



Legislation Text

File #: 13-1341, **Version:** 2

Resolution to Support Education on Professional Standards of Conduct for City Officials and Direction to Council Rules Committee to Draft Appropriate Standard of Conduct

Whereas, Public confidence and trust in government relies on the integrity and professional conduct of those elected and appointed to represent the public and their municipality;

Whereas, Elected and appointed officials have fiduciary duties and obligations to the public in the municipality they represent;

Whereas, One of these duties is the expectation of the public that municipal elected and appointed officials shall not misuse their office to benefit themselves or those to whom they have personal obligations;

Whereas, This duty has resulted in government policies and legislation defining professional conduct in public office as well as customary practices and guiding principles formally endorsed by municipalities;

Whereas, The Michigan legislature enacted Public Act 317 of 1968 (MCL 15.321 -15.330, as amended), which establishes required and prohibited conduct to avoid conflicts of interest for public employees and officials in relation to contracts entered into by the government entity for which they work or for which they are officials;

Whereas, Federal law and regulations also impose requirements for public employees and officials to avoid conflicts of interest in relation to federally funded contracts entered into by the government entity for which they work or for which they are officials;

Whereas, The Michigan legislature enacted Public Act 196 of 1973 (MCL 15.341 -15.348, as amended), which defines and delimits standards of conduct for public officers and employees of the State of Michigan but does not, with one exception, extend those standards of conduct to municipal officials and employees;

Whereas, The provisions of Section 2 and 2a of Public Act 196 of 1973 (MCL 15.342 and 15.342a, as amended) might serve as a basis for developing standards of conduct for the City of Ann Arbor;

Whereas, The practices and guiding principles applicable to City of Ann Arbor elected and appointed officials come from adoption of guiding principles by the Ann Arbor City Council. These include: integrity, trust, partnership with the community, accountability, and open and honest communication;

Whereas, Interest in and resolve to reform the professional standards of conduct defined for municipal elected and appointed officials has created an environment for widespread adoption of municipal ethics policies across the state and nation;

Whereas, Members of the community and local organizations, as well as City Council members have appealed to and urged City Council to foster and encourage an environment of open and honest communication through increased transparency efforts and access to information by the public, including information and education about standards of conduct required of municipal elected and appointed officials; and

Whereas, The Michigan Municipal League has created an resource titled Ethics Handbook for Michigan Municipalities;

RESOLVED, That the Ann Arbor City Council directs the City Attorney's Office to create and establish regularly conducted information and education programs for the City's elected and appointed officials describing the applicable standards of professional conduct for municipal public officials, including both the applicable requirements of Public Act 317 of 1968 (MCL 15.321 - 15.330, as amended) relative to contracts and the applicable federal requirements for federally funded contracts;

RESOLVED, That the Ann Arbor City Council requests that the City Administrator and City Attorney explore whether organizations such as, but not necessarily limited to, the Michigan Municipal League or CityEthics.org, would be able and available to assist with and/or provide additional education programs for the City's elected and appointed officials, as needed;

RESOLVED, That the Ann Arbor City Council requests that the City Administrator and City Attorney explore how to make the information provided in these educational sessions available to the public; and

RESOLVED, That the Ann Arbor City Council directs the Council Rules Committee to draft standards, drawing on applicable statutes, regulations, existing City policies, and best practices such as Section 2 and 2a of Public Act 196 of 1973 (MCL 15.342 and 15.342a, as amended) and the Ethics Handbook for Michigan Municipalities.

Sponsored by: Councilmembers Petersen and Kunselman

As Amended by Ann Arbor City Council on November 18, 2013