

**CITY OF GOODYEAR
JUDICIAL SELECTION COMMITTEE
BY-LAWS**

Article I – Name

The Goodyear Judicial Selection Committee, herein after referred to as the “Committee”, is an ad-hoc committee of the Goodyear City Council established by Resolution 2018-1897.

Article II – Term of the Committee

The Committee is an ad-hoc committee and shall be in existence from September 2018 for no longer than twelve months after its first meeting. The Committee shall automatically cease August 31, 2019.

Article III – Powers and Duties

The Committee is an advisory body to City staff and the City Council on matters relating to the selection of a Presiding Municipal Judge. The Committee will return to City Council with a recommendation on finalist(s) that should be considered to fill the Presiding Municipal Judge position which will become vacant February 2019. Its powers are advisory only, unless additional powers and authority are provided by Resolution, Ordinance or state or federal law or regulation. The powers and duties of the Committee shall include:

- A. Review of applications that meet minimum qualifications.
- B. Select and refer the finalist(s) who most closely possess the ideal candidate attributes defined by City Council.
- C. Recommend finalist(s) to City Council for consideration in the final selection for the Presiding Municipal Judge position.

Article IV – Membership

Section 1: Number of Members. No more than five (5) members shall be appointed to the Committee. The total number of appointed members shall be an odd number. All appointed members shall be voting members.

Section 2: Terms of Office. The terms of the Committee members shall be the duration of the Committee’s existence.

Section 3: Selection. All members shall be appointed by Council from the recommendations of the Human Resources Director and City Clerk.

Section 4. Composition/Qualifications. Members shall meet the following minimum qualifications upon appointment to the Committee. Committee members shall:

- A. Be eighteen years of age or older; and
- B. Be registered to vote in Arizona; and
- C. Not be a city employee, member of City Council, or an immediate family member of such persons; and
- D. Not be voting members on two or more boards, commissions or committees of the City, excluding any sub-committee and/or ad-hoc committee formed by the Committee hereunder.

If a member serves on the Public Improvement Corporation (PIC) and the Industrial Development Authority (IDA), or the Public Safety Retirement Board (PSRB) for Police and Fire, they can serve on only one additional committee, commission or board.

Section 5: Officers. The Committee shall include the following officers:

- A. Chair. The Mayor shall appoint a Chair prior to the first Committee meeting. The term of the Chair shall be the term of the Committee unless the Chair resigns, becomes incapacitated, is removed, no longer meets the qualifications for membership and/or is unable to perform the duties of the office. In the event the Chair resigns, becomes incapacitated, is removed from the Committee, no longer meets the qualifications for membership on the Committee and/or is unable to perform the duties of the office, the Committee shall elect another member of the Committee as Chair. The duties of the Chair shall include:
 - a. Establishing a regular meeting schedule; and
 - b. Determining the agenda for meetings after consultation with City staff designated by the Council to assist the Committee with its work; and
 - c. Presiding over Committee meetings, including deciding upon all points of order and/or procedure; and
 - d. Reviewing agenda items for future Committee meetings with the Human Resources Department and/or City Clerk's Office; and
 - e. Considering other such matters and concerns of the Committee as set forth in these by-laws or as otherwise directed by the City Council.

Vice-Chair. The Committee shall elect a Vice-Chair at the time of the first meeting. The term of the Vice-Chair shall be the term of the

Committee. In the event the Vice-Chair resigns, becomes incapacitated, is removed from the Committee, no longer meets the qualifications for membership on the Committee and/or is unable to perform the duties of the office, the Committee shall elect another member of the Committee as Vice-Chair. In the absence of the Chair, the Vice-Chair shall preside over Committee meetings and perform the duties of the Chair. In addition, the Vice-Chair shall perform any duties assigned by the Chair or that may evolve by virtue of the office of Vice-Chair.

- B. Temporary Chair. In the absence of the Chair and Vice-Chair, the Committee shall appoint a member of the Committee to serve as Chair for the meeting by majority vote.
- C. Legal Representation. The City Attorney, or his designee, shall provide legal representation and advice to the Committee as necessary.

Section 6: Staff. The Human Resources Director and City Clerk or their designee may assist the committee in its work.

Section 7: Attendance Policy. Members are expected to attend all meetings.

