

## **BOARDS, COMMISSIONS, AND COMMITTEES PROCESS**

### **1. TYPES OF BOARDS, COMMISSIONS AND COMMITTEES**

A. All boards, commissions and committees of the City shall be classified as an Advisory, Ad Hoc, Quasi-judicial, or Decision-making.

1. Advisory - Most boards and commissions fall into this category. Advisory boards have the primary responsibility of advising and making recommendations to the City Council. Examples are:

- i. Planning Commission
- ii. Arts and Culture Commission
- iii. Sister Cities Commission (In-Active – Members never selected)
- iv. Youth Commission
- v. Citizen Corp Council

2. Ad Hoc - Ad hoc committees are typically advisory in nature and are created to study, review and make recommendations regarding specific issues designated by the Mayor and Council. The major difference between ad hoc committees and other advisory bodies is that ad hoc committees are established only for a limited, clearly defined time and at the end of the designated time, shall automatically end unless the term is extended by the Mayor and Council. Examples:

- i. Centennial Committee.

3. Quasi-judicial - A quasi-judicial board is a public body, other than a court of law, that possesses the power to hold hearings on disputed matters between a private person and a public agency and to make decisions in the general manner of a court regarding such disputed claims. Example:

- i. Board of Adjustment (hearing and deciding on variances from the terms of the Zoning Ordinance, and appeals from decisions of the Zoning Administrator.)
- ii. Fire/Building/Code Appeals Board

4. Decision-making - A decision-making board possesses the power to select a course of action from multiple alternatives without having to seek the approval of a higher body, like the City Council. In other words, like a quasi-judicial body, a decision-making board makes a choice rather than a recommendation. Example:

- i. Public Safety Personnel Retirement Police and Fire Boards. These boards meet to administer the retirement plan for Police and Fire employees.

B. Other separate legal entities also address the needs of the City, including:

1. Industrial Development Authority (IDA)
2. Public Improvement Corporation (PIC)

- C. Any board, commission or committee created shall cease to exist (i) upon the accomplishment of the special purpose for which it was created or (ii) when abolished by a majority vote of the City Council.

**2. RECOMMENDATIONS FOR APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES**

- A. A Council Subcommittee for Boards, Commissions and Committee Appointments will be made annually. This subcommittee shall be made up of three Councilmembers. The Mayor may appoint himself/herself to this subcommittee. If no such subcommittee is appointed, the entire City Council may conduct interviews and appoint citizens to the various boards, commissions and committees.
- B. The purpose of this Council Subcommittee for Boards, Commissions and Committee Appointments is to review applications, possibly conduct interviews and make a recommendation to the City Council as described in 15.3

**3. SELECTION OF BOARD, COMMISSION OR COMMITTEE MEMBERS**

- A. A call for applications to fill vacant seats to boards, commissions and committees shall be duly published for at least two weeks via the City of Goodyear website, newspaper advertising and other means available to the City.
- B. Individuals applying for boards, commissions and committees must fill out and submit the City application form to the City Clerk. Applications submitted electronically on the City website will automatically go to the City Clerk.
- C. The City Clerk will prepare materials and schedule an open meeting during which the Subcommittee for Boards, Commissions and Committee Appointments may conduct interviews in the format specified by the Council.
- D. After review and consideration, the Council Subcommittee for Boards, Commissions and Committee Appointments shall deliberate and prepare recommendations for appointment by the City Council.
- E. The City Clerk shall notify recommended applicants for the open seat(s) of the recommendation of the Council Subcommittee for Boards, Commissions, and Committee Appointments that he/she is a candidate for the appointment. The City Clerk shall request that recommended candidates be present when the recommendation is presented to City Council as a scheduled agenda item. Following appointment, the City Clerk will have the appointees take the loyalty oath. Absent appointees will make arrangements with the City Clerk to take the loyalty oath before taking any action on the board, commission, or committee.

- F. The City Clerk will notify the appointees as to their appointment and provide a new member packet. Included in this packet is the City of Goodyear Ethics Policy, a copy of the summary of Arizona Open Meeting Laws, the Loyalty Oath, and other materials specific to the committee, board, or commission appointment. The City Clerk will notify the Staff Liaison of the board, commission, or committee of the appointment.

