



Governance and Ethics Committee

Item #3 Discussion and Consideration of Approving a New Board, Commission and Committee Policy

February 10, 2020



City of
Santa Clara
The Center of What's Possible

Background

- At the April 25, 2019 Governance meeting, the 2019 quarterly workplan was adopted, which included the review of the Boards, Commissions, and Committees policy regarding how business activities are conducted and meeting attendance.
- At the November 21, 2019 Governance meeting there was direction to have a more robust policy that addressed Board, Commission and Committee members Absences, ethics, trainings, and conduct.

POST MEETING MATERIAL



Benchmarks

- Staff researched neighboring cities for benchmarking purposes:
 - San Jose
 - Mountain View
 - Fremont
 - Sunnyvale

3



Policy Sections

- I. Recruitment, Selection, Appointment, and Resignation
- II. Requirements for Boards, Commission, and Committee members upon appointment
- III. Code of Ethics

4



New Processes

- Applications
 - Incumbents will resubmit an application
- Eligibility List
 - At Council discretion an eligibility list may be established during interview process to fill unanticipated vacancies
- City Residency Requirements
 - Applicants must be 18 years or older, residents of City of Santa Clara, and registered voter

5



New Processes

- Vacancies
 - Assistant City Clerk to notify Council 60 days prior to terms ending
 - Assistant City Clerk to notify Council within 5 days of receiving notice of resignation for Council to declare vacancy

Terms of Office

- Staggered terms: Charter Boards, Commission terms end June 30, non-Charter Boards, Commission and Committee terms ends December 30

6



New Processes

- Review of Applications
 - Conflict of Interest Review by CAO
 - Pending Code Violation Review by CDD
- Resignations:
 - a. Voluntary Resignation
Resignation to be submitted to City Clerk's Office
 - b. Removal from Office
3 unexcused absences will trigger removal from office

7



Definition of Excused Absences

A. *Excused absences* shall be limited to those which meet both of the following requirements:

The Absent member must have informed the chair or the City staff liaison to the board or commission, of their intended absence prior to the scheduled meeting (Failure to inform the chair or the staff liaison prior to the meeting; shall result in an unexcused absence, unless extenuating circumstance prevent advance notice), and

8



Absences

B. The absence is due to one of the following:

- Death in the family,
- Personal illness,
- Board or Commission related-business,
- Personal leave (limited to one per fiscal year for those
- boards/commissions meeting monthly or less frequently,
- Emergency, or
- Decision by member's supervisor in employment or required
- military service
- Maternity leave

9



Code of Ethics

- All Elected and appointed officials, City employees, volunteers, and others who participate in the city's government are required to subscribe to this code, understand how it applies to their specific responsibilities, and practice its eight core values in their work (found in the Board, Commissions and Committees Handbook).

10



Member Conduct

- When speaking or writing publicly on matters within the purview of a Board, Commission or Committee, unless a member has been authorized to speak on behalf of that Board, Commission or Committee, the member should make very clear that he or she is speaking on his or her own behalf and not on behalf of the Board, Commission or Committee.
- No member shall use his or her Board, Commission or Committee title or speak or write as a member except when speaking on behalf of the Board, Commission or Committee.
- Except when a member is speaking on behalf of a Board, Commission, or Committee no member shall identify him or herself as a member without making clear that he or she is not speaking on behalf of a Board, Commission or Committee.

11



Member Conduct – con't

- City business cards shall be provided as approved for community outreach. Information on the business cards must contain at a minimum: member name, the title of the Board, Commission, or Committee. The Department staff will determine the additional information to be pre-printed on the business card. Such cards shall only be used when the member is on official business.
- Members are prohibited from using their position as a Board, Commission or Committee member to promote themselves for personal gain.

12



Next Steps

- Receive Committee Feedback and Finalize Policy
- Upon approval and adoption, policy to be incorporated into the Boards, Commission and Committee Handbook
- Policy will be posted on the Boards and Commission website

2/10/2020

ITEM #3

Ethics & Values

	<u>Section – Page</u>
Introduction	4-1
Expectations of Members of the Board, Commissions and Committee	4-2
City of Santa Clara Code of Ethics and Values	4-3
City of Santa Clara Code of Ethics and Values Behavioral Standards for Commissioners, Board Members and Other Appointed Officials	4-7
Building a Community of Trust in the City of Santa Clara Behavioral Standards for Public Meetings	4-18
Procedural Tips	4-20
Living Our Values: Being at Our Best Everyday	4-21
At Our Best: A Practical Guide to Good Government	4-22
AB 1234 Ethics Training Requirements	4-23
Frequently Asked AB 1234 State Ethics Requirements for Local Officials Questions	4-24

POST MEETING MATERIAL

Introduction

"Always do right. This will gratify some people and astonish the rest."

