

**POLICY OF THE CITY OF ALEXANDRIA, MINNESOTA,  
ESTABLISHING A CODE OF ETHICS RELATED TO CONFLICTS OF  
INTEREST COVERING PUBLIC OFFICIALS, CITY EMPLOYEES,  
VOLUNTEERS, AND APPOINTED PROFESSIONAL ADVISORS  
RETAINED BY THE CITY OF ALEXANDRIA**

~~WHEREAS,~~ the City Council of the City of Alexandria determines that Alexandria City government exists to serve the people of Alexandria, and in order to do so effectively, the residents of the City of Alexandria must have confidence and trust in the integrity of their city government. The public evaluates its government by the way its elected public officials, appointed officials and employees conduct themselves in the posts of which they were elected or appointed. City officials and employees hold positions of public trust under the scrutiny of public opinion, and their actions must be above suspicion. The public deserves elected and appointed officials, appointed professional advisors, employees, and volunteers who maintain the highest ethical principles and avoid misconduct and conflicts of interest, apparent or real. The public has the right to expect that its officials, employees, appointed professional advisors, and volunteers will conduct themselves in a manner that will preserve public confidence in and respect for government. Effective democracy depends on a government that is fair, ethical and accountable to the people it serves.

**NOW THEREFORE,** the City Council of the City of Alexandria determines that it is in the best interests of the residents of the City of Alexandria to preserve the public confidence and the integrity of government officials and to promote trust of the people in the objectivity of their public servants; this Code of Ethics for public officials, employees, appointed professional advisors, and volunteers of the City of Alexandria is adopted.

- This Code of Ethics provides an ethical guide and specific principles which reflect the ethical values of the City of Alexandria.
- This Code of Ethics defines levels of conduct below which no local official, employee, or volunteer can fall without being subject to disciplinary action.

- This Code of Ethics is designed to promote high ethical standards and conduct, and to foster a healthy culture throughout City government. It is the touchstone for all who work with and for the City to assist them in fulfilling their responsibilities to the people of Alexandria.

1. *Expected Conduct.*

Public officials, appointed officials, employees, and volunteers must put the public interest ahead of their own personal advancement and financial interests, disclose conflicts of interest, and refrain from participating in decisions where a financial interest exists. Public officials must avoid actions that might impair independence of judgment or give the appearance of impropriety or a conflict of interest. Public officials must not use their position to gain privileges or special treatment and not use public property or personnel for private or personal purposes. A local official, employee, appointed professional advisor, or volunteer of the City, whether paid or unpaid, shall avoid any situation that might give rise to or even suggest the potential for a conflict of interest.

2. *Definition of Conflict of Interest.* A conflict of interest is present when, in the discharge of official duties, a local official, employee, appointed professional advisor, or volunteer participates in a governmental decision, action or transaction in which he or she has a financial interest, except for those interests when the financial interest is no greater than that of another member of his or her business classification, profession or occupation.

- a. *Financial Interest.* A financial interest is any interest, including loans, which shall yield, directly or indirectly, a monetary or other material benefit to the local official, employee, appointed professional advisor, or volunteer (other than monetary or material benefits authorized by the City). A financial interest of a local official's employer, employee's employer, appointed professional advisor's employer, or volunteer's employer (other than the City of Alexandria), his or her associated business, or his or her spouse, domestic partner, or dependent, and their employers or associated businesses shall also considered

a financial interest of the local official, employee, appointed professional advisor, or volunteer.

- b. *Exception.* The following assets shall not be considered a financial interest for purposes of this policy: (1) ownership of shares in a diversified mutual fund or annuities; (2) membership in a pension plan or employee benefit plan; (3) de minimus ownership of bonds or publicly traded securities; (4) ownership of a whole life insurance policy.

3. *Addressing Conflicts of Interest.* To address conflicts of interest:

- a. A local official, employee, appointed professional advisor, or volunteer shall not participate in making or attempt to use his or her position to influence any City government decision, action, or transaction in which the local official, employee, appointed professional advisor, or volunteer knows or has reason to know that he or she has a conflict of interest. To participate means making a decision, taking action, entering to a transaction, providing advice supporting a recommendation, introducing, sponsoring, debating, voting on, approving, and investigating the decision, action, or transaction. Participation includes the direct and active supervision of the participation of a subordinate in the matter. Participation is more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral basis.
- b. A local official, employee, appointed professional advisor, or volunteer may participate in a City government decision, action, or transaction involving an organization or entity if the local official, employee, appointed professional advisor, or volunteer, or his or her spouse, domestic partner, or dependent is an officer, director, board member, or trustee does not have a financial interest in the governmental decision, action, or transaction. However, the local official, employee, appointed professional advisor, or volunteer must disclose her or her affiliation with the organization or entity as though it was a conflict of interest.

- c. A local official, employee, appointed professional advisor, or volunteer may participate in a City governmental decision involving a related person, other than his or her spouse, domestic partner or dependent, if the local official, employee, appointed professional advisor, or volunteer does not have a financial interest in the governmental decision, action, or transaction. However, the local official, employee, appointed professional advisor, or volunteer must disclose his or her relationship with the related person as though it were a conflict of interest.

4 *Disclosure of Conflicts of Interest.* If a local official, employee, appointed professional advisor, or volunteer, in the discharge of his or her official duties, recognizes that his or her participation would create a conflict of interest, the local official or employee shall disclose the conflict of interest as follows:

- a. The Mayor and members of the City Council shall disclose the conflict of interest to each other as soon as they become aware of the conflict. If such official becomes aware of a conflict during a meeting of the City council, or one of its committees, the official shall immediately disclose the conflict of interest orally. After the local official has orally disclosed a conflict of interest, the elected official may prepare, in writing, the orally disclosed conflict. Because the Mayor or City Council members may not attend all City Council or committee meetings, oral disclosure may consist of a written statement being read into the record by the presiding officer at the next regular meeting of the City Council.
- b. A department head shall disclose a conflict of interest to the Mayor and the City Council orally or preparing a written statement describing the matter requiring action or decision and the nature of his or her conflict of interest. The written statement shall be distributed by the Mayor and the members of the City Council.

- c. A local official, employee, or appointed professional advisor who is not covered by paragraphs (a) and (b) above shall disclose a conflict of interest orally to his or her supervisor or the appointing body.
- d. All oral disclosures of conflicts of interest shall be documented in the Minutes of the respective Committee or City Council meetings.
- e. If the local official, employee or appointed professional advisor has a supervisor, the supervisor shall assign the matter, if possible, to another person who does not have a conflict of interest. If they have no immediate supervisor, the local official, employee, or appointed professional advisor shall remove himself or herself from participating in the action or decision in question. If the local official is a member of the City Council or Mayor, the local official shall not participate in any discussion or vote on any matter involving the conflict of interest. Although the Mayor or City Council member must abstain from voting on the matter, he or she shall be counted present for purposes of a quorum.
- f. A volunteer shall disclose a conflict of interest orally to the Committee Chairperson if the volunteer is working on a Committee, and said conflict of interest shall also be disclosed orally to the City Administrator. The oral disclosure of a conflict of interest shall include describing the matter requiring action or decision and the nature of the volunteer's conflict of interest. In all situations a volunteer shall remove him or herself from participating in any action or decision in question in which he or she has a conflict of interest.