

April 13, 2017

MEMORANDUM TO: Honorable Mayor and City Council
THRU: Charles P. Potucek, City Manager
FROM: Jill Adams, City Clerk
SUBJECT: REQUEST FOR AGENDA ITEM
PLACEMENT RESOLUTION 2023-029
Amendment of City Board & Commission
Guidelines

RECOMMENDATION:

The City Manager recommends approval.

INITIATED BY:

Jill Adams, City Clerk

BACKGROUND

On April 13, 2017, Council approved Resolution 2017-026, adopting the Policies and Procedure Guidelines for City Boards and Commissions. These guidelines were intended to provide a resource for the Council Advisory Bodies on operational and statutory matters.

As a result of the Resolution 2023-013 which re-established many of the non-regulatory commissions as Council Advisory Bodies, revisions to the guidelines were needed. The amendments were discussed by Council at the April 4, 2023 work session.

RESOLUTION 2023-029

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY RELATING TO CITIZEN PARTICIPATION IN THE GOVERNMENTAL PROCESS; AMENDING THE COUNCIL GUIDELINES FOR ADVISORY BODIES; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the City Council has created several advisory bodies to assist in the pursuit of good government; and

WHEREAS, general Guidelines were established for these advisory bodies as Exhibit A of Resolution 3685 and amended by Resolution 4415, 4656, 4695, 2007-153; and 2017-026; and

WHEREAS, Resolution 2020-028, approved by Council on May 28, 2020, dissolved several Council Advisory Commissions; and

WHEREAS, Resolution 2023-013, approved by Council on March 23, 2023 re-established most of the non-regulatory commissions as Council Advisory Bodies; and

WHEREAS, it is necessary to update the Guidelines to reflect the changes to the City Commission system.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF SIERRA VISTA, ARIZONA AS FOLLOWS:

Section 1

The City Council policy of citizen participation in the form of advisory bodies is reaffirmed.

Section 2

The guidelines on citizen participation on advisory bodies, last updated by Resolution 2020-035, are hereby amended, and are attached hereto as Exhibit A. These guidelines supersede all previous guidelines and individual bylaws established by the various advisory bodies and are in effect for any advisory body not established by State Statute or governed by Articles of Incorporation.

Section 3

That the City Manager, City Clerk, and the City Attorney or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA THIS 4th DAY OF MAY 2023.

Clea McCaa II
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared by:
Jill Adams, City Clerk

CITY OF SIERRA VISTA

BOARD and COMMISSION

PRACTICE AND PROCEDURES GUIDELINES

Adopted November 9, 2017
Amended June 25, 2020
Amended May 4, 2023



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INTRODUCTION

The City of Sierra Vista has 15 official advisory bodies, which include 9 Council Advisory Commissions, 1 Non-Regulatory Commission, 4 boards, a municipal property corporation, and an industrial development authority. (A Full List of Advisory Bodies is Attached as Exhibit A). The City Council creates advisory bodies and appoints members to provide them with advice and recommendations related to specific subjects. The Non-Regulatory Commission was established at the direction of Council but advises the Economic Development Department rather than Council directly. Following research and discussion, City Council has elected to re-establish most Commissions as Council Advisory bodies after functioning in a non-regulatory capacity for the past three years. These guidelines provide guidance and information to better help the commissions meet the new direction being given by City Council.

These Practice and Procedure Guidelines are designed to assist the members of the City Boards and Commissions, and City Staff by providing:

- (1) top-down guidance to the Commissions on Council expectations
- (2) a source of documentation regarding best practices and procedures
- (3) improved transparency.

Revisions of these Practice and Procedures Guidelines will be made as necessary and will be reviewed by the Council every two years.

ROLES, RESPONSIBILITIES and MEMBERSHIP

The primary role of the boards and commissions is to provide increased public input and citizen participation in the determination of City policies and procedures, and to advise the City Council on matters of importance to the City. More specifically, boards and commissions review and make recommendations to the City Council within their scope of responsibility as defined in the City Code and in the Arizona Revised Statutes. They perform as a citizens' advisory arm of the City Council with a focus on Council Strategic Goals and Objectives and the General Plan.. On specific matters referred by the City Council, the board or commission serves as an important reviewing body of the City.

