



Boards and Commissions

Member Handbook



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

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

Being a Board or Commission member is often demanding, as it takes a substantial commitment of time and hard work, but it will be an exciting and rewarding experience as you help shape the future of our community. We hope that this Board and Commission Handbook will help prepare you in serving as a member of the City of Chandler's Boards and Commissions program.

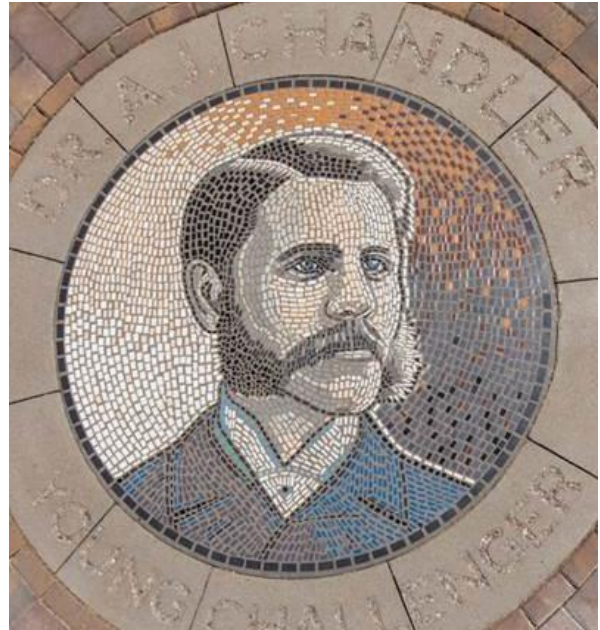


This Handbook will cover:

- Page 2 - Chandler's Form of Government
- Page 10 - Open Meeting Laws
- Page 13 - Public Records Laws
- Page 14 - Conflict of Interest Laws
- Page 16 - Boards and Commissions Meeting Procedures

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.



Council – Manager 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.

City Council

The City Council consists of a Mayor and six Councilmembers who are elected from the City at large by its qualified electors. 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. [Chandler City Charter, Article II, Section 2.01(a)and(b)]

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. [Chandler City Charter, Article II, Section 2.04]

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. [Chandler City Charter, Article II, Section 2.01(c),(d)and(e)]. 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. [Chandler City Charter, Article II, Section 2.03(b)]

Appointed Officials



City Manager - Joshua Wright

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 Council and staff legal opinions concerning matters which are in the City's interest.



City Clerk - Dana DeLong

The City Clerk conducts City elections, maintains the City's permanent records, and administers the Board and Commission Program.



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

Our Mission

We are committed to serve Chandler's citizens through teamwork, understanding and dedication in a professional and responsive manner.

Our Vision

To make Chandler a world-class City by delivering outstanding public services, creating a unique community and ensuring an exceptional quality of life.

Our Values

Our Values define how we treat each other and our customers. They guide us in creating a sound and supportive work culture and work systems at all levels of the organization. Excellence is the responsibility of everyone at the City of Chandler. We lead by our core values in constant pursuit of excellence:

- **Commitment:** Dedicate ourselves to consistent and excellent customer service.
- **Communication:** Communicate in a positive, honest and productive manner within the organization and with our customers.
- **Diversity:** Promote inclusiveness and impartiality throughout the organization.
- **Innovation:** Implement unique, creative and cost-effective solutions that promote a forward-thinking organization.
- **Integrity:** Adherence to high ethical standards.
- **Personal Responsibility:** Take initiative to achieve excellence and accept accountability.
- **Respect:** Demonstrate a high regard for others.
- **Teamwork:** Promote a high performance organization through cooperative efforts, open communication and trust.

Our Brand

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





Strategic Goals

Council Policy Goals

1. Being the most connected City
2. Being a leader in trust and transparency
3. Maintaining fiscal sustainability
4. Attracting a range of private sector businesses
5. Fostering a contemporary culture that embraces unity
6. Being safe and beautiful

2021-2023 Focus Areas

The Council has identified five focus areas to concentrate on for the next few years to make progress toward their vision for the community. More information on each focus area can be found in the 2021-2023 Strategic Framework.



Economic Vitality



Innovation and Technology



Quality of Life

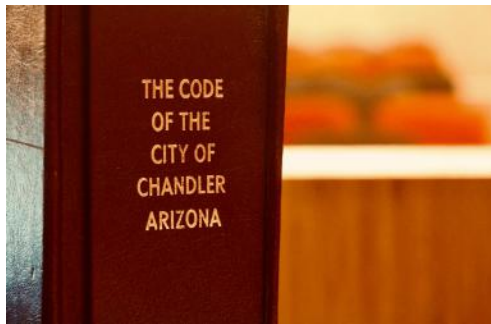


Mobility



Neighborhoods

About the Boards and Commissions



Creation

Article VI of the Charter authorizes the Council, by ordinance, 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. The Council may also abolish any Board or Commission not specifically required by law. A listing about each of the Boards and Commissions is provided at https://www.chandleraz.gov/sites/default/files/B_C_CitizenGuide2022.pdf

Current Boards and Commissions

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



Selection

Citizens who wish to serve on a Board or Commission must submit an online application at:

<https://www.chandleraz.gov/government/boards-and-commissions/application-to-serve>

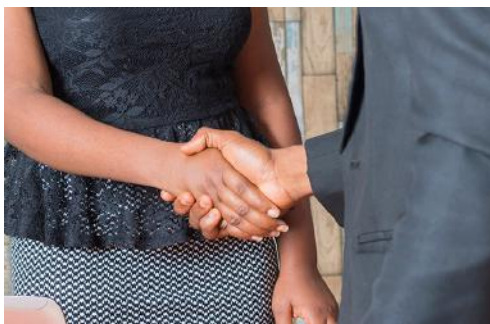
Board and Commission Staff Liaisons coordinate Board and Commission appointments and works with the City Clerk's Office regarding vacancies, applications, and contact information for Board and Commission members. The Mayor reviews each Board and Commission vacancy and makes nominations as necessary.

Applications are kept on file for 2.5 years. After that time, an applicant would need to re-apply 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. The Mayor provides the name of the nominee to the Councilmembers seven days prior to the meeting at which the nominations are considered. Councilmembers may be appointed to serve on a Board or Commission in an ex-officio, nonvoting capacity. [Chandler City Charter, Article VI, Section 6.01(b)]. The Council will remove Board and Commission members when necessary.



