



Legislation Details (With Text)

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20 Minutes

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Attachments: 1. Board Commission Handbook_ CLEAN Council WS Version 06 04 2020, 2. Board of Adjustment Rules Redline (for Council Meeting), 3. Hillside Building Committee Rules of Procedure Initial Draft (for Council Meeting), 4. Planning Commission Rules and Regulations Redline (for Council Meeting), 5. Draft Ord 2020-03 Amending Chapter 2 re Rules for Commission BOA and Hillside Committee (for 040620 Council Study Session), 6. Resolution 2020-09 Commission Rules and Procedures TC (for 040620 Council Study Session), 7. Resolution 2020-10 Changes to Rules and Procedures BOA (for 040620 Council Study Session), 8. Resolution 2020-11 Adopting Rules and Procedures Hillside Building Committee (for 040620 Council Study Session), 9. Resolution 2020-21 Board and Commission Handbook 062520, 10. Presentation - Training Handbook and Rules of Procedure for Boards and Committees

Date	Ver.	Action By	Action	Result
6/11/2020	1	Town Council	Received and Filed	

TO: Mayor Bien-Willner and Town Council Members

FROM: Jill Keimach, Town Manager
Andrew Miller, Town Attorney
Jeremy Knapp, Community Development Director

DATE: June 11, 2020

DEPARTMENT: Town Manager

AGENDA TITLE:

Discussion of Training, Rules & Procedures, and Ongoing Education

SUMMARY STATEMENT:

The Town of Paradise Valley has a long-standing tradition of staffing boards and commissions with resident volunteers. Many times, those volunteers may be new to public service, so the importance of thorough and consistent training materials is essential to ensure continuity as members change over time.

In December 2018, the Town Council considered draft rules for the Commission, Board of Adjustment (BOA) and Hillside Committee. Council also considered a draft Ordinance to change the Town Code

(in Article 2) so that the Council has the responsibility and authority to approve by resolution the Rules instead of the Commission, BOA and Hillside Committee. At that time, the Council did not approve the updated Training Materials nor the Rules and Procedures for Board, Commission, or Committee processes, nor an On-Going Education program. This Council has directed staff to finalize the Training Handbook and Rules in time for this year's new volunteers who are presently under consideration for current vacancies. The Training Handbook and Rules & Procedures are intended to be amended from time to time by resolution.

Training Materials

Staff has prepared the attached draft training materials for review and discussion by Town Council. The packet is designed to have a consistent introductory document, followed by specific materials for the board, commission or committee. For example, the Board of Adjustment, Planning Commission and Hillside Committee will all receive the same Overview and first set of seven attachments (A-G). The remaining seven to nine attachments (H-P) are relevant to the Board, Committee or Commission specifically. All the attachments are current and formerly approved documents but, by providing them to each new volunteer, we are creating a binder and electronic set of documents for their convenience. The introductory document has been the focus of the training document that has received significant review and input previously and most recently from Councilmember Moore. This document includes details on Town's visions and values, form of government, the oath of office, roles of the chair, board members, and staff, meeting etiquette, and open meeting laws, etc..

The following is a sample list of attachments for an incoming Board of Adjustment appointee:

Universal Set of appendices:

Appendix A	Staff Contact Information (Board Specific)
Appendix B	Committees and Commissions in General (Town Code Art 2-5-1)
Appendix C	Board of Adjustment (Town Code Article 2-5-3)
Appendix D	Town of Paradise Valley Ethics Policy
Appendix E	"You as a Public Official" by Arizona League of Cities and Towns
Appendix F	Conflicts of Interest Statement
Appendix G	Robert's Rules of Orders Summary and Cheat Sheet

Specific Set of Appendices that vary by Board, Commission or Committee: (BOA example below)

Appendix H	Board of Adjustment FAQs
Appendix I	Zoning Ordinance (Including Hillside Ordinance)
Appendix J	General Plan
Appendix K	Board of Adjustment Flow Chart
Appendix L	ARS Statutes Pertaining to Board of Adjustment
Appendix M	Handbook Application Forms
Appendix N	Variance Criteria

To formalize the Council's adoption of the Training Handbook a draft resolution, Resolution No. 2020-21 (copy attached), has been prepared to both formally adopt the Handbook and direct that staff provide members of the Town public bodies a copy of the Handbook and set up training for such

members on a regular basis.