City Commissions may advise City Council on policy but should not represent themselves as policy-making bodies.

Individual members of commissions may not speak on behalf of a commission without permission of the commission and should be careful that any actions are not perceived as speaking on behalf of the commission.

All Commissions are comprised of five members; Boards vary from five to seven members. Due to the standing membership of the commissions combined to create the Arts, Humanities, and Cultural Diversity Commission, it will initially be comprised of six members. The membership will be reduced to five by attrition. The City Council appoints all voting members of the City Boards and Commissions by resolution of the City Council.

Members of the non-regulatory commissions are appointed by the City Manager pursuant to Administrative Directive CMG-CMG-2020-98.

For the majority of City Commissions, membership eligibility is determined by the location of an individual's residence within the Sierra Vista postal boundaries (Address lists the City as Sierra Vista and includes zip codes 85635, 85650, and 85613). Some commissions and boards (Planning and Zoning Commission, Industrial Development Authority, Personnel Advisory Board, and the Municipal Property Corporation) require residency within the incorporated city limits. Use of a post office box address or business mailing address for membership application is not permitted.

Appointments are made by Council Resolution on the recommendation of the Council Liaison. Input from the Commission Members will be considered but is not required.

Commissioners are expected to attend all regular meetings. Commissions may recommend a commissioner be removed by Council if they repeatedly fail to attend meetings. The removal of a commissioner is not effective until passed by Council Resolution.

Commissions may also have Associate members. Associate members may be part of commissions by vote of the commission, without Council approval. These members do not have voting rights and do not count towards a quorum at meetings. A Commission may vote to approve as many associate members as it deems necessary. Associate members have no restriction on residency and may participate in all discussion and activities of the commission. Associate members may serve for a term of two years from the date of the approval of their application by the commission, must reapply for new terms, and have a term limitation similar to appointed commissions of three consecutive terms.

Each Board and Commission has a Council Member assigned by the Mayor to act as Liaison between the Board or Commission and the City Council. The role of the Council Member is to communicate to the Board or Commission relevant actions of the Council to their Board or Commission and communicate to City Council concerns and issues on behalf of the Board or Commission.

A City Staff member is assigned to each commission. It is the job of the staff liaison to facilitate the business of the commission, provide administrative support, and answer questions. Commissions may request assistance of Staff but cannot assign tasks to the Staff Liaisons.

MEETINGS and WORK SESSIONS

Regular Meetings

City Commissions meet at a regularly scheduled day, time, and location. Commissions meet at least once per quarter. Additional meetings may be scheduled on an as needed basis.

Other Locations

The Commissions may elect to meet at other locations. Upon such decisions, the City Clerk shall give public notice of the date, time, and location of such meeting in accordance with all provisions of Arizona Revised Statutes.

Cancelled Meetings

1. When cancelling a regularly scheduled meeting, a notice will be posted at least 24 hours in advance, as required by the state statutes.
2. Meetings are cancelled when they fall on a legal holiday, there is a lack of a quorum, or there is no business to be considered.

3. The Chairman may choose an alternate date to make up the cancelled meeting if necessary.

4. Work Sessions, Special Meetings, and Committee Meetings

City Commissions occasionally schedule work sessions, special meetings, or establish committee meeting schedules when working on special projects. All meetings of the commission and their committees are subject to the requirements of the AZ open meeting laws.

Commissions can schedule work sessions for discussion and presentations only, and voting is not permitted and a quorum is not required.

Commissions can schedule special meetings if a regular meeting is rescheduled for any reason and contain actionable items for the Commission's consideration.

Notices of Meetings

1. Notices and agendas of meetings and work sessions are posted pursuant to A.R.S. § 38-431.02. The City has designated the following locations as official posting locations for all City notices: City Hall, the Oscar Yrun Community Center, the Sierra Vista Public Library, the Sierra Vista Aquatic Center, and on the City website at <http://www.sierravistaaz.gov/>.
2. The City Clerk's Office prepares and circulates a monthly meeting calendar that includes board and commission meetings.

