

MEMORANDUM

Town Clerk's Office

TO: Russell Muniz, Town Clerk

FROM: Barbara McDaniel, CMC, Assistant Town Clerk

DATE: October 24, 2002

SUBJECT: Town Council Information

Pursuant to your request, I have researched previous Council packets for information that was distributed to Council regarding a Code of Ethics. I have attached a document that was distributed to Council by Councilmember Truex on December 20, 2000 along with information from other municipalities that was provided to Council at its June 6, 1999 meeting.

DEC 05 2000

Tom Truex

Candidate for Town of Davie, Town Council, District 2

Voluntary Code of Ethics Davie, Florida, December 2000

The Davie Town Council has in the past discussed a Code of Ethics. But they have never approved an ethical standard for candidates or public officials. I believe ethical conduct is lacking in candidates and public officials, at all levels of government. Since the current politicians have not adopted a statement of ethical conduct, I have written a statement of ethical conduct by which I promise to abide. I strongly urge all other candidates for elected office in the Town of Davie to either agree to follow this ethical statement; or to write their own statement of high ethical conduct, by which they promise to abide.

As a Candidate, I will...

1. Publish a clear platform and list of specific ideas I have on issues of importance to the Town of Davie. I will encourage and participate in debates and forums which present the issues to residents.
2. Avoid untrue, misleading, or exaggerated claims about myself or opposing candidates.
3. Not resort to mud-slinging in my campaign. I will not use negative campaigning, except where necessary to make legitimate distinctions between myself and any other candidates.
4. Comply with the letter and the spirit of all campaign laws.

If I am elected, I will...

5. Avoid conflicts of interest. Disclose to the public when conflicts cannot be avoided.
6. Conduct my personal life, business affairs and official duties in a manner that reflect high honor and integrity, morality and ethical standards.
7. Obey the law. Follow the spirit of the law as well as the letter of the law. Encourage others to do so as well.
8. Put the well-being of the Town before my own personal goals. Avoid self promotion at Town expense. Avoid even the appearance of self dealing.

9. Be fair, honest and gracious. I will not engage in name-calling or other inflammatory language. I will emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

10. Be responsive to residents.

11. Encourage participation in the process of elections and government by all residents. Give special attention to segments of the community who have not traditionally participated in the process.

12. Be accessible. I will be open and honest with the responsible members of the press/media, within the bounds of common sense.

Code of Ethics Survey

Coconut Creek	no
Cooper City	no
Coral Springs	yes
Dania	no
Deerfield	no
Ft. Lauderdale	no
Hallandale	no
Hillsboro Beach	no
Hollywood	no
Lauderdale by the Sea	no
Lauderdale Lakes	no
Lauderhill	no
Lazy Lake Village	no
Lighthouse Point	no
Margate	no
Miramar	yes
North Lauderdale	yes
Oakland Park	no
Parkland	no
Pembroke Park	no
Pembroke Pines	yes
Plantation	no
Pompano Beach	no
Sea Ranch Lake	no
Sunrise	yes
Tamarac	no
Weston	yes
Wilton Manors	no

SUMMARY:

6 of 28 cities surveyed have a Code of Ethics

February 16, 1999

CITY OF CORAL SPRINGS, FLORIDA
CODE OF ETHICS FOR PUBLIC OFFICIALS

INTENT AND PURPOSE

The proper operation of democratic government requires that public officials be independent and impartial; that government policy and decisions be made through the established processes of government; that public officials not use public office to obtain private benefits; that public officials avoid action which creates the appearance of using public office to obtain a benefit; and that the public have confidence in the integrity of its government and public officials.

The purpose of the City of Coral Springs' Code of Conduct for Public Officials is to strengthen the quality of government through ethical principals which shall govern the conduct of the City's elected and appointed officials, who shall:

(1) Be dedicated to the concepts of effective and democratic local government.

Guidelines. Democratic Leadership. Officials shall honor and respect the principals and spirit of representative democracy and set a positive example of good citizenship by scrupulously observing the letter and spirit of laws, rules and regulations.

(2) Affirm the dignity and worth of the services rendered by government and maintain a deep sense of social responsibility as a trusted public servant.

(3) Be dedicated to the highest ideals of honor and integrity in all public and personal relationships.

