Employee name : _____

DRAPER CITY

CONFLICT OF INTEREST DISCLOSURE STATEMENT

All City employees and appointed or elected officers shall adhere to the provisions and disclosure requirements of the Utah Municipal Officers' and Employees' Ethics Act as set forth in Utah Code Ann. §§ 10-3-1301, et. seq., as adopted by reference by the City, including the signing of this Disclosure Statement.

Definitions

Employee: Includes full and part-time staff, appointed and elected officials and members of Draper City boards or commissions.

Family Member: Includes employee's father, mother, spouse/domestic partner, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandfather, grandmother, or step-children.

Business Relationship: Includes outside employment, provision of services, services in competition with Draper City, and/or interest in businesses from which Draper City may secure or will secure goods or services, but excludes attorney/client, doctor/patient, priest/clergy and penitent/communicant relationships.

Conflict of Interest: Arises when an employee as defined above may benefit financially from a decision s/he could make in such capacity, including receiving special benefits for the employee, the employee' family members or for others. A conflict may also arise when an employee as defined above uses information not available to the public that was obtained as a result of service to Draper City (e.g., selling or divulging Draper City phone records, etc. to outside parties) to secure financial or special benefits for the employee, the employee's family or others . Additionally, a conflict of interest may arise when an employee's affiliation with another organization may detrimentally affect that employee's availability or ability to do his/her job.

Please complete the following questions.

1. **Outside Employment**: Identify any outside employment, including the position held.

None _____ or please explain:

2. **Outside Interests, Financial and Other:**

Do you or any family member have an interest in a business that is regulated by Draper City (e.g. business license or alcohol license)?

None _____ or please explain:

Do you or any family member have an interest in an entity that does business with Draper City (e.g. contract work)?

None _____ or please explain:

Do you or any family member have a substantial investment in a Draper business or publicly traded company doing business in Draper (e.g. financial gain)? "Substantial investment" means at least a 10% ownership or equity interest in the business.

None _____ or please explain:

3. **Gifts, Gratuities, Services and Entertainment**: Have you or a family member accepted gifts, gratuities, lodging, dining, or entertainment that might reasonably appear to influence your judgement or actions concerning the business of the City.

None _____ or please explain:

4. **Family or Business Relationship Conflicts**: Identify any family or business relationships you may have with appointed or elected Draper City officials, Draper City board or commission members and/or any other employee of Draper City.

None _____ or please explain:

5. **Other**: Identify any other activities in which you or a family member are engaged in that might be regarded as constituting a conflict of interest.

None _____ or please explain:

I, _____, have read and understand the attached Draper City Conflict of Interest / Code of Ethics Policy (Section 6050), and I will conduct myself to avoid any conflicts or potential conflicts of interest relating to my position as an employee, appointed or elected official or board member of Draper City.

To the best of my knowledge, I certify that the above information is true. I further agree to promptly file another Disclosure Statement regarding any situation that may develop. I understand that failure to provide accurate information or to update the Disclosure Statement should changes occur may result in disciplinary action, up to and including termination of employment.

_____	_____	_____
PRINT NAME	SIGNATURE	DATE
_____	_____	_____
PRINT NAME OF DEPARTMENT DIRECTOR	SIGNATURE OF DEPARTMENT DIRECTOR	DATE

This signed disclosure should be reviewed and signed by the employee's department director and submitted to Human Resources. The department director, in consultation with the City Manager and the City Attorney if necessary, is charged with determining if an actual conflict exists and making a determination as to any restriction that may be required, such as a prohibition from participating in deliberations and decisions related to the conflict of interest. If the employee is a director or equivalent, the determination will be made by the City Manager.

Section 6050 - CONFLICTS OF INTEREST/CODE OF ETHICS

General Policy Statement:

The City recognizes the right of employees to participate in private activities outside their employment, which are unrelated to City business. However, employees are hired and continue their employment with the understanding that the City is their primary employer and that other employment or business involvement which conflicts with City business interests may subject an employee to corrective action. Any outside employment activities shall comply with Section 5070. If an activity is contemplated which could result in a real or perceived conflict of interest, the employee must make full disclosure of the activity to their Department Head for prior review and approval.

All employees shall adhere to the provisions and disclosure requirements of the Utah Municipal Officers' and Employees' Ethics Act as set forth in Utah Code Ann. §§ 10-3-1301, et. seq., as adopted by reference by the City, including the signing of a Disclosure Statement.

Policy:

1. General Principles. The following Code of Ethics sets forth general principles, which guide and protect employees and the City. Since it is impractical to address all possible ethical issues, specific questions about the propriety of employee conduct and/or business relationships should be brought to the Department Head's and if concerns arise after a review by the employee's Department Head the City Attorney and City Manager shall also review.

