



Water Services Advisory Commission

Oasis Water Campus
7070 W. Northern Avenue
April 1, 2015
3:30 P.M.

FINAL MINUTES

This was a Water Services Advisory Commission Retreat and was held in lieu of the regularly scheduled public meeting. No items other than training information and strategic planning were addressed.

The public was welcome to attend and observe.

I. ROLL CALL

Present: Commissioners John Sipple, Robert Gehl, Roger Schwierjohn, Robin Berryhill, Ruth Faulls, Chair Ron Short, and Vice-chair Jonathan Liebman

Staff: Craig Johnson, Dr. Doug Kupel, Shannon Rodriguez, and Amanda McKeever

II. CITY ATTORNEY'S OFFICE REVIEW

Russ Romney, Deputy City Attorney, began by explaining that he would be presenting information on Open Meeting Laws. He explained that Arizona Revised Statutes 38-431 are applicable to any "public body," and that the Commission is considered a public body. He then reviewed the statute in further detail and defined several key words.

He described the requirement of posting meeting notices at least 24 hours in advance with an agenda. He explained the public body can only discuss and take action on agenda items. He said members of the public may make statements to the Commission on items not on the agenda but the Commission may not discuss those or any items not on the agenda. He added that Commission members may respond to personal attacks made by the public, and a suggested response to those types of comments may be "Thank you for your comment. You have been heard."

Mr. Romney then described unintentional meetings which would be when a quorum of four or more Commission members meets. He described how "splintering" a quorum may occur and how to avoid it.

Mr. Romney explained in detail violations of Open Meeting Laws, repercussions, and penalties of those violations.

He provided information on summaries, records of the meetings, and executive sessions. He described under circumstances when executive sessions may be held and the format of executive sessions.

In response, Chair Short noted the importance of transparency and the perception discussions are held and decisions are made in executive sessions. He said improvements can be made to transparency.

Mr. Romney then reviewed the top ten Open Meeting Law Considerations, which included social gatherings and technology.

He suggested if there is a possibility a quorum of the Commission may attend the same social gathering, a Notice of Public Meeting should be posted and the members not discuss business at the gathering. Mr. Romney said if a quorum of the Commission inadvertently attends the same social gathering without completing a Notice of Public Meeting, one or more of the members should leave the gathering so that there is not a quorum present.

In regards to technology, Mr. Romney offered a few suggestions to avoid violating the Open Meeting Laws, which include avoiding electronic messages such as email and text messages used to discuss a topic within the jurisdiction of the public body. He suggested the Commission members forgo responding to all Commission members on email messages in order to avoid any Open Meeting Law violations.

Mr. Romney then spoke briefly on ethical protocols. He explained conflict of interest assessments depend on remote interest versus substantial interest. He said if a Commission member thinks or feels they may have a conflict of interest, they should recuse themselves. He said if the Commission member has a vested interest, an emotional response, or a stake in the response, they should recuse themselves from the issue. He said by recusing themselves, it shows integrity and removes any doubt. He said if anyone has a question about a conflict of interest, they may call the City Attorney's Office.

Mr. Romney concluded and offered to respond to any questions.

Chair Short mentioned that citizens who attend this Commission's meetings expect a dialogue and a response to their comments at the time of their comments. He expressed that it can be frustrating for the Commission to not be able to answer a question from the citizen. Mr. Romney responded if a citizen raises a question on an agenda item, it may be brought up as a part of discussion amongst the Commission. He explained having a dialogue is not helpful because oftentimes a response to a citizen's question is complex and requires context and further explanation. He suggested the questions be noted and answered after they are researched and considered further and post the answers after the meeting or review the responses at the next meeting.

Commissioner Berryhill added that it can be left up to the Chair whether to answer the questions from the public or not and Mr. Romney replied it is better to not respond to the questions and engage in a dialogue but instead put it on the agenda for the next meeting. Mr. Romney explained it is up to the Chair to govern those actions and the Commission cannot discuss anything that is not on the agenda.

Commissioner Gehl offered some alternatives such as having a Commissioner speak to the citizen on an individual basis after the meeting and asking staff to address the concern after the meeting. He said in many cases citizens want to vent to the Commission. Mr. Romney responded that talking with a citizen one-on-one may help but no discussion amongst the Commission may occur.

Commissioner Berryhill expressed that prior to becoming a commissioner, it was frustrating to make comments because there was no acknowledgement from the Commission when she made her statements. Mr. Romney responded that the best thing to do is for the Chair to make a statement prior to public comments explaining discussions cannot be held and responses cannot be given by the Commission but the comments are being heard by the Commission. He reiterated that it is best to not have any discussion.

Commissioner Schwierjohn stated that there can be assumptions made by the public when the Commission is at the beginning of the process and that when the public is less than respectful in their comments, it is difficult and frustrating for the Commissioners as well.

Mr. Romney reiterated that it is best to preface the comments that discussions are not allowed and keep repeating that point. He also suggested when a citizen is attacking the Commission, Commission members should not take it personally and everyone is working towards the same goal which is what is best for Glendale.

NO ACTION REQUIRED

III. STRATEGIC PLANNING

Shannon Rodriguez-Yaeggi, Employee Development Coordinator, facilitated strategic planning discussions with the Commission. The Commission completed exercises evaluating accomplishments of the Commission, the mission statement, the goals for the Commission moving into the future, and Commission priorities.

The results of these exercises are included in Attachment 1: WSAC Strategic Planning Retreat Notes.

NO ACTION REQUIRED

IV. NEXT MEETING DATE

Wednesday, May 6, 2015, 6:00 p.m.

V. CALL FOR ADJOURNMENT MOTION MADE AND SECONDED to adjourn at 7:03 p.m., passed by voice vote. **APPROVED 7-0**

Respectfully submitted,
Amanda McKeever, Acting Recording Secretary