promises or binding upon the duties of the office.

Board and Commission members should never use their position as a means for making private profit, dispensing special favors or privileges, or accepting gifts that could be construed as influencing the performance of official duties. Any gifts accepted must be reported to the Staff Liaison. Members should also avoid negotiations involving the purchase or sale to the City of land, goods, or materials while acting in the capacity of a public official.

## Staff Liaisons

Staff Liaisons provide members with education and guidance on policies, procedures, codes, bylaws, or other documents needed to fulfill their duties. They provide administrative support such as preparing meeting agendas and minutes, reports, and related materials. Staff Liaisons also ensure compliance with Open Meeting Laws during the meeting and consult with the City Attorney and City Clerk regarding statutory compliance.

Board or Commission members may not direct staff in the performance of their Board or Commission related activities, assign projects or direct their work. A Board or Commission member may request staff assistance on various projects; however, the City Manager must approve all requests which create a substantial demand.

# Open Meeting Law Guidelines

In order for a meeting to occur, a **quorum** of members must be present. A quorum is equal to half of the total number of members plus one. If a quorum is not in attendance the meeting cannot be conducted. In cases where a quorum is present at the beginning of the meeting but is lost during the meeting, the meeting must end at the departure time of the member whose absence results in the lack of a quorum.

Discussion is limited to public sessions in keeping with the spirit of the Open Meeting Law. This means that the public's business is to be conducted in public. Practices such as polling individual members to reach a decision prior to the meeting are prohibited. Information and materials that a member wishes to share with members of their Board or Commission should be provided to the Staff Liaison for distribution at an open meeting or distributed by the member at an open meeting with sufficient copies for those in attendance.

Communications can occur among Board or Commission members in a variety of ways other than a public meeting: face-to-face, in writing, over the phone, and through email. The Arizona Attorney General's Office prohibits the use of email between a quorum of the members where public matters are discussed. These email discussions are considered a meeting, in violation of the Open Meeting Law. Anyone involved in sending messages back and forth that discuss possible action or propose a formal action may be breaking the law.

Public officials should refrain from any activities that undermine public confidence in the public decision making process including actions that appear to remove discussions and decisions from public view. All meetings of a public body shall be public, and all persons desiring to attend shall be permitted to attend and listen to the proceedings. The public has a right to attend, listen, tape record, or video tape any public meeting.

The Open Meeting Law does not prohibit a member of a public body from voicing an opinion or discussing an issue with the public either at a venue other than a public meeting or through news or social media outlets if:

- The opinion or discussion is not principally directed at or directly given to another member of the public body
- There is no concerted plan to engage in collective deliberation to take legal action

# Open Meeting Law Violations

Any action taken in violation of the Open Meeting Law is void. The Attorney General or County Attorney's Office may investigate a complaint alleging a violation and conduct an investigation. The Attorney General or County Attorney can inspect all documents, require any person to submit a report or make a statement, and issue investigative demands for production of documents. If a public body or officer refuses, the Attorney General or County Attorney may go to court to get an order for enforcement.

Upon finding that a public officer has violated the Open Meeting Law, a court may impose a civil penalty not to exceed \$500 for each violation against the person who violated the law or knowingly aids, agrees to aid, or attempts to aid another person in violating the Open Meeting Law. If the court determines that the public officer intended to deprive the public of information, a court may remove the public officer from the office and assess all costs and attorney fees awarded to plaintiff in pursuing the action. The municipality may not expend public monies to retain legal counsel to provide legal services to the public body or officer unless the public body takes legal action at a public meeting to approve the expenditure.



## Required Training

All Board and Commission members must read the Open Meeting Law materials prepared by the Arizona Attorney General's Office prior to taking office.



# Public Records Law

The law defines **records** as books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any government agency in pursuance of law or in connection with the transaction of public business. The City's records are the property of the State which requires that records be maintained in accordance with the laws, standards, and requirements developed by the Arizona State Library, Archives, and Public Records. The laws governing records disclosure require a municipality to permit examination and reproduction of records to protect the public's right to know.

The Staff Liaison and City Clerk's Office are responsible for maintaining records of the Boards or Commissions such as agenda, minutes, agenda packets, and other materials submitted. These records are permanent records. Members may dispose of their own copy of the agenda after the meeting. If a member keeps notes on agenda packets and retains them, they are subject to disclosure if the City receives a public records request or a subpoena. If you receive a request for a public record, please contact your Staff Liaison.

Email may be used to transmit documents and may be a record. Board and Commission members must exercise extreme caution in the use of email if communicating with other Board and Commission members and must forward all emails that are records to the Staff Liaison for retention. Whenever creating documents presume they will be public records available for inspection, copying, and printing. Do not tamper with a public record by destroying it, backdating it, hiding it, altering it, or otherwise falsifying it.

# Conflict of Interest Law

**Conflict of Interest laws** are primarily written to protect the public's interests, but they also provide protections for the public agency and for you. The Conflict of Interest Law applies to all public officers, including Board and Commission members, employees of cities and towns, and their relatives. These laws are uniform statewide.

