

# Staff Summary Report



**Council Meeting Date:** 01/24/08

**Agenda Item Number:** \_\_\_\_\_

**SUBJECT:** This is the second public hearing to amend Chapter 2, Article V, Chapter 15, Article II, and Chapter 23, Article II of the Tempe City Code relating to the standardization of the City's Board's and Commissions' policies and procedures.

**DOCUMENT NAME:** 20080124casv01 **CITY CODE ADMIN (0503-02)** Ordinance No. 2008.01

**SUPPORTING DOCS:** No.

**COMMENTS:** The proposed ordinance affects existing boards and commissions of the City of Tempe. The changes include establishing consistent criteria for all boards and commissions (such as appointment, terms of service, and removal); making it clear that boards and commissions make recommendations to the City Council; and revising the duties and operations of certain Boards and Commissions to better reflect their current functions. This revision is the result of Council direction to the City Attorney's Office, and was drafted after substantial feedback from both the Council and numerous affected existing Boards and Commissions.

**PREPARED BY:** Andrew B. Ching, City Attorney (350-8575)

**REVIEWED BY:** N/A

**LEGAL REVIEW BY:** Andrew B. Ching, City Attorney (350-8575)

**FISCAL NOTE:** None.

**RECOMMENDATION:** Adoption of Ordinance No. 2008.01

**ADDITIONAL INFO:**

**ORDINANCE NO. 2008.01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING CHAPTER 2, ARTICLE V, CHAPTER 15, ARTICLE II, AND CHAPTER 23, ARTICLE II OF THE TEMPE CITY CODE, BY ADDING, AMENDING AND REPEALING VARIOUS SECTIONS RELATING TO THE STANDARDIZATION OF THE CITY'S BOARD AND COMMISSIONS' POLICIES AND PROCEDURES.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

**Section 1.** That Chapter 2, Article V, of the Tempe City Code is hereby amended by adding new Sections 2-181 through 2-183 as follows:

**ARTICLE V. BOARDS, COMMISSIONS, ETC.**

**DIVISION 1. GENERALLY**

**Sec. 2-181. POWERS AND DUTIES.**

ALL BOARDS AND COMMISSIONS ESTABLISHED BY THE CITY SHALL HAVE THE FOLLOWING POWERS AND DUTIES UNLESS OTHERWISE SPECIFIED:

- (1) TO ACT IN AN ADVISORY CAPACITY TO THE CITY COUNCIL FOR THE PURPOSE OF MAKING RECOMMENDATIONS CONSISTENT WITH ITS DUTIES.
- (2) TO ESTABLISH SUCH RULES AND REGULATIONS AS IT DEEMS NECESSARY FOR ITS GOVERNMENT AND FOR THE FAITHFUL PERFORMANCE OF ITS DUTIES; TO SET A TIME FOR REGULAR MEETINGS WHICH SHALL BE HELD AT LEAST ONCE A MONTH IF THERE IS BUSINESS TO TRANSACT; TO ESTABLISH THE MANNER IN WHICH SPECIAL MEETINGS MAY BE HELD AND THE NOTICE TO BE GIVEN THEREOF; AND TO PROVIDE THAT A MAJORITY OF THE TOTAL NUMBER OF MEMBERS SHALL CONSTITUTE A QUORUM. THE AFFIRMATIVE VOTE OF A MAJORITY OF THE TOTAL NUMBER OF MEMBERS SHALL BE REQUIRED FOR PASSAGE OF ANY MATTER BEFORE THE BOARD;
- (3) TO ORGANIZE BY ELECTING ONE OF ITS MEMBERS AS CHAIRMAN OF THE BOARD AND ONE AS VICE-CHAIRMAN. THE CITY STAFF REPRESENTATIVE ASSIGNED TO THE BOARD OR COMMISSION SHALL

ACT AS SECRETARY BUT SHALL NOT BE ENTITLED TO TAKE PART IN ANY VOTING;

- (4) TO REQUIRE ATTENDANCE OF THE MEMBERS AT REGULAR MEETINGS AND PROVIDE THAT ABSENCE FROM THREE (3) CONSECUTIVE REGULAR MEETINGS OR SIX (6) MEETINGS WITHIN ANY TWELVE (12) MONTH TIME PERIOD WITHOUT CONSENT FROM THE CHAIRMAN OR VICE-CHAIRMAN IF THE CHAIRMAN IS UNAVAILABLE, SHALL BE DEEMED TO CONSTITUTE A RESIGNATION AND SUCH POSITION SHALL THEREUPON BE DEEMED VACANT;
- (5) TO CONSULT, THROUGH THE CHAIRMAN OF THE BOARD, OR THE VICE-CHAIRMAN IF THE CHAIRMAN IS UNAVAILABLE, WITH THE ASSIGNED CITY DEPARTMENT ON THE ITEMS TO BE INCLUDED ON THE AGENDA OF THE MEETINGS PRIOR TO PREPARATION AND DISTRIBUTION OF THE AGENDA BY THE ASSIGNED CITY DEPARTMENT; AND
- (6) TO REVIEW AND APPROVE THE OFFICIAL MINUTES OF THE BOARD OR COMMISSION AS PREPARED BY THE ASSIGNED CITY DEPARTMENT NO LATER THAN THIRTY (30) DAYS AFTER THE MEETING OR COMMISSION AND IF SUCH MINUTES CANNOT BE APPROVED, FOR ANY REASON, WITHIN SUCH PERIOD OF TIME, SUCH MINUTES SHALL BE TRANSFERRED TO THE CITY COUNCIL WITHOUT APPROVAL.

**SEC. 2-182. TERMS AND REMOVAL.**

(A) THE MAYOR, WITH THE APPROVAL OF THE CITY COUNCIL, SHALL SELECT FOR APPOINTMENT AND REAPPOINTMENT THE MEMBERS OF EACH BOARD AND COMMISSION. UNLESS OTHERWISE SPECIFIED, THE MEMBERS OF EACH BOARD AND COMMISSION SHALL BE SELECTED FROM RESIDENTS OF THE CITY.

(B) THE TERM OF OFFICE FOR EACH MEMBER OF THE BOARD AND COMMISSION SHALL BE FROM THE FIRST OF JANUARY OF EACH YEAR AND END ON THE 31ST DAY OF DECEMBER, THREE (3) YEARS THEREAFTER EXCEPT IF OTHERWISE PROVIDED IN THIS ARTICLE.

(C) MEMBERS OF THE BOARD AND COMMISSION MAY NOT SERVE MORE THAN THREE (3) TOTAL TERMS ON ANY BOARD OR COMMISSION, AND NOT MORE THAN TWO (2) COMPLETE CONSECUTIVE TERMS.

(D) ANY VACANCY SHALL BE FILLED FOR THE UNEXPIRED TERM OF THE MEMBER WHOSE OFFICE IS VACANT IN THE SAME MANNER AS SUCH MEMBER RECEIVED ORIGINAL APPOINTMENT.

(E) THE MAYOR, WITH THE APPROVAL OF THE CITY COUNCIL, MAY FOR CAUSE REMOVE ANY MEMBER OF THE BOARD OR COMMISSION.

**SEC. 2-183. COMPENSATION OF MEMBERS.**

MEMBERS SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICE.

**Section 2.** That Chapter 2, Article V, Division 2, Historical Museum Advisory Board, is hereby amended and/or repealed as follows:

**Sec. 2-191. Established; COMPOSITION.**

(A) There is hereby established the Tempe historical museum advisory board of the city; ~~hereinafter referred to as the board,~~ to be composed of nine (9) members.

(B) THE COMMUNITY SERVICES MANAGER SHALL DESIGNATE A STAFF REPRESENTATIVE TO SERVE THE HISTORICAL MUSEUM ADVISORY BOARD IN AN ADVISORY CAPACITY.

