

**TOWN COUNCIL OF DEWEY-HUMBOLDT
STUDY SESSION MEETING NOTICE**

Tuesday, April 11, 2017 6:30 P.M.

**COUNCIL STUDY SESSION MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Roll Call. Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt; Vice Mayor Mark McBrady; and Mayor Terry Nolan.

Page **3. Study Session.** No legal action to be taken.

3 **3.1. Earl Goodwin's presentation regarding Road Improvement Program.** [As directed at March 7th meeting]

5 **3.2. Discuss how appointments are made to Town boards, commissions or committees under [Town Code Section] 33.17 Appointments.** [CAARF requested by CM Hamilton]

7 **3.3. Discussion of Public Body Code of Ethics; options for possible replacement of repealed Code Section Chapter 35.** [As directed at March 7th meeting]

4. Special Session. Legal action can be taken.

25 **4.1. Whether to hold additional special session(s) this month.** This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

5. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, April 18, 2017 at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, May 4, 2017 at 6:00 p.m.

Next Town Council Work Session: Tuesday, May 9, 2017 at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

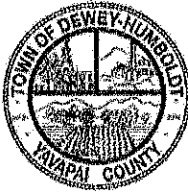
The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona,

Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2017, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.
By: _____, Town Clerk's Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

Rec'd 2/21/17

@ 1:10pm

**TOWN OF DEWEY-HUMBOLDT**

P.O. BOX 69

HUMBOLDT, AZ 86329**Phone 928-632-8562 • Fax 928-632-7365****Town Council Presentation Request Form**

Requests to make a formal Town Council presentation must be approved by the Town Council as a whole at a council meeting. The request form is used to accompany a council member's Council Agenda Request Form (CARF) which would sponsor the presentation request. The Form must be submitted at least four weeks to the sponsoring council member prior to the requested Town Council meeting date. The CARF will be discussed at a council meeting for the Council to determine whether to approve the presentation request. The Town Council meets every first and third Tuesday of the month at 6:30 p.m. for regular sessions. The Council also meets every second Tuesday of the month at 2:00 p.m. for study sessions. The Town Council attempts to limit the length of individual presentations to 30 minutes unless the Council votes to extend that time. If any special equipment is requested, please notify the Town Clerk no less than 72 hours before the Council meeting.

Nature and Description of Presentation (Please note that this form does not apply to commendation and/or proclamation presentations, and individuals who wish to speak at the Comments from the public item on an agenda):

An alternative approach to the Road Improvement program. It includes private easement roads, has a Council controlled annual limit, brings additional money, has a fixed 5-year time line and would be submitted to voters for approval. The presentation, including answering questions, will take 30 minutes.

Please describe the number of participants, any audio or visual equipment that you will set up and utilize, and how long you will require to set up your equipment.

Will require Overhead Projector

Individual, agency, and or organization attending Town Council meeting:

Name: **Earl Goodwin** Phone: **632-8490**

Council Meeting Date Requested: **April Work Session** ; alternate date: **May Work Session**

Requested by:

Name: **Earl Goodwin**

Phone: **632-8490**

Address: **14525 Eagle Dr. Dewey**

Email: **esgoodwin@commspeed.net**

If you have any questions about the application process, please contact the Town Clerk's Office at (928) 632-7362. Please return this form to the sponsoring council member, Dewey-Humboldt Town Hall, 2735 S. Highway 69, P.O. Box 69, Humboldt, AZ 86329, by fax to (928) 632-7365 or by email to the council member (Town Council contact information can be found at www.dhaz.gov/contacts).

