



Takoma Park City Council Meeting – October 7, 2020 Agenda Item 3

Voting Session

Resolution Adopting a Committee Code of Conduct

Recommended Council Action

Consider and vote on the resolution.

Context with Key Issues

To further its goal of improving and formalizing systems for the City's boards, commissions, committees, and task forces, (together referred to as "committees") the Council is considering adoption of a code of conduct that committee members must agree to at the time of appointment or reappointment. The Council first discussed the code of conduct at a work session on September 16, 2020. After that, additional recommendations from Councilmembers and the City Attorney were incorporated into the resolution and code of conduct for a discussion on September 30.

At the work session on September 30, the Council continued discussion of the revised draft documents and expressed interest in having a reporting process in place before appointees are asked to sign on to the Code of Conduct. Additionally, it was suggested to change #5 in the document, by removing the expectation that members would refrain from making personal comments not germane to the business of the body, to help ensure that meetings can be friendly and collegial.

The Council is scheduled to vote on the final version at its meeting on October 7. The City Manager will recommend a reporting mechanism for the Council to consider.

Staff has added to the resolution a suggested deadline of December 1, 2020 for current members of boards, commissions, committees, and task forces to sign the Code of Conduct in order to remain in good standing.

Council Priority

Engaged, Responsive, and Service-Oriented Government including a goal to improve and formalize systems for the City's committees, commissions, boards and task forces

Environmental Considerations

N/A

Fiscal Considerations

Good internal control practices include ensuring that there are not conflicts of interest.

Racial Equity Considerations

Adoption of a code of conduct is intended to set a standard for members of boards, commissions, committees, and task forces that all members agree to when appointed. The open, respectful and equitable operation of these groups is essential to a well-functioning City government and to ensuring that volunteers of all races and backgrounds feel welcome and respected.

Attachments and Links

- Draft Resolution
- Code of Conduct

Introduced by:

CITY OF TAKOMA PARK, MARYLAND

RESOLUTION 2020-

**ADOPTING A CODE OF CONDUCT
FOR CITY BOARDS, COMMISSIONS, COMMITTEES, AND TASK FORCES**

WHEREAS, the Takoma Park City Council (Council) has a priority to advance an engaged, responsive, and service oriented government including a goal to improve and formalize systems for the City's committees, commissions, boards and task forces (referred to as committees); and

WHEREAS, the Council also has a priority to ensure a livable community for all with a goal to identify programming needs in the community and develop approaches to meet those needs, emphasizing youth, families, seniors, and our more vulnerable residents, such as those with lower incomes, immigrants, and people with developmental disabilities all while ensuring racial equity in the City; and

WHEREAS, the Council values and actively seeks community engagement in its decision-making and policies through resident participation on the City's committees; and

WHEREAS, the open, respectful and equitable operation of these groups is essential to a well-functioning City government; and

WHEREAS, the Council and the public expect members of these committees to conduct themselves with the highest integrity and ethical standards; and

WHEREAS, the Council will establish the standards of conduct for volunteer committee members, and a confidential process for reporting violations, including an option for independent review; and

WHEREAS, committee members themselves have the primary responsibility to ensure that these standards are understood and met, so that the public can continue to have full confidence in the integrity of local government.

NOW, THEREFORE, BE IT RESOLVED THAT a code of conduct is created for volunteer City boards, commissions, committees, and task forces; and

BE IT FURTHER RESOLVED THAT appointment to any committee is contingent upon acceptance of this Code of Conduct; and

BE IT FURTHER RESOLVED THAT all members shall pledge to uphold and comply with this code upon appointment or reappointment; and

BE IT FURTHER RESOLVED THAT the chairs of committees have a responsibility to recognize violations within the scope of their authority as chair and report the matter; and

BE IT FURTHER RESOLVED THAT violations of this Code of Conduct may be considered a failure to reasonably perform pursuant to Section 2.16.010(C)(5) of the City Code; and

BE IT FURTHER RESOLVED THAT the City Council, by majority vote, may also impose sanctions on members whose conduct does not comply with these standards. Such sanctions may include removal from the committee pursuant to Section 2.16.010(C)(5).