Mark Twain

The City of Santa Clara adopted its first Code of Ethics in the 1960s and periodically updated it. In 1999, a Committee composed of three Council members, two residents, the City Manager and the City Attorney began work with the Markkula Center for Applied Ethics at Santa Clara University to create a new Code of Ethics and Values for the City that would better reflect the issues and concerns of today's complex and diverse society.

Santa Clara's Code of Ethics and Values, adopted by the City Council in March of 2000, and modified by Council on August 21, 2001, is designed to provide clear, positive statements of ethical behavior reflecting the core values of the community. The Code includes practical strategies for addressing ethical questions and a useful framework for decision-making and handling the day-to-day operations of the municipality.

Goals of the Code of Ethics and Values:

- To make Santa Clara a better community, built on mutual respect and trust
- To promote and maintain the highest standards of personal and professional conduct among all involved in City government – elected officials, City staff, volunteers, and members of the City board, commissions and committees

Training:

- Board and Commission members are required by state law and City Council action to receive at least two hours of training in general ethics principles and ethics laws every two years.

The Code of Ethics and Values is a touchstone for members of City commissions in fulfilling their roles and responsibilities.

Expectations of Members of the Board, Commissions and Committee

"Conduct is three-fourths of our life and its largest concern."

Matthew Arnold

The actions and words of members of City commissions represent the ethics and values of Santa Clara.

Therefore, they are expected to:

- act in a professional manner including being prepared and on time for every meeting;
- be courteous to each other, to City staff and to the public at all times;
- give complete and polite attention to others when they are speaking;
- not interrupt others when they are speaking;
- remain calm and unemotional;
- listen to ideas and comments with an open mind;
- respect differing points of view and the rights of other citizens to be heard;
- keep confidential information private; and
- remember that their purpose is to serve the public interest, not their own.

These guidelines for professional, fair conduct apply to conferences, special events or any other public occasions attended by members of City commissions as well as the formal meetings of their group.

City of Santa Clara Code of Ethics and Values

Preamble

The proper operation of democratic government requires that decision-makers be independent, impartial, and accountable to the people they serve. The City of Santa Clara has adopted this Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All elected and appointed officials, City employees, volunteers, and others who participate in the city's government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its eight core values in their work. Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this code.

- 1. As a Representative of the City of Santa Clara, I will be ethical.**
In practice, this value looks like:
 - a.) I am trustworthy, acting with the utmost integrity and moral courage.
 - b.) I am truthful, do what I say I will do, and am dependable.
 - c.) I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
 - d.) I am fair, distributing benefits and burdens according to consistent and equitable criteria.
 - e.) I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions.
 - f.) I show respect for persons, confidences, and information designated as "confidential."
 - g.) I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.

- 2. As a Representative of the City of Santa Clara, I will be professional.**
In practice, this value looks like:
 - a.) I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.
 - b.) I approach my job and work-related relationships with a positive attitude.
 - c.) I keep my professional knowledge and skills current and growing.

3. As a Representative of the City of Santa Clara, I will be service-oriented.

In practice, this value looks like:

- a.) I provide friendly, receptive, courteous service to everyone.
- b.) I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.
- c.) In my interactions with constituents, I am interested, engaged, and responsive.

4. As a Representative of the City of Santa Clara, I will be fiscally responsible

In practice, this value looks like:

- a.) I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
- b.) I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.
- c.) I make good financial decisions that seek to preserve programs and services for City residents.

5. As a Representative of the City of Santa Clara, I will be organized.

In practice, this value looks like:

- a.) I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals.
- b.) I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
- c.) I am respectful of established City processes and guidelines.

6. As a Representative of the City of Santa Clara, I will be communicative.

In practice, this value looks like:

- a.) I convey the City's care for and commitment to its citizens.
- b.) I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.
- c.) I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.

7. As a Representative of the City of Santa Clara, I will be collaborative.

In practice, this value looks like:

- a.) I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
- b.) I work towards consensus building and gain value from diverse opinions.
- c.) I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.
- d.) I consider the broader regional and State-wide implications of the City's decisions and issues.

8. As a Representative of the City of Santa Clara, I will be progressive.

In practice, this value looks like:

- a.) I exhibit a proactive, innovative approach to setting goals and conducting the City's business.
- b.) I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.
- c.) I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.

City of Santa Clara Code of Ethics and Values

BEHAVIORAL STANDARDS FOR COMMISSIONERS, BOARD MEMBERS, AND OTHER APPOINTED OFFICIALS

INTRODUCTION

The City of Santa Clara adopted its *Code of Ethics and Values* to promote and maintain the highest standards of personal and professional conduct in the City's government. The *Preamble* to that document states,

All elected and appointed officials, City employees, volunteers, and others who participate in the City's government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its eight core values in their work.

Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this code.

The Preamble stresses the need for everyone to understand how the Code applies to his or her specific responsibilities because the Code was written broadly to apply to many situations and to every decision-maker in the City, including elected and appointed officials, as well as all City staff.

The document, *Behavioral Standards For Commissioners, Board Members, And Other Appointed Officials*, is designed to help Board and Commission Members (and everyone who deals directly or indirectly with the Boards and Commissions) use the Code to guide everyday behaviors and actions. The document takes each part of the City's Ethics and Values Code and translates it into specific *standards of behavior* for Commission and Board members. Its goal is to make the Code real for us by showing how it applies to the actions and decisions of Commission members.

This information is presented in four columns on the following pages. Columns 1 and 2 reproduce *The Code of Ethics and Values* (revised August, 2001). Columns 3 and 4 present the Behavioral Standards. The following heading appears on each page.

<i>The Code of Ethics and Values</i>		<i>Behavioral Standards</i>	
1 City Core Value	2 Looks Like These Charac- ter Traits	3 Role Model Behaviors and Actions to <i>Practice</i>	4 Example Behaviors and Actions to <i>Avoid</i>

1. The first column lists the eight Santa Clara City Core Values, in the same order as in the Code.
2. The second column was also approved as description and examples of the City Core Value. Think of these as character traits that we develop in order to practice a specific value. In other words, these are habits of the mind and heart that help us and other people to flourish.
3. Column 3 describes “role model behaviors” or “At-Our-Best Behaviors”—the decisions, words, and actions that demonstrate the City’s core values and ethics *in best practice*.
4. Column 4 gives examples of behavior we want to avoid. Our values “don’t look like” these behaviors. Columns 3 and 4 are examples of specific behaviors that can be observed or clearly inferred from the behavior and words of the Commissioner or Board Member. Note that we are not listing the specific behaviors of Chair persons in this document. That will be addressed in an addendum at some future time.

This document was developed during 2000-2002. Initially drafted by a representative committee of Board Members and Commissioners, working with the Ethics Ordinance Committee, it was sent back twice to every Board Member and Commissioner for their input and feedback. The second time it was sent back, staff liaisons made special efforts to get feedback from every member of their Commission. The City’s Ethics Consultant, Dr. Tom Shanks, drafted the final version for review and minor changes by the Ethics Ordinance Committee on September 30, prior to forwarding the document for Council approval shortly thereafter. For this final version, we made every effort to incorporate the suggestions that were made, either literally or the spirit of the suggestion.

This document, like the Code of Ethics and Values itself, is a work-in-progress. There is some overlap of behaviors as there is overlap among the Core Values themselves. It does not describe every behavior; that is not possible. It does, however, seek to provide enough specific content, in describing both behaviors to practice and behaviors to avoid, that a reasonable person will be able to use it to judge that their own behaviors and that of others are consistent with the Code of Ethics and Values in best practice, or are in need of further work.

As we use this document, we will learn how it may need to be revised or improved. Today the document is our best effort to date to describe the promises we make to Santa Clara citizens, to City Staff, and to each other about how we will treat each other in the Boards and Commissions. It should also be understood by new and old Commissioners and City Staff as a description of the expectations we have for one another. As time goes on, we hope the standards described here become common ground for all Board Members, Commissioners, City Staff, and citizens--one of the many things we have in common.

The Council has already asked us to make a commitment to *The Code of Ethics and Values*. Now the Council asks all Board and Commission Members to learn these behaviors, to practice them by habit in our everyday work as Commissioners and Board Members, and to address actively any stumbling blocks or obstacles we may encounter. Taken together with the Code of Ethics and Values, these Standards will form the foundation for Commission orientation, study sessions, problem solving, encouragement and accountability. The first of these sessions takes place on September 30.

City Council approval February 25, 2003

City of Santa Clara Code of Ethics and Values

BEHAVIORAL STANDARDS FOR COMMISSIONERS, BOARD MEMBERS, AND OTHER APPOINTED OFFICIALS [August 2002]