For Town Clerk Office Use Only:

Date requested received <u>2/21/17</u>	Sponsoring Council Member <u>Treadway</u>
Approved by Council at <u>3/7/17</u> meeting (Mayor Initial _____)	approved by vote _____
Not Approved _____	Applicant Notified and Notes: _____

Rec'd 2/21/17 @
8:50pm



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 • Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☐ Regular ☐ Special ☒ Work Session

Meeting Date: 4/11/17

Date of Request: 2-21-17

Requesting: ☐ Action ☒ Discussion or Report Only

Type of Action: ☐ Routine/Consent Agenda ☐ Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

DISCUSS HOW APPOINTMENTS ARE MADE TO TOWN
BOARDS, COMMISSIONS OR COMMITTEES UNDER 33.17 APPOINTMENTS

Purpose and Background Information (Detail of requested action):

SHOULD JUST CHAIR DO INTERVIEWS OF APPOINTEES OR
SHOULD IT BE THE WHOLE COMMITTEE, BOARD, OR COMMISSION MAKE
A RECOMMENDATION TO COUNCIL, OR SOMETHING ELSE

Staff Recommendation(s):

Budgeted Amount:

List All Attachments: Requested Code 31.17 Appointments (D)

Type of Presentation:

Special Equipment needed: ☐ Laptop ☐ Remote Microphone

☒ Overhead Projector ☐ Other:

Contact Person: Jack Hamilton

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

3.2. Attachment 1 - D-H Code of Ordinances 31.17(D)

§ 31.17 APPOINTMENTS.

(A) All voting members of town boards, commissions, or Citizen Committees shall be appointed by Council action (by motion or resolution) and shall serve at the pleasure of the Town Council.

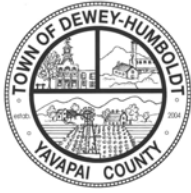
(B) The motion, ordinance, or resolution establishing boards, commissions, or Citizen Committees shall include the number of members, the purpose for which the board, commission, or Citizen Committee is organized, and the duties thereof.

(C) Members of town boards and commissions shall be residents of the town. Non-voting Citizen Committee members may be nonresidents.

(D) All appointees should bring the skill, integrity, knowledge, interest and commitment to evaluating issues in the broad context of the public interest. To the extent possible, appointees should be selected to represent a broad cross-section of the community relative to the purpose of the agency. All proposed appointees shall be subject to a background check and shall be interviewed by the Chair of the board, commission or committee prior to submission of the name to the Council for approval of the appointment.

(E) Appointees may serve an unlimited number of consecutive terms on a given board, commission or Citizen Committee (except where specifically limited), at the discretion of the Town Council.

(F) The Town Clerk shall provide application forms and maintain a composite listing of all applications on file which have been received. Applications shall be retained for one year.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

TOWN COUNCIL STUDY SESSION MEETING

April 11, 2017 – 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 3.3. Discussion of Public Body Code of Ethics; options for possible replacement of repealed Code Section Chapter 35. [As directed at March 7th meeting]

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: April 5, 2017

Summary:

At the March 21st Council meeting, Council discussed Ordinance 15-112, the latest public body Code of Ethics, upon the CARRF request by Council Members Wendt and Hughes. Council repealed Ordinance 15-112 and at the April 4th meeting, adopted the repealing Ordinance 17 - 134.

At the March 21st meeting, Council directed a continued discussion on the Public Body Code of ethics to be placed on the April 11th Study Session agenda. It is staff's understanding that the purpose of the continued discussion was to possibly draft a new code of ethics. Following the meeting, I emailed the Council to submit suggested code of ethics materials ahead of time so that they can be included in the Study Session packet, to allow council and the public to review them before this meeting.

CM Wendt and CM Treadway responded and provided samples. For the convenience of today's discussion, these Code of Ethics samples are included in the packet. They are:

1. Town Ordinance 11-88 (which has been inactive). CM Wendt suggested this be included in the packet at the March 21st meeting, Council and the public were interested in Town Ordinance 11-88 which contains Exhibit A - a previous Code of Ethics.
2. Chino Valley Code of Ethics. This is provided by CM Wendt for Council's consideration.
3. City of Show Low, City Council Norms of Operation and Code of Ethics. This is provided by CM Treadway for Council's consideration.

Attachments: 1) Town Ordinance 11-88 and Exhibit A; 2) Chino Valley Code of Ethics Chapter 35; 3) City of Show Low, City Council Norms of Operation and Code of Ethics.