Guidelines. Public Confidence. Officials shall conduct themselves so as to maintain public confidence in City government and in the performance of the public trust.

Impression of Influence. Officials shall conduct their official and personal affairs in such a manner as to clearly convey that they cannot be improperly influenced in the performance of their official duties.

(4) Recognize that the chief function of local government at all times is to serve the best interests of all the people.

Guidelines. Public Interest. Officials shall treat their office as a public trust, only using the power and resources of public office to advance public interests, and not to attain personal benefit or pursue any other private interest incompatible with the public good.

(5) Keep the community informed on municipal affairs; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Guidelines. Accountability. Officials shall assure that government is conducted openly, efficiently, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold City officials accountable.

Respectability. Officials shall safeguard public confidence in the integrity of City government by being honest, fair, caring and respectful and by avoiding conduct creating the appearance of

Miramar

ADMINISTRATION

§ 2-288.

obligation of the city to impose, collect and apply special assessments and money from other sources from which such bonds are to be paid, shall become incontestable, and no suit attacking or questioning the legality thereof may be instituted in this state, and no court shall have authority to inquire into such matters, except in validation proceedings under F.S. ch. 75.

(Laws of Fla., 1955, ch. 31007, § 5(59)(A)-(S); Laws of Fla., ch. 67-1722, §§ 1-4; Laws of Fla., ch. 69-1311, § 2; Ord. No. 72-22, § 1, 2-5-73; Ord. No. 78-33, §§ 8, 9, 7-10-78)

Sec. 2-286. Supplemental hearing.

If at any time after the holding of any hearing required to be held by this law, circumstances are such as to make it necessary or desirable to make any change in the determinations reached at such hearing, the city commission may call a supplemental hearing, of which notice shall be given in the manner required for the giving of notice of the original hearing, and the determinations and order made at the original hearing as modified or supplemented by the determinations and order made at the supplemental hearing shall have the same effect as though made in their entirety at the original hearing.

(Laws of Fla., 1955, ch. 31007, § 5(59)(A)-(S); Laws of Fla., ch. 67-1722, §§ 1-4; Laws of Fla., ch. 69-1311, § 2; Ord. No. 72-22, § 1, 2-5-73; Ord. No. 78-33, §§ 8, 9, 7-10-78)

ARTICLE III. CODE OF ETHICS FOR MUNICIPAL OFFICERS AND EMPLOYEES**Sec. 2-287. Adopted; incorporation of state code of ethics.**

(a) *Adopted.* The city hereby adopts this code of ethics for municipal officers and employees. This article and any section herein may be referred to as the "Miramar Code of Ethics" by way of abbreviation.

(b) *Incorporation of state code of ethics.* All public officers and employees of the city shall be subject to the standards of conduct for public officers and employees set forth by this article and by general law. The provisions of Florida Statutes, chapter 112, part III, as amended, entitled Code of Ethics for Public Officers and Employees, are hereby adopted by reference by the city as a local law. In the event of an express conflict be-

tween this article and the state code of ethics, the latter shall prevail. This section shall be deemed supplemental to the general laws of the state dealing with ethics and public officers or employees.

(Ord. No. 91-31, § 1, 5-15-91)

Sec. 2-288. Definitions.

(a) *Generally.* As used in this article, the following words shall be defined as follows unless the context otherwise indicates:

Appointed officers shall mean any non elective officer including heads of departments and divisions, members of boards, commissions and authorities, however selected or appointed, whether advisory or otherwise. Appointed officers shall specifically include all of the following positions: city manager, city attorney, community development director, finance/support services director, human resources officer, police chief, fire chief, city clerk, public works/utilities director, and anyone having the authority to make any purchase exceeding one thousand dollars (\$1,000.00) for the city.

Business entity shall mean any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual or trust, whether fictitiously named or not.

Conflict or conflict of interest shall mean a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

Corruptly shall mean done with a wrongful intent and for the purposes of obtaining, or compensating, or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his public duties.

Directly or indirectly shall mean the doing of an act or the owning of an interest, either in one's own name or capacity or by, through or in the name or capacity of another.

Elected officers shall mean any person elected by popular vote to hold any office within the city and every person appointed to fill a vacancy, including but not limited to members of the city commission and the mayor thereof.

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§ 2-35

Sec. 2-34. Attendance at meetings.