Because there are severe penalties for violating the Conflict of Interest Law, you should be alert to this possibility and make all reasonable efforts to identify potential conflicts.

The first question to ask in any matter that comes before you is if you have a **pecuniary interest**: any matter where you stand to gain or lose something of value from the decision.

If you have a pecuniary interest, determine whether your interest is a remote interest. A remote interest is any of the following:

- The interest of a non-salaried officer of a non-profit corporation.
- The interest of an attorney of a contracting party.
- The ownership of less than three percent of the shares of a corporation for profit.
- The interest of a public officer or employee in being reimbursed for his actual and necessary expenses incurred in the performance of official duty.
- The interest of a recipient of public services generally provided by the City.
- The interest of a member of a trade, business, occupation, profession, or class of persons consisting of at least ten members which is no greater than the interest of the other members of the trade, business, occupation or profession or class of persons.

If the interest fits into one of the above exceptions, you do not have a conflict of interest.

If your pecuniary interest does not fit one of the above exceptions, then consider if you have a **substantial interest**. If you have a substantial interest you cannot take part in any discussion or action involving that matter. You do not have to resign from the Board or Commission; however, you must make your substantial interest known.

# Board and Commission Meetings

Meetings are regularly held as determined by the individual board or commission or in accordance with their bylaws. As a Board or Commission member it is important to regularly attend meetings and communicate to the Staff Liaison or Chair if you are unable to attend a meeting, as this will affect the quorum. Any Board or Commission member who fails to attend three consecutive regular meetings without being excused is liable to be removed from office. Meeting locations may be in person, virtual, or both as long as the public has access to the meeting. Members should inform the Staff Liaison if they intend to attend a meeting virtually or telephonically.

The powers and duties of each public body are typically laid out in its bylaws, or in its establishing ordinance. Discussion at meetings should be relevant to the powers and duties of the public body.

Meeting agendas are posted online a minimum of 24 hours before the meeting and contain information on where and when the meeting is, as well as what the Board or Commission will discuss at the meeting. The public body may discuss only those matters listed on the agenda - if something not specifically listed on the agenda is brought up during a meeting, it is best to stop discussion until it can be added to a future agenda for discussion. If an action is taken at a meeting on an item not on the agenda, the action is void. The agenda should list agenda items clearly, and have all necessary attachments visible to the public and public body members. The City of Chandler posts agendas digitally at [chandleraz.gov/agendas](http://chandleraz.gov/agendas).

The Chairperson serves as the presiding officer, facilitates public meetings, and coordinates with the Staff Liaison on agenda items and logistical issues. Each matter of business is called in the order listed on the agenda, following parliamentary practice, and supporting evidence is presented to the Board or Commission. In the event the Chairperson is absent the Vice Chair assumes their duties.

# Types of Meetings

## Regular Meeting

These meetings are scheduled at the end of the year for the following year or determined by the Board or Commission's bylaws. Action by the Board or Commission is taken at these meetings.

## Special Meeting

These meetings can be held for any purpose on the call of the Chair or the request of two or more members and action can be taken.

## Study Session

These meetings are held when it is necessary to study or discuss a subject that may be voted on at a later date. A request for a study session is made to the Staff Liaison. No action is taken.

## Work Session

These meetings are to learn more about a specific subject and provide direction to staff. No action is taken.

## Executive Session

The Board or Commission may request, through the Staff Liaison, that the City Attorney schedule an executive session closed to the public during a regular or special meeting. The City Attorney will determine if the matter is authorized by law to be discussed in executive session.

## Subcommittee

Subcommittees may be formed by a Board or Commission to make recommendations to the Board or Commission at large. These committees must follow all Open Meeting Law requirements.

## Special Event

A quorum of a Board or Commission may attend a conference, social event, or similar activity and must exercise caution to ensure Open Meeting Law violations do not occur. These events are not considered meetings.

# Order of Business

## Call to Order

The Chair calls the meeting to order, ensures the meeting stays on track, and everyone has the opportunity to speak in a fair and orderly manner.

## Roll Call

Before proceeding with the meeting, roll call is taken by the Staff Liaison and attendance is entered into the minutes. After roll call, the Chair and Staff Liaison confirm if a quorum is present. If a quorum is not met, then no actions are taken except to adjourn the meeting.

## Scheduled Public Appearances

A member of the public may request to be placed on the agenda before it is published to address a certain topic. The board or commission members may engage in discussion regarding the topic but cannot take action. Members may request the topic be placed on the next agenda for further discussion, action, or may ask staff to follow up with the member of the public.

## Unscheduled Public Appearances

A member of the public may speak at any public meeting with a time limit at the discretion of the Chair. Members cannot engage with the member of the public or comment. Members may respond to criticism made by members of the public, request the topic be placed on the next agenda, or ask staff to follow up on the matter.

## Consent Agenda

Items on Consent Agenda may be acted upon in one motion and vote. Questions and comments can be made on the items before a vote is taken. Members may ask to move any of the consent items to the action agenda for separate discussion and consideration. A member may vote no on an item on Consent Agenda but yes to all other items.

## Action Agenda

Items on Action Agenda are discussed and considered individually with separate motion and votes for each item. Staff and the public may present information for or against the item and discussion can be held before a vote is taken.

# Order of Business

## **Briefing Item**

Items listed under briefing may include a staff or member presentation. This section can be used for information being presented to the board or commission.

## **Discussion Item**

Items listed under discussion may include a staff or member presentation and may result in discussion on the topic. This section can be used for the Board or Commission to provide direction to staff regarding the topic. No formal action can be taken, only direction can be given on a matter that may appear on an agenda at a later date.

## **Member Comments**

This section is for any members to make comments or announcements, such as upcoming events or items of interest and no discussion or action is taken.

## **Calendar**

This states the next meeting date and any upcoming events.

## **Informational**

These items are for informational or administrative purposes and do not require discussion or action.

## **Adjourn**

The Chair will adjourn the meeting. A motion and vote does not need to be taken unless this is listed specifically in the Board or Commission's rules of procedure or bylaws. A meeting can be continued so long as the reconvening time and place is announced before adjournment and additional notice is provided.

# Acting on Agenda Items

The only required actions to make an item valid are a **motion**, a **second**, and a **vote**. Intent must be clear and those who vote on the matter must clearly understand the intent.

## Motions

A motion to adopt or approve staff recommendations or simply to approve the action under consideration, unless otherwise particularly specified, includes adoption of all proposed findings and execution of all actions recommended in the staff report on file in the matter.

When a motion in favor fails to receive an affirmative majority vote (or a tie vote) it is entered into the minutes as a motion that failed for lack of majority. If there is no motion, or the motion dies for lack of a second, it is entered into the minutes as a motion that failed for lack of consideration.

If a motion is plainly made, a second to the motion is placed on the record, and the voting participants understand the effect of their vote and support the outcome of the motion, it will stand up on its own even if it does not exactly follow parliamentary practice.

The chair can ask the body for a motion, and any member of the body can read the proposed motion of the related item. A member would then state they are seconding the motion. Then, the chair would take a vote of the body as a whole, and members may vote in favor or against the proposed motion. This is most commonly done through asking all those in favor to say aye.

## Voting

A majority vote of the Board or Commission members present is required to take official action such as the adoption of policy or recommendations. Each member is entitled to one vote. No member is excused from voting except on matters involving consideration of their own official conduct or due to a conflict of interest in which they must disqualify themselves and abstain from voting.



# Acting on Agenda Items

## **Amendments**

No more than one amendment to a main motion is permitted. When an amendment is before the Board or Commission, they vote on the amendment first. After the amendment has passed or failed, the Board or Commission votes on the main motion.

## **Motion to Table**

This motion is to temporarily bypass the subject. A motion to lay on the table is non-debatable and precludes all amendments or debate of the subject under consideration. If the motion prevails the matter may be “taken from the table” at any time before the end of the next regular meeting.

## **Motion for Previous Question**

This motion is to close debate on the main motion and no further discussion is permitted until the motion is acted upon. If the motion fails, debate is reopened; if motion passes, then the Board or Commission votes on the main motion.

## **Division of Question**

If the question contains two or more divisible propositions, the Chairperson may, or upon successful motion of the Board or Commission, divide the question.

## **Withdrawal of Motion**

A motion may not be withdrawn by the mover without the consent of the member seconding it.

## **Motion to Reconsider**

A motion to reconsider must be made by one on the prevailing side but may be seconded by any member. A question failing because of a tie vote may be reconsidered by motion of any member of the Board or Commission.

# Forms

The following documents must be filed at least 24 hours before your first meeting. The City Clerk's Office will send an electronic packet for your review and signature after your appointment to the Board or Commission is confirmed or you may complete the forms attached and file them in the City Clerk's Office. If you have any questions, please contact the City Clerk's Office or your Staff Liaison.

## **Anti-Harassment Policy**

On May 24, 2018, the Council adopted Resolution No. 5166 which adopted the City's Anti-Harassment and Anti-Bullying Policy which applies to Board and Commission members. Please read Resolution No. 5166 and the Anti-Harassment and Anti-Bullying Policy, and sign the acknowledgment form.

## **Arizona Attorney General Open Meeting Law Handbook**

Please read the handbook and sign the acknowledgement located on the Oath of Office form.

## **Board and Commission Bylaws**

Please read the bylaws, if applicable, for your Board of Commission located on the public body's webpage.

## **Contact Information**

If your contact information has changed since your application, please contact the City Clerk's Office at 480-782-2181, or by emailing [BdCommGroup@chandleraz.gov](mailto:BdCommGroup@chandleraz.gov) and your staff liaison.

## **Resignation**

If for any reason you are not able to serve through your entire term, please notify your staff liaison in writing.

# **Board and Commission Member Handbook**

