

# CITY OF MINNEAPOLIS ETHICAL PRACTICES BOARD 2006 ANNUAL REPORT

## Introduction

The Ethical Practices Board ("EPB") was created in 2003 with the passage of the City's Ethics in Government Ordinance ("Ordinance"), codified at M.C.O. Ch. 15. Section 15.210 of the Ordinance establishes the EPB and outlines the powers and the duties of the EPB, which include issuing advisory opinions and investigating complaints from City employees and members of the public that the Ordinance has been violated. The Ordinance sets forth some specific standards below which no City official or employee should violate and, as importantly, sets forth aspirations for ethical conduct that go above and beyond the minimum requirements of the Ordinance.

M.C.O. §15.210(f) states:

The ethical practices board shall prepare and submit an annual report to the mayor and the city council detailing the ethics activities of the board and the city during the prior year. The format of the report must be designed to maximize public and private understanding of the board and city ethics activities. The report may recommend changes to the text or administration of this Code. The city clerk shall take reasonable steps to ensure wide dissemination and availability of the annual report of the ethical practices board and other ethics information reported by the board.

This annual report is respectfully submitted to the Mayor and to the City Council in response to the requirements of the Ordinance in that regard.

## Appointment and Membership.

The current chair of the EPB is William Dooley, Jr. Mr. Dooley was appointed to the Board in September 2005. He is a lobbyist in Minnesota, Oregon, North Dakota, and South Dakota on various issues, and was a liaison between American Family and National Black Caucus of State Legislators and the Congressional Black Caucus. Mr. Dooley is currently a Case Placement Coordinator for Volunteer Lawyers Network. Mr. Dooley's current term expires on January 2, 2008.

Mr. Schumacher is an original member of the EPB and was appointed in May of 2004. Mr. Schumacher is the Director of Institutional Compliance at the University of Minnesota. Mr. Schumacher's current term expires on January 2, 2009.

Patricia Kovel-Jarboe was first appointed to the Board in appointed to the Board in September 2005 and has been reappointed to a term ending January 2, 2009. Ms. Kovel-Jarboe is a former professor at the University of Minnesota and was also an administrator. Ms. Kovel-Jarboe is currently a self-employed consultant on organizational effectiveness.

## Mission

The Mission of the Ethical Practices Board is to provide interpretations of the ethics code, to respond to allegations of Ethics Code violations, and to provide policy advice to the Ethics Officer.

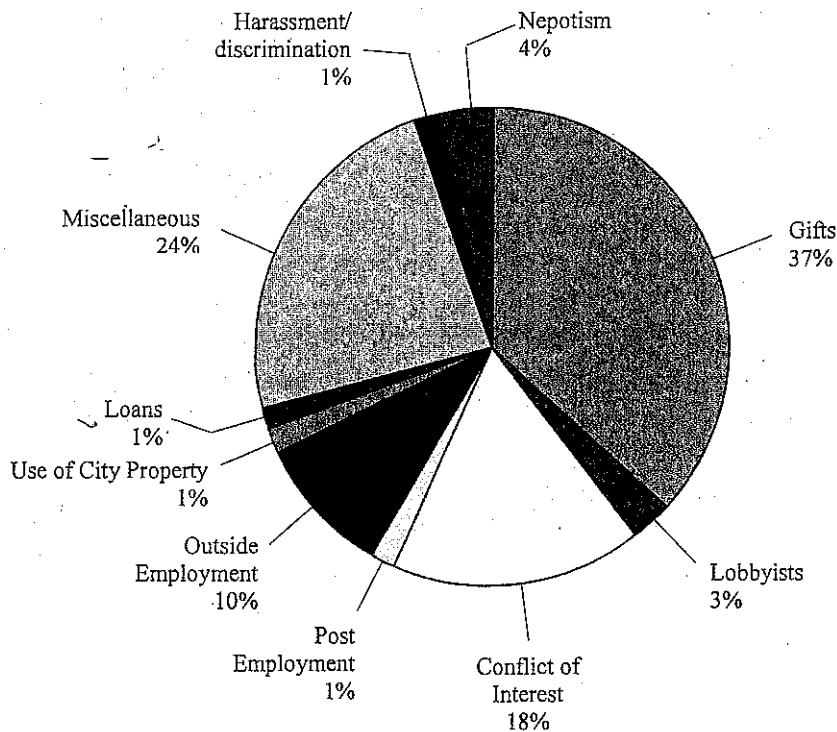
## 2006 Accomplishments

The primary activities and accomplishments achieved by the Ethical Practices Board and assigned staff in 2006 included:

- *Ethics Education to City employees.* Section 15.260 of the Ethics Code requires local officials and employees to attend an ethics education seminar within six months of becoming a local official or an employee and once every four years thereafter. All employees and local officials were to attend an ethics education seminar within twelve months of the effective date of the Ethics Code. In the early months of 2006, the Ethical Practices Board learned that nearly half of the City's employees had yet to complete the initial Ethics Education training. The Ethics Officer then collaborated with the Human Resources Department to ensure that all Departments arranged for the requisite training. The Board is pleased to report that all Departments arranged for their full-time permanent employees to obtain the required training.

