

**CITY OF WASILLA
RESOLUTION SERIAL NO. 11-35**

A RESOLUTION OF THE WASILLA CITY COUNCIL ESTABLISHING A CODE OF ETHICS AND CONDUCT FOR PUBLIC OFFICIALS TO INCLUDE THE MAYOR, CITY COUNCIL, CITY CLERK, CITY ATTORNEY, DEPARTMENT HEADS AND MEMBERS OF APPOINTED COMMISSIONS, BOARDS AND COMMITTEES OF THE CITY OF WASILLA.

WHEREAS, it is the intent of this resolution to achieve fair, ethical, and accountable local government for the people of the City of Wasilla; and

WHEREAS, the people of Wasilla expect public officials to comply with both the letter and intent of the laws of the State of Alaska, United States of America, Wasilla Municipal Code, and established policies of the City of Wasilla affecting the operations of local government; and

WHEREAS, public officials are required to comply with the provisions of the Code of Ethics and Conduct established in this resolution; and

WHEREAS, all public officials covered by this resolution will aspire to meet the highest ethical standards as an elected or appointed official of the City of Wasilla; and

WHEREAS, the provisions of this Code of Ethics and Conduct shall apply to the Mayor, City Council, City Clerk, City Attorney, Department Heads and to all members of the boards, commissions and committees appointed by the Mayor and/or City Council; and

WHEREAS, the people of the City of Wasilla share a set of core values that constitute the guiding principles for the establishment of a Code of Ethics and Conduct. These core values are expressed in the following objectives:

- To create a government that is open, transparent and trusted by everyone.
- To make unbiased, fair and honest decisions.
- To serve in municipal office for the public good and not for personal or private gain.
- To ensure that everyone is treated with respect and in a timely, just and fair manner.

- To ensure that all public decisions are well informed, independent, and in the best interest of the citizens of the City of Wasilla.
- To maintain a nonpartisan and civic minded local government.
- To ensure that all officials are prepared for the duties of their office.
- To ensure swift and fair action if misconduct occurs while in office.

WHEREAS, the public officials of the City of Wasilla shall aspire to operate the City government and exercise their responsibilities, in a manner which creates trust in their decisions. Public officials shall seek to create a transparent decision making process, providing easy access to all public information about actual or potential conflicts between their private interests and their public responsibilities. Public officials shall strive to make themselves available to the people of the City to hear and understand their concerns. They shall make every effort to ensure that they have accurate information to guide their decisions and to share all public information with the community to ensure their understanding of the basis of their decisions; and

WHEREAS, the public officials of the City of Wasilla shall make every effort to render decisions that are unbiased, fair and honest. They shall strive to avoid participation in any decision which creates a real or perceived conflict of interest and to disclose any personal interest that could be perceived to be in conflict with the fair and impartial exercise of their responsibilities. They will not accept gifts or favors which may compromise the independence of their judgments or actions or give an appearance of being compromised; and

WHEREAS, the elected and appointed officials of the City of Wasilla have a responsibility to use the benefits of public office exclusively for the public purpose for which they were created. They shall not use their public title unless acting on or on the behalf of the citizens of Wasilla in their official capacity. Further, they shall not make decisions which would affect the level of compensation they may receive for their service except as otherwise required by law; and

WHEREAS, the elected and appointed officials of the City of Wasilla have a responsibility to treat all people in a manner which would be considered just and fair. They shall treat all persons with respect as they come before the body on which they serve. They shall aspire to create an atmosphere of genuine interest in the points of

view expressed by members of the community. They shall strive to value and encourage input from members of the community and support open and free discussion of public issues; and

WHEREAS, the elected and appointed officials of the City of Wasilla will encourage, support and utilize reliable and credible research and information gathered from sources such as the citizenry, the administration, boards, and commissions. They will seek to ensure that information provided by City government to the public is accurate and clear. They will ensure that all information utilized in the decision making process, except that which by law is confidential, will be shared with the public to ensure an open and transparent government; and

WHEREAS, the elected and appointed officials of the City of Wasilla shall affirm and support the value of a nonpartisan first class city form of government; and

WHEREAS, to ensure high ethical standards and to reinforce the commitment to a strict Code of Ethics and Conduct for our public officials, any misconduct will be deemed unacceptable and the City Council, or Mayor where appropriate, may censure or impose an appropriate sanction.

NOW, THEREFORE BE IT RESOLVED, that the Code of Ethics and Conduct for Public Officials will be given to the Mayor, City Council, City Clerk, City Attorney, department heads, board members and commissioners at the time of adoption of this resolution, or at the time of appointment or election. The Public Official must then swear or affirm in writing they have received a copy of the Code of Ethics and Conduct and understand its provisions, which reads as follows:

I, _____ as a public official for the City of Wasilla, Alaska, serving as the _____ [Mayor, City Council Member, City Clerk, City Attorney, Deputy Administrator, Finance Director, Police Chief, Cultural and Recreational Services Manager, Public Works Director, Planning Commissioner, Parks and Recreation Commissioner, or Airport Advisory Commissioner], herein certify that I have received a copy of the Code of Ethics and Conduct of the City of Wasilla. I have been offered training and assistance in understanding this Code. I acknowledge that I understand and I am aware of the requirements of the Code of Ethics and Conduct and its

application to my responsibilities. Consistent with the Code of Ethics and Conduct, I pledge as a public official, I will aspire to:

1. Create a government that is open, transparent and trusted by everyone.
2. Make unbiased, fair, and honest decisions.
3. Use my office for service to the public good and not for personal or private gain.
4. Ensure that I treat everyone with respect and in a just and fair manner.
5. Ensure that all public decisions I make are well informed, independent, and in the best interest of the citizens of the City of Wasilla.
6. Maintain a nonpartisan and civic minded local government.
7. Be prepared for the duties of my office.
8. Hold myself to a professional standard of conduct.
9. Ensure swift and fair action in response to misconduct of any City employee or official. I understand such action may include termination, the request for my resignation from office, censorship or a vote of no confidence during my tenure; and

BE IT FURTHER RESOLVED, a training session to clarify the provisions and application of the Code of Ethics and Conduct shall be developed by the City Clerk and City Attorney or their designee. The City Attorney, or his designee, shall serve as a resource to those persons covered by the code and shall assist them in answering questions or addressing concerns. The City Attorney shall also provide assistance to the City Council or the Mayor in determining whether a sanction or censure is consistent with the code and otherwise legally permissible; and

BE IT FURTHER RESOLVED, complaints from members of the public regarding elected or appointed officials shall be submitted on a complaint form. The complaint form shall be available from the City Clerk. Upon receipt of the complaint form, the City Clerk and City Attorney will review the protestation for completeness. If the complaint is regarding the Mayor, a City Council Member, the City Clerk or the City Attorney, within 10 business days the City Clerk will forward the complaint to the City Council for action. If the complaint is regarding a department head or member of a board or commission the complaint shall be forwarded to the Mayor for action within 10 business days; and

BE IT FURTHER RESOLVED, that ultimately, the responsibility for the enforcement of the Code of Ethics and Conduct lies with the Mayor and City Council as they represent the will of the people of the City of Wasilla; and

BE IT FURTHER RESOLVED, that this resolution shall be repealed upon adoption of an ordinance creating a Code of Ethics.

FAILED by the Wasilla City Council on September 26, 2011.

VOTE: Katkus, Sullivan-Leonard and Woodruff in favor. Holler and Menard in opposition.



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RESOLUTION SERIAL No. 11-35: ESTABLISHING A CODE OF ETHICS AND CONDUCT FOR PUBLIC OFFICIALS TO INCLUDE THE MAYOR, CITY COUNCIL, CITY CLERK, CITY ATTORNEY, DEPARTMENT HEADS, AND MEMBERS OF APPOINTED COMMISSIONS, BOARDS AND COMMITTEES OF THE CITY OF WASILLA.

RESOLUTION SERIAL NO. 11-36: CREATING AN ETHICS TASK FORCE AND PRESCRIBING ITS DUTIES.

Agenda of: September 12, 2011

Date: August 30, 2011

Originator: Clerk's Office for Council Member Sullivan-Leonard *CSL*

Route to:	Department	Signature/Date
X	Finance Director	<i>[Signature]</i> 9/21/11
X	Interim Deputy Administrator	<i>[Signature]</i> 9-6-11
X	City Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR VERNE E. RUPRIGHT: *[Signature]*

FISCAL IMPACT: yes\$ or no Funds Available yes no

Account name/number: none
Attachments: Resolution Serial Nos. 11-36 (3 pp)
Resolution Serial No. 11-35 (5 pp)

SUMMARY STATEMENT: It is the intent of the Wasilla City Council to ensure that city officials and city business is conducted with high ethical standards in mind. The Ethics and Code of Conduct Resolution (Serial No. 11-35), which requires a signed Code of Ethics and Conduct, reflects the desire of the city to aspire to the high ethical standards that our community expects. The City Clerk will record signed Code of Ethics and Conduct forms to reflect that elected and appointed officials have a clear understanding of this resolution and its expectations.

I request a temporary Ethics Task Force be formed to plan and develop a permanent ethics code for the council and administration to adopt (Resolution Serial No. 11-36). The Ethics and Code of Conduct Resolution (Serial No. 11-35) will remain in effect until a final ethics code is adopted by the City Council.

I ask for your consideration in supporting this important piece of legislation.

STAFF RECOMMENDATION: Adopt Resolution Serial Nos. 11-35 and 11-36.



CITY OF WASILLA
CODE OF ETHICS AND CONDUCT

I, _____ as a public official for the City of Wasilla, Alaska, serving as the _____ *[Mayor, City Council Member, City Clerk, City Attorney, Deputy Administrator, Finance Director, Police Chief, Cultural and Recreational Services Manager, Public Works Director, Planning Commissioner, Parks and Recreation Commissioner, or Airport Advisory Commissioner]*, herein certify that I have received a copy of the Code of Ethics and Conduct of the City of Wasilla. I have been offered training and assistance in understanding this Code. I acknowledge that I understand and I am aware of the requirements of the Code of Ethics and Conduct and its application to my responsibilities. Consistent with the Code of Ethics and Conduct, I pledge as a public official, I will aspire to:

1. Create a government that is open, transparent and trusted by everyone.
2. Make unbiased, fair, and honest decisions.
3. Use my office for service to the public good and not for personal or private gain.
4. Ensure that I treat everyone with respect and in a just and fair manner.
5. Ensure that all public decisions I make are well informed, independent, and in the best interest of the citizens of the City of Wasilla.
6. Maintain a nonpartisan and civic minded local government.
7. Be prepared for the duties of my office.
8. Hold myself to a professional standard of conduct.
9. Ensure swift and fair action in response to misconduct of any City employee or official. I understand such action may include termination, the request for my resignation from office, censorship or a vote of no confidence during my tenure.

Signed this _____ day of _____, 20_____.

Name

Title