Term of Office

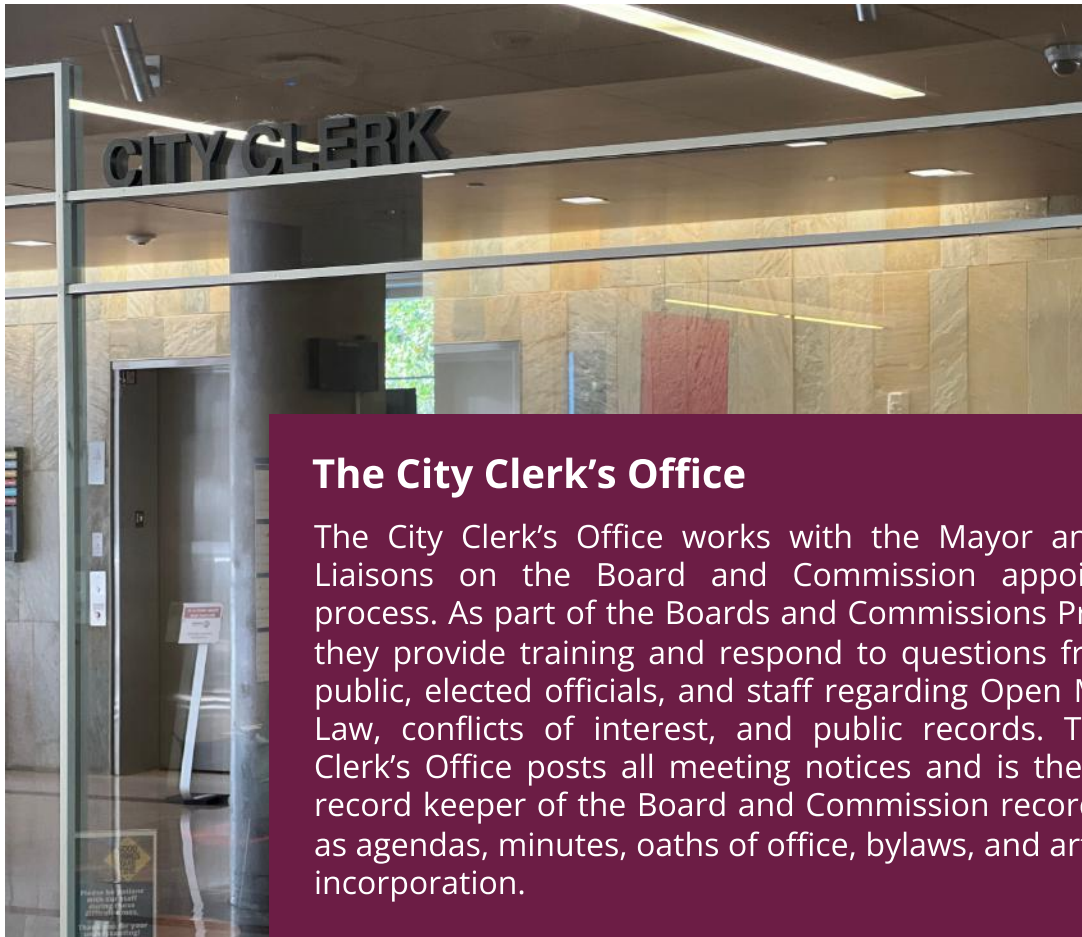
Terms of office for Board and Commission members is three years and most expire May 1. [Chandler City Charter, Article VI, Section 6.01(c)]. After the initial term limit, members may be appointed for additional terms. Most of the Boards and Commissions require its members to be a resident of Chandler 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.

City Staff Support

Staff Liaisons

The Staff Liaison provides Board and Commission members 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, staff reports, and related materials. The Staff Liaison also ensures compliance with Open Meeting Laws during the meeting and consults 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 for work product.



The City Clerk's Office

The City Clerk's Office works with the Mayor and Staff Liaisons on the Board and Commission appointment process. As part of the Boards and Commissions Program, they provide training and respond to questions from the public, elected officials, and staff regarding Open Meeting Law, conflicts of interest, and public records. The City Clerk's Office posts all meeting notices and is the official record keeper of the Board and Commission records such as agendas, minutes, oaths of office, bylaws, and articles of incorporation.

Laws to Know

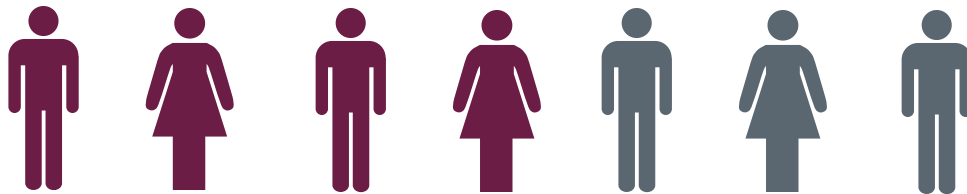
Public agencies and officials are bound by stricter standards than the private sector. Preparation for meetings, meeting decisions, discussion items, agendas, and board and commission member conduct are all strictly regulated by state law. These statutes require compliance and affect all government agencies. Non-compliance or willful disregard of these laws can result in serious consequences.

The most important laws that you will face as a Board or Commission member are Arizona's Open Meeting Law, Conflict of Interest Law, and Public Records Law. Protecting the public and safeguarding the public process are at the core of these laws. Because they have a direct bearing on your Board or Commission's activities and your behavior, it is vitally important for you to become familiar with them. A Board and Commission may have particular rules in the Code, Charter, or bylaws which are important to be familiar with as well.



Important Open Meeting Law Guidelines

In order for a meeting to commence, all or a majority 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.



Required Training

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





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 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 which discuss possible action or propose a formal action may be breaking the law—the same as if the board or commission members had met together in a private meeting. The Attorney General's Office cautions that even a single email, without any responses, could violate the Open Meeting Law if the email is sent to a quorum of the public body and proposes legal action.

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:

