



February 9, 2021

Subject: TAVCO Resolution - Revised Rules of Procedure

Whereas the Tempe Aviation Commission in performance of its duties needs to update its Rules of Procedure to ensure members have access to appropriate meeting guidance, the commission has adopted by resolution on February 9, 2021, the attached revised rules of procedure. The rules were initially adopted on April 9, 1996, and last updated by resolution on February 20, 2020. This rule revision clarifies the selection of officers on an interim basis, the authority of the Chairperson to defer or decline matters brought before the commission that have previously been discussed and settled by the Commission, and clarifies that Commissioners may attend meetings telephonically or virtually through an online platform. There are also conforming changes.

On behalf of the Tempe Aviation Commission,

Chairperson

Attachment: Rules of Procedure for the Tempe Aviation Commission with amendments of February 11, 2020.

RULES OF PROCEDURE  
OF  
TEMPE AVIATION COMMISSION

---

ARTICLE I

PURPOSE

The purpose of the Rules of Procedure is to assist members of the Tempe Aviation Commission to faithfully carry out their duties as set forth in Tempe City Code (T.C.C.) Sec. 2-220 adopted by the City Council of the City of Tempe, Arizona.

ARTICLE II

OFFICERS AND STAFF

SECTION 1. **Chairperson**. A member of the Commission shall be selected to serve as Chairperson by a majority vote of the members. The Chairperson shall decide all points of order and procedure, subject to these rules. The Chairperson may assign tasks to the Commissioners and may appoint members to any subcommittees established by the City Council to investigate the matters before the Commission under T.C.C. Sec. 2-220.

SECTION 2. **Vice-Chairperson**. A Vice-Chairperson shall be selected by majority vote of the Commissioners pursuant to T.C.C. Sec. 2-219. The Vice-Chairperson shall serve as Chairperson in the absence of the Chairperson, and at such times shall have the same powers and duties as the Chairperson.

SECTION 3. **Staff Representative.** The staff representative designated by the City Manager under T.C.C. Sec. 2-215 (d) shall serve the Commission in an advisory capacity and shall act as Commission secretary.

SECTION 4. **Selection of Officers.** By majority vote a Chairperson and a Vice-Chairperson shall be selected as provided in T.C.C. Sec. 2-219. If the Commission is left without a Chairperson or a Vice-Chairperson in office during a term, the selection of an interim officer midterm may occur if no current officers are able to attend the remaining meetings until new officer(s) are selected by a majority vote at the first meeting of the succeeding year as provided by T.C.C. Sec. 2-219.

### ARTICLE III

#### COMMISSIONER DUTIES

SECTION 1. **Attendance.** Commissioners shall attend Commission meetings unless excused by the Chairperson on behalf of the Commission. If the Chairperson is unavailable or fails to participate, the Vice Chairperson shall consider requests for excused absences from Commissioners. Any Commissioner who is absent without reasonable cause and consent from the Chairperson (which consent shall not be unreasonably withheld) for three (3) consecutive meetings or six (6) meetings within any twelve (12) month period shall be deemed automatically to have resigned such Commissioner's office without notice or any further action of the Commission. For purposes of this Section 1, reasonable cause shall mean some cause affecting or concerning the ability or fitness of the Commissioner to perform the duties imposed, including the failure to participate in trainings or meetings of the Commission. A request to be excused shall be made to the staff liaison within twenty-

four (24) hours of a meeting to allow the Chairperson to ascertain whether attendance will satisfy the requirement for a quorum to conduct business under Sec. 2-181 (a) (2) and Sec. 2-215 (a). Participation in a meeting telephonically or virtually through an online platform pursuant to this section shall constitute attendance at the meeting.

SECTION 2. **Preparedness**. Prior to scheduled Commission meetings Commissioners should review all items on the agenda, draft meeting minutes or any other distributed material in order to contribute to deliberations and assist the Commission in making informed decisions.

SECTION 3. **Assistance**. Commissioners shall assist the Chairperson, to the best of their abilities, to explore matters before the Commission listed on the meeting agenda for discussions or actions as necessary, and defer other matters related to discussions to a future meeting when the matter(s) can be specifically listed on a Commission meeting agenda. The Chairperson has the authority to defer or decline matters brought before the commission that have previously been discussed and settled by the Commission to a future agenda.

SECTION 4. **Conflict-of-Interest**. Any Commissioner having a substantial interest as defined by Arizona Revised Statutes §38-501 et seq. on any matter being decided by the Commission, or who considers that they cannot make an unbiased decision, shall make that fact known in the official records of the Commission and shall refrain from participating in any manner in discussions concerning the matter, or voting on the matter.

