



MUNICIPAL OFFICE COMPLEX  
8401 W. MONROE STREET  
PEORIA, AZ 85345

CITY COUNCIL SUBCOMMITTEE  
ON POLICY & APPOINTMENTS:

Chairperson

Dave Pearson, Councilmember  
Ironwood District

Members

Ron Aames, Vice Mayor  
Palo Verde District

Carlo Leone, Councilmember  
Pine District

Staff Liaison

Wanda Nelson, City Clerk

Liaison City Attorney's Office

Steve Kemp, City Attorney

***Accommodations for  
Individuals with Disabilities.***

*Alternative format materials,  
sign language interpretation,  
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interpretation in languages other  
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Street, Room 150, Peoria,  
Arizona 85345 (623)773-7340,  
TDD (623)773-7221, or FAX  
(623) 773-7304. To the extent  
possible, additional reasonable  
accommodations will be made  
available within the time  
constraints of the request.*

# CITY COUNCIL SUBCOMMITTEE ON POLICY & APPOINTMENTS NOTICE & AGENDA

Tuesday, April 10, 2012

6:05 PM

PINE CONFERENCE ROOM

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**CONVENE:  
ROLL CALL:**

**FINAL CALL TO SUBMIT SPEAKER REQUEST FORMS:**

## CONSENT AGENDA

**CONSENT AGENDA:** All items listed with "C" are considered to be routine or have been previously reviewed by the City Council, on Policy and Appointments and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

### **CONSENT – New Business:**

#### **1C Minutes**

Discussion and possible action to approve the March 15, 2012 meeting minutes of the City Council Subcommittee on Policy and Appointments.

## REGULAR AGENDA

### **UNFINISHED BUSINESS**

#### **2R Code of Ethics for Elected Officials and/or Citizen Advisory Committees**

Discussion and possible action to recommend the adoption of a Code of Ethics for members of the Peoria City Council and Citizen Advisory Committees.

**3R Boards and Commissions Vacancies**

Discussion and possible action to appoint, reappoint, recruit, or schedule interviews for various city Boards and Commissions including, but not limited to, the Economic Development Advisory Board, Library Board, Parks and Recreation Board, Personnel Board, Planning and Zoning Commission, and Youth Advisory Board. Discussions may include attendance, conflict of interests and other issues that may impact membership to Boards and Commissions.

**4R Board and Commission Appointment Process**

Discussion and possible action regarding the appointment process related to qualifications and filling Board and Commission vacancies.

**NEW BUSINESS**

**5R Future Agenda Topics and Next Meeting Date**

Discussion of future agenda items (if any) for City Council Subcommittee on Policy and Appointments.

**NOTE:** Per Council Policy 1-10, no policy item will come forward unless submitted on the *Subcommittee Agenda Item Request Form*.

**CALL TO THE PUBLIC: (NON-AGENDA ITEMS)**

If you wish to address the City Council Subcommittee on Policy and Appointments, please complete a Speaker Request Form and return it to staff before the call to order for this meeting. The City Council Subcommittee on Policy and Appointments is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

**Reports from Staff:**

**ADJOURNMENT**

**NOTES:**

Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the City Council Subcommittee Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

**PUBLIC NOTICE:**

In addition to the Subcommittee members noted above, one or more members of the Peoria City Council may be present to observe the City Council Subcommittee meeting as noticed on this agenda.

**CITY OF PEORIA, ARIZONA  
IRONWOOD CONFERENCE ROOM  
March 15, 2012**

A **Regular Meeting** of the **Policy & Appointments Subcommittee** of the City of Peoria, Arizona, was convened by Chairperson Dave Pearson in an open and public session at 8401 W. Monroe Street, Peoria, Arizona on March 15, 2012 at 3:02 p.m.

**Members Present:** Councilmember Dave Pearson, Councilmember Carlo Leone, and Vice Mayor Ron Aames.

**Members Absent:** None.

**Other Municipal Officials Present:** Carl Swenson, City Manager; Susan Thorpe, Deputy City Manager; Chris Jacques, Community Development Director; Wanda Nelson, City Clerk; Natalie Gilstrap, City Clerk Specialist; Steve Kemp, City Attorney; and Terri Smith, Council Assistant.

**Audience:** None.

**Note:** The order in which the items appear in the minutes is not necessarily the order in which they were discussed at the meeting.

**Consent Agenda**

A motion was made by Vice Mayor Aames, seconded by Councilmember Leone to approve the consent agenda. Upon vote, the motion carried unanimously 3 to 0.

**Minutes:**

**1C Minutes**

Approved the minutes of the February 14, 2012 Policy and Appointments Subcommittee Meeting.

**REGULAR AGENDA**

**2R Code of Ethics for Elected Officials and / or Citizen Advisory Committees**

The subcommittee began the discussion, based on a draft Code of Ethics that was submitted by Chairperson Pearson.

Subcommittee members discussed the draft Code of Ethics, and a desire for it to be less general. Discussion also took place about members of citizen boards or commissions identifying themselves as such, and addressing the City Council at meetings with their personal comments.

Ms. Thorpe will revise the draft Code of Ethics with modifications identified by the subcommittee, and bring it back for further review.

### **3R Boards and Commissions Vacancies**

It was recommended that Hannah Ashcroft, Lorraine Barker, Tyler Crump, Elizabeth Gonzalez, Kody Knuth, Taylor Paradiso, and Vanessa Velasquez be reappointed to the Youth Advisory Board. A motion was made by Councilmember Leone, seconded by Vice Mayor Aames to approve the recommendations for reappointment. Upon vote, the motion carried unanimously 3 to 0.