<i>The Code of Ethics and Values</i>		<i>Behavioral Standards</i>	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid
<i>As a Santa Clara representative, I will be:</i>			
Ethical	<i>I am trustworthy, acting with the utmost integrity and moral courage.</i>	I make decisions based on the information provided after considering the best interests of the City.	I tell two of my fellow Commissioners that if we make this recommendation it will hurt my business interests.
		I always advise the Council to the best of my ability as a member of a team of commissioners; even if the Council does not ultimately accept our recommendation.	I go out of my way to address Commission issues or to talk with citizens, but my real purpose is to advance my own political career or candidacy.
		When I speak at meetings or cast a vote, I make my best judgment call, even if it's not popular, and accept responsibility for my actions.	When I get negative reactions from citizens about the way the Commission advised the Council, I shift the blame to other Commissioners or staff.
		Before a vote, I am sure I can explain how my decision advances the City's core values.	I promise votes or appear to promise votes before all the facts are known.
		I am able to explain why my decision is the right thing to do because I've thought through the ethical principles at stake.	I am unresponsive or evasive with citizens or staff about the real values and motives on which I base my decisions and comments.
	<i>I am truthful, do what I say I will do, and am dependable.</i>	I always vote unless I must recuse myself for valid reasons.	I duck out early from meetings and don't vote when it looks like I'll have to take an unpopular stand.
		I listen carefully to all sides and keep an open mind. I ask specific and probing questions in order to make up my own mind.	I demean the person appearing before the Commission or the testimony of that person.
		I make promises to the public, staff, and other Commissioners, but am cautious when I do and only make promises I can keep without exceeding the authority of my position.	I promise more than I can deliver, am overextended, and often leave City staff with the job of completing the additional work I said I would do.

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid

Ethical (continued)	<i>I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.</i>	I have a real or potential conflict of interest so I seek advice from staff and make an honest public disclosure when the Commission meeting starts.	I agree to help a friend get a project through the commission. He shows his gratitude by donating new computers to my son's school. I'm proud I could broker a win-win.
		I declare a conflict of interest and follow my Commission's approved practice about my presence or absence in the room, doing everything I can to leave the remaining Commissioners free of any influence I might be able to bring	I sit next to my friends at the Commission hearing and coach them on the appropriate things to say to my fellow Commissioners. Later in the meeting, when I return to the table, I make a motion that is related to the case.
	<i>I am fair, distributing benefits and burdens according to consistent and equitable criteria.</i>	I find out before a meeting what criteria my Commission has applied to similar cases so I'm sure I deal equitably with the new case we are considering and that I understand any precedents that we may have set.	I get angry during the public meeting, so I blow off existing policies and subject fellow Commissioners to my rationalization about why this case should be handled differently from other similar cases, even though past Commission decisions were careful, deliberate, and based on precedent.
	<i>I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions.</i>	I make myself available to anyone who wants to discuss an issue but keep an open mind and do not commit to voting for or against it until after hearing the full public discussion.	I vote based on who has made the request, especially if I've talked to the person in private, rather than giving all parties an equal shot and using fair, objective criteria.
	<i>I show respect for persons, confidences, and information designated as "confidential."</i>	I show courtesy and interest in word and action to staff, public, and other Commissioners.	I gossip to my friends about confidential personnel issues, decisions, or confidential information.
		I treat the public and the staff in meetings the way I treat a colleague I hold in high regard;	I make judgments based on stereotypes, rumors, "ancient history," and whether I like the applicant or not.
		I treat City staff in public and in private as professionals and colleagues, acknowledging their abilities, skills, and experience.	I criticize City staff and embarrass them in public, rather than discussing problems privately with the person or their supervisor.

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid
Ethical (continued)		I speak and act out of the belief that staff, my fellow Commissioners, and I are on the same team and committed to doing our best to serve citizens.	In public or private, I engage in personal verbal attacks against staff or my fellow Commissioners, swear at them, demean them, or in other ways treat them inappropriately.
	<i>I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.</i>	I use my City title to identify myself at League of California City meetings, to order training materials related to my Commission work, or when I seek information directly related to a Commission matter from appropriate sources.	I use my City title when I make dinner reservations at restaurants in the City or make purchases in City Shops. I also direct my friends to City businesses and tell my friends to be sure to tell the proprietors that Commissioner X sent them.
Professional	<i>I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.</i>	I prepare by reading agendas before meetings and asking the staff ahead of time informational questions to assist my preparation.	I rush into meetings late and am obvious about opening the agenda packet for the first time or speed-reading the packet while staff or public is presenting information.
		I ask relevant questions that will advance the discussion and assist decision-making.	I take no notes and need to ask for reminders of what's been said or what was in the packet.
		I listen attentively to staff, Commissioners, and public who may speak at meetings.	I make little or no eye contact with any speaker during the meeting, but when I do my expression is quite clearly one of contempt for the speaker.
	<i>I approach my job and work-related relationships with a positive attitude.</i>	I approach my Commission work informed of issues, enthusiastic, energized, interested, ready to participate, and focused.	I approach Commission work half-heartedly and come to meetings eager to leave. I short-circuit discussion inappropriately and am often perceived as rude by staff, other Commissioners, or citizens.
		I make guests at meetings feel welcome and treat new Commissioners as colleagues, encouraging them to express their opinions, and offering them positive feedback, especially when they make a unique or significant contribution to the Commission's work.	I act in a superior manner because I'm on the Board or Commission and consider myself powerful and more important than the ordinary citizens or new Commissioners I ignore when I arrive.

