



Office of the City Clerk BOARDS, COMMITTEES & COMMISSIONS (Boards)

Commonly Asked Questions

What is the relationship of Boards to the Mayor and Council? The Mayor and Council create Boards to gain valuable insight and allow citizen input into decision-making processes. The primary responsibility of most Boards is to advise and make recommendations to the Mayor and Council. The Mayor and Council receive input from many sources and those recommendations assist them in making informed decisions.

How does the appointment process work? Members are appointed when terms expire or vacancies occur. Depending on the requirements of the Board, members are appointed either by an individual Council Member or by the Mayor and Council as a whole. For appointments by the Mayor and Council as a whole, a vote must be taken at a council meeting. The City Clerk's Office makes sure that the member fulfills any special requirements the Board may have, such as City residency or employment in a specific field. The City Clerk's Office also updates the Board roster and materials and sends the new member the appropriate paperwork.

What are the term lengths and can multiple terms be served? Term lengths are defined in the ordinance or resolution that created the Board and are generally four years in length. Most appointments made by the Mayor and by individual Council Members are coterminous, which means that the member's term will expire at the same time as the appointing official. Although there are a few exceptions, Tucson Code 10A-134(b) states that members can only serve for eight consecutive years on a Board. After break in service of at least one-year, individuals can be eligible for appointment to the same Board.

Can a member serve on multiple boards? Although there are a few exceptions, Tucson Code 10A-134(c) states that a person may not serve on more than one City Board at a time.

Are members required to take an oath? State law (A.R.S. Section 38-231) requires that virtually all members of Boards be administered an oath of office. The oath must either be notarized or be administered by City Clerk staff. The completed oath must be filed with the City Clerk's Office at least twenty-four hours before commencement of the term of office.

What are quorum requirements? State law requires that a quorum be present in order for meetings to be held and business conducted. A quorum is a majority of the number of members established by the ordinance or resolution creating the Board. For example, if there are ten authorized members, then six members must be present (regardless of whether there are vacancies) for a quorum to exist and the meeting to commence.

What are the attendance requirements? Members are appointed for their expertise and experience in a particular area and the Mayor and Council benefits from their full consideration of the issues, so attendance at all meetings is important. Tucson Code provides that a member is automatically removed if he/she misses four consecutive meetings or fails to attend at least forty

percent of the meetings called in a calendar year. If a member is found to be in violation of the attendance requirements, they will be sent a letter by the City Clerk's Office informing them of their removal from the Board.

Can a Board endorse ballot items or pending legislation? Mayor and Council approval must be obtained prior to a Board endorsing or opposing any federal or state legislation. Additionally, the legislation should be associated with the functions, goals and objectives of that board. Of course, individual members of public bodies may express their personal opinions on any legislative matter. Questions regarding this policy should be directed to the City Clerk's Office at 791-4213.

What is the Open Meeting Law? The Open Meeting Law is a state law (A.R.S. 38-431 et seq.) that requires all public bodies, including Boards and subcommittees thereof, to conduct their meetings openly and only after twenty-four hour notice is given to the public. The basic principle of the Open Meeting Law is that the business of the public should be conducted in public. The law serves to open closed doors, so that the community can see what the government is doing and to protect public officials who are properly conducting the public's business. Please refer to the attached information on maintaining compliance with the Open Meeting Law.

How are conflicts of interest determined and handled? Conflict of Interest laws are defined by A.R.S. 38-501 et seq. It is the responsibility of the Board member to recognize and identify circumstances in which they may receive, or appear to receive, a proprietary or pecuniary benefit (other than merely as a member of the general public or as an equal member of a class of persons) as a direct or indirect result of the activities of the board on which they are serving. A person with a conflict must make that conflict known in the official minutes of the Board or file a written disclosure with the City Clerk's Office. All disclosures are kept for public record. Please refer to the attached information on conflicts of interest. Questions regarding conflicts of interest should be directed to the City Clerk's Office at 791-4213.

How are meetings run? Are there specific parliamentary procedures to follow? The City of Tucson does not have prescribed parliamentary procedures for Boards to adhere to. However, there are legal requirements that City of Tucson Boards must adhere to. First, all Boards must follow the State Open Meeting Law, and then any requirements set forth in the City of Tucson Ordinance or Resolution that created the Board. After that, they must adhere to any bylaws the Board has adopted. Finally, the Board may refer to Mayor and Council Rules and Regulations and Robert's Rules of Order for guidance on parliamentary procedures. A basic guide to parliamentary procedure is included in this packet for your reference.

How can the public access Board meetings and materials? Meeting notices are posted in several locations at City Hall for the public to view. Meeting notices can also be reviewed on the City Clerk's website at <http://www.ci.tucson.az.us/clerks/boardscommissions.php>. Hard copies of the minutes and backup meeting materials must be sent to the City Clerk's Office. They are made available for public use upon request.

Where can more information be found? Any questions regarding Boards policies, membership, or duties should be referred to the City Clerk's Office at 791-4213.