It was recommended that Usamma Amjad and Lincoln Crump be appointed to vacancies created in June, 2012 by the high school graduations of Callie Hartson and Ramon Mendoza. It was also recommended that Alec Willems, Janelle Cook, Jasmine Kunkes, and Kiley Perkins be appointed to June, 2012 vacancies. A motion was made by Councilmember Leone, seconded by Vice Mayor Aames to approve the recommendations for appointment. Upon vote, the motion carried unanimously 3 to 0.

It was recommended that Robert Benson and Christopher Hearn be reappointed to the Arts Commission. A motion was made by Councilmember Leone, seconded by Vice Mayor Aames to approve the recommendations for reappointment. Upon vote, the motion carried unanimously 3 to 0.

The consensus of the subcommittee was to carry over the matter of a recommendation to fill the Planning and Zoning Commission vacancy, pending a review of meeting attendance by members.

The consensus of the subcommittee was to carry over the matter of a recommendation to fill the Economic Development Advisory Board vacancies, pending a review of meeting attendance by members.

It was recommended that Michael Bellard be reappointed to the Industrial Development Advisory Board.

It was recommended that Michael Bailey and Kevin Kadlec be reappointed to the Judicial Selection Advisory Board.

It was recommended that Joan Leone be reappointed to the Library Board.

It was recommended that John Buonagurio be reappointed to the Public Defender Contract Review Committee.

It was recommended that Gilbert Olivera be reappointed to the Volunteer Firefighter Pension Board.

A motion was made by Councilmember Leone, seconded by Vice Mayor Aames to approve the six recommendations for reappointment. Upon vote, the motion carried unanimously 3 to 0.

**4R Board and Commission Appointment Process**

This item was carried over to a future meeting

**5R Future Agenda Topics and Next Meeting Date**

Ms. Nelson will confer with Chairperson Pearson to schedule pending topics to come before the subcommittee.

**Reports from Staff:** None

**CALL TO THE PUBLIC:** No members of the public came forward at this time.

**ADJOURNMENT:**

There being no further business to come before the Subcommittee, the meeting was duly adjourned at approximately 4:52 p.m.

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Dave Pearson, Chairperson

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Terri Smith, Council Assistant

**MAYOR AND COUNCIL  
SUBCOMMITTEE AGENDA ITEM  
REQUEST FORM**

DATE: 12/24/2011

TO: Carl Swenson, City Manager

FROM: Dave Pearson

SUBJECT: Code of Ethics for Elected Officials and Citizen Advisory Committees

**1. Provide a description of the agenda item.**

Create and discuss a draft ethics code covering elected officials and citizen advisory committees/boards.

**2. Explain the policy issue related to the agenda item.**

The Subcommittee on Policy and Appointments is currently considering policy and procedures governing a council ethics committee. The subcommittee should also consider a policy and/or handbook regarding Ethics Conduct for elected officials and citizen advisory committees/boards. I suggest we look at existing ethics codes in Mesa and Phoenix as starting points. I request that staff present the subcommittee with a draft ethics code for discussion.

**City Manager's Office Use:**

Date of receipt: 24 Dec 2011

Policy issue: Yes  No  If denied, explain \_\_\_\_\_

Subcommittee assignment: Policy and Appointments

Transferred to subcommittee staff liaison on: 1-5-12

Subcommittee agenda date:

Subcommittee action:

- No further action
- Study session referral
- Regular agenda Action
- City Manager Action

Tracking # 42

Prepared by Councilmember Dave Pearson – March 6, 2012  
 With edits from Subcommittee and staff March 15, 2012

 <p style="text-align: center;"><b>CITY COUNCIL POLICY</b></p>	<b>CP - -</b> <i>[ASSIGNED BY CMO]</i> Category: <i>[One of pre-existing list]</i>
	Department: <i>[Originating or responsible department]</i>
<b>TITLE:</b> <i>Ethics Code for Public Officials (<del>elected and appointed</del> City Council and Board and Commission members)</i>	Approved: <i>[Date of Council Meeting]</i>

A. Purpose

Peoria City Government operates best when employees and elected and appointed officials are independent, impartial, and responsible to the people of Peoria. Government decisions and policy should be made publicly and no public office shall be used for personal gain. Employees and elected and appointed officials should aspire at all times to conduct themselves in a way that ensures the greatest possible public confidence in their independence, integrity, and competence ~~roles as public servants.~~

Recognizing that a separate employee code of ethics ~~code~~ is promulgated and enforced by the City Manager, the purpose of this policy statement is to set forth guidelines for ethical standards for elected and appointed officials ~~the City Council and board and commission members.~~

~~For the purposes of this document, elected and appointed officials shall be referred to as Public Officials.~~

It is expected that all Public Officials read and understand this policy. Public Officials must respect and honor the positions of public trust which they hold and strive to maintain and enhance confidence in Peoria City Government.

