



## Council Communication

**TO:** Honorable Mayor and Councilmembers  
**FROM:** Melanie Dykstra, Management Support Analyst, 503-6330  
**MEETING DATE:** April 30, 2015  
**SUBJECT:** Motion to ratify the By-laws of the Parks, Recreation and Library Services Advisory Board

<b>STRATEGIC INITIATIVE:</b> N/A
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### **RECOMMENDED MOTION**

A motion to ratify the bylaws of the Parks, Recreation, and Library Services Advisory Board as presented.

### **BACKGROUND/DISCUSSION**

On April 7, 2015, the Parks, Recreation and Library Services Advisory Board approved that the attached draft bylaws be presented to Town Council for consideration which outline the Board's organization and responsibilities, meetings, retention of records, and rules and amendments.

These bylaws were reviewed for form by Attorney Michael Hamblin.

### **FINANCIAL IMPACT**

There is no financial impact.

### **STAFF RECOMMENDATION**

Staff recommends ratification of the Parks, Recreation, and Library Services Advisory Board Bylaws as presented.

Respectfully submitted,

Melanie Dykstra

Management Support Analyst

**Approved By**

Rod Buchanan

**Approval Date**

4/20/2015 9:36 AM

**BY-LAWS OF THE PARKS, RECREATION AND  
LIBRARY ADVISORY BOARD  
TOWN OF GILBERT**

**ARTICLE I  
ORGANIZATION**

**SECTION 1: OFFICIAL NAME**

The name of the Board shall be known as the Parks, Recreation and Library Services Advisory Board;

**SECTION 2: PRINCIPAL OFFICE**

The principal office for the transaction of the activities and business affairs of the Board will be located at the Town of Gilbert, Municipal Center, Parks and Recreation Office at 90 E Civic Center Drive, Gilbert 85296.

**SECTION 3: MISSION and VISION STATEMENT**

The **Mission** of the Gilbert Parks, Recreation and Library Services Advisory Board is to strive to ensure that residents of the Town have opportunities to enjoy broad, satisfying leisure experiences.

The **Vision** of the Gilbert Parks, Recreation and Library Services Advisory Board is to encourage the health and well-being of its residents through diverse recreational opportunities. The Town offers safe, well-maintained facilities, parks and open spaces, including, locally and regionally connected multi-use trails, equestrian paths and bicycle lanes.

**ARTICLE II  
BOARD**

**SECTION 1: BOARD**

The Board shall be organized as provided in Code of Gilbert, Chapter 1 General Provisions, Article IV Boards, Commissions and Committees, Division 5 Parks, Recreation and Library Services Advisory Board as passed and adopted by the Council of the Town of Gilbert, Arizona (Town Council).

**SECTION 2: CHAIR AND VICE CHAIR**

The Board shall, at its first meeting every November, elect a Chairperson (Chair) and Vice Chairperson (Vice Chair) from among its members.

The **Chair** shall preside at all meetings and hearings of the Board, decide all points of order or procedures, and perform any duties required by the ordinance or these By-laws. The Chair may make or second motions and shall have a voice and vote in all its proceedings.

The **Vice Chairperson** shall serve in the absence of the Chair.

In the Absence of the Chair and Vice Chair, the Board will select an **Acting Chair** to serve at the meeting by a majority vote of the members present.

**SECTION 3: TERM OF SERVICE**

The term of the Chair and Vice Chair shall be one (1) year and shall not serve in this capacity for more than two (2) consecutive one-year terms.

**SECTION 4: VACANCIES/REMOVAL**

Vacancies and removal from office of the Chair and Vice Chair shall be managed in conformance with Town of Gilbert Code, Article VI, Section 1-205.

~~Any Board member may resign at any time by giving written notice to the Chair or the Town Clerk. Such resignation shall take effect on the date of the receipt of such notice, or at any later time specified therein, and the acceptance of such resignation shall not be necessary to make it effective.~~

**SECTION 5: POWERS**

Subject to any limitations contained within Town ordinances or these By-laws, the activities and affairs of the Board shall be conducted and all powers shall be exercised by or under the direction of the Board.

The Board may delegate the management of the activities of the Board to any person or persons or sub-committees, however composed, provided that the activities and affairs of the Board shall be managed and all powers shall be exercised under the direction of the Board.

