

APPENDIX "C"

CONSIDERATIONS FOR SERVICE ON TOWN OF ORO VALLEY BOARDS, COMMISSIONS, COMMITTEES AND OTHER VOLUNTEER PUBLIC BODIES

Introduction: Members of Town boards, commissions, committees and other volunteer public bodies ("appointed public bodies") are appointed by the Town Council. Council Members are the constituents of the members of the various appointed public bodies in that such members have been authorized to act as the agents of the Council for the limited purposes relating to each such appointed public body. With the exception of the members of the Board of Adjustment, these members serve at the pleasure of the Council. Board of Adjustment members are appointed for two-year terms, and may be removed by Council for "neglect of duty, inefficiency, or misconduct in office." OVZCR 21.6.D.

1. The general purpose of the appointed public bodies is to serve the interests of the Town, as a whole, in accordance with the overall direction established by the Council. It is expected that appointed members will act consistently with this general principle. Each appointee is also expected to act within the scope of his or her authority, and act consistently with the Town Codes, ordinances, resolutions, policies and procedures and applicable federal and state law including specifically the Open Meeting Law, Public Records Law and the laws concerning conflicts of interest and financial disclosure.
2. Certain boards, commissions, committees and other volunteer public bodies primarily advise the Council concerning general matters of interest to the community at large. An example of this type of appointed public body is the Parks and Recreation Advisory Board. Other boards, commissions, committees and other volunteer public bodies regularly handle contested cases. A "contested case" is a matter or proceeding before a Town board, commission or boards, commissions, committees and other volunteer public bodies in which legal interests, rights, duties or privileges of one or more specific parties are addressed by a decision or recommendation of that appointed public body. An example of this is the Planning and Zoning Commission. In certain instances appointed public bodies are part of the Town proceedings for the establishment or setting rates and fees. Appointees involved in contested cases or participating in rate or fee setting proceedings, in particular, are expected to act in careful regard of their responsibilities and these guidelines.
3. It is expected that an appointee will avoid the appearance of partiality or unfairness as a decision-maker in any matter before the public body of which he or she is a member. Among the actions that may assist an appointee in avoiding the appearance of partiality or unfairness are:
 - Treating all public participants with the same degree of politeness and formality before and during a meeting, including breaks, to avoid the impression that some participants may expect special treatment.

- Not meeting with a party or a particular side concerning a “contested case” outside of the meeting of the public body to avoid the impression that certain parties have the privilege of special access to promote their particular interests before the public body. Generally, public meetings are the proper venue for members of a public body to gather information upon which to base a decision.
- Waiting until all the facts are presented to the appointed public body before passing public judgment as an individual member. The official record upon which a decision or recommendation may appropriately be based is the record of public proceedings, not simply one’s personal background knowledge.
- An appointee removing himself or herself from any particular proceeding of the appointed public body relating to a matter in which the appearance of impartiality and fairness has been compromised by activities and/or public statements of the appointee.

4. It is expected that an appointee who disagrees with fellow public officials, decisions of the Town Council, Town administration, the decisions of his or her own public body or the decisions of other boards, commissions, committees and other volunteer public bodies will do so constructively, based on facts, consistent with applicable law, and avoiding personal attacks, misleading statements or unsupported accusations.

5. It is expected that an appointee will respect the proceedings of other appointed public bodies by:

- Addressing members and staff during the meeting through the person who is chairing the meeting, avoiding the use of first names.
- First identifying whether he or she is appearing as a private citizen or is appearing officially on behalf of the public body of which he or she is a member.
- Avoiding lecturing members of a sister board, commission, committee or other volunteer public body on their responsibilities and authority as members of that public body.
- Not disrupting the proceedings of another public body by approaching the dais or staff desk area while the public body is in session, unless invited to do so by the person chairing the meeting.
- First raising any questions or concerns about the decisions or proceedings of another public body with staff or the chairperson.

6. It is expected that an appointee will be considerate of the fact that the elected Council Members are ultimately responsible for setting Town policy and directing its implementation. An appointee may be opposed to a course of action or decision by Council, or implementation of the same, and still continue to serve as a member of his or her public body. In the event, however, that an appointee wishes to actively and publicly oppose a course of action or decision by Council, or the implementation of the same, then it is expected that the appointee will

resign rather than act in public opposition to the administration he or she has been appointed to serve.

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