

BYLAWS Of The Neighborhood Advisory Commission

The Neighborhood Advisory Commission was created by the Scottsdale City Council pursuant to Ordinance No. 3964 on the 11th day of November 2011. The purpose, powers and duties of the Commission are established by ordinance and are codified in Scottsdale Revised Code §2-323. These Rules and Procedures are authorized by Scottsdale Revised Code §2-324.

I. Organization:

101. Official Name

The Commission shall be known as the "Neighborhood Advisory Commission."

102. Chairperson

The Commission shall, at its first meeting of the calendar year, elect a Chairperson {"Chair"} from among its appointed commissioners. The Chair shall preside at all meetings and hearings of the Commission, decide all points of order or procedure, and perform any duties required by the ordinance or these Bylaws. The term of the Chair shall be one (1) year or until a successor is elected. The Chair, elected by the Commission, shall serve in the same capacity for no more than two (2) consecutive terms. The Chair may make and second motions and shall have a voice and vote in all its proceedings.

103. Vice Chair

The Commission shall, at its first meeting of the calendar year, elect a Vice Chairperson {"Vice Chair"} from among its appointed commissioners, who shall serve in the absence of the Chair. The term of the Vice Chair shall be one (1) year or until a successor is elected. The Vice Chair shall serve in the same capacity for no more than two {2} consecutive one- year terms.

104. Vacancy

Vacancies for Chair or Vice Chair created by any reason shall be filled for the un-expired term by election at the next regularly scheduled meeting of the Commission.

105. Removal

The Chair or Vice Chair may be removed from his or her position as Chair or Vice Chair at any time by a vote of five {5} or more commissioners. A member of the Commission may be removed by the council at any time with or without cause. A commissioner shall no longer serve and is considered to have resigned if the commissioner is convicted of a felony or a crime of moral turpitude while serving on this Commission. For purposes of this subsection, "moral turpitude" has the same meaning as set forth in section 16-3 of the Scottsdale Revised Code.

106. Committees

A committee of the Commission shall not be created unless authorized by the City Council prior to its creation. Any committee created by the Commission following City Council authorization may include only members of the Commission unless the City Council approves the appointment of a nonmember.

II. Meetings:

201. Regular Meetings

Regular meetings of the Commission shall be held on the fourth Wednesday of each month at 5:00 p.m. In the event the Commission desires to cancel a future meeting, it may do so by a majority vote at a public meeting. When it is determined between public meetings that a meeting should be cancelled for lack of a quorum or other reason, the Chair or if not available, the Vice Chair may so cancel by posting notification of cancellation at least twenty-four (24) hours prior to the scheduled meeting at all legal posting sites in the City of Scottsdale. The Commission may recess during the same time frame as the City Council. All regular meetings must comply with open meeting law requirements as provided for by state law.

202. Special Meetings

Special meetings for good cause may be held by the Commission on call of its Chair or four (4) commissioners, which call shall be filed with the Staff Liaison, or may be scheduled at any previous meeting by a majority of the commissioners constituting a quorum. The manner of the call shall be noted in the minutes of the special meeting, and at least twenty-four (24) hours' notice of the meeting shall be given to each commissioner. The Staff Liaison shall receive forty-eight (48) hours' notice of the meeting and shall post meeting notices at least twenty-four (24) hours before such meeting but shall whenever possible comply with the notice requirements pursuant to City of Scottsdale Administrative Regulation 121. Work Study Sessions or Executive Sessions may be held before or after any regular or special meeting or at any other time on call of the Chair or of a majority of the commissioners, which call shall be filed with the Staff Liaison, or as may be scheduled by a majority of the commissioners constituting a quorum at any previous meeting. All Special Meetings, Work Study Sessions or Executive Sessions must comply with open meeting law requirements as provided for by state law.