ORDINANCE NO 11-88

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE CODE OF DEWEY-HUMBOLDT, CHAPTER 30 TOWN COUNCIL AND OFFICIALS, BY EXTINGUISHING SECTIONS §30.020 TOWN COUNCIL PERSONAL CODE OF CONDUCT; §30.021 CODE OF TEAMWORK AND COOPERATION; LEGAL AND ETHICAL STANDARDS §30.060 PREAMBLE; §30.061 CODE OF ETHICS; §30.062 PUBLIC INTEREST; §30.063 CONDUCT; §30.064 CONFLICT OF INTEREST; AND §30.065 COMPLIANCE AND ENFORCEMENT WITH ALL RULES, HEREBY MADE REDUNDANT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Mayor and Council find it in the best interest of the Town to establish ethical standards of conduct for public officials acting in their official public capacity.

Now, Therefore, Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section 1. Adoption

That certain document known as the Code of Ethics, attached hereto as Exhibit A, is hereby adopted by the Town of Dewey-Humboldt, and each and all of the conditions and terms of the Code of Ethics are hereby referred to, adopted, and made part hereof as through fully set forth herein.

Section II. Extinguishment.

Town Code Sections §30.020 Town Council Personal Code of Conduct; §30.021 Code of Teamwork and Cooperation; Legal and Ethical Standards §30.060 Preamble; §30.061 Code of Ethics; §30.062 Public Interest; §30.063 Conduct; §30.064 Conflict of Interest; and §30.065 Compliance and Enforcement with all Rules are hereby extinguished in their entirety and are made of no further force or effect, replaced by this Code of Ethics.

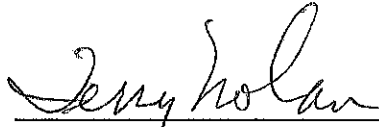
Section III Severability.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

Section IV. Effective Date.

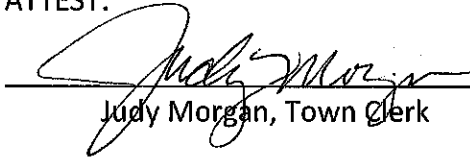
That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force August 16, 2011 and shall be codified as of October 1, 2011.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this 9th day of August, 2011.



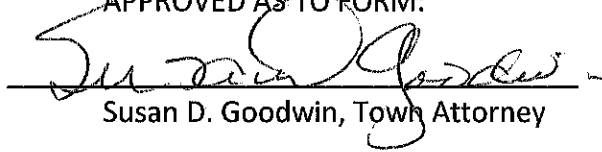
Terry Nolan, Mayor

ATTEST:



Judy Morgan, Town Clerk

APPROVED AS TO FORM:



Susan D. Goodwin, Town Attorney

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EXHIBIT A



Town of Dewey-Humboldt

Adopted August 16, 2011

Town Of Dewey-Humboldt Code of Ethics

Ethics is defined here as the rules or standards governing those persons functioning as representatives of the Town of Dewey-Humboldt. These rules and standards are based upon a set of values judged to be moral to the extent that they enhance society and an individual's relationship to others.

A representative of the Town of Dewey-Humboldt is defined here as a public official, elected or appointed, salaried or unpaid, including the mayor, Town council members, any board or commission member and staff.

The purpose of this code is to establish ethical standards of conduct for these public officials acting in their official public capacity.

I. Responsibilities of Public Office

By oath of office each representative is responsible to uphold the Constitution of the United States, the Constitution of the State of Arizona, and the ordinances and regulations of the Town of Dewey-Humboldt. The public official shall perform his or her obligations in a manner that is impartial and responsible to all people.

The public official shall not use his position for personal or monetary gain.

The public official shall not disclose confidential information concerning the property, government, or affairs of the Town of Dewey-Humboldt without proper legal authorization.

II. Conflict of Interest

This code shall reinforce any existing affirmation regarding conflict of interest contained in the public official's oath of office. When acting in a public capacity, the public official shall abstain from participating in discussion and vote on any pending matter that would result in his financial or private gain.

The public official shall not directly or indirectly solicit, accept or receive any gift--whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form that could be reasonably inferred to influence the performance of his official duties and actions or serve as a reward for any official action.

III. Conduct in Public Office

The public official shall not discuss or divulge confidential information acquired by him in the course of his official duties nor shall he use this information for his own personal interest.

The public official shall respect the rights, privileges and opinions of his fellow officials. Propriety dictates that the public official be sensitive to the possible confidential or personal nature of directives addressed to other individuals.

