

# Memorandum

## City of Tempe

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Date: June 7, 2012

To: Mayor and City Council

From: Andrew B. Ching, City Attorney, (480) 350-8575  
Brigitta M. Kuiper, City Clerk, (480) 350-8007

Subject: Board and Commission Subcommittees

In January 2008, the City Council adopted Ordinance 2008.01 which modified the Tempe City Code, Chapter 2, Article V, entitled *Boards, Commissions, Etc.* The ordinance standardized several provisions for City boards and commissions, including appointments, memberships, terms of office, removal from office and the powers and duties of those boards and commissions. One significant change was that boards and commissions no longer had the authority to create committees and subcommittees to work on issues or make recommendations. At that time, there were 26 active subcommittees created to carry out various duties.

In the fall of 2011, City staff issued a memorandum to board and commission staff liaisons outlining the Tempe City Code provision changes, including that boards and commissions did not have the authority to create and utilize subcommittees. Since that memo was issued, there has been some discussion regarding the use of subcommittees. Should City Council wish to make a change to this policy, an amendment to the City Code would be required.

At the May 31, 2012 Issue Review Session, Mayor Hallman requested that City staff provide recommendations to Council to allow boards and commissions to create subcommittees under certain circumstances. The attached *draft* ordinance provides for subcommittees under the following conditions:

- 1) Boards and commissions must request in writing and receive approval from City Council to create a subcommittee.
- 2) All subcommittees must be created for a specific purpose and time duration. Subcommittees will automatically sunset once the intended purpose has been met or within one year of creation.
- 3) Subcommittee members shall be current members of the Board/Commission and appointed by the Board or Commission.
- 4) Boards and commissions may only have two subcommittees in existence at the same time.
- 5) Subcommittees must meet all the requirements of the Tempe City Charter, City Code and the Arizona Open Meeting Law.

Staff is prepared to discuss this issue at the June 14, 2012 Issue Review Session and is seeking direction for possible future action.