Section 8: Quorum. A majority of the voting members of the Committee shall constitute a quorum for transacting business at a meeting. In the absence of a quorum, the Committee is prohibited from discussing or taking any action on any items from the agenda and the meeting shall be rescheduled. In the event a quorum is lost after a meeting begins, no further discussions or actions shall be taken on any items from the agenda once the quorum is lost and the meeting shall be continued or rescheduled.

Section 9: Meetings.

- A. The duration of the committee may require multiple meetings within one month.
- B. Meetings of the Committee shall be open to the public and the minutes of the meetings and other official actions shall be filed by the City Clerk as a public record. For any matter under consideration, any person may submit written comments and, if attending in person, may speak to the issue upon being recognized by the Chair and stating his or her name and address and the names of any persons on whose behalf he or she is appearing. The Chair may institute time limits for speakers in the interest of meeting management.

- C. Meetings shall, to the extent not in conflict with these By-Laws, be conducted according to the latest edition of Roberts Rules of Order, except that the Chair shall be permitted to vote on any motion.

Section 10: Order of Business:

- A. The Chair shall call the meeting to order and minutes shall record the members present or absent. The Chair may call each matter of business in the order of the approved agenda.
- B. The Chair shall conduct all meetings generally in accordance with Robert's Rules of Order and may invoke such rules when making formal recommendations.
- C. All meetings of the Committee may be recorded by an electronic device. Any person desiring to have a meeting recorded by an electronic device or by a stenographic reporter, at his or her own expense, may do so, provided that he or she consults the Chair to arrange facilities for such recording prior to the commencement of the meeting, and such recording will not otherwise disrupt the proceedings.

Section 11: Voting and Recommendations.

- A. Any formal recommendations to be forwarded to the City Council for review or approval shall require a majority vote of a quorum of the Committee. Each member attending shall be entitled to one vote.
- B. Voting shall be done by voice vote. If the results of a voice vote are not readily discernable by the Chair, a roll call vote shall be taken. Any member of the Committee may call for a roll call vote in lieu of a voice vote.
- C. A member shall disqualify himself or herself and abstain from voting whenever he or she has, or may have, a conflict of interest in a case under consideration, as provided by A.R.S. § 38-501, et seq. and the Goodyear City Code.
- D. Proxy voting shall not be permitted. Telephonic participation by members of the Committee may be permitted at the discretion of the Chair provided there is technology available to allow the public participation by telephone, i.e. a speaker phone is available.

Article VI – Official Records

The official records of the Committee shall include these By-Laws; agendas of the Committee created by the Committee; and minutes of meetings of the Committee by the

Committee. The official records of the Committee shall be deposited with the City Clerk and shall be available for public inspection during regular office hours.

Article VII – Amendments

These By-Laws may be amended by a majority vote of the City Council. The Committee may request an amendment to the By-Laws by a three-fourths majority vote of the members present at any meeting of the Committee at which a quorum is present, provided such amendment(s) is submitted in writing at a prior regular meeting of the Committee and is recorded in the minutes of such meeting. Such amendment(s) shall be subject to ratification by a majority vote of the City Council, and if so approved, shall become effective at the next regular meeting of the Committee after ratification.

ARTICLE VIII -- Miscellaneous

- Section 1: Open Meetings. The Committee shall comply with the requirements of Arizona's Open Meeting Laws, A.R.S. §§ 38-431 et seq. Except for Executive Sessions authorized by A.R.S. § 38-431.03, all meetings of the Committee shall be open to the public.
- Section 2: Public Records. The Committee shall comply with the requirements of Arizona's Public Records Laws, A.R.S. §§ 39-101 et seq.
- Section 3: Conflict of Interest. Any member of the Committee who has a substantial interest, as defined in A.R.S. § 38-502, in the outcome of any matter brought before them shall publically disclose that interest before the matter is discussed and shall refrain from voting or in any way participating in that matter. The meeting minutes shall reflect the member's disclosure of the substantial interest and the nature of the substantial interest.
- Section 4: City Ethic's Policy. All members of the Committee shall read, sign, and adhere to the City Ethics Policy.
- Section 5: Resignation and Removal. Members of the Committee may resign at any time by delivering written notice of such resignation to the Chair. Committee members, including alternates, may be removed with or without cause by a majority vote of the City Council.
- Section 6: Agenda Items. The Mayor may direct the Chair to include certain items on a Committee meeting agenda. Any member may propose items to be included on an agenda which shall be included at the discretion of the Chair.