**~~Sec. 2-192. Members.~~**

~~(a) The nine (9) members of the historical museum advisory board shall be selected from residents of the city by the mayor with the approval of the city council.~~

~~(b) The terms of the members shall be for three (3) years and shall commence on the first day of July of each year and end on the thirtieth day of June three (3) years thereafter. Such terms shall be so staggered that the terms of no more than three (3) members shall conclude in any given year.~~

~~(c) Members of the board shall receive no compensation for their services as board members.~~

~~(d) Members of the board may not serve more than two (2) complete consecutive terms. Any vacancy shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

**~~Sec. 2-193. Advisory services.~~**

~~The community services manager shall designate a staff representative to serve the historical museum advisory board in an advisory capacity.~~

**Sec. 2-195. Powers and duties.**

The historical museum advisory board shall have the following powers and duties:

~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and~~

- ~~to provide that five (5) members will constitute a quorum. The affirmative vote of five (5) members shall be required for passage of any matter before the board;~~
- ~~(2) To organize by electing one of its members chairman of the board and one as vice-chairman. The community services manager or his duly authorized representative shall act as secretary of the board but shall not be entitled to take part in any voting;~~
  - ~~(3) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the board shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
  - ~~(4) To advise and consult, through the chairman of the board, with the community services department as to the items to be included on the agenda of meetings of the board prior to preparation and distribution of the agenda by the community services department;~~
  - ~~(5) To review and approve the official minutes of all board meetings as prepared by the community services department, prior to the transmittal of such minutes to the city council;~~
  - (61) To assist and advise the city council, IN CONJUNCTION WITH THE community services manager and the historic preservation commission, in the establishment of essential policies, rules and regulations relating to the planning, acquisition, disposition, operation, use, care and maintenance of areas and structures owned, leased or otherwise acquired by the city for use as historical museums or interpretive sites;
  - (72) To assist and advise the city council in the establishment of essential policies, rules and regulations relating to the acquisition, conservation and use of historical materials and artifacts;
  - (83) To assist and advise the community services department staff liaison in the development of a continuing plan for the city's historical museum program;
  - (94) To assist and advise the community services department in establishing priorities at budget time for those items other than administrative functions relating to historical museum policy;
  - (105) To receive, accept and acquire subject to final action by the city council by gift, bequest or devise real and personal property of every kind, nature and description in the name of the city for historical museum purposes subject to the terms of the gift; and
  - (116) To suggest to the mayor and city council qualified and interested persons eligible for appointment for board vacancies.

**Section 3.** That Chapter 2, Article V, Division 3, Municipal Arts Commission is hereby amended and/or repealed as follows:

**Sec. 2-200. Establishment; COMPOSITION.**

(A) There is hereby established a Tempe municipal arts commission for the city; hereinafter referred to as the "commission", to be composed of fifteen (15) members.

(B) THE COMMUNITY SERVICES MANAGER OR HIS DESIGNEE SHALL SERVE THE COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-201. Members.**

~~(a) The fifteen (15) members of the commission shall be selected from residents of the city and appointed by the mayor with the approval of the city council for a term of three (3) years. The mayor, with approval of the city council may, for cause, remove any member of the commission. Those members previously appointed to the Tempe arts commission shall serve out their existing terms from the dates set forth in Resolution 87.16A.~~

~~(b) The terms of office of all commission members shall commence on the first day of January of each year and end on the thirty first day of December, three (3) years thereafter.~~

~~(c) Members of the commission shall receive no compensation for their services as commission members.~~

~~(d) Members of the commission may not serve more than two (2) complete successive terms.~~

~~(e) Any vacancy shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

**Sec. 2-202. Advisory member designated.**

~~The community services manager or his designee shall serve the commission in an advisory capacity.~~

**Sec. 2-204. Powers and duties.**

The commission shall have the following powers and duties:

~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that eight (8) members will constitute a quorum. The affirmative vote of a majority of the members present shall be required for passage of any matter before the commission;~~

- ~~(2) To organize by electing one of its members chair of the commission and one as first vice chair and one as second vice chair. The community services manager or his duly authorized representative shall act as secretary of the commission, but shall not be entitled to take part in any voting;~~
- ~~(3) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings or any five (5) meetings during a one year period without consent of the commission shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(4) To advise and consult, through the chairman of the commission, with the community services department, as to the items to be included on the agenda of meetings of the commission prior to preparation and distribution of the agenda by the community services department;~~
- ~~(5) To review and approve the official minutes of all commission meetings as prepared by the community services department, prior to the transmittal of such minutes to the city council;~~
- (61) To assist and advise the city council, through the community services department, in the development of a municipal arts plan and any subplans thereto;
- (72) To assist and advise the city council, through the community services department, in the establishment of essential policies, rules and regulations relating to the presentation, acquisition, disposition, maintenance, use, care and promotion of public arts within the city;
- (83) To recommend to the city council, through the community services department, a yearly update to the municipal arts plan based upon projected revenues from the municipal arts fund. Revenue projections will be supplied to the commission by the city's community services manager. The plan will include recommended programs and activities as well as proposed sites for placement of public art and estimated cost of purchases for each site. The plan will be updated annually in conjunction with the city's annual budget process;
- (94) To recommend to the city council, through the community services department, a method or methods of selecting and commissioning artists; and
- (105) To recommend to the city council, through the community services department, the selection and commissioning of artists for the placement of works of art on public sites approved by the city council. Recommendations will include estimates of all costs, including any operational and maintenance costs.

**Section 4.** That Chapter 2, Article V, Division 4, Sponsorship Review Committee is hereby amended and/or repealed as follows:

**Sec. 2-205. ~~Organization~~ ESTABLISHED; COMPOSITION.**

(a) ~~The~~ THERE IS HEREBY ESTABLISHED A sponsorship review committee ~~is an advisory committee to the mayor and city council and shall consist of~~ TO BE COMPOSED OF eight (8) members. ~~All members shall be appointed by the mayor with approval of the city council.~~

(b) The eight (8) members shall be composed of one representative each from: (1) Tempe city council, (2) Tempe Convention and Visitors Bureau, (3) Tempe Chamber of Commerce, (4) Mill Avenue Merchants Association, (5) Tempe Community Council, (6) Tempe Neighborhood Association chairperson, (7) Tempe Arts Commission, and (8) Tempe Sports Authority. ~~Terms shall be three (3) years except for the initial terms as set forth in subsection (e). No member shall serve more than two (2) complete consecutive three (3) year terms as provided by Tempe City Charter, § 6.01.~~

(c) ~~The eight (8) members of the committee shall have staggered terms established by creating initial one year terms for two (2) members, and initial two year terms for three (3) members with the remaining three (3) members being appointed to initial three year terms. The city council representative and the representative from the neighborhood association chairmanships shall be appointed to initial one year terms. The representatives from the Mill Avenue Merchants Association, Tempe Arts Commission and Tempe Sports Authority shall be appointed for initial terms of two years. All initial terms shall commence on August 1st and conclude on July 31.~~

(C) THE DEPUTY MANAGER OF PARKS AND RECREATION DEPARTMENT OR A DESIGNATED STAFF REPRESENTATIVE SHALL SERVE THE SPONSORSHIP REVIEW COMMITTEE IN AN ADVISORY CAPACITY.

(d) ~~The terms of office of all committee members shall commence on the first day of August of each year and end on the 31st day of July, three (3) years thereafter, except as provided in subsection (c) relative to initial appointment.~~

(e) ~~The mayor, with the approval of the city council, may for cause remove any member of the committee.~~

(f) ~~Vacancies shall be filled for the unexpired term of the member whose place has become vacant.~~

**Sec. 2-206. ~~Compensation of members.~~**

~~Members of the sponsorship review committee shall receive no compensation for their services as committee members.~~

**Sec. 2-207. ~~Staff representative.~~**

~~The deputy manager of parks and recreation department or a designated staff representative shall serve the sponsorship review committee in an advisory capacity.~~

**Sec. 2-209. Powers and duties.**

The sponsorship review committee shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; by vote to set a time for regular meetings which shall be held bi-monthly or as needed if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that five (5) members will constitute a quorum. The affirmative vote of five (5) members shall be required for passage of any matter before the committee;~~
- ~~(2) To organize by electing one of its members chairman of the committee and one as vice chairman. The deputy manager of parks and recreation department or designated staff representative shall act as secretary to the committee but shall not be entitled to take part in any voting. The officers first elected shall serve for a term expiring July 31, 1993. The term of office thereafter shall be one year beginning on August 1st of each year;~~
- ~~(3) To require attendance of members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the committee shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- (41) To make recommendation(s) to city council concerning city sponsorship, type of sponsorship and degree of sponsorship for the majority of requests received by the city on an annual basis for both traditionally sponsored events and for new requests;
- (52) ~~The primary goal/duty for the committee is~~ To work with the city staff through the annual budget review process, primarily in the months of January through April of each year, to make recommendations to city council as part of the annual budget. The committee will make a recommendation for a funding amount to be set aside for new events requests received by the city during the budget year; and
- (63) To make funding and services decisions concerning new events from monies previously appropriated by the city council. Such decisions shall be final unless appealed to the city council.

**Section 5.** That Chapter 2, Article V, Division 5, Aviation Commission, is hereby amended and/or repealed as follows:

**Sec. 2-215. Established; COMPOSITION.**

(A) There is hereby established the Tempe aviation commission to be composed of thirteen (13) members.

(B) IN ADDITION TO THE TERMS OF OFFICE AS SPECIFIED IN SECTION 2-182 OF THIS ARTICLE, TERMS SHALL BE STAGGERED SO THAT THE TERM OF NO MORE THAN FIVE (5) MEMBERS SHALL CONCLUDE IN ANY GIVEN YEAR.

