



## BOARDS & COMMISSIONS POLICY

August 4, 2020

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### PURPOSE

Details about boards and commissions may be found in various documents including the Fruita City Charter, the Fruita Municipal Code and Resolutions adopted by the City Council. These documents prescribe the power, duties, and operating procedures of the board or commission, and establishes the terms of office. The purpose of this policy is to provide general guidance and some uniformity for the various boards and commissions of the City.

### POLICY

These general guidelines have been established for uniformity of various procedures associated with boards and commissions, including appointment of board members, city staff responsibilities, and council liaison roles.

- A. GENERAL PROVISIONS.** The City Council may, by ordinance or resolution, establish additional boards to advise them on various issues and perform functions as the Council may designate. The City Council may also abolish boards established by ordinance or resolution. Boards established by the City Charter require approval of the voters to abolish. Boards established by the City Charter include the Board of Adjustments, the Election Commission, Planning and Zoning Commission, Police Commission, and the Parks and Recreation Commission.

The Charter, Ordinance or Resolution establishing each board include the membership requirements including number of members, qualifications of members, residency requirements, whether or not applicant interviews are required, duties and responsibilities of the board, and the operating procedures or bylaws of the board.

With the exception of the Board of Adjustments and Election Commission, all Boards serve in an advisory capacity. Boards, by motion, may make formal recommendations to the City Council in accordance with the purpose of the board including the expenditure or receipt of funds, including donation solicitations.

Applicants for Boards are encouraged to attend a meeting of the Board they are interested in serving on prior to submitting an application for consideration.

### **B. APPOINTMENT AND REMOVAL OF BOARD AND COMMISSION MEMBERS.**

1. Appointment. Board members are appointed by the Mayor with approval of the Council and subject to membership requirements of the establishing ordinance, resolution or Charter and the membership limitations set forth below.
2. Removal. Pursuant to the Fruita City Charter, Board members may be removed from office for:

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- a. being found guilty of committing a felony,
- b. having failed to attend 2 consecutive regular meetings, unless excused, or
- c. found to have willfully engaged in unethical conduct as defined in Chapter 2.70 of the Fruita Municipal Code concerning the Code of Ethics for City Officials.

Board members may also be removed if they no longer meet the requirements for membership established by the ordinance or resolution.

**C. MEMBERSHIP.**

1. Nepotism.

- a. Relatives of City Council cannot serve on boards and commissions.
- b. City Employees and their Relatives cannot serve on boards and commissions of the City.
- c. Relatives of Board and Commission members cannot serve on the same board or commission.
- d. Relatives are defined as:
  - i) any person related by blood or marriage who is a member of the official's household, under the same roof, or
  - ii) any parent, stepparent, grandparent, spouse, child, grandchild, brother, sister, or
  - iii) any child, parent stepparent, or grandparent of the official's spouse.

This provision shall apply to all appointments made after August 1, 2020.

- 2. Terms. The Fruita City Charter (Article VI) states that members of Boards and Commissions shall be appointed to 3-year terms and initial appointments shall be staggered terms of 1, 2 and 3 years.
- 3. Term limits. Term limits shall be two consecutive terms for all boards with the exception of the Board of Adjustments. The balance of an unexpired term served by a person appointed to fill a vacancy shall not be counted as a term for the purpose of term limits. This provision shall apply to all appointments made after August 1, 2020. Appointments made prior to this date shall not be included in the two consecutive terms.
- 4. Council Members. Where appointment of a council member to a board is required by the authorizing document, the appointment shall be for the term specified. A council member is a required member of the following boards.
  - a. Planning Commission (2-year term)
  - b. Parks and Recreation Commission (2-year term)
  - c. Tourism Advisory Council (3-year term)
  - d. Police Commission (2-year term)

A council member is appointed as an ex-officio, non-voting member, of the Livability Commission.

If a Council member is appointed to another board, appointments will be made after the regular municipal election, and be for a 2-year term. Council members shall have the same duties, responsibilities and voting rights of all other board members.

