

By Ostrow

Amending Title 2, Chapter 15 of the Minneapolis Code of Ordinances relating to Administration: Ethics in Government.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 15.40 (c)(4) of the above-entitled ordinance be amended to read as follows:

15.40. Conflicts of interest.

(c) Disclosure of conflicts of interest. If a local official or employee, in the discharge of his or her official duties, recognizes that his or her participation would create a conflict of interest, the local official or employee shall disclose the conflict of interest as follows:

(4) An employee who is not covered by paragraphs (1), (2) or (3) above shall disclose a conflict of interest (i) orally to his or her supervisor; and (ii) in writing as described below. If there is no supervisor, an employee shall disclose a conflict of interest in writing as described below. An employee who is required to disclose a conflict of interest in writing under this paragraph (~~3~~4) shall prepare, on a form prescribed by the city clerk, a written statement describing the matter requiring action or decision and the nature of his or her conflict of interest. The written statement shall be distributed to the employee's immediate supervisor and department head, and filed with the city clerk.

Section 2. That Section 15.50 (b) of the above-entitled ordinance be amended to read as follows:

15.50. Soliciting or accepting gifts.

- (b) *Exceptions.* The prohibitions in this section do not apply if the gift is:
- (1) A campaign contribution as defined in Minnesota Statutes, Section 10A.01, subd. 11;
 - (2) A service to assist an official in the performance of official duties, including, but not limited to, providing advice, consultation, information, and communication in connection with legislation, or services to constituents;
 - (3) A service of insignificant monetary value;

- (4) A plaque or similar memento ~~recognizing individual services in a field of specialty or to a charitable cause~~ with a resale value of five dollars (\$5.00) or less;
- (5) A trinket or memento of ~~insignificant value~~ costing five dollars (\$5.00) or less;
- (6) Informational material of unexceptional value;
- (7) Food or a beverage given at a reception, meal, or meeting away from the recipient's place of work by an organization before whom the recipient appears to make a speech or answer questions as part of a program;
- (8) Given because of the recipient's membership in a group, a majority of whose members are not officials, and an equivalent gift is given to the other members of the group; or
- (9) Given by an interested person, lobbyist, or principal who is a related person to the recipient, unless the gift is given on behalf of someone who is not a related person.
- (10) A solicitation for city purposes conducted pursuant to a city council approved solicitation policy. Absent a city council approved solicitation policy, a solicitation for city purposes must be pre-approved by city council.

Section 3. That Section 15.210 of the above-entitled ordinance be amended to read as follows:

15.210. Ethical practices board. (a) The ethical practices board will be composed of three (3) members appointed by an appointing committee. The members of the appointing committee shall be the Chief Judge of Hennepin County District Court, the Dean of the University of Minnesota Law School, and the Dean of the University of St. Thomas School of Law. In making the appointments, the committee shall follow the city's open appointments process, supplemented by the following:

- (1) ~~The city clerk~~ ethics officer shall notify non-partisan civic and community groups, colleges and universities of any openings on the board.
 - (2) At least thirty (30) days prior to making an appointment, the committee shall submit the names of the finalists for the position to the mayor and the city council for comment.
 - (3) ~~Within five (5) days of~~ Upon receiving the names, the city council shall schedule a public hearing to solicit public input on the finalists.
- (b) One (1) member of the ethical practices board will be appointed for an initial term to expire on January 2, 2005; two (2) members will be appointed for an initial term to expire on January 2, 2006. All subsequent appointments will be made for three (3) year terms. All members shall serve until their successors have been appointed and qualified. The appointing committee may remove a board member for cause at any time during the board member's term of

office. The chair of the board shall be elected by the membership from among its members.

- (c) No member of the ethical practices board may be a local official or city employee; the related person of a local official or city employee; a candidate for elected public office; a person who, for compensation, represents the private interests of others before the city council or mayor; or a paid campaign worker or political consultant of a current local official.
- (d) The ethical practices board shall have jurisdiction to review and make findings concerning any alleged violation of this ethics code by any person subject to those provisions, including but not limited to a current or former elected or appointed local official who is a member of an agency, authority, or instrumentality listed in section 15.280(m)(3) of this Code. The ethical practices board may not consider any alleged violation that occurred before the adoption of this Code or more than one (1) year before the date of the filing of a complaint.
- (e) The ethical practices board has the following powers only:
 - (1) To establish, amend and repeal rules and procedures governing its own internal organization and operations in a manner and form consistent with this Code.
 - (2) To meet as often as necessary to fulfill its responsibilities.
 - (3) To request from the mayor and city council the appointment of such staff as is necessary to carry out the duties of the board.
 - (4) To make notifications, extend deadlines and conduct investigations.
 - (5) To respond to local official and employee complaints and questions regarding this Code.
 - (6) To give opinions on the interpretation of this Code.
 - (7) To make findings of fact as necessary.
 - (8) To make recommendations of discipline for violations of this Code by elected and non-employee local officials.
 - (9) To review, index, maintain on file and dispose of complaints.
 - (10) Such other powers as are specifically granted in this Code.
- (f) The ethical practices board shall prepare and submit an annual report to the mayor and the city council detailing the ethics activities of the board and the city during the prior year. The format of the report must be designed to maximize public and private understanding of the board and city ethics activities. The report may recommend changes to the text or administration of this Code. The city clerk shall take reasonable steps to ensure wide dissemination and availability of the annual report of the ethical practices board and other ethics information reported by the board.

~~(g) The ethical practices board shall submit a budget request to the mayor's budget process after they organize and each year thereafter.~~

Section 3. That Section 15.260 of the above-entitled ordinance be amended to read as follows:

15.260. Ethics education. Each local official or employee shall attend an ethics education seminar within twelve (12) months of the effective date of this ordinance, ~~and once every four (4) years thereafter.~~ New employees and local officials shall attend an ethics education seminar within six (6) months of becoming a local official or employee ~~and every four (4) years thereafter.~~ Employees shall attend ethics education seminars every three (3) years thereafter. Non-employee local officials and elected local officials shall attend an ethics education seminar every (4) years thereafter. The seminar shall educate persons as to their duties and responsibilities under this Code. The human resources department shall design and implement the ethics education seminars. Department heads are responsible for ensuring that all of their employees attend this training.