(C) THERE SHALL BE COMMISSION MEMBERS FROM NEIGHBORHOODS LOCATED IN THE LDN 65 NOISE CONTOUR AND FROM OTHER NOISE IMPACTED GEOGRAPHIC AREAS THROUGHOUT THE COMMUNITY.

(D) THE CITY MANAGER OR HIS DESIGNEE SHALL SERVE THE AVIATION COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-216. Members.**

~~(a) The thirteen (13) members of the aviation commission shall be selected from residents of the city by the mayor with the approval of the city council.~~

~~(b) The terms of office of all commission members shall commence on the first day of January of each year and end on the 31st day of December, three (3) years thereafter. Such terms shall be staggered so that the term of no more than five (5) members shall conclude in any given year.~~

~~(c) Members of the commission may not serve more than two (2) complete consecutive terms. Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment as set forth in subparagraph (d).~~

~~(d) There shall be commission members from neighborhoods located in the Ldn 65 Noise Contour and from other noise impacted geographic areas throughout the community.~~

~~(e) The mayor, with the approval of the city council, may for cause remove any member of the commission.~~

**Sec. 2-217. Compensation to members.**

~~Members of the aviation commission shall receive no compensation for their services as commission members.~~

**Sec. 2-218. Staff representative.**

~~The city manager or his designee shall serve the aviation commission in an advisory capacity.~~

**Sec. 2-220. Powers and duties.**

The aviation commission shall have the following powers and duties:

~~(1) To establish such rules and regulations as it deems necessary for commission regulation and for the faithful performance of its duties; by vote to set a time for~~

~~regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that seven (7) members will constitute a quorum. The affirmative vote of a majority of those present constituting at least a quorum shall be required for passage of any matter before the commission;~~

- ~~(2) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the board shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(3) To advise and consult, through the chairman of the commission, with the designated staff person as to the items to be included on the agenda of meetings prior to the preparation and distribution of the agenda;~~
- ~~(4) To review and approve the official minutes of all commission meetings prior to the transmittal of such minutes to the city council;~~
- (51) To assist and advise the mayor and city council and ASSIST city departments regarding the impact of aircraft noise on Tempe residents;
- (62) To assist and advise the mayor and city council and ASSIST city departments in the monitoring, implementation and enforcement of agreements made between the City of Phoenix and Tempe concerning the operations of Sky Harbor Airport;
- (73) To assist and advise the mayor and city council and ASSIST city department in studies conducted of Sky Harbor Airport and its impact on Tempe;
- (84) To assist and advise the mayor and city council and ASSIST city departments on land use measures that could mitigate the impact of aircraft noise;
- (95) To the extent feasible, to review all relevant documents prior to adoption by the city council; and
- (106) To assist and advise the mayor and council and ASSIST city departments on any topic the commission feels is appropriate regarding aircraft noise and related matters in Tempe.

**Section 6.** That Chapter 2, Article V, Division 6, Human Relations Commission, is hereby amended and/or repealed as follows:

**Sec. 2-225. Established; COMPOSITION.**

(A) There is hereby established the Tempe human relations commission to be composed of thirteen (13) members.

(B) THE CITY MANAGER OR HIS DESIGNEE SHALL SERVE THE HUMAN RELATIONS COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-226. Members.**

~~(a) The thirteen (13) members of the human relations commission shall be selected from residents of the city by the mayor with the approval of the city council.~~

~~(b) The terms of office of all commission members shall commence on the first day of January of each year and end on the 31st day of December, three (3) years thereafter. Such terms shall be staggered so that the term of no more than five (5) members shall conclude in any given year.~~

~~(c) Members of the commission may not serve more than two (2) complete consecutive terms. Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment as set forth in subsection (b).~~

~~(d) The mayor with the approval of the city council may for cause remove any members of the commission.~~

**Sec. 2-227. Compensation.**

~~Members of the human relations commission shall receive no compensation for their services as commission members.~~

**Sec. 2-228. Staff representative.**

~~The city manager or his designee shall serve the human relations commission in an advisory capacity.~~

**Sec. 2-230. Powers and duties.**

The human relations commission shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for commission regulation and for the faithful performance of its duties; by vote to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that seven (7) members will constitute a quorum. The affirmative vote of a majority of those present constituting at least a quorum shall be required for passage of any matter before the commission;~~
- ~~(2) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the board shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~

- ~~(3) To advise and consult, through the chairman of the commission, with the designated staff person as to the items to be included on the agenda of meetings prior to the preparation and distribution of the agenda;~~
- ~~(4) To review and approve the official minutes of all commission meetings prior to the transmittal of such minutes to the city council;~~
- (51) To assist and advise the mayor and city council and ASSIST city departments in promoting mutual understanding and respect among the many groups of people who live, work and spend time in our community;
- (62) To assist and advise the mayor and city council and ASSIST city departments on ways to eliminate prejudice and discrimination;
- (73) To assist and advise the mayor and city council and ASSIST city departments on ways in which people from different cultural backgrounds can be made to feel at home in the community; and
- (84) To assist and advise the mayor and city council and ASSIST city departments on ways in which information on human relations topics can be disseminated including: conducting surveys and studies, convening forums, seminars and workshops, and sponsoring special event and award recognitions.

**Section 7.** That Chapter 2, Article V, Division 7, Golf Advisory Committee, is hereby amended and/or repealed as follows:

**Sec. 2-235. Established; composition.**

(A) There is hereby established a golf advisory committee for the city to be composed of nine (9) members. ~~This committee is AS an advisory committee to parks and recreation staff and to city council.~~

(B) THE MANAGER OF THE PARKS AND RECREATION DEPARTMENT OR A DESIGNATED STAFF REPRESENTATIVE SHALL SERVE THE GOLF ADVISORY COMMITTEE IN AN ADVISORY CAPACITY.

**Sec. 2-236. Appointment of members; terms of office.**

~~(a) The members of the committee shall be appointed by the mayor with the approval of city council for a term of three (3) years and no committee member shall serve more than two (2) complete consecutive three (3) year terms from and after the effective date of this article. The mayor, with the approval of city council, may for cause, remove any member of the committee. An initial transition golf advisory committee was created of thirteen (13) members with staggered terms of one year for seven (7) members, two (2) years for three (3) members and three (3) years for three (3) members.~~

~~(b) The terms of office of all committee members shall commence on the first day of September of each year and end on the 31st day of August, three (3) years thereafter except as provided for the initial committee.~~

~~(c) Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

**Sec. 2-237. Compensation of members.**

~~Members of the golf advisory committee shall receive no compensation for their services as committee members.~~

**Sec. 2-238. Advisory capacity of manager of parks and recreation department.**

~~The manager of the parks and recreation department or a designated staff representative shall serve the golf advisory committee in an advisory capacity.~~

**Sec. 2-240. Powers and duties.**

The golf advisory committee shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for meetings which shall be held once every three (3) months when there is pending business; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that five (5) members shall constitute a quorum. The affirmative vote of five (5) members shall be required for passage of any matter before the committee;~~
- ~~(2) To organize by electing one of its members chair of the committee and one as vice-chair who will serve a term of one year beginning in September of each year. The parks and recreation manager or his duly authorized representative shall act as secretary to the committee but shall not be entitled to take part in any voting;~~
- ~~(3) To require attendance of the members at meetings and provide that absence from three (3) consecutive meetings without consent of the committee shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(4) To advise and consult, through the chair of the committee, with the parks and recreation manager, as to the items to be included on the agenda of meetings of the committee prior to the preparation and distribution of the agenda by the parks and recreation department;~~
- ~~(5) To review and approve the official minutes of all committee meetings as prepared by the parks and recreation department, prior to transmittal of such minutes to the city council;~~

- (61) To ~~assist and~~ advise the city council and ASSIST the city manager in the establishment of essential policies, rules and regulations relating to the planning, acquisition, disposition, operation, use, care and maintenance of golf facilities owned, leased or otherwise acquired by the city for use as municipal golf courses; and
- (72) To ~~assist and advise~~ the parks and recreation department and other city departments in establishing priorities at budget time for those items other than administrative functions relating to golf. The recommendations of the committee shall be forwarded to the city council.

