

2019 Ethics Program

City of Bozeman

Board & Commission Training

2019

Ethics Training Purpose and Expectations

1. To set forth standards of ethical conduct, to assist public officials and employees in establishing guidelines for their conduct, to foster the development and maintenance of a tradition of responsible, accountable and effective public service, and to prohibit conflict between public duty and private interest.
2. In coordination with the city attorney, city manager, and other appropriate city personnel, arrange for the conduct of annual training and education, which shall serve as an orientation for new board members and an opportunity for experienced members to explore specific issues in depth.

-Sec. 2.03.600

Overview

- The City of Bozeman Code of Ethics is a best practice for local government in Montana
- In 2018 we trained 418 staff members and 160 board and commission volunteers
- Ethics is now more integrated into staff and board/commission meetings all year
- Equipping additional staff to facilitate training as an opportunity for professional development

Why Facilitate Ethics Training Instead of Online?

Makes the material more familiar!

Engaging in Conversation HELPS US LEARN as a group

Participants have knowledge that we need to draw out

Reaching conclusions will likely lead to more unanswered questions

The discussion of the challenges becomes the training

Resources

Code of Ethics

Bylaws of the Board/Commission

Montana Code Annotated (MCA)

Board of Ethics

Sign In Sheet for Documentation of Participants

Flip Chart for Possible Future Questions or Other Concerns (putting items in the “Parking Lot”)

BOZEMAN^{MT} Timeline

BOZEMAN^{MT} 2019 COB Ethics Timeline

2019
June

06-11-2019
Staff Ethics Team
Mtg #1 – Develop
Questions

2019
July

07-11-2019
Staff Ethics Team
Mtg #2 – Finalize
Questions

2019
Aug

08-28-2019
Board of Ethics
Meeting –
Approve
Curriculum

2019
Sept

09-05-19
Train-the-Trainers
Mtg. #1

09-06-19
Train-the-Trainers
Mtg. #2

**Board and
Department
Trainings**

2019
Oct

**Board and
Department
Trainings**

2019
Nov

**Make-up
Sessions**

2019
Dec

12-2019
Annual Ethics
Report on
December
Commission
Agenda

Let's Get Started!

Beth is the new Chair of the Midtown Urban Renewal District Board. She's been on the board for years, and hasn't always agreed with the types of items the board has taken up on the agendas, which were managed by the previous chair and staff liaison. Beth is very involved in the community in a variety of capacities, via consulting, volunteering, membership, and board appointments. Through her connections, she believes she can more effectively prioritize the work of the board. She takes over management of the agendas and starts to fill them with items that she'd like to prioritize, since she knows they'll be best for the community as a whole. The staff liaison and other board members have begun to express some concern that the agendas are missing some diversity, but Beth informs them it is within her authority to set agendas, so she will continue to do so unilaterally for the remainder of her term.



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BMC Sec. 2.03.490. - Standards of conduct.

D. No official or employee shall improperly use, directly or indirectly, the official or employee's city position to secure any financial interest or personal interest for said official employee, or others.

BMC Sec. 2.03.520. - Conflict of interest.

C. No official or employee shall take or influence official action if the official or employee has a financial or personal interest in a transaction or matter with the city.

G. No official shall act in a private capacity on matters acted upon as an official.

Resolution 4377 – Establishing Model Rules of Procedure for Boards

The chairperson, staff liaison, or another designated board member shall arrange a list of matters to be brought before the board...The chair person or a majority of board members may add to or remove an item from the agenda.

Reggie is a member of the Planning Board, and is also a faculty member in the Architecture Department at MSU. During the summer, he attends a number of conferences required by his employment. He has to miss about half the meetings over the summer, so he informed the Chair of his upcoming absences. The Chair told him that with a current vacancy, it is critical that he attempt to attend more than just half the meetings, as business needs to get done and the board may not have a quorum with his absences. Reggie understands the Chair's concern, but his job is his top priority. As a compromise, he has arranged for another colleague to attend the meetings in his stead to help maintain quorums, or is willing to Skype in for the nights that don't work for his stand-in.



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BMC Sec. 2.03.490. - Standards of conduct.

C. Each official or employee serving on a multimember agency is expected to devote the time and effort necessary to the successful functioning of such agency.

Resolution 4377 – Establishing Model Rules of Procedure for Boards

Unless otherwise provided by law, a quorum shall consist of a majority of existing appointed board members. If a quorum is not present, those in attendance shall be named and the board shall adjourn to a later time...Email, telephonic, or proxy voting shall be prohibited.

The City is considering a ballot issue for creation of a new special district to fund and maintain parking services in the city. The proposal is in the later stages and the Parking Commission feels strongly in favor of creation. Many individual members of the Parking Commission want to start outreach by going door-to-door and speaking with citizens. The Parking Commission, via a motion and vote, directs staff to design and print off flyers for this purpose, since the board itself doesn't have a budget.



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Section 2.2.121, Mont. Code Ann., Rules of conduct for public officers and public employees.

(1) Proof of commission of any act enumerated in subsection (2) is proof that the actor has breached a public duty.

3)(a) Except as provided in subsection (3)(b), a public officer or public employee may not use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is:

(i) authorized by law; or (ii) properly incidental to another activity required or authorized by law, such as the function of an elected public officer, the officer's staff, or the legislative staff in the normal course of duties.

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Section 2.2.121, Mont. Code Ann., Rules of conduct for public officers and public employees continued...

(b)As used in this subsection (3), "properly incidental to another activity required or authorized by law" does not include any activities related to solicitation of support for or opposition to the nomination or election of a person to public office or political committees organized to support or oppose a candidate or candidates for public office. With respect to ballot issues, properly incidental activities are restricted to:

(i)the activities of a public officer, the public officer's staff, or legislative staff related to determining the impact of passage or failure of a ballot issue on state or local government operations;

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Section 2.2.121, Mont. Code Ann., Rules of conduct for public officers and public employees continued...

(ii) in the case of a school district, as defined in Title 20, chapter 6, compliance with the requirements of law governing public meetings of the local board of trustees, including the resulting dissemination of information by a board of trustees or a school superintendent or a designated employee in a district with no superintendent in support of or opposition to a bond issue or levy submitted to the electors. Public funds may not be expended for any form of commercial advertising in support of or opposition to a bond issue or levy submitted to the electors.

(c) This subsection (3) is not intended to restrict the right of a public officer or public employee to express personal political views.

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BMC Sec. 2.03.500. - Use of city resources.

No official or employee shall use, or permit the use of, city-owned vehicles, equipment, material, or city personnel for personal use of the employee or official or anyone else or to be used in any manner prohibited by state statutes or city ordinance.

Appointed board member advocacy rules -

CONGRATULATIONS!

**YOU HAVE COMPLETED THE 2019 ETHICS
TRAINING FOR THE CITY OF BOZEMAN**

**PLEASE MAKE SURE YOU SIGNED THE
ATTENDANCE SHEET.**