

**Board Actions Reg.**

**Summary of Proposal:**

This regulation relates to the functions of the Board and its staff, and clarifies that policy discussion is a confidential matter akin to informal advice.

**Applicable Law:**

Chapter 197



**Text of Proposal:**

- 1) The staff of the Ethics Board acts at the direction of the appointed board in order to provide support to the Ethics Board's mission and effectuate the will and decisions of the appointed board.
- 2) The Board's codified duties include providing advice, education, managing disclosures, issuing regulations, investigation and enforcement.
- 3) The Board's regulatory authority relates to clarifying, implementing, administering, and enforcing the Code of Conduct.
- 4) Section 197.13 on advice requires all informal advice as well as deliberations to be confidential. Materials and communications relating to advice are not a public record. Only the Board's formal advice is public.
- 5) In order to implement the work and mission of the Board, our Ethics Officer is hereby required to meet on a recurrent basis with leadership of each elected office and governmental body under the Board's jurisdiction every 4-6 weeks as an informal "ethics check-in" in an advisory capacity.
- 6) Ethics check-ins are informal meetings serving as an opportunity for the respective department or agency to confidentially ask questions, keep track of trainings and disclosure requirements, and for our Ethics Officer to provide periodic updates.
- 7) Discussion of internal departmental/agency policy can occur during ethics check-ins as it is expected that Board staff serve as subject matter experts. These non-binding recommendations function akin to informal advice. Board staff can provide guidance and education on the content and direction of internal departmental/agency, and are limited to a non-drafting, consulting role. Adoption by the department of any informal recommendation should be considered against other business needs and is fully voluntary. Communications and other records relating to policy discussion are not public records and instead held confidential to encourage candid discussions which are crucial to our work to prevent ethics problems. Informal advice and recommendations are not binding on the department nor on the Board.

- 8) Ethics training is critical. Ethics training is a form of continuing professional development of public employees and public officials comprising our city workforce. Training helps our public servants identify when they should seek our assistance. Attendance reports of those successfully completing ethics training shall be published with City Council. Similarly, lists of those needing to come into compliance shall be shared with management and discussed in ethics check-ins.

**Impact:**

This regulation creates guidance that our staff may initiate meetings wherein policy and other informal advisory recommendations may be communicated; these communications are confidential.

DRAFT