

**CITY OF GLENDALE**

# **CODE OF ETHICS**

**FOR ELECTED OFFICIALS**

**AND CITY OF GLENDALE BOARDS AND COMMISSIONS**



**RESOLUTION NUMBER 4209 • ADOPTED 11/25/08**

# CODE OF ETHICS FOR ELECTED OFFICIALS AND CITY OF GLENDALE BOARDS AND COMMISSIONS

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## Preamble

The citizens of Glendale are entitled to have fair, ethical and accountable local government which has earned the public's full confidence. In keeping with the City of Glendale commitment to effective functioning of democratic government, public officials, both elected and appointed, shall comply with both the letter and spirit of the laws and policies affecting the operations of government; be independent, impartial and fair in their judgment and actions; use their office for the public good and not for personal gain. All public deliberations and processes shall be conducted openly, unless to be held confidential in accordance with the law, and in an atmosphere of respect and civility.

To this end, the Glendale City Council has adopted a Code of Ethics for members of the City Council and of the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

### **1. Keep the Public Interest Paramount**

Recognizing that stewardship of the public interest is their primary concern, all members will work for the common good of the people of Glendale and not for any private or personal interest, and they will assure fair and equal treatment of all persons and issues coming before the Glendale City Council, boards and commissions.

### **2. Comply with the Law**

Members shall comply with the laws of the nation, the State of Arizona and the City of Glendale in the performance of their public duties. These laws include, but are not limited to: the United States and Arizona constitutions; the Glendale City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

### **3. Conduct of Members**

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members, in compliance with the Code of Conduct, shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of council, boards and commissions, the staff or public.

#### **4. Respect for Process**

Members shall perform their duties in accordance with the processes and rules of order established by the City Council and board and commissions.

#### **5. 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 meetings.

#### **6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

#### **7. Communication**

Members shall publicly share substantive information that is relevant to a matter under consideration by the council or boards and commissions, which they may have received from sources outside of the public decision making process.

#### **8. 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 which may give the appearance of a conflict of interest.

Furthermore, members shall comply with the law and rules with respect to all actual or potential conflicts of interest.

#### **9. Gifts and Favors**

Members shall not take any special advantage of services or opportunities for personal gain that are not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised. Members shall comply with state laws pertaining to the disclosure of gifts or prohibits against gift in any specific and applicable circumstances.

## **10. 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 for private interests, financial gain, or any other personal purposes.

## **11. 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.

## **12. Representation of Private Interests**

In keeping with their role as stewards of the public interest, members of council shall not appear on behalf of the private interests of third parties before the council or any board, commission or proceeding of the City, nor shall members of boards and commissions 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.

## **13. Advocacy**

Members shall represent the official policies or positions of the City Council, board or commission 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 their body or the City of Glendale, nor will they allow the inference that they do.

## **14. Policy Role of Members**

Members shall respect and adhere to the council-manager form of government as established by the City Charter. 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.

## **15. Independence of Boards and Commissions**

Because of the value of the independent advice of boards and commissions to the public decision-making process, members of council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.

## **16. 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 dealings with City employees to in no way create the perception of inappropriate direction to staff.

## **17. Implementation**

As an expression of the standards of conduct for members, the Code of Ethics for Elected Officials and Board and Commission Members is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

## **18. Compliance and Enforcement Procedures**

### **A. Process for Council members**

- (1) The first and most important step in this section is the requirement that the offended Council member address the concern with the offending Council member including a description of the specific action observed, the relationship of that event to the Code and, if applicable, the impact it had on the offended Council member. The purpose of this first step is to assure that an attempt has been made to discuss the issue and resolve the conflict without proceeding further. This step requires no formal action and no involvement of other Council members.
- (2) Either party may request, and both must agree, to seek a third party who will assist in facilitating the discussion toward a mutually satisfactory conclusion. If any expenses are incurred they will be paid for equally from the district funds of each member engaged in the mediation.
- (3) If the situation cannot be settled through the process in steps (1) and (2), either Council member may choose to refer the concern to the entire Council for their review. The Council will serve as a committee of the whole for purposes of Code violation and sanction consideration.
- (4) To present the concern to the Council, the offended member must advise the offending Council member that the issue will be taken to the Council and subsequently ask the City Manager to post the issue for the earliest upcoming executive session. All laws pertaining to executive session will apply. Included in those rules is the option for the offending Council member to exercise their right to request that the discussion be held in an open hearing. The City Attorney's Office will prepare notice to the Council member or Council members that are to be discussed in executive session as required by law.

- (5) The Council will discuss the issue in order to:
  - a. become fully informed;
  - b. determine if there appears to be a violation of the Code of Conduct;
  - c. seek resolution without further action or, if necessary schedule the issue for an upcoming public hearing for final determination regarding whether a violation occurred and if necessary;
  - d. determine what sanction is most appropriate; customarily, sanctions are limited to a letter of reprimand or censure.
- (6) A 2/3 vote of the Council at a regular council meeting will be required for a determination that a violation has occurred and likewise, a 2/3 vote for the sanction to be imposed.
- (7) If a sanction is imposed, the language will follow a specific format to be established by the Council and used consistently as such situations occur.

## **B. Process for Board and Commission Members**

Inappropriate behavior can lead to removal. Inappropriate behavior by a Board or Commission member should be communicated to the Chair of the Government Services Committee who will communicate to the council member who presented the member for appointment. If inappropriate behavior continues, the situation will be brought to the attention of the council and the individual is subject to removal from the Board or Commission in accordance with any applicable ordinance.

## **C. Effects of Violations**

The Code of Ethics alone does not provide a basis for challenging the validity of any final enactment, resolution, decision, determination, or recommendation of the council, a board or a commission.