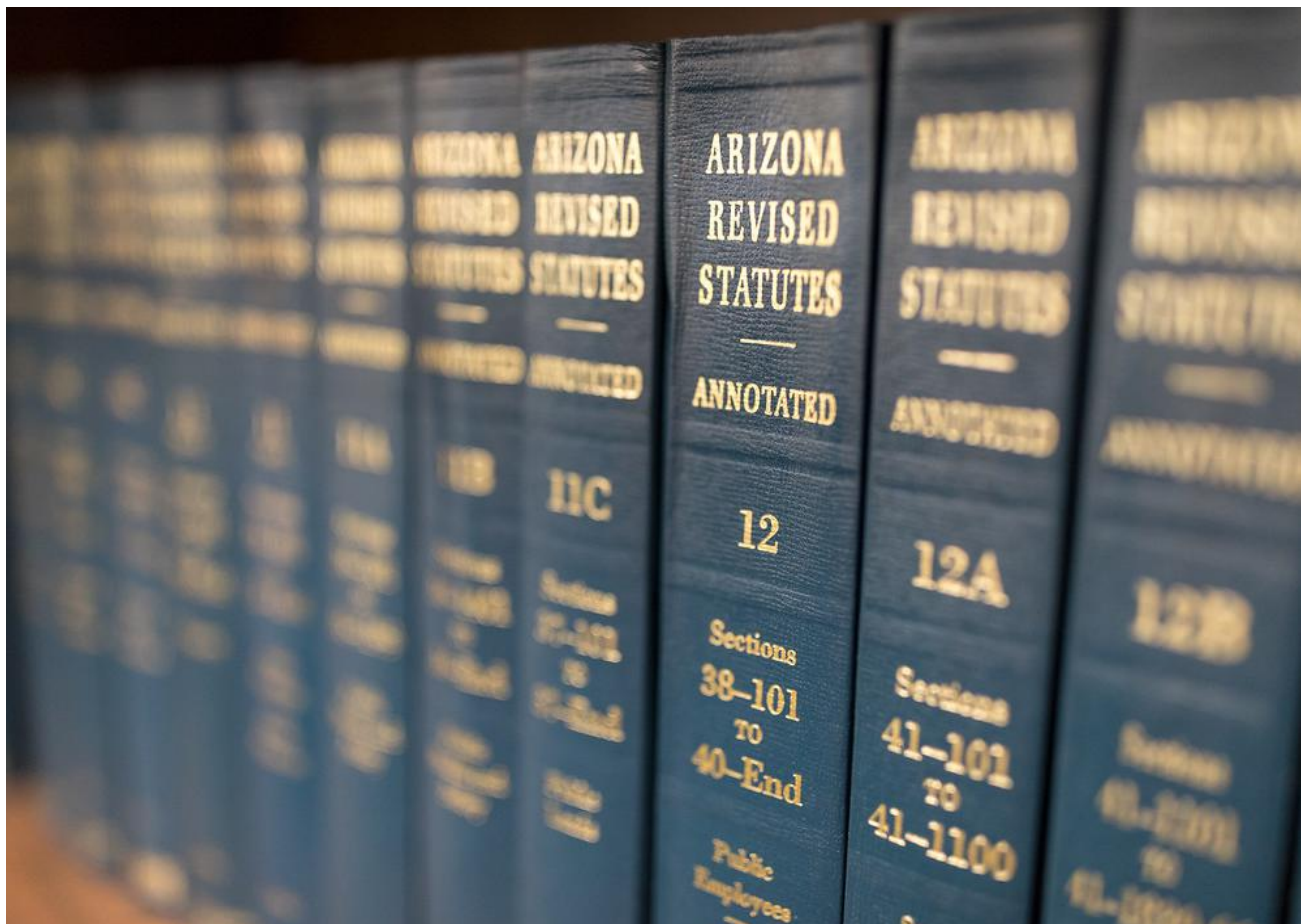
- The opinion or discussion is not principally directed at or directly given to another member of the public body.
- There is no concerted plan to engage in collective deliberation to take legal action.

The Attorney General's Office released an opinion that a meeting does not occur when members of the public body merely hear or read a comment made by another member of the public body in the media.

Open Meeting Law Violations

Any action taken in violation of the Open Meeting Law is null and 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 has broad powers to 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.

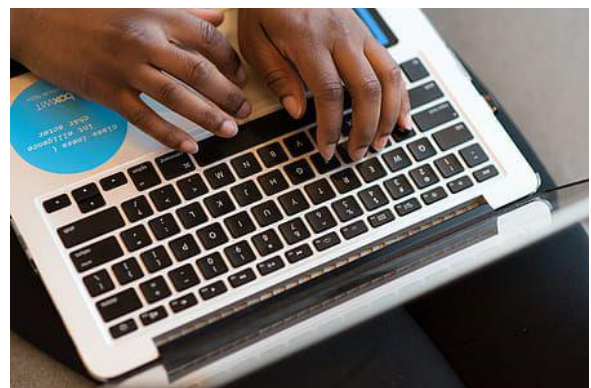
Upon finding that a public officer has violated the Open Meeting Law, a court may impose a civil penalty not to exceed \$500.00 for each violation against the person who violated the law or knowingly aids, agrees to aid, or attempts to aid another person in violating the Open Meeting Law. If the court 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.



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 governmental agency in pursuance of law or in connection with the transaction of public business. The City's records are the property of the State who requires that records be maintained in accordance with the laws, standards, and requirements developed by 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 is responsible for maintaining records of the Board or Commission such as agenda, minutes, agenda packets, and other materials provided to Boards or Commissions. Board and Commission members may dispose of their copy of the agenda after the meeting. If a Board or Commission 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.

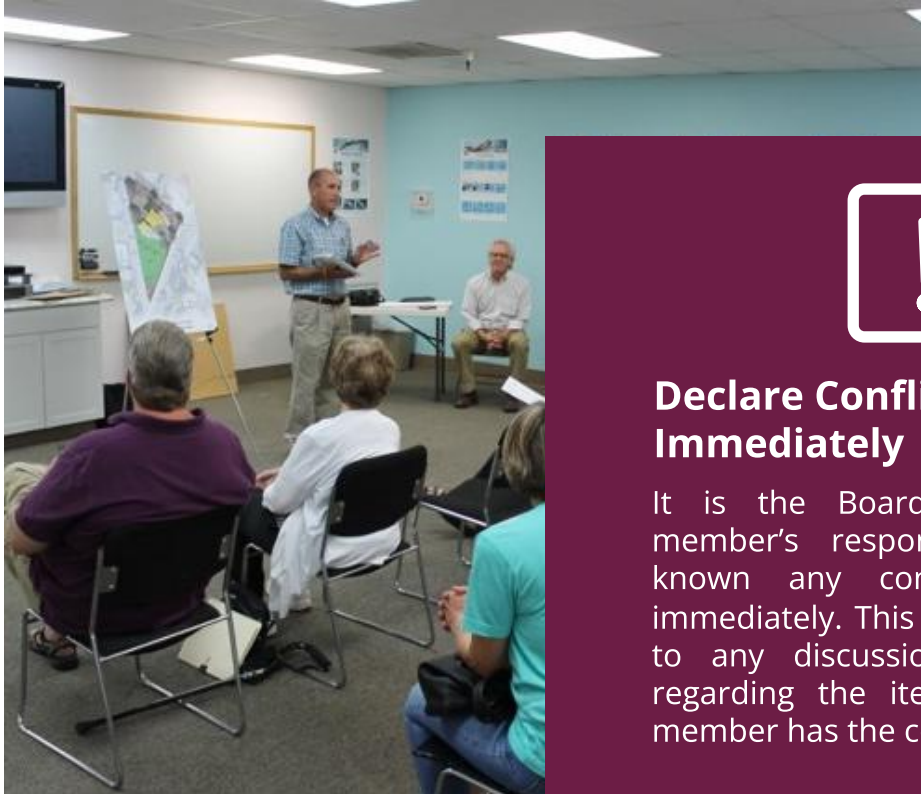


Email may be used to transmit documents and may be a record. Board and Commission members must exercise extreme caution in the use of email if communicating with other Board and Commission members and must forward all emails that are records to the Staff Liaison for retention. Whenever creating documents 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

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 and supersede any other local law or Charter.

