

CITY OF BROOKLYN CENTER

BUSINESS ETHICS POLICY

1. The City of Brooklyn Center shall operate its business in accordance with the highest ethical standards and with the applicable laws of the United States and the State of Minnesota and the Charter and ordinances of the City of Brooklyn Center. Specific matters or types of transactions not covered by such specific provisions shall be conducted in accordance with the following general policy.
2. For purposes of this statement of business ethics policy, the term “public official” shall include all elected officials, all members of boards or commissions, and the city manager and all employees of the City. The term “employee” shall include those personnel defined as employees in the City’s Personnel Rules and Regulations.

OFFERING OR ACCEPTING GIFTS AND GRATUITIES.

1. No public official shall misuse his or her position to secure special privileges or exemptions for such person or any other person.
2. No public official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in payment for the performance of his or her official duties except as may be provided by law.
3. Whenever a public official deals with a City supplier or customer, he or she has an obligation to act solely in the best interest of the City. This obligation includes not only those acts formalized by written contracts but also covers everyday business relationships with vendors or customers.
4. No public official shall ask for or accept (directly or indirectly) payment, favors, or any other thing of significant value from a current or potential City supplier or customer, or any other person in consideration for assistance or influence, or upon the representation that such assistance or influence has been or will be rendered, in connection with a purchase or any other transaction or proceeding affecting the City. This policy does not bar the acceptance of unsolicited entertainment or advertising favors which are of negligible value and are legally permissible, when no assistance is given for or any obligation to render assistance is assumed by such acceptance. No public official may accept free meals or purchase meals, goods, or services at reduced prices from businesses in the City of Brooklyn Center or from vendors which sell or offer to sell goods or services to the City, unless such free meals or discounted meals, goods, or services are available on the same terms to the public at large or to all government employees. This policy does not apply to unsolicited acceptance of a meal which is incidental to a specifically scheduled business meeting relating to City business.
5. No public official shall offer or give (directly or indirectly) payments, favors, or any other thing of significant value to an employee or agent of a current or potential supplier,

customer, or union in consideration for assistance or influence, or upon the representation that such assistance or influence has been or will be rendered, in connection with a sale or any other transaction or proceeding affecting his or her employer or principal and the City. This policy generally does not apply to meals, entertainment, or advertising favors which are of insignificant value and are legally permissible and are given or offered without condition that it obligate the recipient.

6. Acceptance or giving of gifts must be limited to incidentals which are obviously of an advertising nature as items of insignificant value, or which in no way would cause the City to be embarrassed or obligated, and no gifts or entertainment may be accepted which, due to value, circumstances, disposition of the gift, frequency or repetition of donation could cause the City to be embarrassed or obligated. Gifts which do not fit in these categories must be returned.
7. Any questions concerning the application of this policy regarding specific transactions by City employees should be referred to an employee's immediate supervisor or department head, or the city manager. Any questions concerning the application of this policy regarding specific transactions by all other public officials should be referred to the city attorney.
8. The provisions of this policy do not supersede any provision of an employment agreement with the City which is more restrictive than this policy.

CONFLICTS OF INTEREST.

1. Prohibited Conduct.
 - a. A public official may not engage in any activity or become involved in any arrangement (directly or indirectly) through a family member or any other person acting on his or her behalf which will conflict, or may reasonably be viewed as conflicting, with his or her obligations and responsibilities to the City or involve the use of City information or goodwill for personal gain or for the gain of others.
 - b. A City employee must make prior disclosure of any contemplated consulting, representation, or secondary employment arrangement. If the city manager determines that the proposed activity would violate this policy, the employee may not engage in it and continue City employment.
2. Action to be taken by public official:
 - a. Whenever any public official, in the discharge of official duties, would be required to take an action or make a decision which would substantially affect the individual's financial interests or those of an associated business, (unless the effect on the individual is no greater than on other members of the official's business classification, profession, or occupation), they shall:

- i. Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict of interest;
 - ii. Deliver copies of the statement to the city council, the city manager, and the employee's immediate superior, if any;
 - iii. If a potential conflict of interest presents itself and there is insufficient time to comply with the provision of clauses (i) and (ii), the public official shall orally inform the city council or superior of the potential conflict.
- b. If the public official is not a member of the city council, the city manager shall make a determination in the matter. If there is no immediate superior, the public official shall abstain in a manner prescribed by the city council from influence over the action or decision in question. If the public official is a member of the city council, at the member's request, the city council shall excuse the member from taking part in the action or decision in question.

SAFEGUARDING CITY ASSETS.

1. The department head or assigned manager/supervisor at each location is responsible for the safeguarding of all City assets and the correctness of data submitted to the finance department and contained in the financial reports.
2. Special protection shall be afforded assets which are readily saleable because of high intrinsic value or common usage. Attention should also be given to machinery, equipment, and records which, if damaged, would stop or drastically reduce operations for an extended period. Examples of assets or documents which could provide access to assets and which need protection are:
 - Cash
 - Marketable securities
 - Readily marketable products, parts and subassemblies
 - Precious metals (raw or in any high content form)
 - Check blanks
 - Stamps/postage meters
 - Common tools and equipment
 - High value, portable equipment
 - Data processing and other office equipment, including programs
 - Vital records
3. Although the preparation of the financial reports is the duty of the finance department, department heads are responsible for the accuracy and reliability of the financial data. Consequently, the department heads should be concerned about all those factors which are involved in the propriety of recordkeeping and in the care taken as to the procurement, handling, upkeep, and disposal of assets of all kinds.

4. The objective should be to safeguard City assets and maintain reliable financial records at a level of acceptable business risk. No false, misleading, or artificial entries shall be made on the books and records of the City. No funds or assets shall be maintained by the City for an illegal or improper purpose. All transactions must be fully and completely documented and recorded in the City's accounting records. All City payments, except from authorized petty cash funds, must be approved by the department head or the acting department head in the department head's absence.

POLITICAL ACTIVITIES.

1. The rights of employees to express their personal views on matters of public policy and to participate in partisan political activities on personal time shall be protected. An employee shall neither gain favor nor incur disadvantages within the City because of any decision or activity regarding the employee's personal political participation.
2. Any questions concerning the application of this policy regarding specific transactions should be discussed with an employee's immediate supervisor, department head, or city manager.