B. Definitions

1. "Public Officials" shall mean the City Council and members of City Boards and Commissions.
2. "Substantial interest" shall mean
3. "Immediate family" shall mean
4. "De minimis" shall mean

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Councilmember Dave Pearson – March 6, 2012

C. Standards

1. Public Officials shall comply with ~~the law.~~
  - a. ~~Including~~ Including this ethics code, the U.S. Constitution, Arizona Constitution, federal and state statutes, city charter, city code, and council policies. They should be guided by the spirit as well as the letter of the law in whatever they do
  
2. Public Officials shall uphold the integrity and independence of their positions: as follows:
  - a. No Public Official shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
  - b. No Public Official shall participate in selection or award of a contract if the contract involves their own financial or their immediate family's substantial interest.
  - c. No Public Official shall use their official position or the city's facilities for their personal gain or for the benefit-personal gain of any individual which benefit would not be available to any other member of the public in the same or similar circumstances.
  - d. No Public Official shall appear before or represent any private person, group or interest before the City Council or any city department or board or commission of the city ~~except in matters of purely civil or public concern~~. The provisions of this paragraph are not intended to prohibit a Public Official from speaking before neighborhood groups and other nonprofit organizations.
  - e. possibly add conflict of interest section (Susan T to suggest)
  
3. Public Officials shall avoid impropriety and the appearance of impropriety in their official and personal actions.
  - a. ~~No Public Official shall grant or receive any special consideration, treatment, or advantage beyond that which is available to every other citizen.~~
  - ab. No Public Official shall directly or indirectly solicit any gift, or accept or receive any gift whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, the beyond a de minimis value, of which exceed \$50.00, No Public Officials shall receive any item or gift under circumstances in which a reasonable person would believe that the gift was intended to influence their performance of official duties or was intended as a reward for any official action on their part. Legitimate political

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contributions to public officials shall not be considered as gifts under the provisions of this paragraph.

- ~~e. No Public Official shall make pledges or promises of conduct in office that they will not or cannot perform or would be illegal if it were performed.~~
- ~~bd.~~ Public Officials shall not allow family, social, or other relationships to unduly influence their conduct or judgment and shall not lend the prestige of their official position to advance the private interests of others.
- ~~e. Public Officials shall not recommend the appointment of unnecessary employees and shall exercise the power of employment only on the basis of merit, avoid favoritism and refrain from illegal discrimination and nepotism. They shall not approve compensation of employees beyond the fair value of service rendered.~~
- ~~c. Public Officials shall not engage in nepotism. To this end, no relative of a sitting Councilmember may be hired by the City, and no relative of a sitting advisory board member may be hired in the City department for which that advisory board member provides guidance.~~

4. Public Officials shall perform the duties of their position diligently.
  - a. Public Officials should attend their official meetings and be adequately prepared for discussion of meeting agenda items while striving for professional competence in those topics.
  - b. Public Officials have a civic responsibility to support good government by every available means, to continue to inform and educate citizens about the affairs and process of Peoria city government.
  - c. Public Officials should respond quickly and appropriately to citizens concerns and treat all citizens with dignity and courteousness.
  - d. Public Officials shall maintain the dignity appropriate to the office and should encourage members of their families to adhere to the same standards of political conduct that apply to public officials.
  - e. Public Officials shall inform themselves concerning campaign finance, conflict of interest laws and scrupulously comply with the provisions of such laws.
  - f. Public Officials shall conduct themselves at all times in a manner that promotes public confidence in the integrity of their official position and of the Peoria city government.

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- g. Public Officials shall actively pursue policy goals they believe to be in the best interests of their constituents within the parameters of orderly decision-making, the rules of the Peoria City Council and open government.
  - h. Public Officials shall respect the legitimacy of the goals and interest of other public officials and shall respect the rights of others to pursue goals and policies different from their own.
  - j. Public Officials shall demand and contribute to the maintenance of order and decorum in proceedings at public meetings.
  - k. Public officials shall accord to every person who is legally interested in a proceeding before a public body the full right to be heard according to law.
5. Public Officials shall conduct the affairs of their position in an open and public manner.
- a. No Public Official shall use or disclose confidential information gained in the course of or by reason of their official position with the city for purposes of advancing:
    - 1) Their financial or personal interest.
    - 2) The interest of a business entity of which the public official or an immediate family member has an interest.
    - 3) The financial or personal interest of a member of their immediate family
    - 4) The financial or personal interest of any citizen beyond that which is available to every other citizen.
  - b. Public Officials must be aware of the letter and intent of the State's Open Meeting Law and conduct the affairs of their public office consistent with the letter and spirit of that law and consistent with the need to inspire and maintain public confidence in the integrity and fairness of city government and their public office.
  - c. Public Officials shall be aware of the need for discretion in deliberations when the ~~fact of discretion-~~ act of disclosure would pose a threat to the resources of the city, to the reputation of current or potential city employees, to orderly and responsible decision making, to the integrity of other governmental processes or to other legitimate interests of the city.

Category: \_  
Title: \_  
CP \_-\_  
Page 5 of 5

Councilmember Dave Pearson – March 6, 2012

## CITY OF PEORIA MEMORANDUM

TO: Policy & Appointments Subcommittee  
FROM: Susan K. Thorpe, Deputy City Manager  
DATE: March 7, 2012  
SUBJECT: Article related to Council Code of Ethics

Below, for your information and reference, is an article from Western City magazine related to elected officials ethical standards.

### The “Front Page” Test: An Easy Ethics Standard



#### **Question**

As a public agency attorney, I have conversations with clients about how ethics laws apply in a given situation. Sometimes a proposed course of action may be allowed under the law and yet it's a really bad idea in terms of how it is likely to be perceived by the community. At other times, a public official will consult me on issues that are more ethical than legal.

It would be helpful to have a resource I can share with clients that might help them analyze such situations. Can you help?

