

# AD HOC COMMITTEE ON ETHICS MINUTES

March 31, 1998

The Ad Hoc Committee on Ethics of the City of Mesa met in the Gold Room of the Council Chambers, 57 East 1st Street, on March 31, 1998 at 3:22 p.m.

## COMMITTEE PRESENT

Dennis Kavanaugh, Chairman  
Mike Hughes  
Bonnie Koppell  
Joan Newth  
Marty Whalen

## COMMITTEE ABSENT

Dan Brock  
Bernard Butts  
Marianne Jennings  
Wanda Kay

## STAFF PRESENT

Cindy Barris  
Barbara Jones  
Ellen Pence

## OTHERS PRESENT

Bev Hart

Chairman Kavanaugh excused Committeemembers Brock, Butts, Jennings, and Kay from the meeting. Chairman Kavanaugh requested that Committeemember Whalen conduct the meeting.

### 1. Approve minutes of March 12, 1998 meeting.

It was moved by Committeemember Koppell, seconded by Chairman Kavanaugh, that the minutes of March 12, 1998 be approved.

A tabulation of votes showed the motion carried unanimously by those present.

### 2. Review preliminary draft of ethics handbook.

Chairman Kavanaugh advised that a working copy of the ethics handbook dated March 27, 1998 has been prepared for review by the Committee. Chairman Kavanaugh said that issues such as consistency and style have yet to be finalized.

Committeemember Whalen distributed draft language relative to the policy on discrimination and harassment as a replacement for language he had previously prepared. Committeemember Whalen stated that Committeemember Jennings has additionally submitted comments/suggestions pertaining to the handbook language.

Committeemember Whalen requested input from the Committee relative to each section of the handbook.

## **SECTION I: CITY OF MESA ETHICS POLICY**

Committeemembers indicated support for the tone reflected and expressed the opinion that the text conveys the intended philosophy.

In response to a question from Committeemember Whalen, Chairman Kavanaugh suggested that references to City employees be eliminated from this portion.

Committeemember Newth noted the use of the term "City Entities" within the language submitted by Committeemember Whalen. Discussion ensued pertaining to the term and the development of language to indicate to whom the handbook is applicable. The Committee suggested that input be obtained from City Attorney Neal Beets.

Assistant to the City Manager Ellen Pence recommended that an abbreviated term be identified so that it is not necessary to refer to a lengthy list of individuals throughout the entire text.

## **SECTION II: APPLICABLE LAWS AND POLICIES**

Committeemember Whalen suggested that Committeemembers fax any proposed changes (style rather than substance) to Ms. Pence. Committeemember Hughes noted the importance of retaining the tone of the language.

### **B. Conflict of Interest**

#### 2. Disclosure of and Policy on Acceptance of Gifts and Favors

Committeemembers spoke concerning the periodic review of the \$50 threshold for the disclosure of gifts and favors and action to be taken when in doubt of the requirements for disclosure. Committeemembers recommended changes to the text to provide clarification, including a reference to gifts, *benefits*, or favors.

Brief discussion ensued pertaining to a gift intended for the City rather than as a personal gift. Members of the Committee suggested the addition of a sentence to indicate that such gifts should be considered as City property.

#### 3. Loyalty

Committeemember Newth stated support for the language proposed under "Loyalty."

### **C. Legal Compliance**

#### 1. Attendance

Committeemember Koppell noted the suggestion by Committeemember Jennings that meetings missed due to business, vacation, or illness should be cleared with the chairperson for that particular meeting. Committeemember Koppell commented that the term "cleared with" differs from the original term "advise." Committeemember Koppell spoke in favor of retaining the reference to "advise."

Chairman Kavanaugh indicated that "advise" may be more appropriate.

In response to questions from the Committee, Chairman Kavanaugh related current Council procedures relative to excused/unexcused meeting absences.

Discussion ensued pertaining to the proposed policies and related Charter/ordinance provisions concerning attendance. Chairman Kavanaugh spoke regarding emphasis of this issue as part of anticipated training procedures.

2. Nepotism

Chairman Kavanaugh noted that State law presently addresses "Nepotism" and recommended that this item be deleted from the handbook.

3. Discrimination

*and*

5. Discrimination and Harassment

Ms. Pence suggested that consideration be given to combining Items (C) 3 and (C) 5 referring to discrimination and harassment.

Due to time constraints, Committeemember Whalen recommended that this item be further discussed at the next Committee meeting.

3. Discussion of adding new meeting dates.

Committeemember Whalen stated that a meeting of the Ad Hoc Committee on Ethics will be held on Tuesday, April 14, 1998, at 3 p.m.

4. Discussion and consideration of agenda items for next meeting.

Committeemember Whalen indicated that the Committee will continue their review of the draft ethics handbook at the next meeting.

5. Adjournment.

Without objection, the meeting of the Ad Hoc Committee on Ethics adjourned at 4:28 p.m.

Carried unanimously.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the Ad Hoc Committee on Ethics of the City of Mesa, Arizona, held on the 31st day of March 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_ 1998

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BARBARA JONES, CITY CLERK