IV. Compliance and Enforcement with the Dewey-Humboldt Code of Ethics.

When Public officials assume their duties they have an obligation to abide by this code of ethics. Any possible violation of this code should be reported to a member of the council, or in

the case of staff, to the Town Manager. This alleged violation may be put on a future council meeting agenda if appropriate, with notification to the alleged violator. If the alleged violation is believed to be a criminal matter it should be reported to the proper authorities.

All public officials are expected to honor the mandates set forth in the Town of Dewey-Humboldt Code of Ethics.

Town of Dewey-Humboldt Code of Ethics

The undersigned acknowledges receipt of the Town of Dewey-Humboldt Code of Ethics this 9th day of the month of August, 2011.

Signature

Print Name

Public office or position held

[Print](#)

3.3 Attachment 2 - Chino Valley Code of Ethics

Chino Valley, AZ Code of Ordinances

CHAPTER 35: CODE OF ETHICS

Section

- 35.01 Generally
- 35.02 Responsibilities of public office
- 35.03 Conflict of interest
- 35.04 Conduct in public office
- 35.05 Code of ethics complaints; filings and procedures

§ 35.01 GENERALLY.

(A) **ETHICS** is defined here as the rules or standards governing those persons functioning as representatives of the town. These rules and standards are based upon a set of values judged to be moral to the extent that they enhance society and an individual's relationship to others.

(B) A representative of the town is defined here as a public official, elected or appointed, salaried or unpaid, including the Mayor, Council members and any board or commission member.

(C) The purpose of this code is to establish ethical standards of conduct for these public officials acting in their official public capacity.

(2001 Code, § 2-6-1)

§ 35.02 RESPONSIBILITIES OF PUBLIC OFFICE.

(A) By oath of office each representative is responsible to uphold the Constitution of the United States, the Constitution of the State of Arizona and the ordinances and regulations of the town. The public official shall perform his obligations in a manner that is impartial and responsible to all people.

(B) The public official shall not use his position for personal or monetary gain.

(C) The public official shall not disclose confidential information concerning the property, government or affairs of the town without proper legal authorization.

(2001 Code, § 2-6-2)

§ 35.03 CONFLICT OF INTEREST.

(A) This code shall reinforce any existing affirmation regarding conflict of interest contained in the public official's oath of office. When acting in a public capacity, the public official shall abstain from participating in discussion and vote on any pending matter that would result in his or her financial or private gain.

(B) The public official shall not directly or indirectly solicit, accept or receive any gift, whether it be money, services, loan, travel, entertainment, hospitality, promise or any other form that could be reasonably inferred to influence the performance of his or her official duties and actions or serve as a reward for any official action.

(2001 Code, § 2-6-3)

§ 35.04 CONDUCT IN PUBLIC OFFICE.

(A) The public official shall not discuss or divulge confidential information acquired by him or her in the course of his or her official duties nor shall he or she use this information for his or her own personal interest or aggrandizement.

(B) The public official shall respect the rights, privileges and opinions of his or her fellow officials, staff and the public at large. Council members shall exhibit respect for the public, other governmental units and agencies, and the professional and ethical conduct of the Town Manager and staff. Propriety dictates that the public official be sensitive to the possible confidential or personal nature of directives addressed to other individuals. In bringing honor to the title and in recognition of the weighty respect due the role of public official, those elected to public office shall:

- (1) Lead by example;
- (2) Demonstrate civil and courteous conduct at all times;
- (3) Seek and speak the truth;
- (4) Respect all people;
- (5) Accept respectful dissension as a civic right.

(C) In his or her dealings with town employees, the public official shall maintain professional conduct with respect to the employee's work assignments and obligations, and shall refrain from directly influencing the professional management of the town's administration by any means other than direct communication with the Town Manager. The office of the public official shall in no situation be used to wrongfully obtain information or administrative outcomes, either by intimidation or by deliberately violating the privacy of an employee's work station.

(D) All public officials shall comply with this code of ethics.

(2001 Code, § 2-6-4) (Am. Ord. 13-768, passed 4-9-2013; Am. Ord. 15-796, passed 4-28-2015)

§ 35.05 CODE OF ETHICS COMPLAINTS; FILINGS AND PROCEDURES.