**Section 8.** That Chapter 2, Article V, Division 8, Transportation Commission, is hereby amended and/or repealed as follows:

**Sec. 2-245. Established; COMPOSITION.**

(A) There is hereby established a transportation commission consisting of fifteen (15) members. ~~This commission is an advisory commission to the city council, city departments and other city boards and commissions.~~

(B) THE MANAGER OF THE PUBLIC WORKS DEPARTMENT OR A DESIGNATED STAFF REPRESENTATIVE SHALL SERVE THE TRANSPORTATION COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-246. ~~Appointment of members; terms of office.~~**

~~(a) The members of the commission shall be appointed by the mayor with the approval of the city council for a term of three (3) years and no commission member shall serve more than two (2) complete consecutive three (3) year terms after August 29, 1996.~~

~~(b) The terms of office of all commission members shall commence on the first of January of each year and end on the 31st day of December, three (3) years thereafter except as provided in paragraph (c) relative to the initial appointment and the length of term.~~

~~(c) Existing bicycle advisory committee members, based on date of appointment, shall fill terms as identified in (a) above.~~

~~(d) The mayor, with the approval of the city council, may for cause remove any member of the commission.~~

~~(e) Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

**Sec. 2-247. ~~Compensation of members.~~**

~~Members of the transportation commission shall receive no compensation for their services as commission members.~~

**Sec. 2-248. ~~Advisory member designated.~~**

~~The manager of the public works department or a designated staff representative shall serve the transportation commission in an advisory capacity.~~

**Sec. 2-250. Powers and duties.**

The transportation commission shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; by vote to set a time for regular meetings which shall be held at least once a month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; to establish subcommittees either on a standing basis or as necessary to perform the duties of the commission; and to provide that eight (8) members shall constitute a quorum. The affirmative vote of eight (8) members shall be required for passage of any matter before the commission;~~
- ~~(2) To organize by electing one of its members chairman of the commission and one as vice chairman. The term of office shall be as set forth in § 2-249. The public works manager or his duly authorized representative shall act as secretary of the commission but shall not be entitled to take part in any voting;~~
- ~~(3) To require attendance of the members at regular meetings and to provide that absence from three (3) consecutive regular meetings without consent of the commission shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- (41) To suggest to the mayor and city council qualified and interested persons eligible for appointment for commission vacancies;
- (52) To advise and consult, through the chairman of the commission, with the public works department, as to the items to be included on the agenda of meetings of the commission prior to the preparation and distribution of the agenda by the public works department;
- ~~(6) To review and approve the official minutes of all commission meetings as prepared by the public works department, prior to transmittal of such minutes to the public works manager and the city council;~~
- (73) To prepare and submit an annual report to the city manager and city council including applicable council committees;
- (84) To assist, advise and make recommendations to THE CITY COUNCIL AND TO ASSIST city departments, AND the city manager and the city council to plan and implement a balanced transportation system within Tempe which incorporates all forms of transportation in a unified, interconnected manner and complements land

use, making a positive environmental impact through reduction of energy consumption, air pollution and congestion, while promoting economic development and providing mobility for all persons, including elderly and disabled;

(95) To ~~assist,~~ advise and make recommendations to THE CITY COUNCIL AND TO ASSIST city departments; AND the city manager ~~and the city council~~ on appropriate performance standards and benchmarks for use in evaluating the city's transportation system and program, based on nationally recognized guidelines and local priorities;

(106) To ~~assist,~~ advise and make recommendations to THE CITY COUNCIL AND TO ASSIST city departments; AND the city manager ~~and the city council~~ on transportation plans, projects and ordinances, including but not limited to:

- a. To recommend and review short and long-range plans and studies for the city's transportation system, including streets, transit, bicycling, pedestrians and demand management;
- b. To periodically review and update the transportation elements of the city's general plan;
- c. To provide input and review regional, state and federal transportation plans, projects and issues especially as provided by federal law; and
- d. To promote and maintain bicycling as a safe and effective mode of travel for recreation, health and transportation.

(117) To ~~assist,~~ advise and recommend to the CITY COUNCIL, AND TO ASSIST city departments; AND THE city manager ~~and the city council~~ annually ON the elements of prioritized, unified operating and capital improvement program budgets for transportation;

(128) To provide a forum for public hearings and other public involvement mechanisms to assure community-based transportation plans, projects and issues, and to meet all federal and other guidelines for public involvement in transportation projects where applicable; and

(139) To take any such further actions as may be deemed necessary and appropriate to further the goals of the commission.

**Section 9.** That Chapter 2, Article V, Division 9, Mayor's Youth Advisory Commission, is hereby amended and/or repealed as follows:

**Sec. 2-255. Established; COMPOSITION.**

(A) There is hereby established a mayor's youth advisory commission to be composed of ~~twenty one (21)~~ TWENTY-FOUR (24) members.

(B) THE TWENTY-FOUR (24) MEMBERS OF THE MAYOR'S YOUTH ADVISORY COMMISSION SHALL BE SELECTED FROM RESIDENTS OF THE CITY, OR ATTEND SCHOOL WITHIN THE CITY, ENROLLED IN SEVENTH THROUGH TWELFTH GRADES.

(C) MEMBERSHIP SHALL BE COMPOSED OF AT LEAST ONE REPRESENTATIVE FROM EACH TEMPE ELEMENTARY SCHOOL DISTRICT NO. 3 AND KYRENE SCHOOL DISTRICT MIDDLE SCHOOL LOCATED WITHIN THE CITY AND AT LEAST TWO REPRESENTATIVES FROM EACH TEMPE UNION HIGH SCHOOL DISTRICT SCHOOL LOCATED WITHIN THE CITY. REMAINING MEMBERS WILL BE SELECTED AT LARGE AND SHALL RESIDE IN TEMPE OR ATTEND SCHOOL WITHIN THE CITY.

(D) THE COMMUNITY SERVICES MANAGER OR HIS DESIGNEE SHALL SERVE THE MAYOR'S YOUTH ADVISORY COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-256. ~~Appointment of members; terms of office.~~**

~~(a) The twenty four (24) members of the mayor's youth advisory commission shall be selected from residents of the city, or attend school within the city, enrolled in seventh through twelfth grades. Members shall be selected by the mayor with the approval of the city council. The mayor, with the approval of the city council, may for cause remove any member of the commission.~~

~~(b) The term of office of all commission members shall be for three (3) years and shall commence on the first day of September of each year and end on the 31st day of August, three (3) years thereafter.~~

~~(c) Members of the mayor's youth advisory commission may not serve more than one complete term. Any vacancy shall be filled for the remainder of the year (through August 31) of the member whose office is vacant in the same manner as such member received original appointment.~~

~~(d) Membership shall be composed of at least one representative from each Tempe Elementary School District No. 3 and Kyrene School District middle school located within the city and at least two representatives from each Tempe Union High School District school located within the city. Remaining members will be selected at large and shall reside in Tempe or attend school within the city.~~

**Sec. 2-257. ~~Advisory member designated.~~**

~~The community services manager or his designee shall serve the mayor's youth advisory commission in an advisory capacity.~~

**Sec. 2-259. Powers and duties.**

The mayor's youth advisory commission shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings shall be held and the notice to be given thereof; and to provide that ten (10) members or one person more than fifty percent (50%) of the current membership shall constitute a quorum. The affirmative vote of ten (10) members or one person more than fifty percent (50%) of the current membership shall be required for passage of any matter before the commission;~~
- ~~(2) To organize by electing one of its members chairman of the commission and one as vice chairman. The community services manager or his duly authorized representative shall act as secretary of the commission but shall not be entitled to take part in any voting;~~
- ~~(3) To require attendance of the members at regular meetings and to provide that absence from three (3) consecutive regular meetings without consent of the commission shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(4) To advise and consult, through the chairman of the commission, with the community services department, as to the items to be included on the agenda of meetings of the commission prior to the preparation and distribution of the agenda;~~
- ~~(5) To review and approve the official minutes of all commission meetings as prepared by the community services department, prior to the transmittal of such minutes to the city council;~~
- (61) To make recommendation(s) to the mayor and city council concerning the interests, needs and welfare of the youth within the community on an annual basis;
- (72) To assist and advise the mayor, AND city council, and ASSIST city departments on any topic the commission feels is appropriate regarding youth issues and related matters within the city;
- (83) To assist and advise the mayor, AND city council, and ASSIST city departments on ways in which information regarding youth issues can be disseminated including: conducting surveys and studies, convening forums, seminars and workshops, and sponsoring special event and award recognitions;
- (94) To encourage and promote the education of youth regarding city government and the importance of citizen input, participation and responsibility; and
- (105) To solicit from each of the city's middle and high schools qualified and interested persons eligible for appointment for commission vacancies and forward those names to the mayor and city council.

**Section 10.** That Chapter 2, Article V, Division 10, Commission on Disability Concerns, is hereby amended and/or repealed as follows:

**Sec. 2-265. Established; composition.**

(A) There is hereby established a commission on disability concerns for the city to be composed of fifteen (15) members. ~~This commission is advisory to the city council.~~

(B) THE CITY MANAGER OR HIS DESIGNEE SHALL DESIGNATE A CITY STAFF REPRESENTATIVE TO SERVE AS ADVISORY CAPACITY FOR THE COMMISSION ON DISABILITY CONCERNS.