Because there are severe penalties for violating the Conflict of Interest Law, you should understand your obligations, liabilities, and rights. It is a Class 6 felony to knowingly or intentionally violate the Conflict of Interest Law. A negligent or reckless violation is a Class 1 misdemeanor. You can also be prosecuted for failing to disclose a conflict that you did not know about but should have. Any person affected by the decision of the public body may bring a civil suit in Superior Court to enforce the law. The Court may award reasonable attorneys' fees to the prevailing party and a person found guilty may be required to forfeit public office. You must be alert to this possibility and make all reasonable efforts to identify potential conflicts.



Declare Conflict of Interest Immediately

It is the Board or Commission member's responsibility to make known any conflict of interest immediately. This should occur prior to any discussion or statements regarding the item for which the member has the conflict.

Pecuniary Interest

The first question to ask in any matter that comes before you is if you have a pecuniary interest in the outcome. A pecuniary interest is 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:

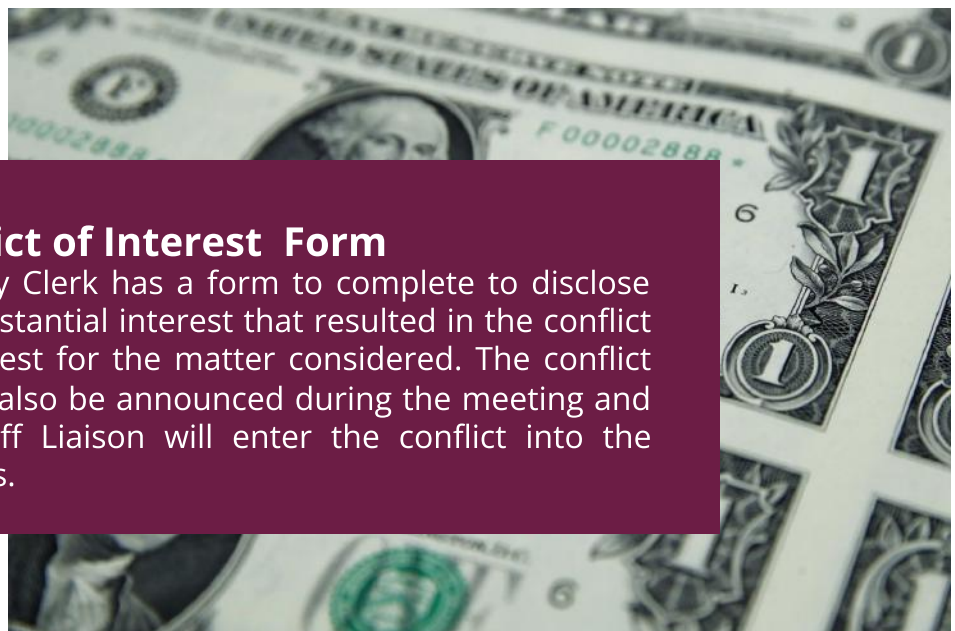
- The interest of a non-salaried officer of a non-profit corporation.
- The interest of an attorney of a contracting party.
- The ownership of less than three percent of the shares of a corporation for profit.
- The interest of a public officer or employee in being reimbursed for his actual and necessary 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.



Conflict of Interest Form

The City Clerk has a form to complete to disclose the substantial interest that resulted in the conflict of interest for the matter considered. The conflict should also be announced during the meeting and the Staff Liaison will enter the conflict into the minutes.



Board and Commission Meetings

Discussion is to be limited to public sessions in keeping with the spirit of the Open Meeting Law. This means that the public's business is conducted in public. 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, in advance if possible, to the Staff Liaison or Chairperson if you are unable to attend a meeting. Any Board or Commission member who fails to attend three consecutive regular meetings without being excused will forfeit office.

Meeting locations may be in person or virtual as long as the public has access to the meeting. It is preferred that members inform the Staff Liaison at least 24 hours before the meeting of their intent to attend telephonically to an in person meeting.



Types of Meetings

Regular Meetings

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 Meetings

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 Sessions

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 Sessions

These meetings are to learn more about a specific subject and provide Staff direction. No formal action is taken however a consensus of the public body provides staff direction to work towards their defined goals.

Executive Sessions

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, which are:

- Employment, discipline or resignation of public officer, appointee or employee
- Obtain legal advice
- Contract negotiations or litigation
- Discussion regarding security and critical infrastructure
- Negotiations for purchase, sale or lease of real property
- Discuss records exempt by law from public inspection
- Employee organization negotiations

Subcommittees

Subcommittees and other committees may be formed or appointed, if allowed by the bylaws, by a Board or Commission to make recommendations to the Board or Commission. These committees must follow all Open Meeting Law requirements.

Special Events

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

The Meeting Agenda

Order of Business

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.

Planning and Zoning Commission Regular Meeting

January 19, 2022 | 5:30 p.m.

Chandler City Council Chambers
88 E. Chicago Street, Chandler, AZ

Planning and Zoning Commission Regular Meeting Agenda - January 19, 2022

Call to Order/Roll Call

Pledge of Allegiance



Pursuant to Resolution No. 4464 of the City of Chandler, Arizona, the City Clerk hereby gives notice to the members of the public that the Planning and Zoning Commission will hold a public hearing on Wednesday, January 19, 2022, at 5:30 p.m. at the City of Chandler, 88 E. Chicago Street, Chandler, AZ. One or more items will be discussed at this meeting by telephone.

Persons with disabilities may request services by contacting the City Clerk's Office at (480) 790-2200 or by email at planning@chandleraz.gov. Requests in advance as it affords the opportunity to make arrangements for accessibility.

Agendas are available in the Office of the City Clerk.

Scheduled/Unscheduled Public Hearing

Members of the audience may address any item not on the agenda. The audience will be given the opportunity to address the Commission from discussing an item that is not on the agenda. The audience will be given the opportunity to address the Commission from discussing an item that is not on the agenda.

Consent Agenda

Items listed on the Consent Agenda may be enacted by the Commission without discussion or debate. If an item is not on the Consent Agenda, a determination will be made if the item will be considered for discussion.

1. **December 15, 2021, Planning and Zoning Commission Meeting Minutes**
Move Planning and Zoning Commission meeting minutes of the Study Session to the December 15, 2021.
2. **Preliminary Development Plan, PLH21-0028 Gold N**
Move Planning and Zoning Commission Plan PLH21-0071, Kerry's Car Care to Commission hearing, as requested by the applicant.
3. **Preliminary Development Plan, PLH21-0028 Gold N**
Move Planning and Zoning Commission Plan PLH21-0028 Gold N to Commission hearing, as requested by the applicant.
4. **Preliminary Development Plan and P**
Move Planning and Zoning Commission Plan PLH21-0028 Gold N to Commission hearing, as requested by the applicant.