(a) In accordance with the provisions of section 3.6 and section 3.12 of the charter of the city, the standards of conduct and technical regulations as set out in this subsection are hereby adopted regarding attendance by members of the governing body at regular and special meetings. Members of the governing body shall be excused from physically attending regular or special meetings of the governing body based upon the following criteria:

- (1) Personal illness or illness of a family member requiring the assistance of the governing body member;
- (2) Vacation periods established by the governing body member's employer or taken in the normal course of business by a governing body member if self-employed;
- (3) Extraordinary business commitment requiring the presence of a governing body member and precluding that council member's physical presence at a regular or special meeting;
- (4) Extraordinary family circumstance or matter, not including personal and family illnesses, which require the assistance and presence of a governing body member; or
- (5) A required appearance at another function or meeting for and on behalf of the city which is held simultaneously with a regular or special meeting of the governing body.

(b) Except for sudden personal or family illness, a member of the governing body shall request that he be excused from a regular or special governing body meeting.

(c) Requests for excused absences shall be submitted in writing not less than 24 hours in advance of a prior, scheduled regular or special meeting of the governing body through the city clerk or, in his absence, the deputy city clerk, to be forwarded to the mayor of the city. In the absence of the mayor, the vice mayor shall receive requests for excused absences in accordance with this section.

(d) All absences permitted in accordance with this section shall be recorded amongst the permanent minutes of the city and whether or not such absences were excused or nonexcused absences.

(e) If a member's absence from a regular or special meeting of the governing body has not been excused by the mayor or the vice mayor of the city due to the absence falling outside of the criteria and standards set forth in this section, the governing body shall review the unexcused absence at the next available regular or special meeting and may, by motion, take action to reduce a proportionate amount of the member's regular monthly salary provided for by ordinance through the annual budget process. Upon a deduction, the governing body may move to deduct the sum of \$200.00 for a member's unexcused absence from a regular meeting and the sum of \$100.00 for a special meeting. The city clerk shall record the vote of the membership of the governing body and the city manager shall direct the action taken from the meeting for a proportionate deduction from the regular monthly salary of the member to the finance director for appropriate modification for that month's salary check for the unexcused member.

(Code 1976, § 2-14)

Sec. 2-35. Code of ethics.

(a) The governing body shall be dedicated to the concepts of effective and democratic local government through its elected officials.

(b) Each member of the governing body pledges himself to affirm the dignity and worth of the services rendered by local government and to maintain a constructive, creative, and practical attitude towards urban affairs incorporating a deep sense of social responsibility as public servants.

(c) Each member of the governing body dedicates himself to the highest ideals of honor and integrity in all personal and public relationships in order to merit the respect and confidence of fellow elected officials, of the city officials and employees, and of the public, whom he serves.

(d) The governing body recognizes that the chief function of local government, at all times, is to serve the best interests of all of the people.

Pembroke Pines - Administration

charge a fee of \$1 for each certification of the minutes, together with the cost of reproduction of the minutes, such fees to be deposited in the General Revenue Fund of the city.
(69 Code, § 2-54) (Ord. 76, passed 1-21-63)

§ 80.44 CONTENTS OF MINUTES.

The minutes of the City Commission meetings shall contain, but not be limited to the following information.

(A) Date, time, and place of holding of the meetings and time of adjournment.

(B) The attendance or absence of the members of the City Commission, City Clerk, City Manager, and City Attorney.

(C) The type of meeting held, whether regular or special, and if special by whom called. A copy of the agenda shall accompany the minutes of each meeting and be kept in the official journal of the minutes.

(D) A verbatim account of all motions made, by whom made and seconded, and a record of the vote or action taken in the meeting, together with a record of the ayes and nays.

(E) The City Treasurer's report.

(F) A brief summary of the reports of officers, officials, and committees and petitions, remonstrances, or grievances presented to the Commission, at its meeting.

(G) The introduction of ordinances and resolutions, the action taken thereon, including an account as to the number of readings, and whether read by title or in full.
(69 Code, § 2-55) (Ord. 76, passed 1-21-63)

§ 80.45 RECORDING REMARKS VERBATIM.