(A) Code of ethics violations are Council matters and complaints shall only be made by members of the Town Council.

(B) Complaints alleging violations to this chapter shall be in writing and filed by the complainant with the Mayor and/or Vice Mayor, unless the Mayor and/or Vice Mayor file or are named in the complaint. In that event, the complaint shall be filed with the Town Attorney. Any and all documents in support of the complaint shall be attached to the complaint at the time it is filed.

(C) Complaints will be addressed by the council within 60 days of receipt by the Mayor, Vice Mayor or Town Attorney in compliance with the procedures set forth in this section.

(D) The Mayor, Vice Mayor or Town Attorney who receive a complaint shall forward it and all attachments to the Town Clerk within 3 business days of receipt and at least 3 weeks prior to the complaint being placed on council's agenda.

(E) At least 2 weeks prior to the Council's consideration of the complaint, the Town Clerk shall provide a copy of the complaint and all supporting documents to the respondent.

(F) Only one complaint alleging a violation of the ethics code shall be addressed at any 1 Council meeting.

(G) Only 1 person may be accused of a code of ethics violation per complaint.

(H) If the Mayor is either the complainant or the respondent, the Council's consideration of the ethics complaint shall be chaired by the Vice Mayor.

(I) Council's procedure for addressing the complaint during its meeting shall be as follows:

- (1) Introduction of item;
- (2) Presentation by complainant (10 minutes maximum);
- (3) Presentation by respondent (10 minutes maximum);
- (4) Additional information by complainant (if any) (5 minutes maximum);
- (5) Additional information by respondent (if any) (5 minutes maximum);
- (6) Council discussion; and
- (7) Council decision.

(Ord. 15-796, passed 4-28-2015; Am. Ord. 15-800, passed 6-9-2015)

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SHOW LOW CITY COUNCIL
NORMS OF OPERATION AND CODE OF ETHICS¹
effective September 17, 2013

PART I. CITY COUNCIL NORMS OF OPERATION

Section 1. City Council Relations with City Staff

- A. The City Council and its members shall deal with the administration of the City only through the City Manager, except for the purpose of inquiry, and neither the Council nor any member thereof, shall give orders or instructions to any employee or officer other than the City Manager. The City Manager shall take his or her orders and instructions from the Council, only when promulgated at a duly convened meeting of the Council, and no individual Council member shall give any orders or instruction to the City Manager except for purpose of inquiry. Members shall respect and adhere to the Council-Manager structure of government as outlined in the Show Low City Code. In this structure, the City Council determines the policies of the City with the advice, information, and analysis provided by the public, commissions, boards, committees, and staff.

Except as provided by the Show Low City Code, members therefore shall not interfere with the administrative functions of the City or the professional duties of City staff, nor shall they impair the ability of staff to implement Council policy decisions.

- B. There shall be mutual respect from both staff and Council members of their respective roles and responsibilities when and if expressing criticism in public session.
- C. City staff shall acknowledge the Council's role as policy makers and the City Council shall acknowledge staff's role as responsible for administering the Council's policies.
- D. Formal public records requests shall be directed to the City Clerk's office. Charges for copies of records requested for personal use shall be billed to the respective Council member in accordance with the resolution adopted by the City Council.
- E. Receipt of all written informational material requested by individual Council members shall be reported to the entire Council through the City Manager's weekly report, to allow others to be aware of said material and request copies of the same, should they desire.

¹ These Norms of Operation and Code of Ethics were adopted by the Show Low City Council through Resolution No. R2013-23 on Sept. 17, 2013, and applies to the Council and all City commissions, boards, and committees.