**4. QUALIFICATIONS FOR APPOINTMENTS; EMPLOYEES OR APPOINTED OFFICERS AS MEMBERS**

- A. All members of boards, commissions and committees shall meet the following minimum qualifications upon their appointment to any board, commission or committee. Each member shall be:
  - 1. Eighteen years of age or older, except for members appointed to the Youth Commission and any board, commission or committee seats designated by City Council for youth representation.
  - 2. A Goodyear resident for at least one year, unless the City Council specifically designates to waive time of residency or residency requirement for a specific board, commission or committee.
  - 3. A registered voter, unless (a) the member is a youth commissioner or (b) the registered voter requirement is waived as part of the City Council's appointment of the member.
- B. City employees and their immediate family members or appointed officers shall not be eligible for appointment to any boards, commissions, and committees but may be requested to provide staff support thereto. Council members may not serve on boards, commissions or committees unless the bylaws of such boards, commissions or committees state otherwise.

**5. TERMS, VACANCIES, REMOVAL**

- A. All members of boards, commissions and committees shall serve a term specifically designated by City Council action, Charter language or Arizona Revised Statutes.
- B. For boards, commissions and committees with regularly scheduled meetings, the members' terms shall be staggered so that when possible, no more than the number of members constituting a quorum of the board, commission or committee shall expire in any single year provided, however, that no staggering of terms shall be required for any board, commission or committee that will be in existence for a single term.

- C. Members may serve two consecutive terms, except that a member shall remain seated until a successor is appointed and qualified.
- D. No individual may serve as a voting member on more than two boards, commissions and committees at one time.
- E. A vacancy on a board, commission or committee shall be deemed to have occurred upon the following:
  - 1. Death or resignation of a member of a board, commission or committee
  - 2. A member ceasing to be a Goodyear resident unless the City Council has provided that such member may be a non-resident.
  - 3. Three consecutive unexcused absences by a member from board, commission or committee meetings.
- F. Any board, commission or committee member, including alternates, may be removed from their office with or without cause prior to the expiration of their term upon a majority vote of the City council.
- G. Whenever a vacancy has occurred on a board, commission or committee due to reasons set forth in 5.E., and no alternate has been appointed as set forth in Section 6 below, the Council Subcommittee for Boards, Commissions and Committee Appointments shall meet to recommend a candidate to complete the remainder of the term. Procedures described in Section 3 above will be used to generate applicants, interview applicants, and make a recommendation. In cases of a vacancy due to the expiration of a member's term, the member shall remain seated until a successor is appointed and qualified.
- H. An individual is limited to two consecutive appointments/reappointments to any one board, commission, or committee provided, however, that the time during which the individual is an alternate shall not count against this term limitation.
- I. An incumbent member of a board, commission or committee seeking reappointment shall submit a new application under the provisions set forth in section 3 above and shall be considered for appointment by the City Council in the same manner as all other applicants for such position.

**6. ALTERNATES**

The City Council may appoint alternates to serve on boards, commissions and committees in the event of a vacancy. Such alternates may attend and participate in

meetings of the board, commission, or committee but shall not vote in such meetings until such time as a vacancy has occurred and the alternate has filled such vacancy. If the City Council appoints more than one alternate for a particular board, commission or committee, the City Council shall designate the alternates as first alternate, second alternate and so on such that immediately upon a vacancy occurring in a board, commission, or committee, the first alternate shall fill such vacancy without the need for further City Council action.

**7. APPLICABILITY OF THE ARIZONA OPEN MEETING LAW**

All boards, commissions, and committees are subject to the Arizona Open Meeting Law.

**8. RESIDENCY REQUIREMENTS**

All members of boards, commissions and committees shall be residents of the City of Goodyear, unless directed by the Goodyear City Council to waive the requirement or as specified in the bylaws of the board, commission or committee.

**9. THE FIRE/BUILDING/CODE ENFORCEMENT APPEALS BOARD WILL FOLLOW**

**The 2006 International Building Code**, Chapter K11, Means of Appeal, Section K1102, Membership, K1102.2 Qualifications:

The Board of appeals shall consist of five individuals, one from each of the following professions or disciplines.

1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with at least 10 years' experience, five of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.
3. Registered design professional with mechanical. Plumbing or fuel-gas engineering experience; or a mechanical, plumbing, or fuel-gas contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience; or an electrical contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
6. The code official shall be an ex officio member of said board, but shall have no vote on any matter before the board.

Preference for members on this board will be given to City of Goodyear residents. If the board cannot fill the required technical slots with City of Goodyear residents, the residency requirement will be waived.