

Bylaws

City of Phoenix Citizens Transit Commission

(Originally Approved: October 12, 2000)

(This version Approved: January 12, 2012)

I. **PURPOSE AND BYLAWS.** The purpose of the Citizens Transit Commission is to assure public input and government accountability on all transit and city traffic improvements that are made with funding provided pursuant to Proposition 2000. (Section 2-510(A), Code of the City of the Phoenix, 1969, as amended.

II. **ORGANIZATION.** The Commission shall have the following officers, committees, and structure.

A. OFFICERS.

1. **Chair.** The Chair shall be appointed by the Mayor, confirmed by City Council, to serve a one (1) year term. Provided, however, that the Chair may be appointed to such successive terms as deemed appropriate by the Mayor and City Council. In the event the Chair resigns, becomes incapacitated and unable to perform the duties of the office, or is otherwise removed, fails or refuses to perform, the Mayor, with confirmation by the City Council, shall appoint another Chair to fill the unexpired term of the Chair being replaced. The Chair shall be responsible for: (1) presiding over Commission meetings; (2) in consultation with the Commission, establishing guidelines for receiving citizens' comments at Commission meetings, (3) appointing individuals to serve on committees, ad hoc committees, and subcommittees of the Commission; (4) prior to Commission meetings, and at such other mutually convenient times as the Chair deems appropriate, discussing with the Public Transit Director, or his/her designee, agenda items for future Commission meetings; and, (5) addressing such other matters of concern to the

Commission and matters as are inherent in the position or as may be directed by the Mayor and/or the City Council.

2. **Vice Chair.** The vice chair shall be elected by a majority of the members of the Commission at a properly noticed and constituted meeting. In addition to such other duties as may devolve upon the vice chair by virtue of holding that office, the vice-chair shall preside over meetings of the Commission in the absence of the Chair.
3. **Secretary and Parliamentarian.** The Director of the City of Phoenix Public Transit Department shall appoint a member, or members, of the department's staff to serve as Secretary and Parliamentarian, to the Commission. Neither the Secretary nor the Parliamentarian shall be a member of the Commission. The Secretary shall take the minutes of all Commission meetings and shall keep all Commission reports in accordance with applicable City Ordinances and Arizona Statutes. The minutes of all Commission meetings shall be provided to the Commission in summary form. All of the aforementioned documentation shall be kept and maintained at the office of the City of Phoenix Public Transit Department. When issues of parliamentary procedure arise, the Parliamentarian shall be available to advise the Commission on such matters.

- B. COMMITTEES.** The Commission may establish such committees, ad hoc committees and subcommittees as the Commission deems necessary and appropriate for carrying out Commission business. The Chair shall appoint the members of the committees, ad hoc committees, and subcommittees thus created. Committees, ad hoc committees, and subcommittees shall be established for a limited, clearly defined time and purpose. At the end of the designated time, the Committee shall automatically terminate unless that time is extended by the Commission. Committees, ad hoc committees, and subcommittees shall report only to the Commission and can take no action on their own volition.

III. **MEETINGS.**

- A. OPEN MEETINGS.** The Commission and its committees, subcommittees, and ad hoc committees shall hold all meetings and conduct all business in accordance with the requirements of the Arizona Open Meetings Law, A.R.S. 38-431 et. seq. All meetings of the Commission, except an Executive Session authorized by A.R.S. 38-431.03, shall be open to the public.
- B. REGULAR MEETINGS.** Except as provided in this section, the Commission shall meet no less often than once each month. At the end of each fiscal year, the Chair shall set the Commission's meeting schedule for the following year setting forth the date, time, and location for each such meeting. Meeting times, dates, and locations may be changed, or a meeting may be cancelled by the Chair or a majority of the members of the Commission.
- C. SPECIAL MEETINGS.** Special meetings of the Commission may be called either by the Chair or by a majority of the Commission by a vote of the members of the Commission at any previous meeting. The way that the special meeting was called shall be recorded in the minutes of that special meeting.
- D. BRIEFING SESSIONS, WORKING SESSIONS, PUBLIC HEARINGS OR MEETINGS.** The Commission may conduct briefing sessions, working sessions, public hearings, or meetings on matters within the scope of its responsibilities, i.e., to assure public input and government accountability on all transit and city traffic improvements that are made with funding provided pursuant to Proposition 2000. If deemed necessary by the Chair and/or the Commission, these sessions are intended to examine issues prior to their being placed on a policy agenda or on the Commission's agenda for formal action.
- E. ATTENDANCE.** Failure to attend regular Commission meetings may be considered to be a failure to fulfill the obligation that the member assumed by accepting an appointment to the Commission. When a member of the

Commission fails to attend three consecutive regular meetings of the Commission or fails to attend fifty percent or more of the regular meetings held by the Commission during the period of any fiscal year, the Chair shall report this fact to the Mayor and City Council. The City Council may declare such member's seat to be vacant and shall fill the vacancy thus created for the unexpired term of the prior incumbent. (See: §2-40, Code of the City of Phoenix, 1969, as amended.)

F. QUORUM. A quorum of the Commission shall consist of a majority of its members. Any action voted on by a majority vote of the quorum present shall be considered an action of the Commission. Any member declaring a conflict of interest on a matter under Section III(G) of these bylaws shall not be counted in determining the existence of a quorum. If there is a number of members who have declared a conflict of interest on a particular issue, so as to permanently deprive the Commission of a quorum to consider the issue, the members having the conflict may declare the conflict at each meeting the conflicted issue is discussed or voted upon and thereafter, may discuss and vote on the issue (City Attorney Opinion No. 92-001). If a quorum is not present or is lost during a meeting items cannot be discussed or acted on until the quorum is regained. If it is not possible to regain the quorum, the meeting must end with any remaining items being considered at a later Commission meeting. Notwithstanding this section, a member of the Department's staff may provide presentations for information only, although no discussion or votes, or other action may be taken after the loss of the quorum unless and until a quorum is regained.

G. CONFLICTS OF INTEREST. Commission members shall comply with A.R.S. §38-501 et. seq. and the City's code of ethics pertaining to conflicts of interest. When a Commission member determines that a conflict exists, that member shall announce the existence of the conflict and refrain from discussing, voting, or in any way participating in the Commission's action regarding that matter.

H. **PARLIAMENTARY AUTHORITY.** All meetings shall be, to the extent not in conflict with these bylaws or city policy, conducted according to the latest edition of Robert's Rules of Order, with the exception that the Chairperson of the Commission shall be permitted to vote on any motion. The Commission's secretary shall keep and maintain a copy of the most current Robert's Rules of Order and it shall be available at every meeting.

IV. **AMENDMENT OF BY-LAWS.**

These bylaws maybe amended at any regular meeting of the Commission on the affirmative vote of at least eight (8) members present. Provided, however, that the amendment has been first submitted in writing at the previous regular meeting.

APPROVED BY THE CITIZENS TRANSIT COMMISSION

 1/16/12
CHAIR DATE

ATTESTED:

 1/18/12
SECRETARY DATE