

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING A)
CODE OF ETHICS FOR METRO COUNCIL)
EMPLOYEES)
)
)

Resolution No. 97-2538

Introduced by Councilor
Lisa Naito

BE IT RESOLVED:

The Ethics Code attached hereto as Exhibit A, and hereby incorporated as a part of this resolution by reference, is adopted by the Metro Council and is applicable to Metro Council employees.

ADOPTED by the Metro Council this _____ day of _____, 1997.

WITHDRAWN
Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

Resolution No. 97-2538

**EXHIBIT A
CODE OF ETHICS**

Purpose.

The purpose of this Code of Ethics is to provide a statement of ethical principles that shall serve as guideposts for Metro Council employees.

For the purpose of this Code of Ethics:

1. "Metro Council staff" means the employees of the Council.
2. "Ethics" means positive principles of conduct. Some ethical requirements are enforced by federal, state, or local law. Others rely on training, or on individuals' desire to do the right thing. The provisions of this Code of Ethics which are not elsewhere enforced by law shall be considered advisory only.

General Principles.

The following statements regarding trust, objectivity, accountability and leadership should be considered as moral and ethical guideposts for actions by Metro Council staff.

Trust.

The purpose of Metro is to serve the public. Metro Council staff treat their office as a public trust.

1. Metro's powers and resources are used for the benefit of the public rather than any Council staff member's personal benefit.
2. Metro Council staff ensure public respect by avoiding even the appearance of impropriety.
3. Council staff should implement policies in good faith, as equitably and economically as possible, regardless of their personal views.
4. Whistle-blowing is appropriate on unlawful actions.
5. Metro Council staff and their families do not accept personal gifts from individuals seeking Metro action.
6. Metro Council staff devote Metro resources, including paid time, working supplies, and capital assets, to benefit the public.
7. Political campaigns are not conducted on Metro time or property. Relative federal and state statutes apply. If any Council staff member has questions regarding these laws, that staff member should review the matter with the Office of General Counsel.
8. The use of telephone equipment, computers, E-mail, or other Metro owned devices is limited to Metro business. Metro Council staff should refer to pertinent Metro Code and other directives (such as the Computer User's Handbook) that may be issued regarding the use of these types of devices.
9. Metro Council staff should not use Metro facilities for personal use other than as designated by Metro policy.

Objectivity.

Metro decisions are based on the merits of the issues. Judgment is independent and objective.

1. If an individual Council staff member's financial or personal interests will be specifically affected by a decision, that individual will give written notice to be placed on file with the Office of General Counsel and will then withdraw from further participation on that matter.
2. Metro Council staff avoid bias or favoritism, and respect cultural differences as part of decision-making.
3. Metro Council staff should avoid creating the appearance of favoritism. Metro Council staff should avoid creating the appearance that their friendships will result in special treatment.
4. Metro Council staff should avoid creating the impression that their own personal agendas are guiding their official actions at Metro, rather than being subject to Metro's policymaking procedures.

Conclusion.

From time to time the Council may supplement this Code of Ethics with further principles and examples. This Code of Ethics is not intended to limit the authority of the Presiding Officer or supervisors to take disciplinary action where they deem it appropriate.

DBC:kaj
IAR-OV97-2538.EXA
7/1/97

Staff Report

CONSIDERATION OF RESOLUTION NO. 97-2538, FOR THE PURPOSE OF ADOPTING A CODE OF ETHICS FOR METRO COUNCIL EMPLOYEES.

DATE: July 1, 1997

Prepared by: Michael Morrissey

PROPOSED ACTION

Resolution 97-2538 applies a code of ethics to Metro Council staff. It is similar to action taken to by the Executive Officer, via executive order in January of 1997, which applied to the EO, his staff, and all Metro employees except those of the Auditor, the Council and the Metro-Exposition-Recreation Commission (MERC). This code like that enacted by the Executive Officer, and recommended by the Auditor, is a set of principles and guidelines, rather than a legally enforceable set of rules.

BACKGROUND AND ANALYSIS

Current Metro code 2.02.240 establishes a code of ethics for Metro public officials who are not represented by bargaining units. These requirements are consistent with state statutes (ORS) and cover situations involving actual or potential financial conflict of interest.

The Metro Auditor issued a report in September of 1995, calling for an expanded code of ethics, which would cover non-financial conflict of interest, and ethical situations, and would cover a wider range of Metro individuals, i.e. employees covered by bargaining units.

The Auditor pointed to a City of Portland code of ethics as a useful example, and the Executive Officer adopted that code, virtually verbatim, in his executive order.

Resolution 97-2538 takes a similar approach, by using the Portland code as a base, but refining it to clearly apply appropriate sections to (council) staff, commensurate with their authority and responsibilities. While establishing a broader set of guidelines for ethical behavior at Metro, neither this resolution nor the executive order previously mentioned enact new code provisions.