SECTION 5. **Resignation**. Commissioners shall notify the Chairperson and the Tempe City Clerk of any change in their resident status under T.C.C. Sec. 2-182(a), or their

future ability or willingness to serve as a Commissioner. The Commissioner shall submit a written resignation from the Commission without delay by letter or e-mail.

## ARTICLE IV

### MEETINGS

SECTION 1. **Regular Meetings.** Regular meetings of the Commission shall be held on the same day of the week each month if the Commission has business to transact, unless the Commission has cause to hold a meeting on a different day from the regularly scheduled meeting.

SECTION 2. **Special Meetings.** Special meetings of the Commission may be called at the discretion of the Chairperson or at the request of at least three Commissioners.

SECTION 3. **Cancellation of Meetings.** If the Chairperson knows that there will not be a quorum to conduct the business of the Commission, the Chairperson may cancel a regular meeting by giving notice to all the members as soon as possible, and will use his or her best efforts to notify Commissioners at least forty-eight (48) hours before the time set to begin the meeting.

SECTION 4. **Notice of Meetings.** Except as otherwise provided in these Rules, notice of all Commission meetings shall be mailed at least three days before the meeting day, or sent by facsimile or e-mail at least twenty-four hours before the meeting, to the usual business, residential or email address designated by each Commissioner. The Commission shall not conduct any business for which notice complying with the Arizona Open Meeting Law, Arizona Revised Statutes § 38-431.02, has not lawfully been given.

SECTION 5. **Quorum.** Pursuant to T.C.C. Sec. 2-181 (a) (2) and Sec. 2-215a, the presence of five (5) Commissioners constitutes a quorum necessary for the transaction of business at any meeting. If less than a quorum is present at a meeting, a majority of those present may adjourn the meeting without notice to any absent Commissioner.

SECTION 6. **Place of Meetings.** Regular meetings of the Commission shall be held within the City of Tempe, however the Chairperson may decide to hold a meeting elsewhere with adequate notice under the Open Meetings Law, and may hold meetings telephonically or virtually through an online platform. All persons participating in the meeting, including the members of the public who wish to participate, must have a means be able to hear each other and communicate when appropriate. Accommodations will be made whenever possible, pursuant to the Americans for Disabilities Act, as amended from time to time.

SECTION 7. **Voting.** The Commissioners shall have equal voting rights on all matters before the Commission; each Commissioner shall have one vote.

## ARTICLE V

### SUBCOMMITTEES

The Commission may submit, by majority vote, a written notice to the City Council of the creation of a subcommittee pursuant to T.C.C. Sec. 2-181 (b). The written notice to the City Council shall include a detailed account for the subcommittee's need and purpose, the members of the Commission who will comprise the subcommittee's membership, and the anticipated additional resources needed to adequately staff the subcommittee. The Commission shall set a timeframe for the subcommittee's existence, which is not to exceed one year unless more time is deemed necessary to reach the intended purpose. The

Chairperson may only appoint subcommittee members from among the Commissioners. The Commission, with or without cause, may dissolve any such subcommittee or remove any subcommittee member at any time. The designation of a subcommittee and the delegation of authority to a subcommittee shall not relieve the Commission, or any Commissioner, of any responsibility imposed by law nor relieve the subcommittee from following all State Law, City Charter and the City Code requirements.

## ARTICLE VI

### PARLIAMENTARY RULES

Except as altered by these Rules or the laws of the City of Tempe or the State of Arizona, the meetings of the Commission shall be administered by consent. If a Commissioner requests to proceed more formally, the latest edition of Robert's Rules of Order, Newly Revised, shall govern the proceedings of Commission and committee meetings until the members present at a meeting agree to return to administration by consensus.

## ARTICLE IX

### REPEAL, ALTERATION OR AMENDMENT

The Commission, by a majority vote of the full Commission, may repeal, alter, or amend these Rules or adopt substitute rules at any time<sup>iii</sup>.

---

<sup>i</sup> The Commissioners of the Tempe Aviation Commission adopted rule amendments by resolution of July 8, 2014, to include City Code amendments made August 9, 2012, by the Tempe City Council's adoption of Ordinance No 2012.35 for the establishment of subcommittees and June 12, 2014, by adoption of Ordinance No O2014.22 relating to Boards and Commissions.

---

<sup>ii</sup> The Commissioners of the Tempe Aviation Commission adopted rule amendments that clarifies the meaning of the phrasing relating to attendance and assistance expected from members of the Commission by resolution of February 11, 2020.