Brevard City Council Appointee Oversight Guidelines

Theme	Requirements
Applicability	The below terms apply to all non-elected individuals appointed by vote of the Brevard City Council, whether they serve on city-related or external bodies.
Code of Ethics	Appointees shall act with integrity and independence from improper influence as they exercise the function of their office(s). Examples of characteristics and behaviors that appointees are expected to abide by are enumerated in document entitled "Expectations for Brevard City Council Appointees"
Confidentiality	Appointees may receive information regarding personnel matters and other information of a sensitive or confidential nature. Appointees shall not disseminate confidential information received in their capacity as a city appointee.
Conflicts of Interest (Elective subcommittees[1])	Appointees to elective subcommittees shall disclose any potential conflicts of interest and request to be excused from the proceedings until the matter containing the conflict is settled.
Conflicts of Interest (Codified committees)	Planning Board – subject to provisions of NCGS 160D-109(b) and (f) and, additionally, Brevard's standards for appointees Board of Adjustment – subject to provisions of NCGS 160D-109(d) and (f) and, additionally, Brevard's standards for appointees ABC – TBD
Disclosure Requirement (Council and selected Codified committees)	City Council, Planning Board, and Board of Adjustment members must disclose certain property ownership interest and business interest according to the guidelines set in

[1] Housing Committee; Finance, Human Resources, and Citizen Appointment Committee; Public Works & Utilities Committee; Public Safety Committee; Rosenwald Community Advisory Board; Parks, Trails, and Recreation Committee; Ecusta Trail Advisory Board; Downtown Master Plan Committee

	document entitled “Brevard Disclosure Guidelines”.
Conflicts of Interest (External committees)	Appointees to external committees shall be subject to the ethics/conflicts of interest standards established by the external agency for its committee members. Absent any, the standards of this policy for elective subcommittees shall apply.
Process for removal (Elective subcommittees, external committees)	Though appointees service at the pleasure of City Council, the following due process has been electively applied. Appointees shall be subject to a similar approach utilized for normal employees, with two different procedures being established for “unsatisfactory job performance” and “detrimental personal conduct,” the latter being more severe and thus subject to faster action. The City Manager shall be designated to investigate claims of either type of conduct, and he/she shall offer an action/no action recommendation to the full City Council. Instances of “unsatisfactory job performance” (examples of which are listed in document entitled “Standards of Conduct for City Council Appointees”) must be addressed with an initial communication for unsatisfactory job performance and an opportunity to remedy the behavior prior to any action by Council to rescind the appointment. Council may address instances of “detrimental personal conduct” (examples of which are listed in “Standards of Conduct for City Council Appointees”) with immediate action. However, appointees shall be notified by the City Clerk of potential Council action with regard to the appointment.

Process for removal (Codified committees, ABC exempted)	Caselaw suggests that members of these committees must be offered due process prior to removal. Staff suggests adopting a similar approach to that utilized for normal employees, with two different procedures being established for "unsatisfactory job performance" and "detrimental personal conduct", the latter being more severe and thus subject to faster action. The City Manager shall be designated to investigate claims of either type of conduct, and he/she shall offer an action/no action recommendation to the full City Council. Instances of "unsatisfactory job performance" (examples of which are listed in document entitled "Standards of Conduct for City Council Appointees") must be addressed with an initial communication for unsatisfactory job performance and an opportunity to remedy the behavior prior to any action by Council to rescind the appointment. Council may address instances of "detrimental personal conduct" (examples of which are listed in "Standards of Conduct for City Council Appointees") with immediate action. However, appointees shall be notified by the City Clerk of potential Council action with regard to the appointment.