

City Council Policy 39: Code of Ethics for City of Wichita Officials



Ethics Advisory Board

October 2023



Background



- On May 11, 2021, the City Council adopted Policy 39 that codified a Code of Ethics for elected and appointed officials and provided procedures for investigating alleged violations
 - Applies to members of City boards, councils, committees & commissions
 - Appointed by the Mayor, City Council, or City Manager
 - Applies to the Mayor and City Council
 - Does not apply to City employees or people appointed by Sedgwick County
- On March 7, 2023, the City Council updated Policy 39
 - Ethics Advisory Board (EAB) – interprets and enforces the Code
 - Ethics Officer (contractor) - responds to questions and guides the board



Policy Requirements



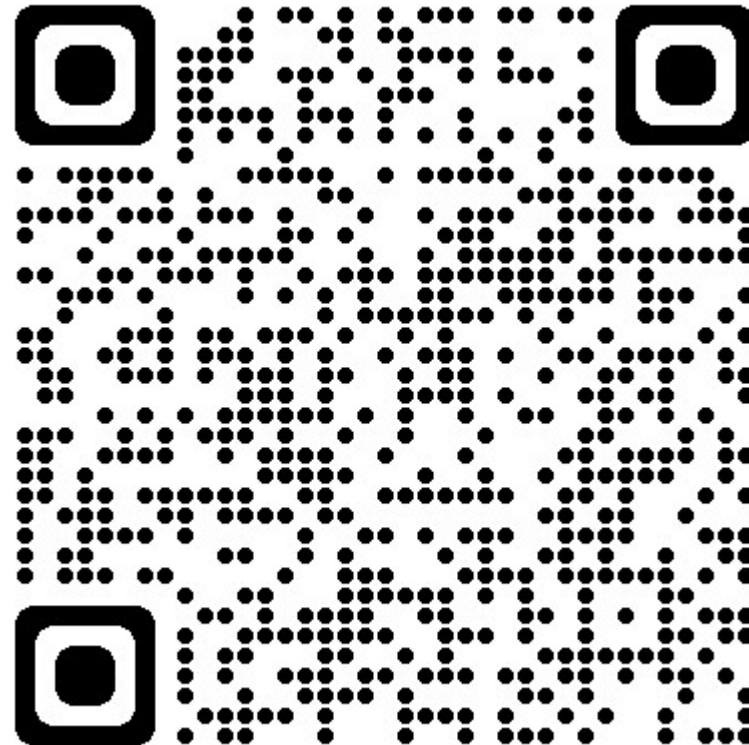
- The policy requires a copy of the Code of Ethics and ethics training be provided to appointed board members and elected officials.
 - Your copy is provided online (PDF).
 - Read, save, print
 - Your training includes this presentation and a video with advice from the City Attorney (both on the City's website).
 - Watch/listen to presentation (PDF), save, print
 - Watch/listen to video, take notes, email follow-up questions to Jmagana@wichita.gov or Kathy.Sexton@wichita.edu



www.Wichita.gov/council/pages/ethics.aspx



- Policy & training
- Minutes & agendas
- EAB members
- Complaints dashboard
- Complaint form



Members of City Boards - Highlights



- Read the Code of Ethics (Council Policy 39)
 - Adhere to the Statement of Policy (sections A – P) on pages 2-3
 - Conduct yourself so as to maintain public confidence
- Serve constituents with equity, neither granting special favor nor discriminating against anyone
- You have a duty to vote unless you have a declared conflict of interest
 - Disclose substantial interest to your Board Chair or staff
 - Watch video for advice from the City Attorney



Members of City Boards - Highlights



- Do not assist or represent the private interests of another before any commission or board
- Do not unduly influence City staff on projects benefitting private parties
- Do not use your position or any information you're privy to because of your position for private gain (including benefitting your relatives)



Members of City Boards - Highlights



- Do not participate in decisions or transactions in which you, your relatives, or your business entity have an interest
- If involvement cannot be avoided, make a full disclosure of your association
- Do not make any promise that would require taking action beyond the scope of your authority



Members of City Boards - Gifts



- Do not receive, request, or accept gifts or favors
 - Over \$150 value from a specific donor over a calendar year
 - Intended to influence or has the appearance or effect of influencing the performance of your official duties
 - Applies to your relatives too
 - It's okay to receive an honor or award for the performance of your duties presented by an appropriate governmental, professional, or fraternal organization (value \$150 or less)



Members of City Boards - Gifts



- **Inform** the City Treasurer within 7 days of receipt of any unauthorized, non-monetary property. **Email** mmanning@wichita.gov
- If keeping the gift, **report** any gift or gratuity (\$50+ value) to the City Clerk using the form provided by the Clerk
- If not keeping it, **return** gifts not authorized by the Code of Ethics
 - Or transmit it to City Treasurer Mark Manning
 - Or turn it over to the City to be used or sold and proceeds deposited into the general fund



Elected Officials - Highlights



- Everything above also applies to the Mayor and City Council
- In addition...
 - Use time wisely, so citizens see the value of each tax dollar spent
 - Ensure expenditures are in the interest of the City
 - Cooperate with other officials and employees
 - Avoid the appearance of improper influence



Elected Officials - Highlights



- File your annual report with the City Clerk (gifts valued at \$50 or more)
 - Use City equipment & resources for only official duties
 - Refrain from interfering or expressing an interest in the hiring process
 - Remain impartial when conducting City business
- Read sections A-P again!



Elected Officials - Gifts



- It's okay to consume complimentary food (provided without cost) while attending a meeting or event
- If your presence is requested, it's okay to attend events where the food and/or admission fee is provided without cost to you, if hosted by:
 - Not-for-profit organizations
 - Educational institutions or services
 - Political or policy-based organizations
 - Community development organizations
 - Faith-based organizations



Elected Officials – Your EAB Appointment



- Before selecting someone to appoint to the Ethics Advisory Board, read the Code of Ethics carefully
- Ensure persons you're considering appointing have read it
- Qualifications for this board differ from other City boards
- Discuss each requirement with them and request the background check PRIOR to making the appointment at the City Council meeting



City Employees



- See Human Resources Policy Manual for ethics policy applicable to employee behavior (page 79)



Retaliation Prohibited



- Retaliation against anyone who files a complaint, reports a violation, or gives testimony as a witness is strictly prohibited
- Do not intimidate, coerce, or discriminate



Who to Contact



- Currently, the Public Policy & Management Center at Wichita State University (PPMC) is assisting the City with implementing the Code of Ethics
 - Contact Kathy Sexton, Senior Management Consultant, with questions
 - Kathy.Sexton@wichita.edu
 - Acting as Ethics Officer until the position is filled
- Outside counsel assists Kathy and advises the EAB
- www.Wichita.gov/council/pages/ethics.aspx