#### **Answer**

Many resources are available to help local officials sort through ethics issues. For example, the website “good reads” ([www.goodreads.com](http://www.goodreads.com)) lists 2,561 books on ethics. The Institute for Local Government (ILG) also offers tips on how public officials can use values-based analysis to work through ethical dilemmas in *Understanding the Basics of Public Service Ethics: Promoting Personal and Organizational Ethics* ([www.ca-ilg.org/ppoe](http://www.ca-ilg.org/ppoe), pages 3–11).

Of course, not everyone has time or the inclination to read and mull the application of even one book on ethical decision-making or even the eight pages of ideas on values-based decision-making in ILG's ethics booklet.

Under such circumstances, some local officials use what's called the "front page" test. That test requires asking yourself: How would I feel if the course of action I am considering were reported on the front page of the local newspaper or blog? If you would be at all uncomfortable, the best course of action is *not* to do it — end of analysis.

### **The Whys of the Front Page Test**

The front page test is analytically useful because it encourages a public official to think about how his or her actions might look to the outside world. People tend to rationalize their actions, usually by starting their analysis with what they want to do and then reasoning backward to justify that course of action. It's a time-honored temptation. As founding father Benjamin Franklin wryly noted, "So convenient a thing it is to be a reasonable creature, since it enables one to find or make a reason for everything one has a mind to do." In a similar vein, French philosopher Jean-Jacques Rousseau cautioned that "Nature never deceives us; it is always we who deceive ourselves."

Of course, as a public servant, your actions and words are often subject to intense public scrutiny. Thus, a distinct possibility exists that the media and the public (particularly your critics) will scrutinize your actions.

However, even if the likelihood of scrutiny is slim or non-existent, the front page test is still a good one to use. As legendary basketball coach John Wooden observed, "The true test of a man's character is what he does when no one is watching."

### **Avoiding Self-Deception**

Whether you are being watched or not, thinking about how the average constituent on the street will perceive your actions is a useful analysis. The question is whether that constituent will think you are doing the right thing as a public official. This doesn't mean being a slave to public opinion; it may still be important to stand on principle.

When analyzing how a given course of action will look, count on the fact that most, if not virtually all, members of the community will lack some or all of the relevant information about the public official's actions. In fact, there's a strong likelihood the information the community receives — particularly if the information comes from a source other than the public official in question, such as the media — will be critical, incomplete, skewed and perhaps even inaccurate. For a course of action to comfortably pass the front page test, it needs to survive the community's scrutiny even with incomplete or skewed information.

What are some of the elements that will factor into the community's judgment? If the action involves spending the agency's money, community members are likely to ask the question whether they feel that such an expenditure benefits them or not. A fair bet is the analysis will not include consideration of whether the official deserved whatever special benefit is in question. For better or worse, it is safest for public servants to assume that the prevailing community sentiment is that public officials don't deserve special benefits. The American democratic tradition tends to reject actions that appear to set apart public officials from those they serve.

For other actions that tend to fare poorly in the court of public opinion, see "Situations Likely to Fail the Front Page Test."

As part of the front page test, a good question to ask is whether you can give your harshest critic a straightforward explanation of why this was the right thing to do. In many cases, that explanation should include an analysis of how the action in question genuinely benefits and serves the interests of the community and how the action is part of a fair and transparent decision-making process.

### **Compliance With the Law Isn't Enough**

One of the explanations frequently offered by local officials under scrutiny is that what they did is legal or they received advice from agency counsel that it wasn't illegal. This explanation answers the wrong question. Not being against the law generally just means that one won't get jailed or fined for doing something. The question is whether the official is doing the right thing. This gets to the issue of what the public will conclude: that the official did what one ought to do in a given situation.

American critic and author Alfred Kazin once offered the sage advice that if you can't explain what you're doing in simple English, you're probably doing something wrong. Being close to the line in terms of what's legal or relying on what might be considered loopholes or technicalities usually can be difficult to explain in simple language.

Professing ignorance of the law is not likely to fly as an explanation either. Part of what most public officials offer to the public in campaigning for office is knowledge, and that's also a big part of municipal staff's brand.

### **Conclusion**

There will always be critics and watchdogs. The task for the savvy and ethical public official is to make decisions in a way that maximizes the likelihood that the community will conclude the official is trying to do the right thing. That's what the public expects from its public servants.

#### **Situations Likely to Fail the Front Page Test**

When one reads news accounts that are critical of a public official's actions, certain themes emerge.

**Graft.** When a public official appears to be receiving extra financial or other benefits as a result of his or her public service, the perception can be that the official is in public service to feather his or her own nest instead of working for the benefit of the community.

**Cronyism/Nepotism.** When friends or family are involved in some way in one's decisions as a public official, the perception can be that friends and family are receiving preferential treatment and decisions are based on favoritism as opposed to fair consideration of the merits.

**Misuse of Public Resources.** Public officials make decisions on how taxpayer and other public resources are used. Such uses must benefit the public, as opposed to the public official or special interests.

**Other Forms of Special Treatment.** When it appears that public officials (or their friends) are not subject to the same rules and burdens as everyone else, the public questions the fairness of the situation.

**Quid Pro Quo.** If it appears that a decision may have been the result of an “if you do this for me, I will do that for you” arrangement, the public also questions whether the decision is based on the public’s interests (for example, if a campaign contribution influenced a decision).

**Secrecy.** If decisions are not made in a way that appears open to public scrutiny, the default assumption is that there is something to hide.

### **On Leadership and Sacrifice**

Basketball great Kareem Abdul-Jabbar observed that a team will always appreciate a great individual if he’s willing to sacrifice for the group. Public service is all about both the interests of the group and sacrifice: sacrifice of one’s time, sacrifice of one’s privacy and the sacrifice of not being able to do things that those who are not in public service can do (for example, taking advantage of opportunities for financial gain).

