League of California Cities Helen Putnam Award for Excellence

Nomination for Ethics

Description for cover sheet

The Challenge (1 page)

The world has changed dramatically during the past decade and the City of Santa Clara, the geographic center of Silicon Valley and the technology revolution, is more than familiar with the complexity and nuances that now permeate every aspect of society. The exponential rate of change and technology innovations are affecting every aspect of the way people live and work. Very little in the 21st century is as clear as black and white. Now individuals and communities are challenged to find their way among multiple shades of gray. It is difficult.

The City of Santa Clara adopted its first Code of Ethics in the 1960s and has periodically updated it. Although the City Council and City staff were aware of the existence of the Code of Ethics, last revised in 1988, it was generally tucked away in a file folder and not viewed as a tool useful in handling the day-to-day process of operating a municipal government.

In 1998, a Council member proposed that the City of Santa Clara establish a Committee to Study the Feasibility of Creating a New Ethics Ordinance. A Committee was formed in 1999 and includes three council members, two residents, the City Manager, and the City Attorney.

Objectives

The Ethics Program in the City of Santa Clara has two long-range goals: 1) to make Santa Clara a better community, built on mutual respect and trust; and 2) to promote and maintain the highest standards of personal and professional conduct in the City's government.

The challenge was to create a code of ethical conduct that would be effective in influencing the behavior and actions of city officials, employees, volunteers, and residents. The objectives of the Ethics Program included:
- Provide practical strategies for addressing ethical questions
- Heighten awareness of ethics and values as critical elements in local government
- Improve ethical decision-making by elected officials in setting policy and by City staff and volunteers in handling day-to-day tasks

The Solutions (2 pages) Steps taken, how objectives were met, highlight relationship of partnership

The City of Santa Clara formed a partnership with the Markkula Center for Applied Ethics at Santa Clara University, a private Jesuit university in the City, to develop a unique approach to ethics in municipal government. Based on the recommendation of the University Ethics Center, the City of Santa Clara approached its consideration of ethics in two ways: 1) a new written Code of Ethics designed to provide clear, positive statements of ethical behavior reflecting the core values of the community; and 2) a series of workshop to help City representatives, staff and volunteers incorporate the identified core values into the operating culture and everyday routines of the City.

The Ethics Ordinance Committee met over several months, under the guidance of Thomas Shanks, Ph.D., Director of Business and Public Policy Programs of the Markkula Center at SCU, to consider what values were needed for making a city to be considered "ethical" in attitudes and actions. Participants were asked to think about the following questions:

- How does the City look when it is acting at its best, when it makes you proud or makes you smile?
- What values (core beliefs/attitudes that guide what we do) characterize the City at its best?

The Committee convened a Working Group of its members, nine representatives of City Boards and Commissioners, and interested citizens. The group developed a list of 70 values and worked in small groups to select those that participants felt were critical as standards of conduct for City representatives. These eight values -- ethical, professional, organized, progressive, fiscally responsible, communicative, service-oriented, and collaborative – became the foundation for Ethics Committee to write a new Code of Ethics and Values that would describe the positive behavior desired among city representatives.

Using the methodology devised by the Markkula Center to help businesses, healthcare and other organizations define ethical standards, the City of Santa Clara Ethics Committee explored each value to find agreement on what it is . . . and is not. For example, the value of professionalism was described as "knowing and understanding duties and area of expertise and keeping informed through training education." Professional did not mean, the Ethics Committee decided, "giving the impression of being arrogant or egotistical or lacking in in-depth understanding." Out of this intensive study of core values, the Ethics Committee drafted the new Code of Ethics and Values that lists the eight core values and outlines how each value "looks in practice."

The next phase of the Ethics Program was a series of training workshops for different segments of city government to familiarize them with the new Code of Ethics and Values and to show participants how to use the code in ethical decision-making in their day-to-day environment. Separate workshops were held for elected officials, members of commissions, and senior staff. Additional workshops for staff and volunteers are planned.

Dr. Shanks served as instructor, facilitator, and coach during the year-long process. His role was not to recommend particular courses of action, but to ask questions to help decision-makers determine if various courses of action are ethically appropriate. "I reflect back to decision-makers the way their decision might look to an 'average person of good will,' highlighting problems with harms/benefits, fairness, moral rights, the common good, and the newly defined City Core Values," he explains.

The work of the Ethics Committee was communicated continuously to the community through a variety of channels including the quarterly city newspaper distributed to all residents, the city website, the city employee newsletter, and articles in the daily newspaper.

The Results (2 pages) How affect community, improve service delivery, cost or other resource savings

One of the themes of the Markkula Center for Applied Ethics is that "it is good to have a code, better to have a useful code, but best to have a code that emerges from a consensus of core values." The work accomplished by the City of Santa Clara over the past year in defining a new Code of Ethics and Values does reflect a consensus of core values. It has become a practical tool in helping the City ensure that policies and actions are ethical and deserving of the public's trust.

The workshops have taught elected officials, commission and board members and City staff how to apply the Code of Ethics and Values to specific purposes and problems . . . how to devise practical ways to remove stumbling blocks . . . and how to better serve the citizens of Santa Clara to the best of their ability.

The Code of Ethics and Values has become part of the orientation of new staff, commissioners, and Council members so that they have a better understanding of their roles and relationships with others.

The following excerpts from the previous Code of Ethics and the new draft Code of Ethics and Values shows how the document has evolved from a list of "you shall not" statements to a tool that can be used in conducting every day business with more awareness of the character traits that should be displayed by habit. The new code also provides a better guideline for making the "right" decisions while treating people fairly and with dignity and respect.

Excerpts from previous Code of Ethics	Excerpts from new draft Code of Ethics
Public officials and employees should not exceed their authority or breach law or ask others to do so…	I am trustworthy, acting with the utmost integrity and moral courage.
No public official or employee should encourage or accept any application or communication from any party made out of the presence and without the knowledge of other parties in a matter under consideration when such application or communication is designed to influence official decision or the conduct of that official or employee, or other officials, employees, or agencies in order to obtain favored treatment or special consideration to advance personal or private interests.	I extend equal opportunity and due process to all parties in matters under consideration.
No public official or employee should grant any special consideration, treatment or advantage to any citizen beyond that which is available to every	I am fair, distributing benefits and burdens according to consistent and equitable criteria, and treating everyone the same . . .

other citizen.	
City officers and employees should not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with or inimical to their duties . . .	I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
Councilors, other public officials, and employees should not, without proper legal authority, disclose confidential information . . .	I show respect for persons, confidences, and information designated as "confidential."

The specific objectives of this program are being achieved.
- The new Code and workshops on ethics and values are providing practical strategies for addressing ethical questions
- The Ethics Program has heightened awareness of ethics and values as critical elements in local government
- There is agreement among most in the City that decision-making by elected officials in setting policy and by City staff and volunteers in handling day-to-day tasks has been enhanced as a result of the Code of Ethics and Values.

"Citizens of Santa Clara can expect to hold their public servants to the highest standards of ethical conduct," said Aldyth Parle, the Council Member who initiated the Ethics Program with the full support of the City Council. "We in city government owe it to our constituents to develop codes of conduct that represent the core values of our community – and to provide training to ensure that all of our officials understand how to incorporate these values into their everyday routines."

Council Member Parle, Mayor Judy Nadler, and Dr. Shanks described the City of Santa Clara experience in a program on "Practical Ethics for Local Officials: Strengthening Public Trust" at the 1999 League of California Cities Conference. It was well attended, and the City of Santa Clara hopes to become a model for other municipalities who want to clarify their community's ethics and values and create a practical tool for decision-making and day-to-day operations.