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH21-0058 Germann & Hamilton Industrial Park for site layout and building architecture for three flex industrial buildings on approximately 16.3 acres, subject to the conditions as recommended by Planning staff.

Move Planning and Zoning Commission recommend approval of Preliminary Plat PLT21-0054 Germann & Hamilton Industrial Park, subject to the condition as recommended by Planning staff.

5. **Use Permit, PLH21-0068 Sunrise Faith Community Church, 800 W Galveston Street, generally located east of the northeast corner of Galveston Street and Alma School Road**
Move Planning and Zoning Commission recommend approval of Use Permit PLH21-0068 Sunrise Faith Community Church to continue the utilization of an existing modular classroom building, subject to the conditions as recommended by Planning staff.
6. **Use Permit, PLH21-0092 Celoni Hospitality DBA Recreo, located at 28 S. San Marcos Place, generally located 1/4 mile south of the southwest corner of Arizona Avenue and Chandler Boulevard.**
Move Planning and Zoning Commission recommend approval of Use Permit case PLH21-0092 Celoni Hospitality DBA Recreo to allow live entertainment and speakers inside and on an outdoor patio located at 2301 S. Stearman Drive, subject to the conditions as recommended by Planning staff.
7. **Entertainment Use Permit, PLH21-0087 The Forum, located at 2301 S. Stearman Drive, generally located west of the northwest corner of Gilbert Road and Insight Way**
Move Planning and Zoning Commission recommend approval of PLH21-0087 The Forum Use Permit expansion of premises for a Series 6 Bar license and an Entertainment Use Permit for live music inside and on an outdoor patio located at 2301 S. Stearman Drive, subject to the conditions as recommended by Planning staff.
8. **Cancellation of the February 2, 2022, Planning and Zoning Commission Hearing**
Move Planning and Zoning Commission cancel February 2, 2022, Planning and Zoning Commission Hearing.

Calendar

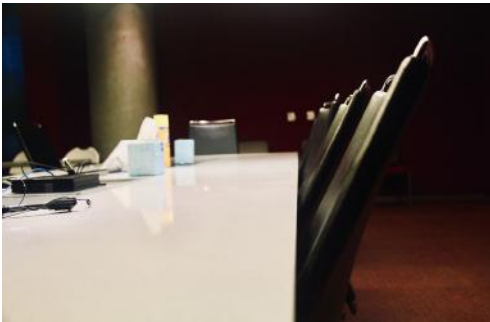
9. The next regular meeting will be held on Wednesday, February 16, 2022, in the City of Chandler Council Chambers, 88 East Chicago Street.

Adjourn



Call to Order

The Chairperson 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 the members present, absent, excused or unexcused, are entered into the minutes. Members may attend by telephone or web conferencing and are listed as present. After roll call, the Chairperson and Staff Liaison confirm if a quorum is present. If a quorum is not met, then no items can be discussed or actions taken except to adjourn the meeting.



Scheduled Public Appearances

A member of the public may request to be placed on the agenda to address a certain topic. The board or commission members may engage in discussion regarding the topic but cannot take formal action. The board 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 Chairperson. The board and commission members cannot engage with the member of the public or comment. The board 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. These items are typically routine and do not require discussion or were previously discussed in a study session or work session. A member may ask to move any of the consent items to action for separate discussion and consideration (Action Agenda). A member may vote no on an item on Consent Agenda but yes to all other items. The Staff Liaison will record the vote in the minutes.



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.



Briefing Item

Items listed under briefing may include a staff or member presentation. There would likely be little to no discussion and this section is used for information being presented to the public body.



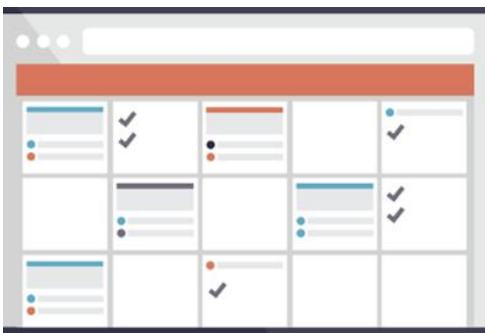
Discussion Item

Items listed under discussion may include a staff or board member presentation and may result in lengthy 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 members to make comments or announcements, such as upcoming events or items of interest, to the public and no discussion or action can be taken.



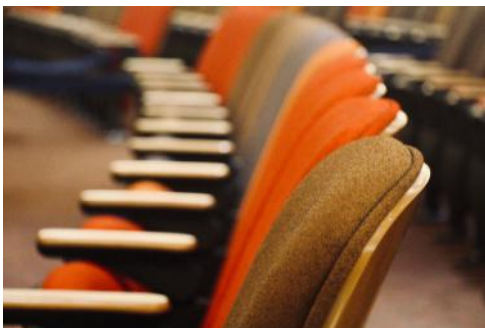
Calendar

This states the next meeting date and upcoming events.



Informational

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



Adjourn

The Chairperson 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

It is important to remember that parliamentary practice is a guide for conducting the business of a meeting and not the law. The only required actions to make an item legal are a motion, a second, and a vote. Intent must be clear and those who vote on the matter must clearly understand the intent. Parliamentary practice provides formulas for sequencing of different kinds of motions and an orderly rule for conducting a meeting.

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.

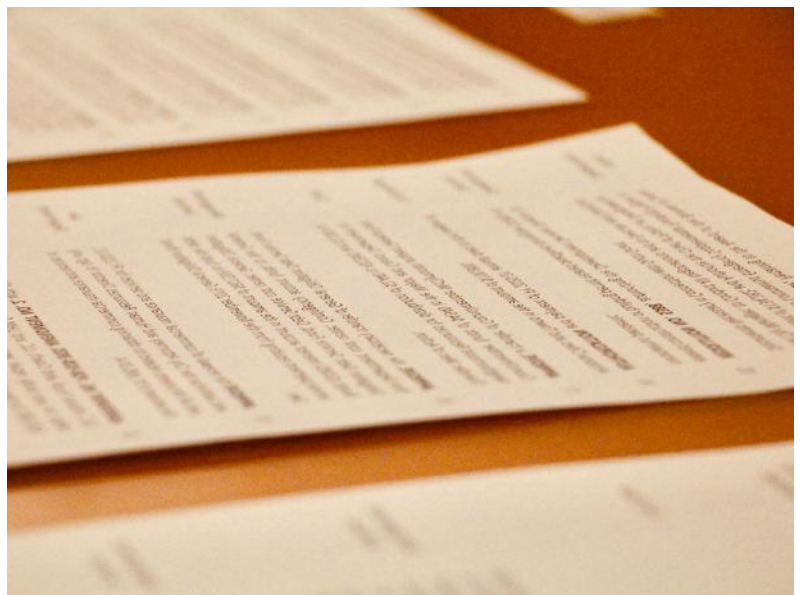
When a motion in favor fails to receive an affirmative majority vote (or a tie vote) it is entered into the minutes as a motion that failed for lack of majority. If there is no motion, or the motion dies for lack of a second, it is entered into the minutes as a motion that failed for lack of consideration.