Sometimes the sacrifice involves ego in favor of humility — not insisting on what you perceive as the best course of action so that a larger segment of the community buys into and supports the course of action.

*This article appears in the February 2012 issue of Western City*

## STAFF - COUNCIL SUBCOMMITTEE COMMUNICATION

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**DATE:** October 17, 2011  
**TO:** Carl Swenson, City Manager  
**FROM:** Wanda Nelson, City Clerk (W)  
**THROUGH:** Susan K. Thorpe, Deputy City Manager  
**SUBJECT:** Boards and Commissions Appointments/Reappointments

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### Background:

*City Council Policy 1-5 Appointment to Boards and Commissions establishes the standard policy for City Council to make member appointments to the city's official Boards and Commissions. In part, CP1-5 provides for the following:*

- *Council Subcommittee on Board and Commission Appointments (now referred to as the City Council Subcommittee on Policy and Appointments) shall determine how members are identified, selected, processed, trained, and recognized for service.*
- *An open competitive processed will be used to fill any vacancies to the city's official Boards and Commissions.*
- *Candidate interviews may be conducted.*
- *Subcommittee recommendations are forwarded to the Mayor and Council with a 10 day comment period to the Mayor.*
- *Upon no adverse comments from the majority of the Council members, Subcommittee recommendations are submitted via a Resolution for official action.*

### Previous Actions:

*The Council Subcommittee on Boards and Commissions previously met on a monthly basis to address vacancies and upcoming vacancies to the various city Boards and Commissions.*

### Options:

**A:** *That the City Council Subcommittee on Policy and Appointments continue to meet on an as needed basis to make recommendations for appointments and reappointments to the city's various official Boards and Commissions.*

### Staff's Recommendation:

*No further action is required – this is an ongoing agenda item for the City Council Subcommittee on Policy and Appointments.*

Tracking # 007

# STAFF - COUNCIL SUBCOMMITTEE COMMUNICATION

**Fiscal Analysis:**

*There is no fiscal impact related to this item.*

**Exhibit(s):** \_\_\_\_\_

**Contact Name and Number:** Natalie Gilstrap, 773-7340

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**City Manager's Office Use:**

Date of receipt: *10/19/11*

Policy issue: Yes  No  If denied, explain \_\_\_\_\_

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Subcommittee assignment: *10/24/11*

Transferred to Subcommittee Staff Liaison on:

Subcommittee agenda date:

Subcommittee Action:

- No further action
- Study session referral
- Regular agenda referral
- City Manager referral

Tracking # *007*

City Council Subcommittee on  
Policy and Appointments

Tuesday, April 10, 2012 - 5:00 p.m.

**STAFF REPORT**

**ECONOMIC DEVELOPMENT ADVISORY BOARD (SCHEDULED)**

The terms for **David Bentler**, regular member, and **Jay Cross**, alternate, expire June 2012.

**Two (2) vacancies are created with a terms to expire December 2016.**

**LIBRARY BOARD (SCHEDULED)**

The term for **Jack McCleary**, regular member, expires June 2012.

**One (1) vacancy is created with a term to expire June 2016.**

**PARKS AND RECREATION BOARD (SCHEDULED)**

The term for **Diana Bedient**, regular member, expires June 2012. **Amy Upton**, regular member, moved and now resides on a County Island and is ineligible to serve on the Parks and Recreation Board.

**One (1) vacancy is created with a term to expire June 2016 and one (1) vacancy is created with a partial term to expire June 2014 respectively.**

**PERSONNEL BOARD (UNSCHEDULED)**

The term for **Thomas Campbell**, regular member, expires June 2012.

**One (1) vacancy is created with a term to expire June 2016.**

**PLANNING AND ZONING COMMISSION (SCHEDULED)**

**Veda McFardland**, regular members, resigned.

**One (1) vacancy is created with a partial term to expire December 2012.**

**YOUTH ADVISORY BOARD (SCHEDULED)**

On March 15, 2012 the Council Subcommittee recommended the reappointment of **Hannah Ashcroft**, as a regular member, to the Youth Advisory Board. Ms. Ashcroft has since indicated that she does not wish to be reappointed.

**One (1) vacancy is created with a term to expire June 2012.**

Boards and Commissions  
Upcoming Term Expirations and Vacancies

<b>Boards/Commissions/Authorities</b>	<b>Member Names</b>	<b>Comments</b>	<b>Interested in Reappt? Yes or No</b>	<b>Member Status</b>	<b>Districts</b>	<b>Term Expiration Dates</b>	<b>Eligible for Reappt?</b>	<b>Staff Liaisons Staff Assistants</b>
Economic Development Advisory Board (Scheduled)	David Bentler		N/A	Regular	Non-Resident	Jun-12	No	Scott Whyte Tamara Overton
Economic Development Advisory Board (Scheduled)	Jay Cross		Unknown	Alternate	Non-Resident	Jun-12	Yes 2-Yr. Term	Scott Whyte Tamara Overton
Library Board (Scheduled)	Jack McCleary		Yes	Regular	Mesquite	Jun-12	Yes	Jeff Tyne Mary Roberts Ellen Comella
Parks and Recreation Board (Scheduled)	Amy Upton	Moved	N/A	Regular	County Island	Jun-14	N/A	Jeff Tyne Brenda Rehnke Ellen Comella
Parks and Recreation Board (Scheduled)	Diana Bedient		N/A	Regular	Ironwood	Jun-12	No	Jeff Tyne Brenda Rehnke Ellen Comella
Personnel Board (Unscheduled)	Thomas Campbell		Yes	Regular	Palo Verde	Jun-12	Yes	Wanda Nelson Natalie Gilstrap
Planning and Zoning Commission (Scheduled)	Veda McFarland	Moved	N/A	Regular	Non-Resident	Dec-12	No	Chris Jacques Beverly Parcels
Youth Advisory Board (Scheduled)	Hannah Ashcroft		No	Regular	Willow	June-12	Yes	Jeff Tyne Kevin Naughton Jennifer Parkin