Each Commission member and the Mayor shall have the privilege, upon request, to have his remarks recorded verbatim in the minutes. Such a request shall be made during the course of the meeting.
(69 Code, § 2-56) (Ord. 76, passed 1-21-63)

§ 80.46 USE OF RECORDING DEVICES.

(A) Oral recording of City Commission meetings shall be made by use of a voice-recording device or machine. However, no Commission meeting shall be deemed invalid or illegal because of the failure to use such device or the taking of voice transcriptions.

(B) The records taken by a recording device shall be a public record and shall be kept in the possession of the City Clerk.
(69 Code, § 2-57) (Ord. 76, passed 1-21-63)

CODE OF ETHICS**§ 80.50 CODE OF ETHICS.**

(A) The City Commission shall be dedicated to the concepts of effective and democratic local government through its elected officials.

(B) Each Commission member pledges himself to affirm the dignity and worth of the services rendered by local government and to maintain a constructive, creative, and practical attitude towards urban affairs incorporating a deep sense of social responsibility as public servants.

(C) Each Commission member dedicates himself to the highest ideals of honor and integrity in all personal and public relationships in order to merit the respect and confidence of fellow elected officials, of the city officials and employees, and of the public, whom he serves.

(D) The Commission recognizes that the chief function of the local government, at all times, is to serve the best interests of all of the people.

(E) The Commission pledges itself to keep the community informed on municipal affairs; to encourage communication between the citizens and all municipal officials; to emphasize friendly and courteous service to the public; and to seek to improve the quality and image of public service.

(F) Each Commission member pledges that he will seek no favor or personal profit or misuse his public office.

(G) When appearing before any other

ARTICLE II. CODE OF ETHICS*

Sec. 10-16. Applicability.

This article shall be designated as the city code of ethics. The code of ethics shall apply to all city personnel as specified and as defined in this article and shall constitute a minimum standard of ethical conduct and behavior for all city officials, autonomous personnel, consultants, quasi-judicial personnel, advisory personnel, departmental personnel and employees of the city.
(Code 1972, § 2-90(a))

Sec. 10-17. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Advisory personnel* means the members of those city advisory boards, committees, commissions and agencies whose sole or primary responsibility is to recommend legislation or give advice to the city commission.

(2) *Autonomous personnel* means the members of semiautonomous authorities, boards, committees, commissions and agencies as are entrusted

*Charter reference—Standards of ethics, § 7.01.

Cross references—City commission, § 2-16 et seq.; officers and employees, § 2-251 et seq.

interest. A financial interest shall include, but not be limited to, a "financial interest" as defined in section 769 of the Second Restatement of the Law of Torts (published by the American Law Institute Publishers) as an investment. This section shall not prohibit any person from taking official action to:

- (1) Promote tourism, development or redevelopment within the city or any portion thereof; or
- (2) Authorize the expenditure of public funds for promoting tourism or development or redevelopment, so long as no such authorized public funds are to be paid to such person or a member of his immediate family or any business in which he or any member of his immediate family has a financial interest.

(Code 1972, § 2-90(m))

Sec. 10-28. Acquiring financial interest.

No person included in the terms defined in section 10-17(1) through (3), (5), (7), (8) or (10) shall acquire a financial interest in a project, business entity or property at a time when he believes or has reason to believe that the financial interest will be directly affected by his official actions or by official actions of the city or the city agency of which he is an officer, consultant or employee.

(Code 1972, § 2-90(n))

Sec. 10-29. Recommending professional services.

No person included in the terms defined in section 10-17(1) through (3), (5), (7), (8) or (10) may recommend the services of any lawyer or law firm, architect or architectural firm, public relations firm, or any other person or firm, professional or otherwise, to assist in any transaction involving the city or any of its agencies; however, such recommendation may properly be made when required to be made by the duties of office and in advance at a public meeting attended by other city officials, officers or employees.

(Code 1972, § 2-90(o))

Sec. 10-30. Continuing application for two years after city service.

No person included in the terms defined in section 10-17(3), (7) or (8) shall, for a period of two (2) years after his city service or employment has ceased, act as agent or attorney for anyone other than the city in connection with any judicial or other proceeding, application, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest or other particular matter in which the city or one of its agencies is a party or has a direct and substantial interest, and in which he participated personally and substantially through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed in city service.

(Code 1972, § 2-90(p))

Sec. 10-31. City attorney to render opinions on request.