2. Employee Integrity. Employees of Draper City have, as their first duty, to conduct themselves in a manner deserving of public trust and confidence, both on and off the job. The City's reputation for excellence and fairness in business activities is built upon each individual's ethical conduct. We expect all employees to conduct themselves with utmost integrity and at the highest of ethical standards at all times.

3. Employee Conflicts of Interest. To maintain independence of judgment, employees must avoid potential conflicts or appearance of compromise that might arise because of economic or personal self-interest.

4. Participation in Community Activities. Employees are encouraged to participate in charitable, religious, educational, and community nonprofit activities. The City supports participation in such activities so long as employee job performance is not affected. However, unless approved by the employee's Department Head and the City Manager, City supplies and equipment shall not be used to solicit financial support or provide other assistance to community organizations.

5. Non-Business Relationships. Personal relationships are improper if others can reasonably construe them as influencing or obligating the employee in current or future business dealings or as attempts to improperly influence others.

6. Reporting Violations. Employees are required to report to their Department Head, the City Attorney, the Human Resources Director or the City Manager all violations or suspected violations of this Code of Ethics. All reports will be handled professionally and as confidentially as possible.

7. Disciplinary Action. Employees who breach or disregard the Conflict of Interest / Code of Ethics policy will be subject to corrective action, up to and including termination.

ADOPTION – AMENDMENTS – REVISIONS
Amended 10/02/2012 Resolution No. 12-42

DRAPER CITY COUNCIL POLICY

1. **Overview.** City Council policy is implemented through the City's professional staff. It is critical that the relationship between the City Council and City staff be well understood by all parties in order that City policies and programs may be implemented successfully. To maintain these effective relationships, it is important that roles are clearly defined.

2. **Council-Manager Form of Government.** Draper City has created an office of the City Manager by ordinance. This structure of government reflects that it is the City Council's role to establish City policy and priorities. The City Council appoints a City Manager to implement City Council policies and undertake the administration of the organization.

3. **City Manager Duties.** The City Manager is appointed by the City Council to enforce its laws; to direct the daily operations of City government; to prepare and monitor the municipal budget; and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council, not to individual Council Members.

4. **Council/Manager Relationship.** The employment relationship between the City Council and City Manager reflects the fact that the City Manager provides executive functions and services for the City and is responsible for managing City staff. Regular communication between the City Council and the City Manager is important in maintaining open communications.

   It is important that the City Manager keep the City Council informed. The City Manager respects and is sensitive to the political responsibility of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is the City Council. The City Manager communicates with the City Council in various ways. All communication must be undertaken in such a way that all Council Members are treated similarly and kept equally informed.

5. **City Council/City Attorney Relationship.** The City Attorney is the legal advisor for the City as a corporate entity. The general legal responsibilities of the City Attorney are to: 1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; 2) represent the City's interest in litigation, administrative hearings, negotiations and similar proceedings; 3) prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and 4) to keep the City Council and City staff apprised of court rulings and legislation affecting the legal interest of the City. It is important to note that the City Attorney cannot legally represent individual Council

Members, but only the City Council as a whole. Also, the City Attorney cannot provide legal advice to members of the public.

6. **Roles and Information Flow.** It is the responsibility of the City Manager to provide Council Members free and reasonable access to information from the City and to ensure that such information is communicated clearly to those making the request. Individual Council Members may not intervene in administrative decision-making, the development of recommendations, scheduling of work, and executing department priorities, without the prior knowledge and approval of the full City Council. This limitation is necessary to protect City staff from undue influence and pressure from individual Council Members and to allow City staff to execute priorities given by management and the full City Council without fear of reprisal.

7. **City Council Roles.** Individual members of the City Council shall not attempt to pressure or influence City staff decisions, recommendations, workloads, schedules, or department priorities, without the prior knowledge and formal approval of the full City Council. If a Council Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, and priorities of City staff, that Council Member must prevail upon the full City Council and to do so as a matter of City Council policy. It is the City Council's responsibility to set clear goals and policies.

8. **City Council Member Initiatives.** To avoid confusion and conflicting priorities, certain guidelines for City Council/ City staff relationships must be followed. Council Member initiatives generally fall into one of four categories:

    1. Requests for information that is readily available.
    2. Discussion or follow-up regarding ideas about a municipal problem or question.
    3. Requests for information not readily available and requiring considerable staff time and research effort.
    4. Initiation of a new priority or program.

    Normally, Items 1 and 2 may be handled directly between a Council Member and the City staff. Items 3 and 4 shall be directed through the City Manager and require the support of two Council Members. The City Manager shall report items 3 and 4 to the full City Council. Neither the Mayor, nor any individual Council Member shall give orders or direction to any subordinate of the City Manager, either publicly or privately. Any violation by a Council Member shall be brought to the immediate attention of the full City Council through a written summary provided by the City Manager.