**Boards and Commissions  
Member Absences Report**

Board or Commission Name	Meeting Date	Members Absent (Excused/Unexcused)
Arts Commission	5/10/2011	Wayne Baxter (excused)
	8/9/2011	Lizabeth Gordon (excused) and Jack Lytle (excused)
	9/13/2011	Lizabeth Gordon (excused) Jack Lytle (excused)
	10/11/2011	Marleejean Johnson (excused)
	11/8/2011	None
	1/10/2012	None
	2/14/2012	Marleejean Johnson (excused)
Board of Adjustment	09/13/11	Kevin Kadlec, Karen McDaniel, and Shelby Duplessis
	09/27/11	Shelby Duplessis
	02/14/12	Karen McDaniel
Building Board of Appeals	09/22/11	Garner Palenske (excused) and Lawrence Tysiac (excused)
Citizens Commission on Salaries for Elected City Officials	03/03/10	None
	02/15/12	Mark Hughes (no disposition) and Joyce Mozzicato (no disposition)
Design Review Appeals Board	No Meetings in 2011 or 2012	
Design Standards Advisory Board	No Meetings in 2011 or 2012	
Economic Development Advisory Board	3/10/2011	David Bentler, Jay Cross, and Joe Hull
	4/6/2011	Jay Cross
	9/8/2011	Jay Cross and Keith Dines
	11/10/2011	Shelley Bade, Vonda Culp, and Keith Dines
	2/9/2012	David Bentler, Jay Cross, and Joe Hull
	3/8/2012	David Bentler, Jay Cross, and Joe Hull
Employee Benefits Trust Board	03/17/11	Brent Mattingly (excused)
	05/19/11	Brent Mattingly (excused)
	08/18/11	None
	12/14/11	Les Gin (excused)
	02/16/12	Keith Dines (Excused) and Les Gin (excused)
	03/13/12	Les Gin (excused)
Historic Preservation Commission	03/02/11	Gary Nelson
	07/13/11	Mike Fusco and Steve Poe
	11/09/11	Priscilla Cook, Mike Fusco, and Gary Nelson
	01/11/12	Shelby Duplessis
Industrial Development Authority	03/08/12	Michael Bellard, Caron Sada, and Ryan Mercer (no disposition)

## Boards and Commissions Member Absences Report

Board or Commission Name	Meeting Date	Members Absent (Excused/Unexcused)
Judicial Selection Advisory Board	No Meetings in 2011 or 2012	
Library Board	09/12/11	Jack McCleary (excused) and Carla Carlson (excused)
	11/07/11	None
	01/09/12	Andrea Schultz (excused)
	03/02/12	Joan Leone and James Abraham (excused)
Municipal Development Authority	5/9/2011	Jim Torres (excused)
	10/3/2011	Jim Torres (no disposition)
Parks and Recreation	5/11/2011	Patrick Sponsel (excused) and Aimee Upton (excused)
	6/23/2011	Patrick Sponsel (excused) and Aimee Upton (excused)
	9/22/2011	Patrick Sponsel (excused) and Aimee Upton (excused)
	1/19/2012	Diana Bedient (excused) and Patrick Sponsel (excused)
	2/16/2012	Brian Derrick (excused) Patrick Sponsel (excused)
Personnel Board	01/27/11	Dennis Cheney (excused)
	03/09/11	None
Planning and Zoning Commission	03/17/11	Gene Sweeney
	06/02/11	None
	06/16/11	Veda McFarland, Greg Loper, and Nancy Golden
	07/21/11	Greg Loper, Gene Sweeney, and Nancy Golden
	08/18/11	Bill Loper and Greg Loper
	10/06/11	None
	10/20/11	Greg Loper
	11/03/11	Veda McFarland and Leigh Strickman
	11/17/11	Veda McFarland, Greg Loper, and Leigh Strickman
	12/15/11	Charles Marr, Gene Sweeney, and Leigh Strickman
	01/05/12	Veda McFarland and Leigh Strickman
	03/01/12	Greg Loper
	03/15/12	Charles Marr and Greg Loper
Public Defender Contract Review Committee	No Meetings in 2011 or 2012	

