

MEMORANDUM

TO: Board of Trustees

FROM: Tim Callicrate
Board of Trustees Chairman

SUBJECT: Review, discuss and possibly approve a Code of Conduct for elected and appointed officials

DATE: January 4, 2021

Attached is a draft Code of Conduct for elected and appointed officials. We will discuss this item, which has been an action item for the Board of Trustees for some time. If any individual member of the Board of Trustees has changes they desire, please come prepared to discuss them with the other members of the Board.

A proposed motion, if this document is acceptable or minor changes are made is:

Approve the Code of Conduct for elected and appointed officials as presented at the August 31, 2022 Board of Trustees meeting.

INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT
CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS

I. PURPOSE AND APPLICABILITY

The Board of Trustees has adopted a Code of Conduct for Elected and Appointed Officials (“Code”) to assure public confidence in the integrity of local government and its effective and fair operation. This Code applies to the Board of Trustees and the members of any commission or committee of the District formed by the Board and otherwise subject to the Open Meeting Law, including the Audit Committee. The Code of Conduct does not apply to members of any General Manager advisory group not subject to the Open Meeting Law.

II. CONDUCT

The constant and consistent theme through all of the Code is “respect.” Demonstrating respect for each individual through words and actions is the touchstone that can help guide Trustees and commission and committee members to do the right thing in even the most difficult situations.

A. Elected and Appointed Officials’ Conduct with One Another

Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may “agree to disagree” on contentious issues.

1. In Public Meetings

Practice civility and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

Honor the role of the chair in maintaining order

It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair’s actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure and applicable policy.

Demonstrate effective problem-solving approaches

Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

2. In Private Encounters

Continue respectful behavior in private

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

B. Elected and Appointed Officials' Conduct with District Staff

District governance relies on the cooperative efforts of elected officials who set policy, appointed officials who advise the elected, and District staff who implement and administer the Board's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Member questions/inquiries to District staff

1. General. Board and commission/committee communications with District staff should be limited to normal business hours unless the circumstances warrant otherwise. Responses to questions posed outside of normal business hours should be expected no earlier than the next business day.
2. Routine Requests for Information and Inquiries. Officials may contact staff directly for information made readily available to the general public on a regular basis (e.g., "What are the recreation center's hours of operation?" or "How does one reserve a tee time at the golf course?"). Under these circumstances staff shall treat the official no differently than they would the general public, and the official shall not use their elected status to secure preferential treatment. The General Manager does not need to be advised of such contacts.
3. Non-Routine Requests for Readily Available Information. Officials may also contact staff directly for easily retrievable information not routinely requested by the general public so long as it does not require staff to discuss the issue or express an opinion (e.g., "How many utility customers are there in IVGID?")
4. Non-Routine Requests Requiring Special Effort. Any official's request or inquiry that requires staff to compile information that is not readily available or easily retrievable and/or that requests staff to express an opinion (legal or otherwise) must be directed to the General Manager, or to the Legal Counsel, as appropriate (e.g., "How many Study Issues completed over the past five years have required 500 or more hours of staff time?"). The General Manager shall be responsible for distributing such requests to his/her staff for follow-up.

5. Meeting Requests. Any official's request for a meeting with staff must be directed to the General Manager or Legal Counsel, as appropriate.

Do not disrupt District staff from their jobs

Elected and appointed officials should not disrupt District staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence may imply support, show partiality, and hamper staff's ability to do their job objectively.

Avoid publicly criticizing an individual employee

Elected and appointed officials should avoid expressing concerns about the performance of a District employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should be made to the General Manager through private correspondence or conversation. Appointed officials should make their comments regarding staff to the General Manager or the Chair of the Board of Trustees. For the Board of Trustees, this paragraph does not apply to staff like the General Manager or Legal Counsel that report directly to the Board.

C. Elected and Appointed Officials' Conduct with the Public

1. In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public comment and testimony.

Give the appearance of active listening

It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

No personal attacks of any kind, under any circumstance

Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

2. In Unofficial Settings

Make no promises on behalf of the Board, commission/committee or District

Members will frequently be asked to explain a Board or commission/committee action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of District policy and to refer to staff

for further information. It is inappropriate to overtly or implicitly promise Board or commission/committee action, or to promise staff will do something specific.

Make no personal comments about other members

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other members, their opinions and actions.

III. SANCTIONS

Councilmembers Behavior and Conduct

Trustees who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Board or other sanctions as deemed appropriate by Board.

Commission and Committee Members Behavior and Conduct

The Board may impose sanctions on commission and committee members whose conduct does not comply with the District's policies and practices, up to and including removal from office. Any form of discipline imposed by Board shall be determined by a majority vote of at least a quorum of the Board at a noticed public meeting conducted pursuant to the Open Meeting Law, including NRS 241.030-033.

Non-Exclusive

The above sanctions are non-exclusive and members may be subject to other remedies as provided by District policy or practice or applicable law.