Section 2. City Council Relations with City Commissions, Boards and Committees and Council Member Representation to Other Agencies and Organizations

- A. Members of the City Council shall not use their power of office to attempt to influence or publicly criticize commission, board, or committee recommendations or influence or lobby individual commission, board, or committee members on any item while under their consideration. It is important for commissions, boards, and committees to be able to make objective recommendations to the City Council on items before them. Members of Council who attempt to strongly influence commission, board or committee positions on any item may prejudice or hinder their role in reviewing the commission's, board's, or committee's recommendation as a member of the City Council.
- B. Individual Council members shall have the right to attend commission, board, committee, or City staff meetings but shall not speak or become involved in meeting discussions unless the Council member is the liaison to that commission, board, or committee or has been invited to attend a City staff meeting because of the Council member's expertise. Council members are allowed to address the board as a citizen during the public comment portion of the agenda.
- C. If a Council member appears before another government agency or organization to give a statement on an issue affecting the City, the Council member should first indicate the majority position and opinion of the Council, if known or previously discussed. Personal opinions and comments may be expressed only if the Council member clarifies that these statements do not represent the position of the City Council.

PART II. CODE OF ETHICS

The Show Low City Council believes that citizens and businesses are entitled to fair, ethical, and accountable local government. To this end, the Show Low City Council has established a Code of Ethics for the members of the City Council and the City's commissions, boards, and committees to assure public confidence in the integrity of local government and its effective and fair operations, and therefore shall:

- A. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of the City of Show Low and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the City Council, commissions, boards, and committees.
- B. **Comply with the Law.** Members shall comply with the laws of the nation, the State of Arizona and the City of Show Low in the performance of their public duties. These laws include, but are not limited to, the United States and Arizona

Constitutions, the Show Low City Code and Policies, laws pertaining to conflicts of interest, election campaigns, financial disclosure, and the public open meeting law.

- C. **Conduct of Members.** The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Council, commissions, boards, committees, staff, and the public.
- D. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and commissions, boards and committees governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.
- E. **Conduct of Public Meetings.** Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of business.
- F. **Meeting Attendance.** It is the responsibility of Council members to attend Council meetings and the responsibility of other members to attend meetings of their respective board, commission, or committee to which they have been appointed in order to fairly conduct the business of Show Low. It is also the responsibility of members who have been appointed as voting members representing Show Low on other boards, commissions, or committees to attend meetings of those boards, commissions, or committees. Absence from meetings should be avoided if at all reasonably possible. The member shall contact the City Clerk, Chair of the committee or board, or other responsible staff person if unable to attend a meeting. Members shall be required to provide current contact information to the City Clerk. Failure to attend two consecutive meetings without notice may result in removal from the board, commission, or committee.
- G. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.
- H. **Communication.** Members shall publicly share substantive information that is relevant to a matter under consideration by the Council, commissions, boards, or committees, which they may have received from sources outside of the public decision-making body.
- I. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or

where they have an organizational responsibility or personal relationship that may give the appearance of a conflict of interest. The purpose of the conflict of interest laws is to prevent self-dealing by members and to remove or limit any improper influence which might bear on a member's decision. A conflict of interest occurs when (i) a member or a relative of the member has a pecuniary interest in a matter that may come before the Council during the member's term of office on which the member sits and that interest is not a remote interest as defined in A.R.S. Section 38-502(10), or (ii) when the member has an interest that results in the member not being able to act impartially on a matter before the Council. "Relative" means the spouse, child, child's child, parent, grandparent, brother, or sister of the whole or half-blood and their spouses and the parent, brother, sister, or child of a spouse.

1. Compliance with Conflict of Interest Laws. Members shall comply with the conflict of interest laws of Arizona. If a member is not sure he or she has a conflict of interest on a matter before the Council, the City Attorney should be contacted. Requests related to conflicts of interest are confidential; however, official opinions of the City Attorney are required by law to be a public record.
2. Disclosure of Conflict of Interest. If a member has a conflict of interest, he or she shall disclose that fact as soon as possible by filing a statement with the City Clerk setting forth the nature of the conflict of interest or declaring the nature of the conflict of interest for the record of the minutes of the meeting. The member shall not participate in any matter as a member in the matter.
3. Loyalty. Members have an obligation to put the interest of Show Low over personal considerations and to make the public's interest their primary concern.
4. Personal Interests. Occasionally a member may find that he or she has a personal interest in a matter, even though a conflict of interest would not exist under the conflict of interest laws. Members are encouraged to adhere to strongly held ethical values which are exercised in good faith and to refrain from discussing or voting on a matter if he or she believes the personal interest precludes making a fair and impartial decision.
5. Abstaining from Voting. A member should not abstain from voting on a matter before his or her Council unless he or she has a conflict of interest or believes he or she may have a conflict of interest or a personal interest as set forth in Paragraph I, *Conflict of Interest*.