## Boards and Commissions Member Absences Report

Board or Commission Name	Meeting Date	Members Absent (Excused/Unexcused)
Public Safety Personnel Retirement System Board - Fire	01/31/11	David Block (excused)
	03/09/11	Mayor Bob Barrett (excused)
	06/21/11	Mark Barbee (excused)
	09/13/11	David Block (excused)
	12/13/11	David Block (no disposition) and Anthony Neely (excused)
	02/21/12	Mayor Bob Barrett (excused)
Public Safety Personnel Retirement System Board - Police	01/12/11	Mayor Bob Barrett (excused) and David Block (excused)
	03/09/11	Mayor Bob Barrett (Excused)
	03/29/11	Mayor Bob Barrett (Excused)
	05/10/11	Mayor Bob Barrett (Excused)
	06/21/11	None
	09/13/11	David Block (Excused)
	10/18/11	Luis Carrillo (Excused)
	11/15/11	Pat Kief (no disposition) and David Block (no disposition)
12/13/11	David Block (no disposition)	
Sister Cities Board	01/20/11	Scott Clark
	03/24/11	Patty Fusco
	04/26/11	Jim Flonacher and Penny Hughes
	06/16/11	Joya Kizer-Clark and Bonnie Apperson
	09/15/11	Jim Flonacher and Joya Kizer-Clark
	11/21/11	None
Veterans Memorial Board	05/03/11	Anthony Irby (excused) and Joseph McCord (excused)
	06/07/11	Ken Lambert (excused), Ben Geiger (excused), and Joseph McCord (excused)
	07/12/11	Ken Lambert (excused) and Lisa Wakefield (excused)
	08/02/11	None
	09/06/11	None
	10/04/11	Joseph McCord (excused)
	11/01/11	Ben Geiger (excused) and Joseph McCord (excused)
	01/03/12	Ken Lambert (excused) and Reed Webber (excused)
	02/07/12	Anthony Irby (excused), Chuck Strange (excused), and Reed Webber (excused)
03/06/12	Reed Webber (excused )	
Volunteer Firefighter Pension Board	2/13/2012	Mayor Bob Barrett (no disposition) and Mark Hughes (no disposition)

**Boards and Commissions  
Member Absences Report**

Board or Commission Name	Meeting Date	Members Absent (Excused/Unexcused)
Youth Advisory Board	02/08/11	Shelbie Staley (excused), Tyler Arkin (excused), Jasmine Bejarano (excused), Hunter Finn (excused), Meg Grose (excused), Callie Hartson (excused), Jacob Jelinek (excused), Victoria Johnson (excused), Brooke Heisserman (unexcused), Shelby Park (excused), and Anthony Silva (unexcused)
	03/08/11	Shelbie Staley (excused), Tyler Arkin (excused), Tyler Ashcroft (excused), Jasmine Bejarano (excused), Hunter Finn (unexcused), Austin Hatfield (excused), Mariah Hearne (excused), Brooke Heisserman (excused), and Shelby Park (excused)
	04/12/11	No Meeting
	05/10/11	Shelbie Staley (unexcused), Tyler Arkin (excused), Tyler Ashcroft (excused), Jasmine Bejarano (excused), Hunter Finn (unexcused), Victoria Garcia (excused), Meg Grose (excused), Callie Hartson (excused), Austin Hatfield (excused), Brooke Heisserman (excused), Shelby Park (excused), and Anthony Silva (unexcused)
	06/14/11	Lorraine Barker (excused), Victoria Garcia (excused), Elizabeth Gonzalez (excused), Meg Grose (excused), Callie Hartson (excused), Austin Hatfield (excused), Kelly Jasper (excused), Victoria Johnson (excused), Kelsey Keenan-(excused), Ramon Mendoza (excused), Shelby Park (excused), and Thomas Prior (excused)
	07/12/11	No Meeting
	08/17/11	Tyler Arkin (unexcused) Tyler Ashcroft (excused), Jasmine Bejarano (unexcused), Hunter Finn (unexcused) Meg Grose (unexcused), Austin Hatfield (unexcused), Thomas Prior (unexcused), and Anthony Silva (unexcused)
	09/13/11	Jacob Jelinek (excused), Hannah Ashcroft (excused), Jasmine Bejarano (excused), Elizabeth Gonzalez (excused), Meg Grose(excused), Austin Hatfield (excused), Victoria Johnson (excused), Kelsey Keenan (excused), Ramon Mendoza (excused), and Vanessa Velasquez (excused)
	10/11/12	No Meeting
	11/18/11	Hannah Ashcroft (unexcused), Lorraine Barker (unexcused), Jasmine Bejarano (unexcused), Elizabeth Gonzalez (excused), Austin Hatfield (unexcused), Kelsey Keenan (unexcused), Kody Knuth (unexcused), and Vanessa Velasquez (excused)
12/13/11	Hannah Ashcroft (unexcused), Jasmine Bejarano (unexcused), Tyler Crump (unexcused), Meg Grose (excused), Callie Hartson (excused), Austin Hatfield (excused), Kelsey Keenan (unexcused), Ramon Mendoza (unexcused), Tayler Paradiso (excused), and Vanessa Velasquez (excused)	

## Boards and Commissions Member Absences Report

Board or Commission Name	Meeting Date	Members Absent (Excused/Unexcused)
Youth Advisory Board (continued)	01/10/12	Mariah Hearne (excused), Hannah Ashcroft (unexcused), Jasmine Bejarano (unexcused), Tyler Crump (excused), Victoria Garcia (unexcused), Meg Grose (excused), Callie Hartson (excused), Austin Hatfield (unexcused), Kelsey Keenan (unexcused), Tayler Paradiso (excused), and Vanessa Velasquez (unexcused)
	02/14/12	No Meeting
	03/13/12	Hannah Ashcroft (unexcused) Jasmine Bejarano (unexcused), Victoria Garcia (unexcused), Meg Grose (excused), Callie Hartson (unexcused), Austin Hatfield (unexcused), Kelsey Keenan (unexcused), Kody Knuth (unexcused), and Vanessa Velasquez (unexcused)

MAYOR AND COUNCIL  
SUBCOMMITTEE AGENDA ITEM  
REQUEST FORM

DATE:

TO: Carl Swenson, City Manager

FROM: Dave Pearson

SUBJECT: Boards & Commissions appointment process

1. Provide a description of the agenda item.

Discuss the current process for selection of boards and commission members and possibly request the city manager via the city clerk to develop a more streamlined process that will speed up selections while reducing the work load on staff.