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid
Professional (continued)	<i>I keep professional knowledge and skills current and growing.</i>	I make it a priority to attend available training and conferences.	I act like I know everything from my first day on the Commission.
		I read relevant materials for meetings and to prepare myself in general. This includes professional journals, books, and articles.	I rebuff attempts the staff liaison makes to help me because I did not attend Commissioner orientation and am unclear about my role and the staff's role.
		I am open to learning from others on the commission, experts, or a mentor	I am defensive or hostile when a senior commissioner offers advice outside of meetings.
Service-Oriented	<i>I provide friendly, receptive, courteous service to everyone.</i>	I educate others in appropriate ways about commission functions.	I am abrupt with individuals at meetings or when they make inquiries to me directly about commission business.
		I seek the opinions of those who are hesitant or unwilling to come forward with their ideas, but try not to force anyone to speak in a public forum if they are uncomfortable or unprepared.	I make guests or others feel stupid, intimidated, dismissed, manipulated, or demeaned by reading the newspaper, falling asleep, laughing at a private joke with the person sitting next to me, or repeatedly leaving the room during discussions.
	<i>I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.</i>	I talk with citizens and listen when I'm at City gatherings so that I am aware of and attentive to what is going on in my community and other communities.	I am arrogant or uninterested when citizens speak with me outside of City Hall about their concerns and engage in debate with them to prove their opinions are wrong or misinformed.
		I attend City events and interact effectively with the public, aware that others may consider me a role-model.	I show up at City events late, leave early, and spend most of my time there talking only to the one or two other people I usually talk to at such events.
		I relay the things that I hear to the Commission or other appropriate parties for follow-up.	I keep important information to myself to use as an instrument for "power building."

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid
Service-Oriented (continued)	<i>In my interactions with constituents, I am interested, engaged, and responsive.</i>	My demeanor is pleasant and friendly and encourages people to speak their minds. I welcome constructive criticism as well as compliments.	In word and action, I discourage people from proposing what they believe are solutions or expressing their concerns. After all, I know better than they.
		I focus on the person I am speaking with and try to see the world as they do so I can understand their needs.	While I'm talking with one person, I shop around for someone more interesting or important to speak with. Once I spot that person, I abruptly stop the previous conversation.
Fiscally Responsible	<i>I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.</i>	I do a thorough cost/benefit analysis, relying on my own research and assistance from the staff.	I support "vanity" projects because I want to be associated with big bucks (and it's not my money anyway!)
		I resist approving what I consider "pork barrel" projects.	I ignore the constraints of the City budget when I make decisions.
	<i>I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.</i>	I allocate City resources according to the City's plan and in compliance with the law and the City's goals to provide residents with a better environment in which to live.	I take advantage of any opportunity to get something "free" for myself or my friends from the City. I also seek discounts from the City's vendors because of my position.
		I use city equipment only for my Commission work, not for personal use or for my business.	I come by City Hall regularly and ask staff to help me out and make just a few copies for my personal or business use.
		I respect staff time and am especially careful to ask them to take on special research or other projects only if I am convinced that this work is critical and necessary for the Commission to better serve the needs of citizens.	I spend a great deal of time with staff asking a lot of questions that focus on minutiae prior to each meeting. I'm unable to separate what's important from what's not. I know I'm using staff time, but I justify it by saying, "It's their job to prepare me for the meeting."
	<i>I make good financial decisions that seek to preserve programs and services for City residents.</i>	I'm fully aware of and understand the approved City budget, and have solicited explanations from City Management, if necessary.	I try to take as many trips as possible at the City's expense because I'm not getting compensated and I feel I deserve some reward for my City work.