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.

Precedence of Motions

When a motion is before the Board or Commission, no motion can be entertained except the following in the order indicated:

1. To adjourn
2. To fix hour of adjournment
3. To lay on the table
4. For the previous question
5. To postpone to a certain day
6. To refer
7. To amend
8. To postpone indefinitely
9. To divide the questions.



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.

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.



Meeting Conduct

Board and Commission members are representatives of the City, and the members must preserve order and decorum. A member shall not disturb any member while speaking, interrupt, refuse to obey the orders of the presiding officer, or otherwise delay the proceedings or peace of the Board or Commission. Any person making personal, impertinent, or slanderous remarks, or becomes boisterous while addressing the Board or Commission, interferes with the order of business, and who fails, upon request of the presiding officer to cease such activity, is barred from further audience before the Board or Commission, unless permission to continue is granted by a majority vote.

Members should dress and 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 (to the public, press, stakeholders, etc.) by an individual member reflects only the individual's view and may not be represented as a Board or Commission statement or position without formal approval by the Board or Commission. 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 or information in the performance of their duty as a means for making private profit, advancing the financial interest of others, dispensing special favors or privileges, or accepting gifts or benefits 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 entered into by the City involving the purchase or sale to the City of land, goods, or materials while acting in the capacity of a public official.



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 5166 which adopted the City's Anti-Harassment and Anti-Bullying Policy to apply to the Council and Boards and Commissions members. Please read Resolution 5166 and the Anti-Harassment and Anti-Bullying Policy and sign the acknowledgment form.

Oath of Office

Please complete your Oath of Office and have the document notarized. The City Clerk's Office is available to notarize this document free of charge. Please schedule an appointment with the City Clerk's Office at cityclerkagenda@chandleraz.gov

Arizona Attorney General Open Meeting Law Handbook

Please read the handbook located at <https://www.azag.gov/outreach/publications/agency-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 at <https://www.chandleraz.gov/government/boards-and-commissions>

Contact Information

If your contact information has changed since your application, please contact the City Clerk's Office at cityclerkagenda@chandleraz.gov

RESOLUTION NO. 5166

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING THE PROHIBITIONS OF THE CITY'S ANTI-HARASSMENT AND ANTI-BULLYING POLICY TO APPLY TO THE CITY COUNCIL AND MEMBERS OF CITY BOARDS AND COMMISSIONS AND ADOPTING RELATED PROCEDURES.

WHEREAS, diversity, integrity, and respect are among the core values of the City of Chandler ("the City") and all employees and representatives of the City are expected to treat all of the persons they encounter with dignity and respect; and

WHEREAS, harassment and bullying, including sexual harassment, are incompatible with the core values of the City; and

WHEREAS, the City has had a long-standing policy of prohibiting discrimination and harassment in the workplace which is reflected in its Anti-Harassment and Anti-Bullying Policy and Complaint Procedure applicable to all City employees; and

WHEREAS, the Mayor and City Council believe that elected and appointed officials should be required to abide by the same standards of conduct required of City employees and want to make clear that harassing or bullying conduct by any elected City officials and appointed Board and Commission members will not be tolerated;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. The prohibitions against harassment, bullying, and retaliation set forth in Sections II, III, and VII of the City's Anti-Harassment and Anti-Bullying Policy and Complaint Procedure ("the Policy") are hereby adopted to apply to the City Council and all persons appointed to serve on any Board or Commission of the City. A copy of the Policy is attached hereto as Attachment A.

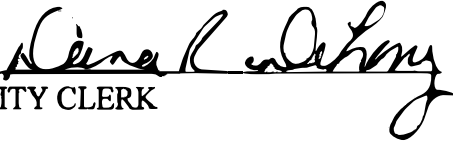
Section 2. The following procedures shall be implemented for educating elected officials and Board and Commission members about their responsibilities under the Policy and reporting and investigating allegations of violations and taking corrective action where appropriate:

1. The City Clerk will provide all elected officials and Board and Commission members with a current copy of the Policy and will include a copy of this Resolution in the Board and Commission Handbook.
2. Elected officials and Board and Commission members have a duty to report any conduct by an elected official, a Board or Commission member, or any other City representative that potentially violates the Policy.

3. Any person who believes he or she has experienced any type of harassment or bullying by an elected official or Board and Commission member or who has knowledge of bullying or harassing behavior by an elected official or Board and Commission member may make a report of such conduct to the City Attorney's Office. Complaints of harassment and bullying must be reported to the City Attorney within 90 days of the last incident or occurrence of conduct on which the complaint is based.
4. All timely complaints will be investigated in a prompt, thorough, and impartial manner as follows:
 - a. An initial internal review will be conducted to determine whether the complaint falls within the scope of the Policy and requires further investigation; and
 - b. If warranted, the complaint will be referred for a full fact-finding investigation to be conducted by City staff if the complaint involves a Board or Commission member or an external third party investigator if the complaint involves the Mayor or a member of the City Council.
5. The results of a completed investigation will be reported to the City Council in an Executive Session that includes:
 - a. A briefing on the allegations and findings and conclusions of the investigation.
 - b. Legal advice concerning the resolution of the matter which may include:
 - i) A recommendation for corrective action that may include removal of a Board or Commission member from office;
 - ii) A determination that no violation has occurred and recommendation that the matter be closed; or
 - iii) Other appropriate action necessary to enforce the Policy.
6. All elected officials and Board and Commission members are expressly prohibited against retaliating against any complainant and/or witnesses. Any person who believes he or she has been retaliated against as a result of participating in the process to enforce the Policy should report the conduct to the City Attorney within 90 days of the incident for review and a recommendation for corrective action where appropriate.

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 24th day of May 2018.

ATTEST:


CITY CLERK

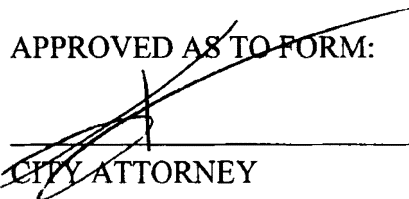

MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5166 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 24th day of May, 2018, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY



CITY OF CHANDLER
ANTI-HARASSMENT AND ANTI-BULLYING POLICY
AND COMPLAINT PROCEDURE

I. PURPOSE

The City of Chandler is committed to maintaining an environment that encourages and fosters appropriate conduct among all persons and respect for individuals and individual values. Accordingly, the City is committed to enforcing this Anti-Harassment and Anti-Bullying Policy at all levels of the organization in order to create an environment free from discrimination, harassment, and retaliation. The purpose of this policy is to inform employees of their rights and responsibilities and the procedures for promptly addressing allegations of bullying and harassment in the workplace. All employees are required to take the time to ensure they understand their obligations under this policy.