**Sec. 2-266. Appointment of members; terms of office.**

~~(a) The members of the commission shall be appointed by the mayor with the approval of city council for a term of three (3) years and no commission member shall serve more than two (2) complete consecutive three (3) year terms from and after the effective date of this article. Such terms shall be staggered so that the term of no more than five (5) members shall conclude in any given year.~~

~~(b) The mayor, with the approval of city council, may for cause remove any member of the commission.~~

~~(c) The terms of office of all commission members shall commence on the first day of July of each year and end on the 30th day of June three (3) years thereafter.~~

~~(d) Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment. The person filling the vacancy may thereafter apply for their first full three (3) year term.~~

**Sec. 2-267. Compensation of members.**

~~Members of the commission on disability concerns shall receive no compensation for their services as commission members.~~

**Sec. 2-268. Staff representative.**

~~The city manager or his designee shall designate a city staff representative to serve as advisory capacity for the commission on disability concerns.~~

**Sec. 2-270. Powers and duties.**

The commission on disability concerns shall have the following powers and duties:

~~(1) To advocate in the community for disability issue awareness, equal access and full community integration for people with disabilities and to seek resolution of the concerns of people with disabilities for the benefit of all the people of Tempe;~~

- ~~(2) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for meetings which shall be held at least once per year or as needed; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that eight (8) members shall constitute a quorum. The affirmative vote of eight (8) members shall be required for passage of any matter before the commission;~~
- ~~(3) To require attendance of the members at meetings and provide that absence from three (3) consecutive meetings without consent of the chair of the commission shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- (41) To suggest to the mayor and city council qualified and interested persons for appointment to commission vacancies;
- ~~(5) To advise and consult, through the chair of the commission with the designated staff person, as to the items to be included on the agenda of meetings of the commission prior to the preparation and distribution of the agenda;~~
- ~~(6) To review and approve the official minutes of all commission meetings prior to transmittal of such minutes to the city council;~~
- (72) To assist, advise and make recommendations to ~~city departments~~, the city council and TO ASSIST CITY DEPARTMENTS AND the city manager in the establishment of essential policies, rules and regulations relating to compliance with federal and state disabilities legislation or regulations and on other disabilities concerns and issues as needed;
- (83) To prepare and submit an annual report to the city manager and city council; and
- (94) To take further actions as may be deemed necessary and appropriate to further the goals of the commission.

**Section 11.** That Chapter 2, Article V, Division 11, Rio Salado Citizen Advisory Commission, is hereby amended and/or repealed as follows:

**Sec. 2-275. Established; composition.**

(A) There is hereby established a Rio Salado citizen advisory commission for the city to be composed of thirteen (13) members. ~~This commission is an advisory commission to Rio Salado staff and to city council.~~

(B) THE MEMBERS OF THE COMMISSION SHALL BE APPOINTED BY THE MAYOR WITH THE APPROVAL OF CITY COUNCIL FOR A TERM OF THREE (3) YEARS AND NO COMMISSION MEMBER SHALL SERVE MORE THAN TWO (2) COMPLETE CONSECUTIVE THREE (3) YEAR TERMS FROM AND AFTER THE

EFFECTIVE DATE OF THIS ARTICLE. THE MAYOR, WITH THE APPROVAL OF CITY COUNCIL, MAY FOR CAUSE, REMOVE ANY MEMBER OF THE COMMISSION.

(C) THE RIO SALADO PROJECT MANAGER OR A DESIGNATED STAFF REPRESENTATIVE SHALL SERVE THE RIO SALADO CITIZEN ADVISORY COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-276. Appointment of members; terms of office.**

~~(a) With the exception of incumbent commission members whose terms shall expire as set forth in Section 1 of Ordinance No. 96.49, the members of the commission shall be appointed by the mayor with the approval of city council for a term of three (3) years and no commission member shall serve more than two (2) complete consecutive three (3) year terms from and after the effective date of this article. The mayor, with the approval of city council, may for cause, remove any member of the commission.~~

~~(b) The terms of office of all commission members shall commence on the first day of January of each year and end on the 31st day of December three (3) years thereafter except as provided for in the initial commission.~~

~~(c) Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

**~~Sec. 2-277. Compensation of members.~~**

~~Members of the Rio Salado citizen advisory commission shall receive no compensation for their services as commission members.~~

**~~Sec. 2-278. Advisory capacity of Rio Salado/community development department.~~**

~~The Rio Salado project manager or a designated staff representative shall serve the Rio Salado citizen advisory commission in an advisory capacity.~~

**Sec. 2-280. Powers and duties.**

The Rio Salado citizen advisory commission shall have the following powers and duties:

- ~~(1) To establish such bylaws and rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for meetings which shall be held at least once per month or as needed; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that seven (7) members shall constitute a quorum. The affirmative vote of seven (7) members shall be required for passage of any matter before the commission;~~
- ~~(2) To organize by electing one of its members chair of the commission who will serve a term of one year beginning January 1st of each year. The Rio Salado project manager~~

~~or his duly authorized representative shall act as secretary to the commission but shall not be entitled to take part in any voting;~~

- ~~(3) To require attendance of the members at meetings and provide that absence from three (3) consecutive meetings or six (6) meetings within any twelve (12) month time period shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- (41) To advise and consult, through the chair of the commission with the Rio Salado project manager, as to the items to be included on the agenda of meetings of the commission prior to the preparation and distribution of the agenda by the Rio Salado/ community development department;
- (52) To review and approve the official minutes of all commission meetings as prepared by the Rio Salado/economic development department, prior to transmittal of such minutes to the city council;
- (63) To advise the city council on major matters pertaining to the Rio Salado, including proposed developments;
- (74) To support and assist in educating the public on Rio Salado activities and to act as advocate for the Rio Salado both in Tempe and throughout the valley;
- (85) To review and provide input once a year to the Tempe Rio Salado master plan;
- (96) To serve as a forum for discussions of ideas and opportunities to enhance the Rio Salado;
- ~~(107) To solicit public input, which may include holding public hearings;~~
- ~~(118) To review development proposals within the Rio Salado overlay district; and~~
- ~~(129) To create committees as needed.~~

**Section 12.** That Chapter 2, Article V, Division 12, Tempe Citizens' Panel for Review of Police Complaints and Use of Force, is hereby amended and/or repealed as follows:

**Sec. 2-285. Established; COMPOSITION.**

(a) There is hereby established a Tempe citizens' panel for review of police complaints and use of force ("panel") to be composed of fifteen (15) citizen members and three (3) police department members.

(b) When functioning as a review sub-panel as described in § 2-288, each sub-panel shall consist of five (5) citizen members and three (3) police department members. The citizen members of each sub-panel shall be selected by the city manager.

(c) This panel shall act in an advisory capacity to the chief of police and the city manager.

(D) THE FIFTEEN (15) CITIZEN MEMBERS OF THE PANEL SHALL BE SELECTED FROM RESIDENTS OF THE CITY. THE MAYOR WILL MAKE THREE (3) SELECTIONS AND EACH COUNCIL MEMBER WILL MAKE TWO (2) SELECTIONS.

(E) THE TERM OF OFFICE OF CITIZEN MEMBERS SHALL BE FOR THREE (3) YEARS AND SHALL COMMENCE ON THE FIRST DAY OF JANUARY OF EACH YEAR AND END ON THE 31ST DAY OF DECEMBER, THREE (3) YEARS THEREAFTER, EXCEPT FOR THE INITIAL CITIZEN MEMBERS OF THE PANEL. SUCH TERMS SHALL BE STAGGERED SO THAT THE TERM OF NO MORE THAN FIVE (5) CITIZEN MEMBERS SHALL CONCLUDE IN ANY GIVEN YEAR.

(F) CITIZEN MEMBERS OF THE PANEL MAY NOT SERVE MORE THAN TWO (2) COMPLETE CONSECUTIVE TERMS. ANY VACANCIES SHALL BE FILLED FOR THE REMAINDER OF THE UNEXPIRED TERM OF THE CITIZEN MEMBER WHOSE OFFICE IS VACANT IN THE SAME MANNER AS SUCH CITIZEN MEMBER RECEIVED ORIGINAL APPOINTMENT.

(E) THE CITY MANAGER MAY FOR CAUSE REMOVE ANY CITIZEN MEMBER OF THE PANEL.

**~~Sec. 2-286. Appointment of citizen members; terms of office.~~**

~~(a) The fifteen (15) citizen members of the panel shall be selected from residents of the city. The mayor will make three (3) selections and each council member will make two (2) selections.~~

~~(b) The term of office of citizen members shall be for three (3) years and shall commence on the first day of January of each year and end on the 31st day of December, three (3) years thereafter, except for the initial citizen members of the panel. Such terms shall be staggered so that the term of no more than five (5) citizen members shall conclude in any given year.~~

~~(c) Citizen members of the panel may not serve more than two (2) complete consecutive terms. Any vacancies shall be filled for the remainder of the unexpired term of the citizen member whose office is vacant in the same manner as such citizen member received original appointment.~~

~~(d) Citizen members of the panel shall receive no compensation for their services as panel members.~~

~~(e) The city manager may for cause remove any citizen member of the panel.~~

**Section 13.** That Chapter 2, Article V, Division 13, Double Butte Cemetery Advisory Committee, is hereby amended and/or repealed as follows:

**Sec. 2-295. Established; composition.**

(A) There is hereby established a Double Butte Cemetery advisory committee for the city to be composed of nine (9) members. ~~This committee is an advisory committee to parks and recreation staff and to city council.~~

(B) THE MANAGER OF THE PARKS AND RECREATION DEPARTMENT OR A DESIGNATED STAFF REPRESENTATIVE SHALL SERVE THE CEMETERY ADVISORY COMMITTEE IN AN ADVISORY CAPACITY.