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid

Organized	<i>I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals.</i>	I am cognizant of the importance of scarce meeting time and prepare accordingly. As a result, my Commission spends time on the important issues and deals efficiently with other issues.	I rely on what I already know or what I think I know, and spend a great deal of the Commission's time proving to everyone how much I know on all issues, large and small.
	<i>I follow through in a responsible way, keeping others informed, and responding in a timely fashion.</i>	I share my research and experience with others at the meeting confident that I have something worthwhile to contribute but knowing that others may have critical information I don't.	I rely on hear-say from a third party rather than gaining first-hand knowledge.
		I return phone calls on the same day, if at all possible. If I am unable to return a call within two days, I make a short phone call or leave an explanatory message so the person knows when to expect my full attention.	I fail to acknowledge receipt of requests for information. I don't return phone calls or email messages. If I do acknowledge requests, the public never receives information in a timely manner.
	<i>I am respectful of established City processes and guidelines.</i>	I participate fully in orientation sessions and other sessions so I understand how the City's policies and procedures impact the effectiveness of my commission.	I criticize City policies in public meetings without first expressing my concerns to City staff or gaining knowledge I need in order to offer constructive criticism.
		I help to establish reasonable timetables and then follow them.	I ignore deadlines, do not keep people informed of progress on projects for which I'm responsible, and make excuses which damage public trust.
	<i>I am respectful of established City processes and guidelines. (cont'd.)</i>	I am able to explain to citizens how the City's policies and procedures are examples of the City's Core Values in practice.	I am cynical about policies and cavalier about following procedures because I fail to see how these are related to fairness and the common good.
Communicative	<i>I convey the City's care for and commitment to its citizens.</i>	I can explain the City's goals to citizens and describe why I am committed to them or suggest ways to question and change them.	I believe that only certain City goals are worth supporting. Rather than challenge them constructively, I plot and scheme to accomplish my own agenda.
	<i>I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.</i>	I am available to the public in person, at events, and through telephone and written correspondence to provide both answers to questions and dissemination of important information.	I confuse citizens, spread rumors and gossip, or engage in slandering staff, elected or appointed officials, or other citizens.

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid
Communicative (continued)		I listen attentively and allow the sharing of multiple perspectives to enlarge and change my point of view.	I listen to find flaws, to spot differences, and to counter arguments. In other words, I debate others at meetings to show why they are wrong.
		I make it a practice to communicate equally well in all directions—up, down, and sideways.	I dominate meetings and ask many more questions than we have time for, effectively excluding other Commissioners, citizens, and staff.
	<i>I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.</i>	During meetings I give citizens and others the benefit of the doubt and listen for the strengths of various positions. My questions seek to clarify, to understand, and to augment, so I hear the truth as the citizen sees it. Then I make my best decision in line with our community's goals.	I approach the speaker as an opponent, rather than a colleague or fellow citizen, determined to rebut contrary positions, to belittle or deprecate the speaker, and to prove him wrong and me right.
Collaborative	<i>I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.</i>	I submit my best thinking, respect all other participants and invite their thoughts to improve my thinking, rather than feeling threatened by them.	My biases, prejudices, and stereotypes color my language and attitude toward citizens and I frequently find myself describing some citizens as "them."
	<i>I work towards consensus building and gain value from diverse opinions.</i>	I approach discussions assuming that many people have pieces of answers and that our cooperation will lead us to workable solutions for the most difficult problems.	I approach discussions as if there's a single right answer that I already have, but have to defend against people who don't have the brains or the commitment that I do.
	<i>I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.</i>	To respect my fellow teammates, I give priority to my City commitment; I do my homework; and I understand that each decision I make either builds public trust or detracts from it.	At meetings I focus first on satisfying my own, often hidden, agenda.
		My words and actions seek to develop among staff, Commissioners, and the public a kindred spirit of cooperation as we work toward implementing our commonly-held values.	I make up my mind based on satisfying my own interests or special interests and will not budge despite good reasons to reconsider. When the meeting is over I hold grudges and consider some people enemies.
	<i>I consider the broader regional and State-wide implications of the City's decisions and issues.</i>	If appointed to a County-wide committee, I conduct myself in a professional way and approach the task as I do my City commitments.	I make derogatory remarks about other cities because I feel Santa Clara is superior.