Members shall abstain from participating in deliberations and decision-making where conflicts may exist.

J. Gifts and Favors – Prohibited, exceptions.

1. Members are prohibited from soliciting, receiving, or accepting gifts and favors of any kind from anyone who attempts to influence the passage or defeat of legislation, ordinances, rules, regulations, nominations, and other matters that are pending or proposed and are subject to formal approval by the Council. The term "gifts and favors of any kind" includes money, services, loans, travel, entertainment, hospitality (including meals), promises of any future gifts, or anything of value that might be construed as an attempt to create a more favorable relationship than that enjoyed by any other citizen, including: (a) the purchase, sale, or lease of any real or personal property by the member, that member's relative, or an entity in which that member has a financial interest at a value below or above that available to the general public, and (b) employment and/or services, contracts, direct or indirect, by a member, that member's relative, or an entity in which that member or relative has a financial interest.
2. Members are prohibited from soliciting, receiving, or accepting gifts and favors of any kind, as defined above, from anyone who is engaged in a general practice or specific situation that involves the City's decision-making or permitting processes, except as exempted below.

Gifts. Members shall disclose in writing to the City Clerk any (i) gift, benefit, or favor received with a value in excess of \$50.00 or (ii) any gifts, benefits, or favors with a combined value in excess of \$50.00 within a six-month period, from a person with a financial interest in business with the City or in a matter which may come before the Council. The written disclosure shall be made within two (2) business days of receipt of the gift, benefit, or favor or multiple gifts, benefits, or favors totaling \$50.00 in value within a six-month period. If the gift is donated to Show Low or a bona fide charity, it does not have to be disclosed; provided however, that the gift is donated immediately upon receipt.

Exemptions include entertainment, hospitality (including meals), transportation, and token mementoes directly associated with events that a member is attending as a representative of the City. If any gift, favor, or personal benefit is permissible and exceeds \$50.00 in value, then the member must declare it in writing to the City Clerk's office within five (5) business days of acceptance, unless it is:

- (a) Admission to events which are sponsored or funded in whole or in part by the City, if furnished by the City or sponsor(s) of such events;

- (b) Reasonable hosting, including meals and refreshments, travel, and related expenses, furnished in connection with official speaking engagements, ceremonies, or other Council-related appearances on behalf of the City, when public or civic purposes are served;
 - (c) Gifts of goodwill or other tokens of appreciation accepted on behalf of the City, or in the case of food, accepted and shared with others in the City work place; or
 - (d) Items received and donated to a charitable organization.
- K. **Confidential Information.** Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or other private interests.
- L. **Use of Public Resources.** Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies, or facilities for private gain or personal purposes.
- M. **Representation of Private Interests.** In keeping with their role as stewards of the public interest, Council members shall not appear on behalf of private interests of third parties before the Council or any commission, board, or committee or proceeding of the City, nor shall members of commissions, boards, and committees appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
- N. **Advocacy.** Members shall represent the official policies or positions of the City Council, commissions, boards or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent the City of Show Low, nor will they infer that they do.
- O. **Independence of Commission, Boards, and Committees.** Because of the value of the independent advice of commissions, boards, and committees to the public decision-making process, Council members shall refrain from using their position to unduly influence the deliberations or outcomes of commission, board, and committee proceedings.
- P. **Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealing with City employees to in no way create the perception of inappropriate direction to staff.

- Q. Implementation. As an expression of the standards of conduct for members expected by the City, the Show Low Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards, commissions, and committees, and newly elected and appointed officials.

PART III. COMPLIANCE AND ENFORCEMENT

This resolution expresses standards of conduct expected for members of the Show Low City Council, commissions, boards, and committees. Members themselves have the primary responsibility to assure that standards are understood and met, and that the public can continue to have full confidence in the integrity of government. A violation of this resolution shall not be considered a basis for challenging the validity of Council, commission, board, or committee decisions. Questions about this Code of Ethics, a conflict of interest, or other ethical problem should be presented to the City Attorney's office.