Whenever any person included in the terms defined in section 10-17(1) through (3), (5), or (7) through (10) is in doubt as to the proper interpretation or application of the code of ethics as to himself, or whenever any person who renders services to the city is in doubt as to the applicability of such ordinances as to himself, he may submit to the city attorney a full written statement of the facts and questions he has. The city attorney shall then render an opinion to such person and shall publish these opinions without the use of the name of the person advised, unless such person requests the use of his name.

(Code 1972, § 2-90(q))

Sec. 10-32. Amendment.

Pursuant to the terms of Article VII of the Charter, which was approved by referendum, this code of ethics may be amended only by an extraordinary vote of the city commission.

(Code 1972, § 2-90(t))

Charter reference—Standard of ethics, § 7.01.

1 Initiating ordinance shall submit the proposed amendment to a
 2 vote of the electors at the next general election held within
 3 the City or at a special election called for such purpose.
 4 (2) By petition.--The electors of the City may propose
 5 amendments to this Charter by petition. Each petition
 6 proposing amendments to this Charter shall be commenced, in
 7 the form, filed, certified as to its sufficiency and/or
 8 withdrawn in the same manner as an ordinance proposed by
 9 initiative, except that signatures of only 7 percent of the
 10 total number of electors registered to vote at the last
 11 regular City election is required.
 12 (b) SUBMISSION TO ELECTORS.--Upon certification of the
 13 sufficiency of a petition, the Commission shall submit the
 14 proposed amendment to a vote of the electors at a general
 15 election of special election to be held not less than 60 days
 16 or more than 120 days from the date on which the petition was
 17 certified or at a special election called for such purpose.
 18 (c) RESULTS OF ELECTION.--If a majority of the
 19 qualified electors voting on a proposed amendment vote for its
 20 adoption, it shall be considered adopted upon certification of
 21 the election results. If conflicting amendments are adopted
 22 at the same election, the one receiving the greatest number of
 23 affirmative votes shall prevail to the extent of such
 24 conflict.
 25 ARTICLE VII. GENERAL PROVISIONS
 26 Section 7.01. Severability.--If any section or part of
 27 section of this Charter shall be held invalid by a court of
 28 competent jurisdiction, such holding shall not affect the
 29 remainder of this Charter or the context in which such section
 30 or part of section so held invalid may appear, except to the
 31 extent that an entire section or part of section may be

1 inseparably connected in meaning and effect with the section
 2 or part of section to which such holding shall directly apply.
 3 Section 7.02. Conflicts of interest; ethical
 4 standards.--All Commissioners, officials and employees of the
 5 City shall be subject to the standards of conduct for public
 6 officers and employees set by Federal, State, County or other
 7 applicable law.
 8 Section 7.03. City personnel system.--All new
 9 employments, appointments and promotions of City officers and
 10 employees shall be made pursuant to personnel procedures to be
 11 established by the Manager from time to time.
 12 Section 7.04. Charitable contributions.--The City
 13 shall not make any charitable contribution to any person or
 14 entity.
 15 Section 7.05. Charter revision.--
 16 (a) The Charter will be reviewed no later than 3 years
 17 after approval, then no later than 5 years after the initial
 18 Charter review and, thereafter at least every 10 years.
 19 (b) A five-member Charter Review Board shall be
 20 appointed and funded by the City Commission. Each City
 21 Commissioner, including the Mayor, shall submit the name of
 22 one individual for appointment to the Charter Review Board,
 23 if the Commissioner was elected from a Residential Area, that
 24 commissioner's appointee shall reside within the same
 25 Residential Area. All recommendations for appointment to the
 26 Charter Review Board shall be approved by a majority of the
 27 City Commission. The Charter Review Board shall be appointed
 28 at least 5 months before the next scheduled election and
 29 complete its work and present any recommendations for change
 30 no later than 60 days before the election.
 31

DAVIE - COOPER CITY CHAMBER OF COMMERCE

1998 BOARD OF DIRECTORS



Cara Pasquale
President of the Board
Pasquale & Associates



Chuck Bonfiglio
Past President
Century 21 AAA Realty



Dr. Patrick Helma
President-Elect
Cooper City
Chiropractic Clinic



Douglas Blecki
Secretary
Ruden, McClosky, Smith,
Schuster, & Russell, P.A.