BE IT FURTHER RESOLVED THAT current members of City Boards, Commissions, Committees and Task Forces shall sign this Code of Conduct on or before December 1, 2020 in order to remain in good standing as a member of their respective committee.

This resolution shall take effect immediately.

Adopted by the Council of the City of Takoma Park, Maryland this ___ day of _____.

Attest:

**CITY OF TAKOMA PARK CODE OF CONDUCT
FOR COUNCIL-APPOINTED MEMBERS OF BOARDS, COMMISSIONS,
COMMISSIONS, AND TASK FORCES**

1. Act in the Public Interest. Recognizing that stewardship of the public interest must be our primary concern, I will work for the common good of the residents and community of Takoma Park and not for any private or personal interest as described in paragraph 6 below and to ensure fair and equal treatment to all persons, claims and transactions coming before the committee.
2. Comply with the Law. I will comply with the relevant laws of the nation, state, county, and the City of Takoma Park in the performance of my public duties, including: the United States and Maryland Constitutions; the Takoma Park City Code and Charter; applicable laws pertaining to conflicts of interest, election campaigns, financial disclosures, open meetings, and open processes of government; and official City regulations, policies and procedures.
3. Conduct of Members. I will refrain from rudeness, disrespectful comments, insults, name-calling, abusive conduct, personal charges or verbal attacks upon the character, motives, or race, ethnicity, nationality, gender, sexual orientation or gender identity of other committee members, other committees, elected officials, the staff or public.
4. Respect for Policy Process. I will perform my duties in accordance with official City processes and rules governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council. I will respect and adhere to the City's government and decision-making structure.
5. Conduct of Public Meetings. I will prepare myself for meetings, do my best to listen courteously and attentively to all public discussions before the body, and focus on the business at hand. I will refrain from interrupting other speakers, ~~making personal comments not germane to the business of the body,~~ or otherwise interfering with the orderly conduct of meetings. I will do my part to make everyone feel safe in expressing their opinions, views, and concerns. I will commit to regular attendance at meetings to the best of my ability, understanding that missing three meetings during my appointed term without notifying the chair and/or relevant city staff may result in my removal.
6. Conflict of Interest. I will not use my official position to influence governmental decisions in which I may have a material financial interest, leadership or significant responsibility in an organization, or personal relationship, or which may give the appearance of a conflict of interest. I will use my City position or title only when conducting City business, and not for personal gain or to promote ideas outside of committee proceedings or discussions that my committee has not approved. If I make reference to committee membership outside of official committee proceedings or discussion I will make it clear I'm speaking of writing only for myself and not on behalf of the committee. I will disclose conflicts with investments, interest in real property, sources of income, and gifts; and -- when relevant to a specific discussion or decision -- organizations in which I have leadership or significant responsibility; and I will abstain from participating in deliberations and decision-making where conflicts may exist. I will use the Ethics Chapter of City Code, *see* Chapter 3.04, as a guide for conflict of interest questions, seek an advisory opinion from the Ethics

Commission if necessary, and recuse myself from a specific discussion or decision where warranted.

7. Independence of Committees. I will value the function of independent committee advice in the public decision-making process, and will not permit City Council members to unduly influence the deliberations or outcomes of board, committee, commission, and staff deliberation proceedings.

8. Positive Environment. I will help maintain a positive and constructive environment for my committee, city staff and for residents and businesses dealing with the City. I will bear in mind my special role in working with City staff and in no way create the perception of inappropriate direction to staff.

9. Compliance. I understand that this Code of Conduct is intended to be primarily self-enforcing, and that I have the primary responsibility to ensure that these standards are met. I will adhere to and embrace its provisions. I understand that I may be sanctioned or removed as a member in good standing, if I violate one or more of these standards. As a committee member, it is my responsibility to report actions of individual members that appear to be in violation of the Code of Conduct.

10. Reporting Procedures.