- 5. Membership on multiple Boards and Commission. Appointment of an individual to serve concurrently on more than one board is discouraged. This limitation does not apply to committees deemed to be temporary in nature or that have a general purpose which

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encourages input from representatives of various boards. This provision shall apply to all appointments made after August 1, 2020.

6. Residency. Residency requirements for boards are established at the time the board is created.

**D. MEETING PROCEDURES.**

1. Meetings of all boards will be posted on the monthly meeting calendar and the City's official website.
2. Agendas and backup documentation (packets) will be posted to the City's website and where possible, sent to members prior to the meeting.
3. Minutes will be in written form and posted to the City's website following approval of the board. Minutes should include the date and time and location of the meeting, members present, general outline of each major topic discussed and the outcome, comments which illustrate individual viewpoints and opinions, verbatim of motions and how each member voted, statements made by members in explanation of their vote, time of adjournment.
4. All meetings are open to the public.
5. Bylaws or amendments thereto must be approved by the City Council and must be in conformance with the Charter, Ordinance or Resolution establishing the Commission.
6. Boards serve in an advisory capacity to the City Council. All recommendations by the board to the City Council shall be made by motion of the board and forwarded to the City Council for action.
7. A quorum must be present at the meeting.
8. Executive sessions may be held in accordance with legal requirements.

- E. CODE OF ETHICS.** Public confidence and respect can best be promoted if every public official, whether elected or appointed, uniformly treats all citizens with courtesy, impartiality, fairness and equality and avoids both actual and potential conflicts between their private self-interest and the public interest. The Fruita Municipal Code (Chapter 2.70) has a Code of Ethics which applies to all elected and appointed officials. The Code of Ethics includes provisions for Fair and Equal Treatment and Conflicts of Interest and provides for a Board of Ethics to hold hearings on alleged violations of the Code of Ethics. Board members who think they may have a potential conflict of interest should contact the Mayor, City Attorney or staff liaison to discuss any conflicts or potential conflicts.

**F. CITY CLERK'S OFFICE – DUTIES AND RESPONSIBILITIES**

1. Terms Expiring/Expired. The City Clerk's office will email notices every quarter to the Mayor and staff liaisons notifying them of members whose terms are expiring and how many terms have been served by each member. Letters will be sent to the member notifying them that their term will be expiring and how many terms they have served, and indicating the City

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council's policy on term limits, and notifying them that they must submit an application if they wish to be considered for reappointment.

2. Incumbent Must Reapply. Members desiring to serve another term must submit an application for reappointment.
3. Advertising Vacancies. Vacant and expiring positions will be advertised for a minimum of 30 days as follows:
  - a. on the City website Boards and Commissions page and "In the Spotlight" section
  - b. on the bulletin board outside Civic Center on the east side;
  - c. in the Weekly Information Update;
  - d. on social media applications;
  - e. in the City Link;
  - f. through council & staff recruitment.
4. Historical records of meetings. The City Clerk's office will print copies of minutes posted on the City's website for archival purposes.

**G. CITY COUNCIL LIAISON.** In addition to serving as a member of the board, the Council liaison's role is to:

1. serve as a communications link between the City Council and board members
2. work with the Mayor to fill vacancies, review applications, and interview candidates if required,
3. resolve questions the board may have about the role of Council, city government and the board or commission

**H. CITY STAFF.** A member of city staff is appointed to each board to assist the board in their duties and responsibilities. The staff's role is to:

1. schedule meetings based on input from the board and publish on the monthly meeting calendar
2. prepare and post agendas and packets for the board based on input from the board or City Council,
3. post minutes of meetings on the City's website
4. ensure that recommendations of the board get forwarded to the City Council for action
5. provide guidance and information to the board
6. communicate vacancies and resignations to the City Clerk's office
7. communicate with the Mayor and Council liaison regarding excessive absences of members

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8. schedule annual appointments of officers of the board on the agenda as required by bylaws or other documents.
9. provide orientation and training as needed to board members