II. POLICY

It is the policy of the City to provide a work environment free from discrimination, bullying, harassment, and retaliation. Bullying and harassing conduct in the workplace violate City policy and will not be tolerated. Retaliation against individuals for reporting or complaining of bullying or harassment, for assisting or participating in the investigation of a complaint of bullying or harassment, or for enforcing this policy is prohibited. Any employee who engages in bullying, harassment, or retaliation violates City policy and will be subject to disciplinary and/or remedial action up to and including dismissal.

This policy and the related procedures are designed to help the City identify and address potentially harassing conduct before it becomes severe or pervasive within the meaning of the federal and state anti-discrimination laws. This policy covers work-related bullying and harassment which occurs both in and out of the workplace, such as on business trips, through social media, or at work-related events or social functions. It applies to bullying and harassment by employees and non-employees including employees of other employers, contractors, and members of the public, such as vendors and customers. The underlying principle of this policy is that employees must treat others with dignity and respect and should, themselves, be treated with dignity and respect.

The City encourages employees to report incidents of bullying and harassment promptly. All allegations of bullying and harassment will be taken seriously and addressed promptly. Any inquiry or investigation will be conducted with the greatest degree of confidentiality consistent with completing a fair and thorough investigation.

III. DEFINITIONS

A. **"Bullying"** is offensive, intimidating, malicious, or insulting behavior involving the misuse of power that makes a person feel vulnerable, upset, humiliated, undermined or threatened. "Power" does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct.

Examples of bullying behavior include, but are not limited to:

- Shouting at, being sarcastic towards, ridiculing or demeaning others;
- Staring, glaring or other nonverbal demonstrations of hostility;
- Personal attacks (angry outbursts, excessive profanity, or name-calling);
- Nonverbal threatening gestures; glances that can convey threatening messages;
- Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property;
- Socially or physically excluding or disregarding a person in work-related activities, or encouraging others to do so;
- Physical or psychological threats;
- Acts of physical or psychological violence;
- Creation of arbitrary standards for one person, imposing unrealistic demands, micromanaging work, or using supervision to intimidate a person;
- Inappropriate, exaggerated or untrue derogatory remarks about someone's performance, particularly in front of others;
- Sabotage of work;
- Abuse of authority or power by those in positions of seniority;
- Stealing credit for another's work; and
- Conduct that a reasonable person would find hostile, offensive, and unrelated to the employer's legitimate business interests.

The occurrence of any of the above listed behaviors does not automatically constitute a violation of this policy. The purpose of the policy is to address and correct severe, repetitive, or cumulative behavior that unreasonably affects an employee's work environment and/or has a detrimental effect on the productivity of the work group.

Legitimate, reasonable, and constructive criticism of an employee's performance or behavior, or reasonable instructions given to employees in the course of their employment, does not constitute bullying on its own.

- B. "Harassment"** is serious, severe, or pervasive conduct that is unwanted or offensive and directed toward an individual because of his or her race, gender and/or gender identity or expression, color, creed, religion, age, national origin, ethnicity, disability, veteran or military status, sexual orientation, pregnancy, genetic information, marital status, political affiliation, citizenship status or on any other legally prohibited basis, that has the purpose or effect of violating a person's dignity or creating an intimidating, humiliating, hostile or offensive environment. The harasser can be the person's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the City, such as a contractor, client, or customer.

Examples of harassing conduct include, but are not limited to:

- Unwanted and inappropriate physical contact or horseplay, including touching, pinching, pushing, grabbing, unnecessary brushing against someone, invading personal space and physical or sexual assault;
- Unwelcome sexual advances or suggestive behavior, and suggestions that sexual favors may further a career or that a refusal may hinder it;
- Stalking or persecuting a person with unwanted attentions, gifts, or messages;
- Continued suggestions for dating, romance, or social activity after it has been made clear that the suggestions are unwelcome;
- Sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the Internet);
- Offensive or intimidating remarks, insults, epithets or gestures, or insensitive jokes or pranks that undermine the dignity of the person;
- Mocking, mimicking or belittling a person's disability or age;

- Racist, sexist, homophobic or ageist epithets, slurs and jokes, or derogatory or stereotypical remarks about a particular ethnic, social, linguistic or religious group, or gender;
- Displays or electronic transmission of derogatory, demeaning or hostile materials;
- Disclosing or threatening to disclose someone's sexual orientation without their consent;
- Shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity; and
- Bullying behavior that is serious, severe, or pervasive and directed toward an individual because of his or her membership in one of the protected groups described herein.
- Offensive electronic communication, regardless of the type or ownership of the device used, such as:
 - Virtual harassment: harassment through a social media site;
 - Textual harassment: harassing, intimidating, or inappropriate text messages;
 - Sexting: sexually explicit or offensive photos or videos sent via electronic media; or
 - Cyberstalking: harassing an employee by following him or her on blogs, posts, and social websites.

Individuals may be harassed even if they are not the intended target. For example, an individual may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment for the non-targeted individual.

C. "Sexual harassment" is a form of harassment that consists of making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical acts of a sexual or sex-based nature where such conduct interferes with the employee's work performance or creates an intimidating, hostile or offensive working environment.

Sexual harassment may also occur where a supervisor/manager demands that an employee/subordinate satisfy sexual demands in order to receive job benefits, to continue employment, or as a basis for making any other employment-related decision. Such sexual harassment occurs between a manager/supervisor and an employee due to the nature of the manager/subordinate relationship. A manager/supervisor for this purpose is someone who can affect or impact an employee's terms, conditions, or privileges of employment because s/he can take or impact action such as

hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that employee.

- D. A **"hostile work environment"** results from harassing conduct that has the purpose or effect of unreasonably interfering with an employee's work performance, or creates an intimidating, hostile or offensive working environment.
- E. **"Retaliation"** is any adverse action taken against an individual (applicant or employee) because s/he filed a charge of discrimination, complained to the City or a government agency about discrimination on the job, or participated in an employment discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived discrimination, such as a family member.

Examples of retaliation include, but are not limited to dismissal, demotion, refusal to promote, unwarranted job or schedule reassignment, threats, unjustified negative evaluations, unjustified negative references, increased unwarranted monitoring or any other adverse action that a reasonable person could perceive as retaliatory.

IV. **RESPONSIBILITIES**

A. **Human Resources Director.** The Human Resources Director is responsible for:

1. Assisting supervisors and managers to comply with this policy and procedures;
2. Assisting supervisors and managers to identify the most appropriate measures to ensure compliance with this policy;
3. Ensuring that performance appraisals of all supervisors and managers included training relating to compliance with this policy;
4. Ensuring that all new employees receive a copy of this policy;
5. Maintaining all harassment inquiry-related records and files in a secure location.