**Sec. 2-296. Appointment of members; terms of office.**

(a) ~~The members of the committee shall be selected from residents of the city appointed by the mayor with the approval of city council. The mayor, with approval of the city council, may, for cause, remove any member of the committee.~~

(b) ~~The terms of office of all committee members shall commence on the first day of September of each year and end on the 31st day of August, three (3) years thereafter.~~

(c) ~~Members of the committee may not serve more than two (2) complete successive terms. The initial Double Butte Cemetery advisory committee shall consist of nine (9) members with staggered terms of one year for three (3) members, two (2) years for three (3) members and three (3) years for three (3) members.~~

(d) ~~Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

**Sec. 2-297. Compensation of members.**

~~Members of the cemetery advisory committee shall receive no compensation for their services as committee members.~~

**Sec. 2-298. Advisory capacity of manager of parks and recreation department.**

~~The manager of the parks and recreation department or a designated staff representative shall serve the cemetery advisory committee in an advisory capacity.~~

**Sec. 2-300. Powers and duties.**

The cemetery advisory committee shall have the following powers and duties:

- (1) ~~To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for meetings which shall be held once every three (3) months when there is pending business; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that five (5) members shall constitute a quorum. The affirmative vote of five (5) members shall be required for passage of any matter before the committee;~~

- ~~(2) To organize by electing one of its members chair of the committee and one as vice-chair who will serve a term of one year beginning in September of each year. The manager of parks and recreation or a designated staff representative shall act as secretary to the committee but shall not be entitled to take part in any voting;~~
- ~~(3) To require attendance of the members at meetings and provide that absence from three (3) consecutive meetings without consent of the committee shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(4) To advise and consult, through the chair of the committee, with the manager of parks and recreation or a designated staff representative, as to the items to be included on the agenda of meetings of the committee prior to the preparation and distribution of the agenda by the parks and recreation department;~~
- ~~(5) To review and approve the official minutes of all committee meetings as prepared by the parks and recreation department, prior to transmittal of such minutes to the city council;~~
- (61) To assist and advise the city council, through the parks and recreation department, in the establishment of essential policies, rules and regulations relating to the planning, acquisition, disposition, operation, use, care, maintenance, design and construction of cemetery facilities owned, leased or otherwise acquired by the city;
- (72) To assist and advise the city council in establishing priorities at budget time for those items other than administrative functions relating to the cemetery. The recommendations of the committee shall be forwarded to the city council; and
- (83) To suggest to the mayor and city council qualified and interested persons eligible for appointment for board vacancies.

**Section 14.** That Chapter 2, Article V, Division 14, Neighborhood Advisory Commission, is hereby amended and/or repealed as follows:

**Sec. 2-305. Established; COMPOSITION.**

(A) There is hereby established the neighborhood advisory commission to be composed of twenty-one (21) members, AND MUST HAVE BEEN RESIDENTS OF THE CITY FOR AT LEAST ONE YEAR PRIOR TO THE APPOINTMENT.

(B) MEMBERS SHALL BE APPOINTED PROPORTIONATELY TO THE GEOGRAPHIC DISTRIBUTION OF POPULATION BY ZIP CODES, SUBJECT TO CHANGE AS POPULATION SHIFTS OCCUR.

(C) THE NEIGHBORHOOD PROGRAM ADMINISTRATOR OR HIS OR HER DESIGNEE SHALL SERVE THE NEIGHBORHOOD ADVISORY COMMISSION IN AN ADVISORY CAPACITY.

**Sec. 2-306. ~~Appointment of members; terms of office.~~**

~~(a) The twenty one (21) members of the neighborhood advisory commission shall be appointed by the mayor with the approval of the city council and must have been residents of the city for at least one year prior to the appointment.~~

~~(b) Members shall be appointed proportionately to the geographic distribution of population by zip codes, subject to change as population shifts occur.~~

~~(c) The terms of office of all commission members shall commence on the first day of January of each year and end on the 31st day of December, three (3) years thereafter. Such terms shall be staggered so that the term of no more than seven (7) members shall conclude in any given year.~~

~~(d) Members of the commission may not serve more than two (2) complete consecutive terms. Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment as set forth in subsection (c).~~

~~(e) The mayor with the approval of the city council may remove any members of the commission for cause.~~

**Sec. 2-307. ~~Compensation.~~**

~~Members of the neighborhood advisory commission shall serve as volunteers and receive no compensation for their services as commission members.~~

**Sec. 2-308. ~~Staff representative.~~**

~~The neighborhood program administrator or his or her designee shall serve the neighborhood advisory commission in an advisory capacity.~~

**Sec. 2-310. Powers and duties.**

The neighborhood advisory commission shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; by vote to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that eleven (11) members will constitute a quorum. The affirmative vote of a majority of those present constituting at least a quorum shall be required for passage of any matter before the commission;~~

- ~~(2) To organize by electing one of its members chairman of the commission and one as vice chairman. The neighborhood program administrator or his or her duly authorized representative shall act as secretary of the commission, but shall not be entitled to take part in any voting;~~
- (31) To organize and appoint members of the commission to serve on standing committees as the need arises, subject to all administrative guidelines adopted by the commission;
- ~~(4) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the commission shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(5) To advise and consult, through the chairman of the commission, with the designated staff person as to the items to be included on the agenda of meetings prior to the preparation and distribution of the agenda;~~
- ~~(6) To review and approve the official minutes of all commission meetings prior to the transmittal of such minutes to the city council;~~
- (72) To propose and make recommendations to the mayor and city council and ASSIST city departments on specific programs that are designed to build upon neighborhood opportunities and strengths as well as prevent the decline and deterioration of neighborhoods by recognizing and supporting the aspirations of residents and their neighborhood;
- (83) To review projects and concepts developed or proposed by the neighborhood program office staff, the neighborhood advisory commission and by citizens to the commission;
- (94) To ~~assist and~~ advise the mayor and city council and ASSIST city departments on ways in which information on neighborhood topics can be gathered and disseminated including: conducting surveys and studies, convening forums, seminars and workshops, and sponsoring special event and award recognition;
- (105) Subject to approval and final action by the city council, to receive, accept and acquire by gift, bequest or devise real and personal property of every kind, nature and description in the name of the city for neighborhood purposes subject to the terms of such gift, bequest or devise; and
- (116) To recommend to the mayor and city council qualified and interested persons eligible for appointment for commission vacancies.

**Section 15.** That Chapter 2, Article V, Division 16, Tardeada Advisory Board, is hereby amended and/or repealed as follows:

**Sec. 2-325. Established; COMPOSITION.**

(A) There is hereby established the Tardeada advisory board to be composed of fifteen (15) members.

(B) THE FIFTEEN (15) MEMBERS OF THE TARDEADA ADVISORY BOARD SHALL BE APPOINTED BY THE MAYOR WITH THE APPROVAL OF THE CITY COUNCIL. AN INITIAL TRANSITION TARDEADA ADVISORY BOARD, APPOINTED BY THE MAYOR WITH THE APPROVAL OF THE CITY COUNCIL, SHALL CONSIST OF THE CURRENT TWENTY-TWO (22) MEMBER TARDEADA ADVISORY COMMITTEE AND SHALL HAVE STAGGERED TERMS OF ONE YEAR FOR SIX (6) MEMBERS, TWO (2) YEARS FOR SIX (6) MEMBERS AND THREE (3) YEARS FOR TEN (10) MEMBERS. AFTER ORIGINAL APPOINTMENTS OF THE INITIAL TRANSITION BOARD, THE SIZE OF THE TARDEADA ADVISORY BOARD SHALL BE REDUCED FROM TWENTY-TWO (22) MEMBERS TO FIFTEEN (15) MEMBERS THROUGH ATTRITION OF TERMS.

(C) THE BOARD MEMBERS, WITH THE EXCEPTION OF THE INITIAL TRANSITION TARDEADA ADVISORY BOARD, SHALL BE TEMPE RESIDENTS.