**SECTION 6: ENDORSEMENT OF DOCUMENTS/CONTRACTS**

Neither the Board nor any of its members shall have any power or authority to enter into any contractual agreements or commitments on behalf of the Board or to pledge its credit or to render it liable for any purpose or amount. The Staff Liaison or the Gilbert Director of Parks and Recreation must approve all expenditures. All documents or contracts requiring an endorsement must be signed by the Director of Parks and Recreation.

**SECTION 6: LEGAL COUNCIL**

~~The Town Attorney or his/her designated representative shall be legal counsel for the Board and shall provide, upon request, advice or counsel on any question of law or matter requiring legal interpretation of advice, subject to approval of the Town Manager.~~

**ARTICLE III  
MEETINGS**

**SECTION 1: OPEN MEETING LAW**

All Board members and the Staff Liaison shall be familiar with the Arizona Open Meeting Law A.R.S. Sec. 38 – 431 to Sec. 431.09. All members are required to attend mandatory training on the Open Meeting Law and Conflict of Interest once per year. Training sessions are scheduled by the Clerk's Office of the Town of Gilbert and presented by one of the Town's attorneys. Any member faced with a situation not specifically addressed within these By-laws shall consult with legal counsel prior to proceeding.

## **SECTION 2: PUBLIC PARTICIPATION**

The public is welcome and invited to attend Board meetings and to speak on any item on the agenda. A person wishing to address the Board must fill out a Request to Speak. Request to Speak forms will be available and should be submitted to the Chairman prior to the start of the meeting. If any written materials are to be provided to the Board, a copy shall also be provided to the Staff Liaison for inclusion in the minutes of the meeting. Speakers shall be allowed a maximum of three minutes to speak, but may take up to six minutes if another individual who signs up to speak yields the time to the speaker. Members of the audience may address the Board on any item not on the agenda. The Board response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda. A person who disrupts the meeting may be asked to leave and be removed.

## **SECTION 3: REGULAR MEETINGS**

Regular meetings of the Board shall be held on the second Tuesday of each month beginning at 6:00 PM or at a time agreed to by the members. In the event a future meeting is being cancelled or rescheduled, the Board will be promptly notified. When a public meeting will need to be cancelled for lack of a quorum or other reason, the Board will be notified, the website will note cancellation, and the doors to the facility where the meeting is scheduled will be posted with a cancellation notice. Notice of time and place of any public meeting to be held by the Board shall be given as required by State Law.

## **SECTION 4: SPECIAL MEETINGS**

Special meetings may be held by the Board on the call of the Chair, or upon the call of the clerk at the request of a majority of the members of the board. At least twenty-four (24) hours notice of the meeting shall be given to each member and the manner of the call shall be noted in the minutes of the special meeting held. The Staff Liaison shall receive forty-eight (48) hours notice of the meeting and shall post meeting notices twenty-four (24) hours prior to such meeting.

## **SECTION 5: WORK STUDY/EXECUTIVE SESSIONS**

Work Study and Executive Sessions of the Board may be held prior to or following any regular or special meeting or at any other time by call from the Chair or by a majority of the members and filed with the Staff Liaison, or by a majority of the members constituting a quorum at any previous meeting. All Work Study Sessions shall be open to the Public. Any action calling for a formal vote shall take place only at a regular or special meeting.

## **SECTION 6: SUBCOMMITTEE MEETINGS**

When deemed necessary by a majority of the Board, subcommittees may be formed with members of the board for specific projects related to Board matters. Subcommittees may solicit advice and assistance from outside sources, but those advisors have no official status with the subcommittee. All subcommittee meetings shall comply with the open meeting laws which include notice to the public and the creation of minutes.

## **SECTION 7: LOCATION OF MEETINGS**

The location of meetings of the Board shall be in the Municipal Center of the Town of Gilbert, or any other location as designated by the Chair and filed in the office of the Town Clerk and posted at designated locations in the Town and/or on the Town Web site at [www.gilbertaz.gov](http://www.gilbertaz.gov).

**SECTION 8: MEETING AGENDA**

Agenda items may be submitted by any member to the Chair, who shall place such submittal items on the agenda. The following statement shall be placed on all agendas: "The Town of Gilbert endeavors to make all public meetings accessible to persons with disabilities. Persons needing any type of special accommodations are asked to notify the Town Clerk's Office at least 72 hours in advance. Accommodations for requests made less than 72 hours in advance cannot be guaranteed."