203. Public Meetings and Work Study Sessions

All Meetings and Work Study Sessions of the Commission shall be open to the public. All meetings shall be conducted using the Principles of Civil Dialogue by genuinely listening, speaking respectfully and being accountable. Any action calling for a formal vote shall take place only at a public meeting. All commissioners and Staff Liaison shall be familiar with the Arizona Open Meeting Law A.R.S. § 38-431 to §38-431.09. Any commissioner faced with a situation not specifically addressed within this chapter should consult with the City Attorney or designee before proceeding.

204. Agenda

Any commissioner may submit items for the agenda with the understanding that the Chair shall place such submitted items on the agenda provided that the agenda item falls within the scope, duties and purpose of the Commission.

205. Location of Meetings

The location of meetings of the Commission shall be in the Community Design Studio, 7506 East Indian School, Scottsdale, Arizona, or any other location as designated by the Chair and posted in the office of the City Clerk and other designated posting areas.

206. Quorum

The Neighborhood Advisory Commission consists of seven (7) members. A quorum necessary for the transaction of business shall consist of a majority of the members but in no case less than four (4) commissioners. If there is a quorum, the business of the commission shall be transacted by a majority of the members present and eligible to vote. As an example, if five (5) members are present and eligible to vote, the business of the commission shall be transacted by a majority vote of three (3) members. A member who is disqualified from voting due to a conflict of interest or the appearance of impropriety shall not be counted as a present for the purposes of this section.

207. Quorum, Voting, and Tie Votes

For business of the commission that requires action, if an agenda item receives a tie vote, of the commissioners present, then the tie vote shall be considered a recommendation to deny. In the event of a tie vote, a member that voted in the negative, may in the same meeting, offer a motion to continue the case to a future meeting of the commission. Absent a conflict of interest or the declaration of an appearance of impropriety, a commission member shall vote on a motion before the commission.

208. Conflict of Interest

All members of the commission shall comply with state conflict-of-interest law, Title 38, Chapter 3, Article 8 Arizona Revised Statutes and the city's code of ethical behavior, Article II, Division 3 of the Scottsdale Revised Code.

209. Member Attendance

In the event a member of a board or commission is unwilling or unable to serve, or if any member is absent or tardy from three (3) consecutive meetings, or four (4) meetings within a six (6) month period, then the chair shall notify the Mayor or the Mayor's designee so that consideration of removal and replacement of the member may be scheduled for City Council action.

210. Service Recognition

Each commissioner upon successfully completing his or her term of office will be recognized by the Commission. The Commission may upon majority vote choose to recognize a commissioner who is unable to complete a term of office due to extenuating circumstances.

III. Rules and Amendments:

301. Effective Date

These Bylaws and any amendments thereto, shall become effective at the next regular meeting of the Commission after their adoption by an affirmative vote of no less than five (5) commissioners.

302. Amendment Procedure

Amendments to these Bylaws may be made by the Commission upon the affirmative vote of five (5) commissioners, provided any such amendment is proposed at a preceding meeting or is submitted in writing at a prior regular meeting of the Commission and is noted in the minutes of such meeting.

303. Certified Copy

A certified copy of these Bylaws shall be placed on record in the office of the City Clerk within ten (10) days of being adopted and further shall be sent to the Mayor and members of the City Council within twelve (12) days.

304. Parliamentary Procedure

When any question of parliamentary procedure arises, it shall be decided by the Chair using Robert's Rules of Parliamentary Procedure as a guideline, unless otherwise specified in these Bylaws of the Commission or Scottsdale City Charter or Ordinance.

305. Written Communications

All written communications from the Commission shall be sent out over the signature of the Chair or Vice Chair of the Commission.

CERTIFICATE

The City of Scottsdale Neighborhood Advisory Commission hereby certifies that the foregoing Bylaws were duly adopted by the unanimous consent of the commissioners of the Scottsdale Neighborhood Advisory Commission on June 23, 2021 and that they shall take effect on June 23, 2021.