Howard Carrol
Treasurer
Carroll & Cook,



Marie Ambrosino
B&P Screen Printing



Judy Childers
BellSouth



Martha Ignasiak
Century 21 AAA Realty



Danielle Kleinrichert
The Ark Restaurant



Valerie Lockwood-Moran
Memorial
Healthcare System



Kathleen Morris
Flamingo
Elementary School



Steve Most
Heavenly Ham



Cyril S. Spiro
Regent Bank



Aimee Sanchez-Zadak, M.S.
Zadak Research & Development, Inc.

CODE OF ETHIC

- To protect the public against fraud, misrepresentation and unethical practices.
- To provide equal services regardless of race, creed, sex, national origin or handicap.
- To present services and/or products to the public through an honest and truthful advertising manner.
- To provide complete customer information and avoid misleading the consumer through the omission of pertinent facts.
- To readily provide, upon request of Chamber of Commerce, documentation regarding advertising, discriminatory integrity and business conduct.
- To avoid open criticism of the business practices of a fellow Chamber of Commerce member, reporting all questionable actions to the Chamber of Commerce for investigation.
- To fully cooperate with the Chamber of Commerce to resolve any misunderstanding, grievance, or consumer complaint.
- To earn and maintain the public's confidence in the free enterprise system.

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- (g) Develop, maintain, improve and enforce a comprehensive plan for the control and regulation of traffic within the city.
 - (h) Establish and administer programs for flood control and drainage throughout the city to the extent provided for in the city budget.
 - (i) Establish and administer programs for the construction of all city-owned roads and bridges.
 - (j) Establish and maintain the engineering design standards manual and such other standards for work within the public rights-of-way.
 - (k) Perform such other powers, duties and responsibilities as assigned by the city manager or by ordinance.
- (Code 1966, § 2-97; Ord. No. 4122, § 6, 9-28-93; Ord. No. 4170, § 24, 9-27-94; Ord. No. 4369, § 2, 1-18-98)

Cross references—Animals, ch. 5; public places, ch. 13; solid waste, ch. 14; marine structures, ch. 22; streets and sidewalks, ch. 25.

Secs. 2-558—2-565. Reserved.

DIVISION 16. RESERVED*

Secs. 2-566—2-580. Reserved.

ARTICLE V. CODE OF ETHICS†

Sec. 2-581. Persons affected by article.

The following sections of this article set forth a code of ethics for municipal officials, employees and members of appointive boards of the city, whether salaried or not, as required by the Charter.

(Code 1966, § 2-341)

*Editor's note—Ord. No. 4209, § 2, adopted Feb. 13, 1995, repealed former Div. 16, §§ 2-566, 2-567, relative to the library services department, which derived from Ord. No. 3843, § 3, adopted April 10, 1990 and Ord. No. 4170, § 26, adopted Sept. 27, 1994. The functions of the library services department have been transferred to the recreation services department.

†Charter reference—Standards of ethics, § 7.03.

Cross references—City council, § 2-25 et seq.; civil service board, § 2-66 et seq.; code enforcement board, § 2-91 et seq.; community appearance board, § 2-126 et seq.; community relations board, § 2-151 et seq.; environmental advisory board, § 2-171 et seq.; financial advisory board, § 2-196 et seq.; library board, § 2-216 et seq.; parks and recreation advisory board, § 2-236 et seq.; planning and zoning board, § 2-256 et seq.; city clerk's department, § 2-306 et seq.; city manager's department, § 2-326 et seq.; development services department, § 2-386 et seq.; financial services department, § 2-401 et seq.; fire-rescue services department, § 2-421 et seq.; legal department, § 2-441 et seq.; recreation services department, § 2-486 et seq.; police services department, § 2-521 et seq.; utility services department, § 2-536 et seq.; municipal services department, § 2-556 et seq.; contractors' board, § 8-116 et seq.

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(3) Concerning municipal elections, no appointive official (such as city manager, city attorney or city judge) or employees of the city shall take an active part in political campaigns. The foregoing requirement in this subsection shall not apply to city council members nor to members of uncompensated boards (such as the civil service board, board of adjustment and planning and zoning board).
(Code 1966, § 2-347)

Sec. 2-588. Violations.