2. Explain the policy issue related to the agenda item.

Selection policy for boards and commissions.

City Manager's Office Use:

Date of receipt: 10/19/11

Policy issue: Yes  No  If denied, explain \_\_\_\_\_

Subcommittee assignment: 10/24/11

Transferred to subcommittee staff liaison on:

Subcommittee agenda date: 11/07/11, 12/13/11

Subcommittee action:

- No further action  
 Study session referral  
 Regular agenda Action  
 City Manager Action

- Staff directed to  
update B+C  
application

Wanda Nelson, City Clerk  
12/15/11

Tracking # 006

Policy + Appointments

## Board and Commissions With Residency Exceptions

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1. Economic Development Authority
2. Building Board of Appeals
  - a. Fire Protection Engineer Member
  - b. Industrial Safety Professional Member
3. Historic Preservation Commission
  - a. Two Members with Professional Background in One of the Following Areas: Architecture, History, Architectural History, Planning, or Archeology
4. Judicial Selection Advisory Board
5. Employee Benefits Trust Board
  - a. Cannot Find Code Reference to Residency Exemption
6. Public Defender Contract Review Committee
  - a. Maricopa County Public Defender's Office Member
  - b. President of the Western Maricopa County Bar Association or Recommended by the President Member
  - c. Active Member in good standing of the State Bar of Arizona
7. Public Safety Retirement System Board – Police
  - a. Two Police Officer Members (Elected Position)
8. Public Safety Retirement System Board – Fire
  - a. Two Fire Department Members (Elected Position)
9. Sister Cities Board
  - a. All Members
10. Veterans Memorial Board
  - a. All Members

## Board and Commissions With Residency Exceptions

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### **Sec. 2-156. Boards and commissions**

(a) All members of boards and commissions of the city shall meet the following minimum qualifications upon their appointment to any board or commission.

- (1) Must be at least eighteen (18) years of age or older.
- (2) Resident of the City of Peoria.
- (3) Qualified elector of the City of Peoria.
- (4) Notwithstanding paragraphs (2) and (3) of subsection (a), the following board or commission members are not required to be residents or qualified electors of the City, but must be residents and qualified electors of Maricopa County:
  - (A) Members of the Economic Development Advisory Board; and
  - (B) The fire protection engineer member and industrial safety professional member of the Building Board of Appeals.
  - (C) As provided in Chapter 15 of this Code pertaining to the Judicial Selection Advisory Board.

### **Sec. 2-121 Historic Preservation Commission**

(b) All members shall have a known interest in historic preservation, planning or architectural development within the City of Peoria. At least two members shall have a professional background in the areas of architecture, history, architectural history, planning or archeology. For the two members who have a professional background in the areas of architecture, history, architectural history, planning or archeology, notwithstanding any other provision of this code, such members need not be residents of the City of Peoria, Arizona.

### **Sec. 15-8. Judicial Selection Advisory Board**

- (a) There is hereby created a Judicial Selection Advisory Board to be composed of five members, consisting of the following:
- (1) A Judge of the Arizona Superior Court-Maricopa County as designated by the Presiding Judge of that Court;
  - (2) Two active members of the State Bar of Arizona, one of who must be a resident of the City of Peoria and who shall be appointed by the Mayor from among nominees recommended by the State Bar's Board of Governors;
  - (3) Two public members who are nominated by the Mayor and who are residents of the City of Peoria. None of the public members or a member of their immediate family shall be an employee or elected official of the City of Peoria. Immediate family is defined as Spouse, Parent, Child, Sibling, Step Parent, Step Child, Grand Parent, Grand child.

## Board and Commissions With Residency Exceptions

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### **Sec. 2-74. Public Defender Contract Review Committee.**

- (a) There is established the Public Defender Contract Review Committee. The committee shall consist of three members appointed by the mayor and confirmed by the council. The members of the committee shall consist of:
- (1) A member of the Maricopa County Public Defender's Office.
  - (2) The President of the Western Maricopa County Bar Association or a member of that association recommended by the President.
  - (3) One private person who shall be an active member in good standing of the State Bar of Arizona.
  - (4) Two private citizens who are residents of the City.

### **Sec. 19-43. Public Safety Retirement System Board; Police and Fire Boards**

There shall be a local Public Safety Retirement System Board for Fire Department employees and for Peace Officer employees who are members of the Public Safety Retirement System. Each board shall have the following membership:

- (a) The Mayor or designee of the Mayor approved by resolution of the City Council for the term concurrent with that of the Mayor. Should the Mayor fail to designate an appointee for a board, the Mayor shall be deemed to be the appointee.
- (b) Two citizens of the City, who shall serve on both the local boards for fire and peace officer employees who, are members of the Public Safety Retirement System.
- (c) There shall be two peace officer members and two fire department members of their respective boards who shall serve a term of four years and shall be elected by secret ballot in accordance with the provisions of this Chapter.

### **Sec. 2-132. Sister Cities Board**

Notwithstanding Section 2-132 of this Code, members of the Sister Cities Board are not required to be residents of the City.

### **Sec. 2-136. Veteran's Memorial Board**

Notwithstanding Section 2-156 of this code, members of the Veteran's Memorial Board are not required to be residents of the City.