City of Santa Clara THE 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.

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

- 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 the last two years (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.

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[Final Draft, August 2002]

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Core Value	Character Traits	and Actions to Practice	Actions to <i>Avoid</i>	
As a Santa Clara				
representative, I				
will be:				
Ethical	I am trustworthy, acting with the utmost integrity and moral courage.	I make decisions based on the information provided after considering the best interests of the City.	I tell two of my fellow Com- missioners 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 commis- sioners, 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 pur- pose is to advance my own po- litical 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 am truthful, do what I say I will do, and am dependable.	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 un- popular 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 de- liver, am overextended, and often leave City staff with the job of completing the addi- tional work I said I would do.	

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Ethical (continued)	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 have a real or potential con- flict 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 am fair, distributing benefits and burdens according to con- sistent and equitable criteria.	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 extend equal opportunities	I make myself available to	I vote based on who has made

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 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.

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 show respect for persons, confidences, and information designated as "confidential."

word and action to staff, public, and other Commissioners.

I treat the public and the staff in meetings the way I treat a

colleague I hold in high re-

I show courtesy and interest in

decisions, or confidential information.

I make judgments based on stereotypes, rumors, "ancient history," and whether I like the applicant or not.

I gossip to my friends about

confidential personnel issues,

gard;
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.

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.

I use my title(s) only when con- I use my City title to identify

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 use my City title when I

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	ducting 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.	myself at League of California City meetings, to order train- ing materials related to my Commission work, or when I seek information directly re- lated to a Commission matter from appropriate sources.	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 apply my knowledge and ex- pertise to my assigned activities and to the interpersonal rela- tionships that are part of my job in a consistent, confident, com- petent, and productive manner.	I prepare by reading agendas before meetings and asking the staff ahead of time infor- mational 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 approach my job and work- related relationships with a posi- tive attitude.	I approach my Commission work informed of issues, en- thusiastic, energized, inter- ested, 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.
	I keep professional knowledge and skills current and growing.	I make it a priority to attend available training and conferences.	I act like I know everything from my first day on the Commission.
Professional (continued)		I read relevant materials for meetings and to prepare my- self 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, ex- perts, or a mentor	I am defensive or hostile when a senior commissioner offers advice outside of meetings.

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Service- Oriented	I provide friendly, receptive, courteous service to everyone.	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 am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.	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 opin- ions are wrong or misinformed.
		I attend City events and inter- act effectively with the public, aware that others may con- sider 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 ap- propriate parties for follow-up.	I keep important information to myself to use as an instrument for "power building."
	In my interactions with constituents, I am interested, engaged, and responsive.	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 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 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 demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.	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.

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		I use city equipment only for my Commission work, not for personal use or for my busi- ness.	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 make good financial decisions that seek to preserve programs and services for City residents.	I'm fully aware of and under- stand the approved City budget, and have solicited ex- planations from City Manage- ment, 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.
Organized	I act in an efficient manner, making decisions and recom- mendations based upon re- search and facts, taking into consideration short and long- term goals.	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 follow through in a responsible way, keeping others informed, and responding in a timely fashion.	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.
Organized (Continued)		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 am respectful of established City processes and guidelines.	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 respon- sible, and make excuses which damage public trust.
	I am respectful of established City processes and guidelines. (cont'd.)	I am able to explain to citizens how the City's policies and procedures are examples of the City's Core Values in prac-	I am cynical about policies and cavalier about following proce- dures because I fail to see how these are related to fairness

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		tice.	and the common good.
Communicative	I convey the City's care for and commitment to its citizens.	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 communicate in various ways that I am approachable, open- minded and willing to participate in dialog.	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.
		I listen attentively and allow the sharing of multiple per- spectives to enlarge and change my point of view.	I listen to find flaws, to spot differences, and to counter ar- guments. 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 ex- cluding other Commissioners, citizens, and staff.
Communica- tive (continued)	I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.	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.

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Callabarativa	Last in a cooperative manner	I submit my best thinking, re-	My biases projudices and
Collaborative	I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.	spect 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 work towards consensus building and gain value from diverse opinions.	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 accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.	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 consider the broader regional and State-wide implications of the City's decisions and issues.	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.
	I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.	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."

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Collaborative (Continued)	I work towards consensus building and gain value from diverse opinions.	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 accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.	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 con- sider some people enemies.
	I consider the broader regional and State-wide implications of the City's decisions and issues.	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 re- sources so everyone may benefit from our City's experi- ence.	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 exhibit a proactive, innovative approach to setting goals and conducting the City's business.	I can point to specific decisions I've made and actions I've taken that use my own experi- ences and expertise in a unique way to advance the goals of the commission and the City as a whole. I antici- pate 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.

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Progressive (continued)	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 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 promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.	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.