In February 2006, the Ethics Officer provided training to the City council members and some of their staff. This training was particularly timely for the newly elected council members. The Ethics Officer provided five Ethics Education seminars to the Minneapolis City Attorney's Office in October 2006. The seminars were attended by 105 employees.

- *Ethics Inquiries.* From February 14, 2006 through December 31, 2006, the Ethics Officer answered 169 inquiries. The topics of inquiries were as follows:



The miscellaneous category includes inquiries ranging from requests for a copy of the Ethics Code or a complaint form to statement of economic interest and public purpose doctrine questions. Throughout 2006 the Ethical Practices Board and the Ethics Officer worked towards an ethics inquiry reporting system that would adequately track inquiries without consuming substantial staff time. With the implementation of the reporting system, the Board anticipates that the percentage of "miscellaneous" inquiries will substantially decrease next year.

- *Ethics Complaints.* The Board received four formal complaints on city officials and five complaints regarding employees. As of the end of 2006, three of the city official complaints had been investigated and no probable cause findings issued and the fourth city official complaint was on hold pending action by the appointing authority.

The five complaints regarding employees were referred to either the Departments or other appropriate city officials for investigation pursuant to Code section 15.230(a)(1). Two of the five employee related complaints are still being investigated. Of the resolved employee related complaints, one complaint was dismissed, one was resolved with coaching and another resolved with a change in departmental policy.

- *Ethics Survey.* In collaboration with the City Coordinator and the Human Resources Department, the Ethical Practices Board sought to evaluate current workforce culture regarding ethics and workforce knowledge of Ethics Ordinance through an employee survey. Responses to four statements were sought in the 2006 Employee Survey:

<i>Statement</i>	<i>Overall City Favorable Response</i>
○ I would report suspected violations of the City's Ethics Code	67%
○ The People I work with practice high standard of ethical conduct	65%
○ Where I work, ethical issues can be discussed without negative consequences	48%
○ City Leadership practices high standards of ethical conduct <sup>1</sup>	39%

The Board has reviewed all departmental results and is working through the Ethics Officer to address concerns raised by the survey responses through departmental trainings.

- *Confidential Reporting Line.* At the direction of the Ethical Practices Board, the Ethics Officer pursued the creation of a committee to research the best mechanism for confidential employee reporting of ethics and fraud issues. The committee reported back to the Board that the City implement a confidential reporting line. The Board evaluated the findings of the committee and adopted the committee's recommendations. The board, on September 21, 2006, recommended to the City Council the establishment and implementation of a confidential reporting line. On January 12, 2007, the City Council adopted the recommendation for implementation of the confidential reporting line and directed the City Coordinator's Office to select a vendor for the confidential reporting line using a competitive procurement process, to make a recommendation about funding the confidential reporting line and to implement the confidential reporting line enterprise wide. The Ethics Officer will provide semi-annual reports on the utilization of the confidential reporting line once implemented.
- *Ethics Ordinance review.* The Ethical Practices Board reviewed both the Ethics Code and the Ethical Practices Board Bylaws and Rules of Procedure. Attached to this Annual Report are the proposed Ethics Code Amendments.

### 2006 Expenses

Parking	\$122.75
COGEL membership	\$445.00
Attorney II at 25% time (\$123,931.00 FTE per year)	\$30,982.75
Law Clerk	\$6,178.35

<sup>1</sup> The 2006 Survey defined City Leadership: "City Leadership refers to Department Heads, Division Directors, or Senior Public Safety Commanders."

## **2006 Revenue**

During 2006 the Ethical Practices Board did not receive any income from grants, awards or donations.

## **2006 Volunteer Hours**

The members of the Ethical Practices Board estimate that collectively they spent approximately 210 hours on work related to the Board during the 2006 calendar year.

## **2007 Ethical Practices Board Work Plan**

The 2007 work plan is predicated on the availability of city staff to complete the tasks requiring staff involvement.

- Conduct ethics education seminars for all MPD sworn officers.
- Prepare a ethics education seminar for Minneapolis supervisors.
- Conduct ethics education seminars for other departments based upon the results of the 2006 Employee survey.
- Develop a City-wide solicitation policy for City Council consideration.
- In collaboration with the City's Communication and City Coordinator's Departments, educate city employees of the confidential reporting line.
- Collaborate with the City's Communication Department to create a question and answer brochure for commonly asked questions
- Collaborate with the City's Human Resources Department to establish ethics as a topic of annual performance reviews.
- Collaborate with the City's Human Resources Department to establish protocol to include ethics questions in all employee exit interviews.

## **2008 Budget Request**

The Ethical Practices Board will submit a budget request for 2008 during the City's budget process when the Office of the City Attorney submits its 2008 Budget request.