Quorum

Consistent with City Code § 30.18¹, "A majority of the Commission shall constitute a quorum for transacting business." A Quorum is defined as 50% plus 1 of the authorized positions; for a 5 member commission, the quorum is 3.

Minutes

Each Board or Commission shall record all meetings, work sessions, and committee meetings. The recordings will be filed with the City Clerk's Office within 48 hours of the meeting for posting on the City website.

The recording will be designated the official record of the meeting. Written minutes, if prepared, will be approved by the Commission and will constitute the official record of the meeting.

AGENDAS –

As presiding officer, the Chair is responsible to the Commission for setting the agenda for all meetings and work sessions. Setting the agenda for subcommittee meetings are the responsibility of the chair of the subcommittee. Distribution of the agendas is coordinated by the Staff Liaison and forwarded to the City Clerk's office for posting.

Due to the specific nature of their duties, agendas for the various City Boards and the Municipal Property Corporation are prepared by the Staff Liaison and posted by the City Clerk's office.

¹ [City Code § 30.18](#)

Agendas shall be prepared and forwarded to the City Clerk's office a minimum of one week prior to the meeting date. Agendas and all back-up materials are provided to Commission members and liaisons electronically unless a paper copy is specifically requested.

Items are placed on an agenda under the following circumstances:

1. At the request of an individual or a non-quorum group of Commission members.
2. At the request of the City Council, Council Liaison, or Staff Liaison

Agendas may also contain items for liaison reports, special presentations and call to the public. It is the decision of the individual commission if these types of items are included on the agenda. If included, comments and presentations must be directly related to the business of the commission. Call to the public and comments on subjects not appearing on the agenda shall be treated as one-way communications. Members can request clarification on comments, but discussions are not allowed.

Conduct at Meetings

The parliamentary procedures outlined by Roberts' Rules of Order generally guide the conduct of regular and special meetings of City Boards and Commissions². It is the role of the Chair to conduct each meeting. It is his/her responsibility to maintain control of the meeting and insure the provisions of the Open Meeting Law are met.

Obtaining the floor: A member of the Board or Commission shall first address the Chair and gain recognition. Comments and questions should be directed through the chair and limited to the issue before the Commission.

Interruptions: Once recognized, a Commission member is considered to "have the floor" and another Commission member may not interrupt the speaker except to make a point of order or inquiry. In such a circumstance, the Commission member holding the floor shall cease speaking until the point of order or inquiry has been resolved.

Discussion: A Commission member should not speak more than once on a particular subject until every other member has had the opportunity to speak. The Chair will normally allow other Commission members to speak first, then give his or her views and summarize.

Calling for the question: The Chair normally "calls for the question" when he or she is satisfied that all Commissioners have had an opportunity speak regarding an agenda item requiring a vote. The "call for the question" is to disallow further debate and to put the agenda item issue to an immediate vote.

OPEN MEETING, PUBLIC RECORD, and CONFLICT OF INTEREST LAWS

Open Meeting Law: The open meeting law was enacted to insure transparency of the activities of elected and appointed officials. A link to the Arizona State Ombudsman's Open Meeting Law Handbook is included in these guidelines. All members of Sierra Vista City Council Advisory Boards and Commissions are subject to the provisions of the State of Arizona Open Meeting Law, A.R.S. § 38-431. The City Clerk's Office offers Open Meeting Law training upon request. Commissioners are required to attend these sessions.

² [Roberts' Rules of Order](#)

Public Record Laws: A.R.S. § 39-121.01³ requires Board and Commission members to document and preserve records "reasonably necessary or appropriate to maintain an accurate knowledge of their official activities and of any of their activities and any of their activities which are supported by monies from this state or any political subdivision of this state." All documents created or maintained in the course and scope of the position as Board or Commission member constitute public records and are subject to disclosure, unless deemed confidential by statute or attorney opinion, upon request. This includes documents created and maintained on personal computers, tablets, phones, or traditional files not maintained by City employees on behalf of the Board and Commission members.

All public records have statutory and regulatory retention schedules. This includes all records created by the Board and Commission members. Board and Commission members are strongly advised not to retain documents evidencing conduct of City business in their possession or on their electronic devices. At the appropriate time, all records of the business of the Board or Commission should be transferred to the Staff Liaison and purged from private devices.

