

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
FEBRUARY 17, 2009 AGENDA**

Subject:	Type:	Submitted By:
COUNCIL POLICY STATEMENT CODE OF CONDUCT	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A copy of the existing Council Policy Statement regarding Code of Conduct has been provided for review.

FISCAL IMPACT

N/A

RECOMMENDATION

None.

BACKGROUND

The Council Policy Statement (CPS) regarding the City of La Vista Code of Conduct was issued on January 20, 2004. This statement requires a signed statement from the City Council, Boards and Commissions, and newly elected and appointed officials entering office affirming they have read and understand the City of La Vista Code of Conduct. In order to provide an opportunity for regular review and update, this CPS will become a recurring agenda item following a general election.

Following council review, staff will distribute to all elected and appointed officials and obtain signed acknowledgement statements.

**CITY OF LA VISTA
COUNCIL POLICY STATEMENT**



**CITY OF LA VISTA
CODE OF CONDUCT**

Issued: January 20, 2004
Resolution No. 04-015

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members (Council Members as well as Board and Commission Members) will work for the common good of the people of La Vista and not for any private or personal interest and they will assure fair and equal treatment of all persons, claims and transactions coming before the La Vista City Council or a La Vista Board or Commission.

2. Comply with the Law.

Members of the City Council shall comply with the oath taken when sworn into office. They shall support and defend the constitution of the United States and the State of Nebraska. They shall support the laws of these United States, the State of Nebraska and the City of La Vista including, but not limited to: United States Constitution; Nebraska Constitution; the La Vista Municipal Code; Nebraska Political Accountability and Disclosure Act; laws pertaining open processes of government; and City ordinances, resolutions and policies. Members shall not advocate or be a member of any political party or organization that advocates the overthrow of the government of the United States or of Nebraska by force or violence.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, use of inappropriate language or profanity, personal charges or verbal attacks upon character or motives of other members of the Council, Boards, Commissions, staff or members of the public. Members shall exhibit respect for all people and shall be sensitive to different cultures, ethnicities and backgrounds.

Members recognize that they act collectively as a governing body during properly noticed public meetings. Members recognize that they do not have authority to make decisions or take individual actions on behalf of the City Council unless expressly directed to do so by the City Council.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the City Council, Boards and Commissions governing deliberation of public policy issues. Members shall encourage meaningful involvement of the public and implementation of policy decisions of the City Council by City staff.

Members shall respect the confidentiality of information concerning property, City personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

When members or staff engage in conversation with residents, applicants, developers and officials of other governmental agencies, they shall be cautious not to make representations or promises about future actions of the Council, Boards and Commissions. Future actions of the City Council cannot be promised or predicted with certainty.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the Council, Board or Commission, 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. For purpose of establishing the public record and informing members of the public, they shall articulate reasons for policy decisions.

Members recognize that within the public setting surprises are counterproductive and agree not to spring a surprise on each other or staff during a public meeting. If in doubt, members will meet with staff beforehand and members will not ask staff a sensitive question in a public meeting to which they do not already know the answer.

Members recognize the importance of their attendance at meetings of their respective body. Members shall make it a priority to be in attendance at all meetings, arrive on time and stay for the duration of the meeting.

6. Conflict of Interest

In accordance with the *Nebraska Political Accountability and Disclosure Act* and 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.

7. Gifts and Favors

Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, 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.

8. 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.

Members shall not direct, order or make demands on any City employee, other than inquiries that can be answered routinely and without research.

9. Representation of Private Interests

In keeping with their role as stewards of the public interest, Council Members shall not appear on behalf of the private interests of third parties before the Council or any Board or Commission or proceeding of the City, nor shall members of the Board or Commission 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.

10. Advocacy

Members shall represent the official policies 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 or positions, members shall explicitly state they do not represent their body or the City of La Vista nor will they allow the inference that they do.

Members shall leave decisions made at the public meetings at the meeting and shall refrain from disputing such decisions at a later date or later public meeting.

11. Policy Role Matters

Members shall respect and adhere to the Mayor-Council-Administrator form of La Vista City government as outlined by the Municipal Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, Commissions, Boards and city staff.

12. Go through City Administration.

Except as provided in the La Vista Municipal Code, members should not interfere with the administrative functions of the City or the professional duties of City staff; nor should members impair the ability of staff to implement Council decisions.

13. Independence of Commissions and Boards

Because of the value of the independent advice of Commissions and Boards to the public decision-making process, members of the Council shall refrain from using their position to unduly influence the deliberations of outcomes of Commission and Board proceedings.

14. 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 in order to not create the perception in inappropriate direction to staff.

15. Implementation

As an expression of the standard of conduct for members expected by the City, the La Vista Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, standards of conduct shall be included in the regular orientations for candidates for City Council, applicants to Commissions and Boards and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City of La Vista Code of Conduct.



Acknowledgement of Code of Conduct statement

I _____ do hereby affirm that I have received a copy of the City of La Vista Code of Conduct and that I have read and understand the contents therein.

Signature

Date