**Sec. 2-326. Appointment of members; terms of office.**

~~(a) The fifteen (15) members of the Tardeada advisory board shall be appointed by the mayor with the approval of the city council. An initial transition Tardeada advisory board, appointed by the mayor with the approval of the city council, shall consist of the current twenty-two (22) member Tardeada advisory committee and shall have staggered terms of one year for six (6) members, two (2) years for six (6) members and three (3) years for ten (10) members. After original appointments of the initial transition board, the size of the Tardeada advisory board shall be reduced from twenty two (22) members to fifteen (15) members through attrition of terms.~~

~~(b) The terms of office of all board members shall commence on the first day of January of each year and end on the 31st day of December, three (3) years thereafter. Such terms shall be staggered so that the term of no more than seven (7) members shall conclude in any given year.~~

~~(c) Members of the board may not serve more than two (2) complete consecutive terms. Any vacancies shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment as set forth in subsection (b).~~

~~(d) The mayor with the approval of the city council may remove any members of the board for cause.~~

~~(e) The board members, with the exception of the initial transition Tardeada advisory board, shall be Tempe residents.~~

**Sec. 2-327. Compensation.**

~~Members of the Tardeada advisory board shall serve as volunteers and receive no compensation for their services as board members.~~

**Sec. 2-330. Powers and duties.**

The Tardeada advisory board shall have the following powers and duties:

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; by vote to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that eleven (11) members will constitute a quorum. The affirmative vote of a majority of those present constituting at least a quorum shall be required for passage of any matter before the board;~~
- ~~(2) To organize by electing one of its members chairman of the board and one as vice-chairman. The diversity manager or duly authorized representative shall act as secretary of the board, but shall not be entitled to take part in any voting;~~
- ~~(3) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the board shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
- ~~(4) To advise and consult, through the chairman of the board, with the designated staff person as to the items to be included on the agenda of meetings prior to the preparation and distribution of the agenda;~~
- ~~(5) To review and approve the official minutes of all board meetings prior to the transmittal of such minutes to the city council;~~
- (61) To assist and advise the city council; AND ASSIST THE diversity manager or designee on the Tardeada reception and celebration;
- (72) To advise and collaborate with the Tempe historical museum regarding Hispanic oral histories and exhibits;
- (83) To assist in coordinating Tempe's family albums;
- (94) To serve as a resource to other city departments and entities on Tempe's Hispanic heritage; and
- (105) To recommend to the mayor and city council qualified and interested persons eligible for appointment for board vacancies.

**Section 16.** That Chapter 23, Article II, Parks and Recreation Board is hereby repealed.

## **~~ARTICLE II. PARKS AND RECREATION BOARD~~**

### **~~Sec. 23-16. Established.~~**

~~There is hereby established a parks and recreation board for the city to be composed of nine (9) members.~~

### **~~Sec. 23-17. Members.~~**

~~(a) The nine (9) members of the parks and recreation board shall be selected from residents of the city by the mayor with the approval of the city council. The mayor, with the approval of the city council may, for cause, remove any member of the board.~~

~~(b) The terms of the members shall be for three (3) years and shall commence on the first day of September of each year and end on the thirty first day of August three (3) years thereafter.~~

~~(c) Members of the parks and recreation board shall receive no compensation for their services as board members.~~

~~(d) Members of the parks and recreation board may not serve more than two (2) complete successive terms. Any vacancy shall be filled for the unexpired term of the member whose office is vacant in the same manner as such member received original appointment.~~

### **~~Sec. 23-18. Advisor designated.~~**

~~(a) The parks and recreation manager or his designee shall serve the parks and recreation board in an advisory capacity.~~

~~(b) The Rio Salado project manager or his designee shall serve the Rio Salado community facilities district board of directors in an advisory capacity with respect to the portion of Rio Salado Park within the enhanced services area, and shall serve the parks and recreation board in an advisory capacity with respect to all other areas of Rio Salado Park.~~

### **~~Sec. 23-19. Officers.~~**

~~The officers of the parks and recreation board shall be selected by the board members at the first meeting of the board following the thirty first day of May of each year and shall serve until the thirty first day of May of the next succeeding year. No officer shall serve in the same capacity for more than two (2) consecutive one-year terms.~~

### **~~Sec. 23-20. Powers and duties.~~**

~~The parks and recreation board shall have the following powers and duties:~~

- ~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the~~

- manner in which special meetings may be held and the notice to be given thereof; and to provide that five (5) members will constitute a quorum. The affirmative vote of five (5) members shall be required for passage of any matter before the board;
- ~~(2) To organize by electing one of its members chairman of the board and one as vice-chairman. The parks and recreation manager or his duly authorized representative shall act as secretary of the board but shall not be entitled to take part in any voting;~~
  - ~~(3) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the board shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant;~~
  - ~~(4) To advise and consult, through the chairman of the board, with the parks and recreation department as to the items to be included on the agenda of meetings of the board prior to preparation and distribution of the agenda by the parks and recreation department;~~
  - ~~(5) To review and approve the official minutes of all board meetings as prepared by the parks and recreation department, prior to the transmittal of such minutes to the city council;~~
  - ~~(6) To assist and advise the city council and the parks and recreation manager in the establishment of essential policies, rules and regulations relating to the planning, acquisition, disposition, operation, use, care and maintenance of areas and structures owned, leased or otherwise acquired by the city for use as parks and preserves;~~
  - ~~(7) To assist and advise the city council in the establishment of essential policies, rules and regulations relating to the acquisition, conservation, and use of parks and preserves;~~
  - ~~(8) To assist and advise the parks and recreation department staff liaison in the development of a continuing plan for the city's park and recreation program;~~
  - ~~(9) To assist and advise the parks and recreation department in establishing priorities at budget time for those items other than administrative functions relating to park, preserve and recreation policy;~~
  - ~~(10) To receive, accept and acquire subject to final action by the city council by gift, bequest or devise real and personal property of every kind, nature and description in the name of the city for park and preserve purposes subject to the terms of the gift;~~
  - ~~(11) To suggest to the mayor and city council qualified and interested persons eligible for appointment for board vacancies; and~~
  - ~~(12) To serve as the city tree board with the responsibility to study, develop, update annually and administer a written plan for the care, planting, replanting and removal or disposition of trees and shrubs within parks, preserves, street rights-of-way and~~

~~public places owned by the city to ensure that the city will continue to realize the benefits provided by an urban forest. Such plan will be presented to the city council and upon their acceptance and approval shall constitute the official city tree plan for the city.~~

~~**Sec. 23-21. Rio Salado Park.**~~

~~Notwithstanding the powers and duties of the parks and recreation board in § 23-20, the Rio Salado community facilities district board of directors shall have the power to assist and advise the city council in the establishment of essential policies, rules and regulations for the portion of Rio Salado Park within the enhanced services area.~~

**Section 17.** That Chapter 2, Article V, Boards, Commissions, etc., is hereby amended to add new Division 17, to read as follows:

DIVISION 17. PARKS AND RECREATION BOARD

**SEC. 2-335. ESTABLISHED; COMPOSITION.**

(A) THERE IS HEREBY ESTABLISHED A PARKS AND RECREATION BOARD FOR THE CITY TO BE COMPOSED OF NINE (9) MEMBERS.

(B) THE PARKS AND RECREATION MANAGER OR HIS DESIGNEE SHALL SERVE THE PARKS AND RECREATION BOARD IN AN ADVISORY CAPACITY.

(C) THE RIO SALADO PROJECT MANAGER OR HIS DESIGNEE SHALL SERVE THE RIO SALADO COMMUNITY FACILITIES DISTRICT BOARD OF DIRECTORS IN AN ADVISORY CAPACITY WITH RESPECT TO THE PORTION OF RIO SALADO PARK WITHIN THE ENHANCED SERVICES AREA, AND SHALL SERVE THE PARKS AND RECREATION BOARD IN AN ADVISORY CAPACITY WITH RESPECT TO ALL OTHER AREAS OF RIO SALADO PARK.

**SEC. 2-336. OFFICERS.**

THE OFFICERS OF THE PARKS AND RECREATION BOARD SHALL BE SELECTED BY THE BOARD MEMBERS AT THE FIRST MEETING OF THE BOARD FOLLOWING THE THIRTY-FIRST DAY OF MAY OF EACH YEAR AND SHALL SERVE UNTIL THE THIRTY-FIRST DAY OF MAY OF THE NEXT SUCCEEDING YEAR. NO OFFICER SHALL SERVE IN THE SAME CAPACITY FOR MORE THAN TWO (2) CONSECUTIVE ONE-YEAR TERMS.