B. Supervisors and Managers. Supervisors are responsible for maintaining a respectful work environment that is free from bullying and harassment by both employees and non-employees, and for taking prompt, effective corrective action when they know or have reason to know of interactions among coworkers, either on or off duty, that foster a hostile work environment.

1. Because of the nature of their positions, supervisors and managers are specifically responsible for:

- Ensuring that their subordinates are aware of this policy and procedures, and evaluating employees' compliance;
- Fostering a harassment-free work environment and setting an example through personal behavior of appropriate conduct in both the workplace and in social settings;
- Understanding and clearly communicating the process for investigating and resolving bullying and harassment complaints made by employees;
- Taking immediate and appropriate steps to address any allegations of bullying or harassment upon becoming aware of them, whether or not a complaint has been made;
- Taking appropriate action during an investigation, including separating the parties to the complaint, when appropriate;
- Monitoring the work environment after a complaint of an alleged violation of this policy has been made to ensure there are no further violations or incidents of retaliation against any individual who reported or participated in the inquiry or investigation; and
- Ensuring bullying and harassment situations are dealt with in a sensitive, prompt and confidential manner.

C. Employees. Employees are responsible for:

- Treating others with respect in the workplace;
- Understanding their rights and responsibilities under this policy and the related procedures;
- Promptly reporting bullying or harassing conduct in the workplace by employees or others before it becomes severe or pervasive;

- Promptly reporting any suspected retaliation for making a complaint or helping another employee make a complaint, participating in an inquiry into potential violations of this policy, or opposing unlawful discrimination or harassment; and
- Fully cooperating in any inquiry or investigation and respecting the confidentiality related to the investigative process.

V. PROCEDURES

A. Reporting potential violations.

1. An employee who has been subjected to bullying or harassing conduct is always encouraged to inform the person(s) responsible for the conduct that it is unwelcome and offensive and to request that the behavior stop immediately. If the unwelcome behavior continues, or the employee feels uncomfortable confronting the responsible person(s) about the conduct, s/he should report the conduct as provided below.
2. Employees who have experienced conduct that they believe violates this policy, or who have concerns about such matters, should report their complaints verbally or in writing to their immediate supervisor, the Department Director, the Human Resources Director or the City Manager before the conduct becomes severe or pervasive. Individuals should not feel obligated to report their complaints to their immediate supervisor first before bringing the matter to the attention of one of the other designated City representatives identified above.
3. Employees who have observed or are otherwise aware of hostile or abusive conduct directed at others are encouraged to report the conduct to the supervisor of the offending employee, the reporting employee's own supervisor, the Department Director, or the Human Resources Director.

B. Fact-Finding Inquiries and Investigations. The City will conduct a prompt, thorough and impartial investigation and take immediate and appropriate corrective action if it determines that conduct that violates this Policy has occurred.

1. Supervisors or managers who observe or are notified of bullying or harassing conduct are required to assess the situation immediately and notify the Human Resources Director.

2. The Human Resources Director, in consultation with the department, will determine based on the nature and circumstances of the complaint whether a fact-finding inquiry or investigation will be conducted at the department level or will be handled by Human Resources. In some cases, the determination will be made that the nature of the complaint falls outside of the scope of this Policy and no further inquiry or investigation will be required.
3. Depending on the circumstances, the department may be advised to take appropriate interim measures to alleviate escalation of the circumstances during the fact-finding process.
4. The investigator (or co-investigators, as necessary) will conduct a fact-finding inquiry that may include written statements, interviews and any other sources of evidence the investigator deems appropriate. During the course of the investigation, the investigator may receive counsel from the Human Resources Director, the City Attorney's Office, or other parties as needed.
5. While the length of an investigation will depend on a variety of factors, including the nature and scope of the allegations, the number of parties and witnesses, and the availability of parties and witnesses, the investigator will seek to conclude the investigation within 45 business days of receipt of the complaint.
6. The inquiry or investigation should result in a written record sufficient to support any corrective and/or disciplinary action taken or to indicate that there is insufficient evidence to support corrective and/or disciplinary action.

C. Confidentiality

1. The City will protect the confidentiality of harassment or bullying allegations to the extent reasonably possible. Information will be disclosed on a need-to-know basis, consistent with the City's legal obligations to follow up on complaints, including investigation, remedial action, and if required, reporting to appropriate enforcement agencies.
2. When supervisors become aware of the alleged harassment or bullying, they are responsible for taking the steps outlined in this policy to prevent and correct the behavior, protecting confidentiality to the greatest degree possible.
3. Employees that are interviewed as part of an investigation regarding harassment and bullying must refrain from discussing the investigative interview with other employees as the integrity of the investigation could be compromised.

VI. GOOD FAITH ALLEGATIONS

Because of the nature of discrimination, harassment, or retaliation complaints, allegations often cannot be substantiated by direct evidence other than the complaining individual's own statement. Lack of corroborating evidence should not discourage individuals from seeking relief under this policy. No adverse action will be taken against an individual who makes a good faith allegation of discrimination, harassment, or retaliation under this policy, even if an investigation fails to substantiate the allegation. However, individuals who make dishonest statements or make statements with willful disregard for the truth during an investigation or enforcement procedure under this policy may be subject to disciplinary action in accordance with existing City policies.

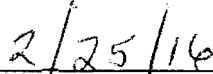
VII. RETALIATION

No employee will be subject to any form of retaliation or discipline for addressing or making a complaint about harassment or for cooperating in an investigation. An employee or supervisor who initiates a retaliatory act is subject to discipline up to and including dismissal.

VIII. APPROVAL



Marsha Reed, Acting City Manager



Date

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING OF ANTI-HARASSMENT AND ANTI-BULLYING POLICY

I acknowledge that I have received and read the Anti-Harassment and Anti-Bullying Policy and/or have had it explained to me.

I understand: (1) that it is my responsibility to abide by all rules contained in this policy, (2) how to report incidents of harassment or bullying as set forth in this policy (3) that I shall not retaliate against any employee exercising his or her rights under this policy, (4) that I shall not make false and/or malicious allegations, or deliberately provide false information during an investigation, and (5) that violation of this policy can lead to disciplinary action by City of Chandler, up to and including termination of employment.

Printed Name: _____

Signature: _____

Date: _____



OATH OF OFFICE

STATE OF ARIZONA)

) ss

COUNTY OF MARICOPA)

I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the _____ of the City of Chandler, County of Maricopa, State of Arizona, according to the best of my ability, so help me God (or so I do affirm).

SIGNED:

Subscribed and sworn to before me this _____ day of _____, 2022.

NOTARY PUBLIC

I have reviewed Open Meeting Law materials, pursuant to A.R.S 38-431.01G.

SIGNED:
