

CHAPTER 4 BOARDS AND COMMISSIONS

ARTICLE 4-1 In General

- 4-1-1 Powers of Council
- 4-1-2 Membership
- 4-1-3 Appointment
- 4-1-4 Term in Office
- 4-1-5 Removal from Office
- 4-1-6 Duties

Section 4-1-1 Powers of Council

- A. The council may create such boards and commissions, standing or special, as it deems necessary. In addition, the council may provide such aid and assistance from the administrative staff of the city to any such board or commission as may be necessary.
- B. Any such boards and commissions created by the council shall be responsible to the council and shall function in an advisory capacity to the council.
- C. Any such boards and commissions created by council shall be subject to all criteria in Articles 4-1 and 4-2 unless otherwise noted in Article 4-3.¹

Section 4-1-2 Membership²

- A. All boards and commissions of the city shall have a minimum of three (3) members and a maximum of seven (7) members unless otherwise required by law.
- B. Each board or commission shall as nearly possible have an integrated or balanced membership with representatives of each race, sex and geographical area of the city.
- C. The council shall in making such appointment take into consideration each person's knowledge, background, interest, experience and availability of time to perform the work and duties of such board or commission. The applicant's political affiliation shall not be considered in making such appointment.
- D. No member of any board or commission may concurrently serve on any other board or commission of the city, except for the Personnel Advisory Board.
- E. All members shall be bona fide residents of the city.³

¹ ADDED Section 4-1-1 (C)

² AMENDED Section 4-1-2

³ AMENDED Section 4-1-2 (E)

Ordinance 99-19

Ordinance 13-06

Ordinance 99-02

Adopted 12/13/99

Adopted 04/22/13

Adopted 03/22/99

- F. All members shall serve without pay or compensation, except that a member shall be reimbursed for his actual and necessary expenses incurred in the performance of his official duties, provided that such expenses are approved by the council prior to being incurred.

Section 4-1-3 Appointment

- A. All members of such boards and commissions shall be appointed by the council.
- B. Upon vacancy occurring on any board or commission for any reason, a new member shall be appointed by the council of the city to fill only the un-expired term.

Section 4-1-4 Term in Office

- A. Appointment to any board or commission of the city shall be for a term of two (2) years. Any member of a board or commission may be removed at any time before the expiration of his term upon the majority vote of the council of the city at any regular meeting at which the quorum is present and such removal was placed upon the agenda as a regular item for consideration and voted upon at such meeting. This section shall apply to new members or members reappointed after the effective date hereof, and shall have no applications to those members presently on boards or commissions of the city whose terms have not expired on the effective date of this code.
- B. Notwithstanding the provisions of subsection A above, the council shall initially appoint members to each board or commission of the city so that members shall have overlapping terms, that is, three members terms shall expire on January 1st in the odd numbered years and four members terms shall expire on January 1st in the even number of years.
- C. Each member shall serve until his successor is duly appointed and qualified.
- D. Before the council shall appoint any new member to any board or commission, such board or commission shall recommend to the council for its consideration at least one qualified person for each vacant office. Such recommendations shall be advisory only and shall not bind the council to make such appointment. Each board or commission shall make recommendations in writing prior to thirty (30) days before the expiration of a regular members term or within thirty (30) days after a vacancy otherwise occurs,

and in the event that the board or commission should fail or neglect to make such recommendation within said periods, then the council shall be free to appoint any qualified person to fill the vacancy on such board or commission.

4-1-5

BOARDS AND COMMISSIONS

4-1-6 (C)

Section 4-1-5 Removal from Office

Any one of the following shall constitute the resignation of a member and authorize the appointment of a new member to fill the un-expired portion of the term so vacated.

- A. Absence from three (3) consecutive regular meetings of said board or commission.
- B. Ceasing to be a qualified member as stated in Section 4-1-2.¹
- C. Insanity when judicially determined.
- D. Conviction of a felony or an offense involving a violation of his official duties.

Section 4-1-6 Duties

- A. Each board or commission shall have such powers or duties as prescribed by the statutes and laws of the state pertaining to such board or commission, this chapter, and as prescribed by the council.
- B. Any matters within the jurisdiction of any board or commission shall be presented to such board or commission for its consideration. Said board or commission shall make a written report and recommendation on such matters to the council within fifteen (15) days after completing its hearing, provided, that in the event the council requests the report, then said board or commission shall make its report within seven (7) days after such request. The council shall not take any action on any matter within the jurisdiction of any board or commission of its report and recommendations, provided, such recommendations are not binding upon the council and are advisory only.
- C. The mayor, council or city manager of the city shall have the right to refer matters within the jurisdiction of the board or commission for consideration, report and recommendation.