(CODE 1967, § 22-9)

**SEC. 2-337. POWERS AND DUTIES.**

THE PARKS AND RECREATION BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

- (1) TO ADVISE THE CITY COUNCIL AND ASSIST THE PARKS AND RECREATION MANAGER IN THE ESTABLISHMENT OF ESSENTIAL POLICIES, RULES AND REGULATIONS RELATING TO THE PLANNING, ACQUISITION, DISPOSITION, OPERATION, USE, CARE AND MAINTENANCE OF AREAS AND STRUCTURES OWNED, LEASED OR OTHERWISE ACQUIRED BY THE CITY FOR USE AS PARKS AND PRESERVES;
- (2) TO ADVISE THE CITY COUNCIL IN THE ESTABLISHMENT OF ESSENTIAL POLICIES, RULES AND REGULATIONS RELATING TO THE ACQUISITION, CONSERVATION, AND USE OF PARKS AND PRESERVES;
- (3) TO ASSIST THE PARKS AND RECREATION DEPARTMENT STAFF LIAISON IN THE DEVELOPMENT OF A CONTINUING PLAN FOR THE CITY'S PARK AND RECREATION PROGRAM;
- (4) TO ASSIST THE PARKS AND RECREATION DEPARTMENT IN ESTABLISHING PRIORITIES AT BUDGET TIME FOR THOSE ITEMS OTHER THAN ADMINISTRATIVE FUNCTIONS RELATING TO PARK, PRESERVE AND RECREATION POLICY;
- (5) TO RECEIVE, ACCEPT AND ACQUIRE SUBJECT TO FINAL ACTION BY THE CITY COUNCIL BY GIFT, BEQUEST OR DEVISE REAL AND PERSONAL PROPERTY OF EVERY KIND, NATURE AND DESCRIPTION IN THE NAME OF THE CITY FOR PARK AND PRESERVE PURPOSES SUBJECT TO THE TERMS OF THE GIFT;
- (6) TO SUGGEST TO THE MAYOR AND CITY COUNCIL QUALIFIED AND INTERESTED PERSONS ELIGIBLE FOR APPOINTMENT FOR BOARD VACANCIES; AND
- (7) TO SERVE AS THE CITY TREE BOARD WITH THE RESPONSIBILITY TO STUDY, DEVELOP, UPDATE ANNUALLY AND ADMINISTER A WRITTEN PLAN FOR THE CARE, PLANTING, REPLANTING AND REMOVAL OR DISPOSITION OF TREES AND SHRUBS WITHIN PARKS, PRESERVES, STREET RIGHTS-OF-WAY AND PUBLIC PLACES OWNED BY THE CITY TO ENSURE THAT THE CITY WILL CONTINUE TO REALIZE THE BENEFITS PROVIDED BY AN URBAN FOREST. SUCH PLAN WILL BE PRESENTED TO THE CITY COUNCIL AND UPON THEIR ACCEPTANCE AND APPROVAL SHALL CONSTITUTE THE OFFICIAL CITY TREE PLAN FOR THE CITY.

**SEC. 2-338. RIO SALADO PARK.**

NOTWITHSTANDING THE POWERS AND DUTIES OF THE PARKS AND RECREATION BOARD IN § 23-20, THE RIO SALADO COMMUNITY FACILITIES DISTRICT BOARD OF DIRECTORS SHALL HAVE THE POWER TO ~~ASSIST AND~~ ADVISE THE CITY COUNCIL IN THE ESTABLISHMENT OF ESSENTIAL POLICIES,

RULES AND REGULATIONS FOR THE PORTION OF RIO SALADO PARK WITHIN THE ENHANCED SERVICES AREA.

**SECS. 2-339—2-344. RESERVED.**

**Section 18.** That Chapter 15, Article II, Library Advisory Board is hereby repealed.

**~~ARTICLE II. LIBRARY ADVISORY BOARD~~**

**~~Sec. 15-16. Established.~~**

~~There is hereby established a library advisory board for the city to be composed of nine (9) members.~~

**~~Sec. 15-17. Members.~~**

~~(a) The nine (9) members of the library advisory board shall be selected from residents of the city and appointed by the mayor with the approval of the city council.~~

~~(b) The terms of the members shall be for three (3) years and shall commence on the first day of July of each year and end on the thirtieth day of June three (3) years thereafter.~~

~~(c) Members of the library advisory board may not serve more than two (2) complete successive terms as set forth in the city charter.~~

**~~Sec. 15-18. Officers.~~**

~~The officers of the library advisory board shall be selected by the board members at the first meeting of the board following the thirtieth day of June of each year, and shall serve until the thirtieth day of June of the next succeeding year. No officer shall serve in the same capacity for more than two (2) consecutive one year terms.~~

**~~Sec. 15-19. Powers and duties.~~**

~~The library advisory board shall have the following powers and duties:~~

~~(1) To establish such rules and regulations as it deems necessary for its government and for the faithful performance of its duties; to set a time for regular meetings which shall be held at least once each month if there is business to transact; to establish the manner in which special meetings may be held once each month if there is business to transact; to establish the manner in which special meetings may be held and the notice to be given thereof; and to provide that five (5) members will constitute a quorum. The affirmative vote of five (5) members shall be required for passage of any matter before the board.~~

~~(2) To organize by electing one of its members chairman of the board and one as vice-chairman. The community services director or his duly authorized representative shall act as secretary of the board but shall not be entitled to take part in any voting.~~

~~(3) To require attendance of the members at regular meetings and provide that absence from three (3) consecutive regular meetings without consent of the board shall be deemed to constitute the resignation of such member and such position shall thereupon be deemed vacant.~~

~~(4) To advise and consult, through the chairman of the board, with the community services department as to the items to be included on the agenda of meetings of the board prior to preparation and distribution of the agenda by the community services department.~~

~~(5) To review and approve the official minutes of all board meetings as prepared by the community services department, prior to the transmittal of such minutes to the city council.~~

~~(6) To assist and advise the city council and the community services director in the establishment of essential policies, rules and regulations relating to the planning, acquisition, disposition, operation, use, care and maintenance of structures owned, leased or otherwise acquired by the city for use as libraries.~~

~~(7) To assist and advise the city council in the establishment of essential policies, rules and regulations relating to the acquisition, conservation, and use of library materials.~~

~~(8) To assist and advise the community services department staff liaison in the development of a continuing plan for the city's library program.~~

~~(9) To assist and advise the community services department in establishing priorities at budget time for those items other than administrative functions relating to library policy.~~

~~(10) To receive, accept and acquire subject to final action by the city council by gift, bequest or devise real and personal property of every kind, nature and description in the name of the city for library purposes subject to the terms of the gift.~~

~~(11) To suggest to the mayor and city council qualified and interested persons eligible for appointment for board vacancies.~~

**Section 19.** That Chapter 2, Article V, Boards, Commissions, Etc., is hereby amended to add new Division 18, as follows:

## **DIVISION 18. LIBRARY ADVISORY BOARD**

### **SEC. 2-345. ESTABLISHED; COMPOSITION.**

THERE IS HEREBY ESTABLISHED A LIBRARY ADVISORY BOARD FOR THE CITY TO BE COMPOSED OF NINE (9) MEMBERS.

### **SEC. 2-346. POWERS AND DUTIES.**

THE LIBRARY ADVISORY BOARD SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

(1) TO ADVISE THE CITY COUNCIL AND ASSIST THE COMMUNITY SERVICES DIRECTOR IN THE ESTABLISHMENT OF ESSENTIAL POLICIES, RULES AND REGULATIONS RELATING TO THE PLANNING, ACQUISITION, DISPOSITION, OPERATION, USE, CARE AND MAINTENANCE OF STRUCTURES OWNED, LEASED OR OTHERWISE ACQUIRED BY THE CITY FOR USE AS LIBRARIES.

(2) TO ADVISE THE CITY COUNCIL IN THE ESTABLISHMENT OF ESSENTIAL POLICIES, RULES AND REGULATIONS RELATING TO THE ACQUISITION, CONSERVATION, AND USE OF LIBRARY MATERIALS.

(3) TO ASSIST THE COMMUNITY SERVICES DEPARTMENT STAFF LIAISON IN THE DEVELOPMENT OF A CONTINUING PLAN FOR THE CITY'S LIBRARY PROGRAM.

(4) TO ASSIST THE COMMUNITY SERVICES DEPARTMENT IN ESTABLISHING PRIORITIES AT BUDGET TIME FOR THOSE ITEMS OTHER THAN ADMINISTRATIVE FUNCTIONS RELATING TO LIBRARY POLICY.

(5) TO RECEIVE, ACCEPT AND ACQUIRE SUBJECT TO FINAL ACTION BY THE CITY COUNCIL BY GIFT, BEQUEST OR DEVISE REAL AND PERSONAL PROPERTY OF EVERY KIND, NATURE AND DESCRIPTION IN THE NAME OF THE CITY FOR LIBRARY PURPOSES SUBJECT TO THE TERMS OF THE GIFT.

(6) TO SUGGEST TO THE MAYOR AND CITY COUNCIL QUALIFIED AND INTERESTED PERSONS ELIGIBLE FOR APPOINTMENT FOR BOARD VACANCIES.

**SECS. 2-347—2-354. RESERVED.**

**Section 20.** Pursuant to the Tempe City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

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City Attorney