Rules and Procedures

As part of the Council's past discussions on governance changes, the Council determined that some changes to the Rules of Procedure for the Planning Commission ("Commission") and Board of Adjustment ("Board") should be explored, and that rules should be adopted for the Hillside Building Committee ("Committee," which currently has no adopted rules of procedure). Council Members had observed that having unclear rules of procedure on certain issues (or no rules at all), had led to frustration for both residents and Town staff when the rules did not address certain situations.

Prior work on these rules has been presented to the Council at a December 2018 work study session and the plans have been to roll out the amended/new rules in conjunction with the future training of Board and Commission Members. These rules are now ready for adoption by the Council in conjunction with the Council's approval of the new Training Handbook.

To have uniform rules for the Commission, Board of Adjustment, and the Hillside Committee staff recommends the Town Code be modified to have Council adopt the rules for each of these subsidiary public bodies. This requires amending Town Code §§ 2-5-2(C) and 2-5-3(C) to change the approval of rules from the Commission and the Board of Adjustment to the Council. Because the Hillside Committee currently has no rules of procedure, amendments to Town Code § 2-5-5(D) will provide for the adoption of new rules along with similar requirements to those of the Commission and Board for the keeping and filing of minutes.

Draft Ordinance No. 2020-03 will provide for these changes to the Town Code, with the adoption of the rules or amendments to the rules to be "by Council Resolution for time to time." Thus, draft resolutions have also been prepared for the adoption of the amended/new rules for each body as follows:

- Planning Commission, Resolution No. No. 2020-09
- Board of Adjustment, Resolution No. No. 2020-10
- Hillside Committee, Resolution No. No. 2020-11

These resolutions should be adopted in conjunction with Ordinance No. 2020-03, with the Ordinance and the new rules to both take effect 30 days after adoption.

As for the changes to the existing rules of the Commission and the BOA, a past Town Manager working group identified four problem areas where changes were needed:

- 1) late submittal of materials by applicants or residents/general public;
- 2) surprise submittals of documents or electronic materials on the night of a meeting;
- 3) lack of clarity on allotted speaking times for "spokespersons" for residents or neighborhood groups; and
- 4) clarity on timing requirements and agenda setting for motions to reconsider a motion or action from the prior meeting.

The "problem areas" noted above and the suggested revisions to the rules were discussed at a joint meeting of the Commission and Board on November 7, 2018. The Commission and Board provided some general input and each body commented that proposed changes, on the whole, would be beneficial. Implementing these changes would help staff, residents/general public, applicants, and the public bodies maintain greater transparency and openness as well as providing for a more rigorous and thorough review of submitted materials by the Town staff. And having the new rules for

the Hillside Committee will create uniformity of rules for each of the Town's land use-related public bodies.

On-Going Education

On-going education is important for all boards, commissions, and committees but especially important for the land-use volunteers who sit on the Planning Commission, Board of Adjustment, or Hillside Committee. Land use laws have a tendency to change over time and keeping up to date on those changes is imperative to ensuring compliance with changing federal, state, and local laws. Town staff, including the Town Attorney's Office and members of the Community Development Department, believe it would be most beneficial to offer annual training to the land use boards collectively. In addition to town staff, an outside expert could be used to supplement the training.

BUDGETARY IMPACT:

The budgetary impact associated with this item is minimal as the typical distribution of the materials annually is less than six copies. The only costs associated will be printing of materials and the possible costs of hiring an outside professional to assist with training or on-going education on an annual basis.

ATTACHMENT(S):

- A - Draft Training Handbook and Resolution No. 2020-21
- B - Draft Rules and Procedures
- C - Ordinance No. 2020-03 and Resolutions No. 2020-09, -10, and -11
- D - PowerPoint Presentation