**SECTION 9: QUORUM**

A quorum necessary for the transaction of business shall consist of no less than one half of the current number of Members. Unless otherwise provided by these Bylaws, the members present at a duly called or held meeting at which a quorum is present, may continue to do business until adjournment, notwithstanding the withdrawal of a sufficient number of Members to leave less than a quorum, if action taken, where approval of a majority of the Members is required to constitute a quorum. At any Board meeting, any number of members may hold discussion on agenda items

A majority of the members present, whether or not a quorum is present, may adjourn any meeting or special session to another time and place. Any adjournment greater than 48 hours shall require proper notice in accordance with State law and Town ordinances.

**SECTION 10: MEMBER ATTENDANCE**

Members who are absent from three (3) consecutive regular meetings or absent from 50 percent or more meetings during any six-month period, or fails to attend required training, his office shall be automatically vacated per Town Code, Article VI, Sec. 1-205. All meetings or sessions held on one (1) day shall constitute as one (1) day.

**SECTION 11: CONFLICT OF INTEREST**

All Members shall comply with the Arizona Conflict-of-Interest law, Title 38, Chapter 3, Article 8, Arizona Revised Statutes.

**ARTICLE IV  
OFFICIAL RECORDS**

**SECTION 1: DEFINITION**

The official records shall include these By-Laws, regulations and the minutes of the Board meetings together with all findings, applications, exhibits, correspondence, votes and recommendations to the Town Council and other official actions or items filed with or issued by the Board.

**SECTION 2: PUBLIC RECORDS**

Written minutes shall be kept of all Regular and Special meetings and Work Study sessions. Tape recordings may be kept of regular and special meetings. All official records shall be maintained and available for public viewing and filed in an orderly fashion by the Staff Liaison. Written minutes and tape recordings shall be retained on file for a period of time as required by the Town's Record Retention and Disposition Schedule. Minutes of meetings shall be distributed to all members of the Board for their review and approval or amendment at subsequent meetings.

**ARTICLE V  
RULES AND AMENDMENTS**

**SECTION 1: EFFECTIVE DATE**

These By-laws and any amendments thereto, shall become effective at the April 7, 2015 meeting of the Board and after their adoption by an affirmative vote of a majority of the members present and subsequent to the approval of the Council.

**SECTION 2: AMENDMENT PROCEDURES**

These By-laws may be amended by a majority of members present at any meeting of the Board where as that notice of said proposed amendment(s) is provided in writing at least five (5) days prior to said meeting. Such amendment(s) shall be subject to ratification by the Town council and, if so approved, shall become effective at the next regular meeting of the Board following ratification.

**SECTION 3: WRITTEN COMMUNICATIONS**

All written communications from the Board shall be distributed over the signature of the Chair or Vice Chair of the Board.

**SECTION 4: PARLIAMENTARY PROCEDURES**

A roll call shall be taken at all regular meetings and special meetings and the minutes shall record the Members present or absent. The Chair shall call the Board to order and may call each matter of business in the order of the approved agenda.

All items submitted to the Town Council for approval by the Board shall require a majority vote of the Board. Each member attending shall be entitled to one vote and the minutes of the proceedings shall indicate the vote of each member on every acted upon or resolved matter.

Unless otherwise provided in these By-Laws or unless such rules are suspended or amended by majority vote of the Board, the Chair shall conduct the meeting as generally provided in Robert's Rules of Order, Revised.

**SECTION 5: POLICY INITIATION/FOLLOW-UP PROCEDURES**

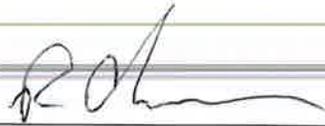
Policies/recommendations voted on by the Board will go in the appropriate staff communication in support of items moving forward before council.

Requests of the board to study and/or make recommendations to council on strongly supported items will be communicated via letter with Board chair signature.

**CERTIFICATE OF ADOPTION**

The undersigned Chair and Vice Chair of the Town of Gilbert Park, Recreation and Library Service Advisory Board , hereby certify that the foregoing By-Laws were duly adopted by the unanimous consent of the Members of the Town of Gilbert Parks, Recreation and Library Services Advisory Board on April 7, 2015 and effective \_\_\_\_\_.

Executed on \_\_\_\_\_

By:   
\_\_\_\_\_  
Ron Coleman  
Chair

By:   
\_\_\_\_\_  
Les Presmyk  
Vice Chair