City Council approval February 25, 2003

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid

Collaborative (continued)	<i>I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.</i>	I submit my best thinking, respect all other participants and invite their thoughts to improve my thinking, rather than feeling threatened by them.	My biases, prejudices, and stereotypes color my language and attitude toward citizens and I frequently find myself describing some citizens as "them."
	<i>I work towards consensus building and gain value from diverse opinions.</i>	I approach discussions assuming that many people have pieces of answers and that our cooperation will lead us to workable solutions for the most difficult problems.	I approach discussions as if there's a single right answer that I already have, but have to defend against people who don't have the brains or the commitment that I do.
	<i>I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.</i>	To respect my fellow teammates, I give priority to my City commitment; I do my homework; and I understand that each decision I make either builds public trust or detracts from it.	At meetings I focus first on satisfying my own, often hidden, agenda.
		My words and actions seek to develop among staff, Commissioners, and the public a kindred spirit of cooperation as we work toward implementing our commonly-held values.	I make up my mind based on satisfying my own interests or special interests and will not budge despite good reasons to reconsider. When the meeting is over I hold grudges and consider some people enemies.
	<i>I consider the broader regional and State-wide implications of the City's decisions and issues.</i>	If appointed to a County-wide committee, I conduct myself in a professional way and approach the task as I do my City commitments.	I make derogatory remarks about other cities because I feel Santa Clara is superior.
		When I serve on a County or State-wide panel, I freely share information and resources so everyone may benefit from our City's experience.	I have tunnel vision and ignore anything beyond the City, even though what I might learn could affect my position and City responsibilities.
Progressive	<i>I exhibit a proactive, innovative approach to setting goals and conducting the City's business.</i>	I can point to specific decisions I've made and actions I've taken that use my own experiences and expertise in a unique way to advance the goals of the commission and the City as a whole. I anticipate problems, am aware of the right moment in which to act, and take action for the good of the Commission and the City.	I am dogmatic in my approach to decision-making and feel I have to talk louder than everyone else to make my point. I never take a principled or values-centered stand, but prefer to solve issues in an ad hoc manner, focusing on the short term, and concerned only in meeting minimum requirements of law, politics, efficiency, or fiscal responsibility.

City Council approval February 25, 2003

The Code of Ethics and Values		Behavioral Standards	
1 City Core Value	2 Looks Like These Character Traits	3 Role Model Behaviors and Actions to Practice	4 Example Behaviors and Actions to Avoid
Progressive (continued)	<i>I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.</i>	I am able to explain how a decision I or the Commission has made is consistent with ethical standards and the City's core values, but also meets requirements of a city that is committed to ongoing improvement, progressive government, and moral imagination in solving problems.	When I make mistakes, I lie about them, downplay their importance, become defensive, and get my supporters to make it politically difficult for appropriate parties to take any action against me.
		When I hold on to the "good old days" and "the way we've always done it" so stubbornly that I make mistakes that impact public trust, I take responsibility for my actions, make appropriate apologies or restitution, and implement a plan to develop practical skills to avoid such mistakes in the future.	I let my limitations get in the way of improving City services by making many promises I can't fulfill, playing the role of pessimist whenever a new idea is presented, bulldozing my Commission into changing when change will do more harm than good, and undermining new ideas by gossiping with other citizens before the idea has a chance to be explored.
	<i>I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.</i>	I encourage talented individuals to become involved in City service, as well as recognizing and celebrating talent and new ideas that help us realize our agenda, improve our services, and implement our core values in better and better ways every day.	In the afterglow of an exciting conference, I decide to push a reform in the City without giving it ample thought. Even though I'm not really sure it's for the best, I forge ahead because "we have to change something" and this is as good as anything else.

BUILDING A COMMUNITY OF TRUST IN THE CITY OF SANTA CLARA BEHAVIORAL STANDARDS FOR PUBLIC MEETINGS

APPROVED BY CITY COUNCIL JANUARY 12, 2010

Six *Good Government Guiding Principles* are critical to public trust in the City of Santa Clara and are integral to the work of the City Council and all who seek to be *at their best* as they do the people's business and make sustainable decisions in the City's best long-term interests.

Fundamental to good government are public meetings where every person feels safe, welcome, respected, and free to address their government directly on matters under the government's jurisdiction. Only by engaging in robust public discussion in an organized and orderly way will the City make its best decisions and create a *community of trust*.

The behavioral standards, listed below, reflect best practices for City meetings and are consistent with the *Good Government Guiding Principles*. The behavioral standards treat everyone with respect, protect diverse viewpoints, welcome divergent methods of expression, encourage robust discussion, and allow the people's business to be done in an efficient and consistent manner, free of disruptions, disorderly conduct, or anything else that impedes the work of the Council/Commission/Committee (i.e., the Body).

1. Every person has the right to address the Body on the agenda item under consideration or under public comment. Speakers are free to criticize policies, procedures, programs, and services, as well as acts and omissions, of the City, the legislative Body, and City staff. Speakers will seek to present information truthfully, and will not knowingly misrepresent, mischaracterize, or misquote others. Comments should be directed to the presiding Body, not to staff, the audience, or others.
2. Every person's right to comment is always respected, even if that opinion differs from the opinion of other speakers or the Body. Speakers who address matters not under the Body's jurisdiction will be so informed and referred to the appropriate agency.
3. If anyone engages in conduct which disturbs, disrupts, or otherwise impedes the orderly conduct of any meeting, the Mayor or meeting Chair (the "presiding officer"), or a majority of the Body, shall have the discretion to ask to stop the disruptive behavior. The presiding officer will only interrupt if the behavior is disturbing or disrupting the meeting or otherwise impeding the work of the Body. Behavior with the potential to disturb, disrupt or otherwise impede the meeting includes the following:
 - a. Impertinent, slanderous, or profane remarks to any member of the Body, staff, the public, or others

GOOD GOVERNMENT GUIDING PRINCIPLES

We foster public trust when we:

1. Honor the spirit and the letter of the law.
2. Treat everyone equitably and respectfully.
3. Do the greatest good and the least harm.
4. Impose the lightest burden possible.
5. Fulfill our duties and protect personal rights.
6. Act only in the community's best interests, guided by the City's Code of Ethics & Values.