Conflict of Interest Laws

A.R.S. §38-501 through 38-511 establish the requirements of the Arizona [Conflict of Interest](#) Laws. Public Officers are required to declare a [Conflict of Interest](#) whenever that Officer or a member of their family has a substantial interest in any type of business of the City. If a [conflict of interest](#) exists, the Commission member is required to make the conflict public and refrain from participation in any vote or discussion. The form to record the conflict is available from the City Clerk. Completed forms will become part of the public record of the City and retained accordingly.

COMMUNICATIONS WITH MAYOR AND CITY COUNCIL MEMBERS

During the budget cycle each spring, City Commissions prepare and provide an annual report and work plan for the upcoming fiscal year. The report provides an annual after-action report for the current year and a preview of their proposed activities for the upcoming year.

Commission liaison updates are placed on City Council Work Session Agendas during the second regular City Council Work Session each month.

Commissions may submit recommendations and requests to City Council for their consideration by memorandum through their Council Liaison at any time.

COMMISSION MISSION STATEMENT

All City Council Advisory Commissions share the following Mission which are tied directly to the City's General Plan and the City Council's Strategic Plan:

- Make recommendations to Council on General Plan process
- Make recommendations to Council on strategic planning goals and initiatives
- Make recommendations to Council on major projects/initiatives related to commissions
- Conduct research on proposals relevant to the commission's focus area(s)
- Receive staff updates on progress regarding relevant General Plan and strategic plan goals

Commissions (and focus areas)

General Plan Element(s)

³ [A.R.S. § 39-121.01](#)

Transportation
Airport
Streets
Bicycling/Pedestrian
Transit

Connectivity
3 – Transportation & Circulation

Neighborhoods

Community Preservation &
Revitalization
13 – Redevelopment & Infill Development
12 – Housing & Neighborhoods

Environmental Stewardship

Environmental Sustainability
9 – Conservation of Resources
8 – Water Resources
6 – Environmental Planning

Parks & Recreation

Public Facilities & Services
11 – Public Facilities, Services, & Buildings
4 – Open Space
10 – Parks & Recreation
14 – Safety

Arts, Humanities, & Cultural Diversity

Public Facilities & Services
16 – Arts, Humanities, & Cultural
Activities

Tourism

Commission on Disability Issues

Youth Commission

ADMINISTRATION

Administrative Support

General staff and administrative support to members of the Commissions is provided through the department each Board or Commission is assigned to. Support includes assistance with agendas, meeting materials, scheduling, and recording of meetings.

Budget

Boards and Commissions do not participate in the preparation of the City Budget. Staff liaisons assigned to Boards and Commissions may solicit and consider budget recommendations that pertain to the mission of the Board or Commission and include them in their proposed operating budget if appropriate.

Vehicles

If a Board or Commissioner is travelling in their official capacity, they are encouraged, but not required, to use the City fleet vehicles for all City related travel. Vehicle reservations are made through their Staff Liaison.

When using a private vehicle on official City business, the City's insurance is not primary for coverage in case of an accident. However, if an accident occurs, contact should be made with the City Clerk's Office as soon as possible regardless of whether vehicle is City or personal.

Websites, Media Relations, Outreach

The Marketing and Communications Division (MarCom) maintains the City's website (<http://www.sierravistaaz.gov>) and social media sites. Pursuant to the City Administrative Directive⁴ (copy attached), City supported social media sites are maintained and updated by web stewards trained by MarCom. Requests for advertising can be made through the staff liaison.

Fundraising

Any fundraisers held by commissions, where items are sold or auctioned, must be first approved by the Chief Financial Officer. Funds raised in this manner are revenue, and in order to be used in the current fiscal year, must have funds budgeted against the revenue in the current year's budget.

Commissions may also seek donations of money or items. A donation occurs when the donor receives nothing in return for their gift beyond acknowledgment of the donation. Donations are processed by the City Finance Department and are reserved for programs or departments specified by the donor. A City donation form is used to document the receipt of these funds.

⁴ [City Administrative Directive](#)