¹ AMENDED 4-1-5 (B)

Article 4-2 RULES OF PROCEDURE

- 4-2-1 Officers, Terms of Office
- 4-2-2 Meetings
- 4-2-3 Regulations
- 4-2-4 Conflicts of Interest
- 4-2-5 Resignations
- 4-2-6 Applicability

Section 4-2-1 Officers, Term of Office

Each board or commission shall select from its members a chairman, vice-chairman and secretary. Said officers shall serve a term of one (1) year and no such officer shall be eligible to succeed himself in that office. If a vacancy should occur then a new chairman, vice-chairman or secretary shall be selected at the next regular meeting after the occurrence of such vacancy to fill the unexpired term. The term of office for the chairman, vice-chairman and secretary shall expire on January 1st of each year and there replacement shall be at the first regular meeting of the board or commission following the said expiration date. The chairman shall be the executive officer of the board or commission and shall preside over the meetings and hearings of the commission or board. The secretary shall cause minutes of the meetings and hearings to be kept showing the vote of the members on each question and other official actions of the commission or board. Said minutes shall be a public record and shall be filed in the office of the city clerk. In the absence of the chairman, the vice-chairman shall preside and have all the powers of the chairman.

Section 4-2-2 Meetings

All members of the boards and commissions of the city shall be open to the public and all persons desiring shall be permitted to attend and listen to the deliberations and proceedings, provided that executive sessions may be held as provided by the laws of the state.

Section 4-2-3 Regulations

- A. Each board or commission shall adopt rules and regulations governing its hearings and procedures. Said rules and regulations shall be approved by the city manager of the city before becoming effective. A copy of said rules shall be filled with the city clerk and shall be available to the public.
- B. No official action shall be taken at any such meeting unless a quorum of the membership is present. A quorum is a majority of the members of the boards or commissions.
- C. An agenda of the matters coming before each regular meeting shall be prepared prior to the meeting and a copy thereof mailed or

delivered to each member of the board or commission in sufficient time so that it will be received at least one day prior to the meeting.

4-2-4

BOARDS AND COMMISSIONS

4-2-6

Section 4-2-4 Conflicts of Interest

Any member of a board or commission who has a conflict of interest as defined in A.R.S. Section 38-501, Etc., shall make known such conflict in the official records of such board or commission and refrain from voting upon or otherwise participating in any manner in such contract, sale purchase or decision.

Section 4-2-5 Resignations

Except as provided in section 4-1-5 hereof, any member may resign from his office provided that such resignation shall be in writing and be directed to the mayor of the city. No resignation shall be effective until accepted by the council.

Section 4-2-6 Applicability

This article shall be applicable to all boards and commissions of the city now existing or hereafter created or established, except where provisions would conflict with any statutes of the state, then said statutes shall govern. This article shall also be applicable to the library board of trustees for the city except any conflict between this article and A.R.S. Section 9-411 to 9-419 shall be governed by said statutes.

Article 4-3 SPECIAL BOARDS AND COMMISSIONS - EXCEPTIONS¹

Section 4-3-1 Exceptions

Special Boards and Commissions must follow all of the criteria under Sections 4-1 and 4-2 with the following exceptions.

A. THE STRATEGIC PLANNING AND ECONOMIC DEVELOPMENT COMMISSION

1. The purpose of the Commission is to guide the implementation of the Coolidge Focused Future Strategic Plan, to supplement the Plan and keep it up to date, to advise the City Council on economic development activities, and to recommend to the City Council needed ordinance and rule changes and courses of action.
2. Membership shall consist of nine (9)² members.
3. No more than two (2) members of this commission may serve concurrently on another city commission or board appointed by Council, or serve concurrently on the city council, so long as no more than one such person from any other one commission, board or council serves on this commission at any time.
4. Five members of this commission shall be bona fide residents of the city; and four members may be bona fide residents of the city; or own a legitimate and operational business within the city; or have a profession and/or interest in the city that would have a positive impact on the Commission's goals and objectives.
5. Appointment to the Strategic Planning and Economic Development Commission shall be for terms as follows:³
 - a. Four members for three years
 - b. Five members for two years
6. The commission may create sub-committees of three members, standing or special, as it deems necessary to advise on certain issues.
7. Any such committees created by the Strategic Planning and Economic Development Commission shall be responsible to the Commission and shall function in an advisory capacity to the commission.

¹ ADDED Section 4-3

² AMENDED Section 4-3 (1-6)

³ AMENDED Section 4-3-1 A (5)

Ordinance 99-19

Ordinance 01-04

Ordinance 03-02

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