City of Santa Clara

At Our Best Every Day For Public Trust

ETHICAL • PROFESSIONAL • SERVICE-ORIENTED • FISCALLY RESPONSIBLE • ORGANIZED • COMMUNICATIVE • COLLABORATIVE • PROGRESSIVE

- b. Disparaging an individual, group, or their associates on the basis of their ethnicity, race, gender, sexuality, age, disability, immigration status or religion
 - c. Loud, threatening, or abusive language, especially directed at individuals, causing fear, havoc, or similar reactions
 - d. Argumentative interruption of a speaker, the presiding officer, a member of the Body, staff, or meeting facilitator
 - e. Engaging in disorderly or boisterous conduct, including using loud, threatening or abusive language, whistling, clapping, stamping of feet, waving signs, or similar acts
 - f. Continuing to speak after exceeding a time limit and being asked to step down
4. Everyone, even persons disrupting a meeting, will be treated with equitability and respect. The presiding officer will issue a warning to stop the disruptive behavior. If the disruptive behavior continues, the presiding officer or a majority of the Body will take action to regain order and to continue the work of the Body.

Procedural Tips

- Speakers may speak with or without notes, but many people find they make the best use of their time, communicate most clearly, and address items under the legislative Body's jurisdiction, if they have prepared their remarks ahead of time.
- Because of the number of items that may be on an agenda, individuals are invited to submit written comments to be included in the agenda packet. Written comments should be submitted to the City Clerk (for City Council meetings) by noon on the Wednesday prior to the meeting. If written material is presented to the Council for the first time at the Council meeting, speakers are asked to bring 12 copies for the Council and staff, and additional copies for the audience, if that is possible. (Commissions/Committees may have different deadlines, or may not have an agenda packet distributed in advance of a meeting; check with the Staff Liaison to the specific Commission/Committee you wish to address.)
- Each speaker will generally have two minutes to speak (certain meeting Bodies may have different time limits set by practice or procedure), unless the presiding officer announces at the start of the item that many people wish to address the item and each speaker will therefore have a shorter amount of time (for example, two minutes) to give as many people as possible the opportunity to speak.
- To facilitate the speaking process, the presiding officer may request that each speaker fill out a speaker card prior to the start of public comment on that agenda item and hand it to the City Clerk or another member of the City staff. The presiding officer will determine the order of the speakers, usually the order in which the cards are handed to the presiding officer. The presiding officer will announce the name of the speaker, who then comes to the podium. Time is indicated by the light system for meetings held in Council Chambers. The green light will turn to yellow when 30 seconds remains and to red at the end of the allotted time. When the buzzer sounds, the speaker promptly leaves the podium to allow equal time for the next speaker. If someone wishes to speak but does not choose to fill out a speaker card, they will still be provided with an opportunity to speak after those who filled out cards have spoken, and will also be subject to the time limit. Other Commissions/Committees may follow slightly different processes; for guidance, check with the Staff Liaison to the specific Commission/Committee you wish to address. For meetings held in locations other than Council Chambers, the presiding officer may appoint a timekeeper.

Living Our Values: Being at Our Best Everyday

On page 22 you will find a document called "At Our Best: A Practical Guide to Good Government." This page, also provided separately in a card format (See Section 8 - Resource Material), is meant as a handy reference when you are called upon to make decisions, especially difficult ones, for the City in your role as a member of a City Commission. In those situations, the City asks you to reflect upon two questions and then make your best judgment:

1. How will my action build public trust?
2. Why is this the right thing to do?

This document includes the City's eight core values, taken from the approved version of The Code of Ethics and Values. The top half of the document (or side 1 on the card) focuses on ethics and includes the City's definition of "values" and "ethics," describes how to recognize an "ethical dilemma" and a "values dilemma", and provides a method for making an ethically appropriate decision. This decision-making method is a shorthand version of the one the City will be using during future training sessions.

We encourage you to carry the card with you to meetings and to use it freely. Everyone is learning these values and methods at the same time. We also encourage you to talk with others about it. Research shows that most people want to make values-centered and ethical decisions. When we do not, it is usually because we ran into an obstacle or stumbling block. One major stumbling block is just not knowing what questions to ask. This document/card hopes to remedy that issue.