The City Council may impose sanctions on members whose conduct does not comply with this policy, such as reprimand, formal censure, committee assignment, or budget restrictions.

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Agenda Item 4.1. Tentative Agenda Item list

- ✦ Canvass of March 14th election.
- ✦ Yavapai College presentation (directed at the February 21 meeting)
- ✦ Authorization for CM Wendt to attend the League of Cities and Towns' "Municipal Grant Seeking 101" training and authorization to pay for travel expense (mileage to and from Phoenix). -CM Wendt CARF
- ✦ Repeal all or part of the PB code of ethics, town code title III, chapter 35 (CM Wendt CARF)
- ✦ Ex parte communication ordinance
- ✦ Ratify P&Z Appointments (2/21) [CAARF Mayor Nolan]
- ✦ Proclamation for Lions Club International Founding

April 4, 2017 Regular Council

- ✦ Mayer Meals on Wheels second bi-annual presentation (Mickey contact)
- ✦ EPA update general work, residential clean-up (34 priority yards, structure of planning)
- ✦ IGA with sheriff
- ✦ Fair Housing proclamation – CDBG requirement

After the council retreat,
Council-staff long study session
ref. issues – dump day program,
road,

April 6, 2017 Planning and Zoning

- ✦ Discussion on the development of a strategy proposal to recommend to Council for the addressing of zoning anomalies

April 11, 2017 special Work Session staff and Council (2 p.m.)

- ✦ Subjects – town hall, private roads transition (use March 7 agenda wording), public works operation current level of maintenance, PW resources (equipment, staff), dump day operation details, permit fees?

April 11, 2017 Work Session Council (6:30 p.m.)

- ✦ Continued discussion of the public body code of ethics (as directed at the March 21 meeting)
- ✦ Earl Goodwin presentation on roads (directed at the march 7 meeting)" CM Treadway CARF-Council's approval to hear presentation by Earl Goodwin regarding Road Improvement program."
- ✦ Discuss how appointments are made to Town boards, commissions or committees under 33.17 Appointments. [CAARF-CM Hamilton]

April 18, 2017 Regular Council

- ✦ Report – acknowledgement of the retreat report.
- ✦ Jan. 1 to March 31, 2017 financial report
- ✦ AR cash handling policy revision
- ✦ Firewise board rep. Bob Baker presentation (CM Wendt request at the April 4 meeting)
- ✦ Related to the above – possible council direction of a letter to BLM in support of a ROW to be developed there as requested by the firewise board.

Items contained within are tentative in nature. Official meeting agendas are subject to changes without further notices and will be published according to the Open Meeting Law and other applicable codes and regulations.

- ✦ Retreat report?
- ✦ P&Z council report and seeking direction – zoning amorality
- ✦ DH HS business plan 2nd presentation (according to Accountability contract/ Mickey contact
- ✦ Town hall lease – (ES language) An executive session pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding an extension of the lease for Town Hall for one year for real property located at 2735 S. Highway 69, Dewey-Humboldt, Arizona.

April 25, 2017 budget discussion begins at 9 am

May 2, 2017 Regular Council

- ✦ Follow up discussion on study session hours (following up on the Jan. 17 regular meeting)
- ✦ 2017 Chip seal contract award.
- ✦ Public works quarterly report (?)
- ✦

May 4, 2017 Planning and Zoning

- ✦ Continuation of discussion on the development of a strategy proposal to recommend to Council for the addressing of zoning anomalies

May 9, 2017 budget discussion begins at 9

May 9, 2017 Work Session Council (time? 2 or 6:30?)

- ✦ university of Arizona superfund research program report
- ✦

May 16, 2017 Regular Council

- ✦ tbd

May 23, 2017 budget discussion begins at 9

- ✦ tbd

June 6, 2017 Regular Council

- ✦ tbd

June 8, 2017 Planning and Zoning

- ✦ tbd

June 13, 2017 Work Session Council

June 20, 2017 Regular Council

- ✦ Public safety quarterly report (judy, please confirm)

July 4, 2017 Regular Council – HOLIDAY (Independence Day)

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