Violation of any provisions of this article should raise conscientious questions for the council member or other official or employee concerned as to whether voluntary resignation or other is indicated to promote the best interest of the city. Violation may constitute a cause for suspension, removal from office or employment or other disciplinary action.
(Code 1966, § 2-358)

[The next page is 263]

Proposed Code of Ethics¹ **Davie, Florida, 1999**

Most of these proposals apply to both candidates and elected officials. Some apply more directly to one or the other.

Candidates:

1. Publish a clear platform or list of specific ideas you have on issues of importance to the Town. Encourage and participate in debates and forums which present the issues to residents.
2. Place a reasonable limit on campaign contributions from any individual or group. Let people know what that limit is.²
3. Indicate whether there are any groups or people from whom you will not accept campaign donations or assistance; or whether you will accept legal donations and assistance from anyone.³
4. Avoid untrue, misleading, or exaggerated claims about oneself or the opposing candidate(s).
5. Avoid negative campaigning, except to the extent necessary to point out legitimate differences between the candidates.⁴
6. All campaign material and activities should be personally approved by the candidate. Do not condone or participate in "anonymous" campaign material.

Elected Officials:

7. Avoid conflicts of interest. Disclose to the public when conflicts cannot be avoided. Abstain from voting when required by law. Make an effort to disclose to the public when a person or group is seeking your vote if that person or group has had a personal, business or campaign relationship with you.
8. Conduct your personal life, business affairs and official duties in a manner that reflect high honor and integrity, morality and ethical standards.⁵
9. Obey the law. Follow the spirit of the law as well as the letter of the law. Encourage others to do so as well.⁶
10. Put the well-being of the Town before your own personal goals. Avoid self promotion at Town expense. Avoid even the appearance of self dealing.⁷
11. Be fair, honest and gracious. Do not engage in name-calling or other inflammatory

language. Emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.⁹

12. Be responsive to residents.

13. Encourage participation in the process of elections and government by all residents. Give special attention to segments of the community who have not traditionally participated in the process.

14. Be open and honest with the responsible members of the press/media, within the bounds of common sense. Be accessible.

Comments:

1. General Comments: Six of twenty-eight Broward County Municipalities surveyed by Town Staff have a Code of Ethics.

Coral Springs has a Short Code, consisting of eight paragraphs, with more detailed "guidelines" embellishing the statements contained in each paragraph of the Code.

Miramar has a section in its municipal code which adopts Florida Statutes, Chapter 112, Part III, as its Ethics Code. Some additional definitions are provided. **Florida Statutes, Chapter 112, Part III** is neither short nor easily understood.

North Lauderdale has a section in its municipal code which consists of ten paragraphs of general principle.

Pembroke Pines has a section in its municipal code which consists of eight paragraphs of general principle. An additional paragraph provides for censure of any City Commissioner violating the code by a five-seventh vote of the City Commission.

Sunrise has a section in its Municipal Code consisting of several pages of definitions and proscribed conduct. The Code places a heavy emphasis on avoiding financial and business advantages or entanglements. The Code applies "to all city personnel" as defined pretty broadly in the code.

Weston has one paragraph in its municipal code which states, "All Commissioners, officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by Federal, State, County or other applicable law."

The Davie-Cooper City Chamber of Commerce also has a Code of Ethics consisting of eight paragraphs, most of which are analogous to standards of conduct applicable to Town Officials.

2. Some candidates may feel the State limit on campaign contributions is "reasonable." Other candidates may wish to set a lower limit. In either event, the public should be told.

3. The source of campaign funds is fertile ground for public distrust of the elective process; as well as actual ethical lapses. Clear disclosure to the public would encourage candidates to set higher ethical standards than what the law requires.

4. Mudslinging drags down the entire process.

5. Similar to Coral Springs Code, Paragraph 3. Similar to North Lauderdale, Section 2-35(c). See Pembroke Pines Code, section 35.50(C).

6. North Lauderdale, Section 2-35(h) required its officials to uphold and not violate their City Charter.

7. Similar to Coral Springs Code, Paragraph 4 and 6. Similar to North Lauderdale, Section 2-35(d) and (f). See Pembroke Pines Code, section 30.50(B), (D) and (F).

8. Similar to Coral Springs Code, Paragraph 5.