

Memorandum



Date March 28, 2008
To Honorable Mayor and Members of the City Council
Subject Presentation provided by Former Santa Clara Mayor Judy Nadler

Former Santa Clara Mayor Judy Nadler is a Center senior fellow, with responsibility for programs in government ethics and ethical leadership. She has developed executive programs for mayors and other local government officials, including Ethics and Leadership Camp for Public Officials, and is an adjunct faculty member in Santa Clara University's Political Science department.

On April 2, 2008, Mrs. Nadler will present a briefing on "building public confidence" and "everyday ethics for public officials." In addition to this briefing, handout materials have been included in your packet.



Mary K. Suhm
City Manager

C: Deborah Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Judge Jay E. Robinson
Ryan S. Evans, First Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
David Brown, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Dave Cook, Chief Financial Officer
Jean Chipperfield, Office of Financial Services
Chandra Marshall-Henson, Assistant to the City Manager

The background of the slide is a detailed architectural floor plan. In the top left corner, a desk lamp with a perforated metal shade is positioned over the drawing. The drawing itself shows various rooms and dimensions: a 'TWO CAR GARAGE' (20' x 21'), a 'FOYER', 'COATS', 'BED RM 2' (10' x 12'), 'CLO', 'CLO', 'LIV', 'BALCON ABOVE', 'STONE WALL', and 'SLIP'. Dimensions like '56'-8"', '16'-0"', and '20'-0"' are also visible. In the bottom left, there is a yellow ruler, a silver compass, and a silver pen. In the bottom right, there are three white markers with green, blue, and red caps, and a red pen. The overall scene is set against a brick wall background.


Building Public Confidence

Everyday Ethics
for Public Officials



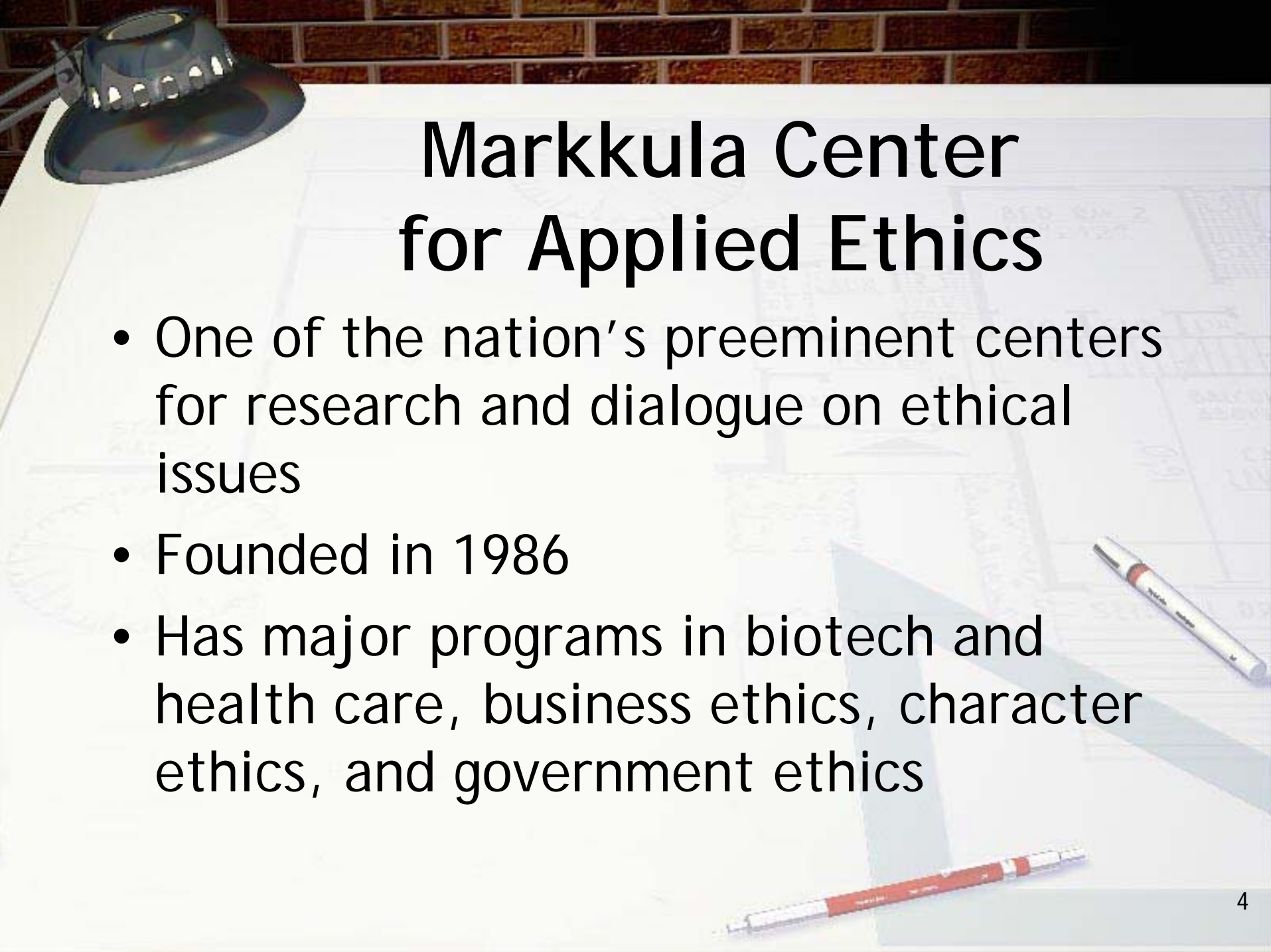
**A presentation to the
Dallas City Council**

**By Judy Nadler
Senior Fellow in Government Ethics
Markkula Center for Applied Ethics
Santa Clara University**

A desk setup featuring a silver desk lamp in the top left corner, a white ruler, and a red and white pen. The background is a light blue blueprint with faint architectural drawings and text. Overlaid on this scene is a large, bold, black text quote.

Always do right.
This will gratify some
and astonish the rest.

~Mark Twain



Markkula Center for Applied Ethics

- One of the nation's preeminent centers for research and dialogue on ethical issues
- Founded in 1986
- Has major programs in biotech and health care, business ethics, character ethics, and government ethics

A desk with a lamp, a ruler, and a pen. The background is a brick wall. The desk is white and has a blue lamp on the left, a blue ruler on the right, and a red pen on the right. The text is centered on the desk.

Ethical approaches to real -world problems

Whichever issues the Center takes on, we don't tell people what to do; rather we identify the ethical issues and help people to think them through



Applied Ethics Center

- Not 'what to think' but 'what to think about' and 'how to think it through.'
- Ethics is a process for making good decisions and becoming a role model.
- Ethics asks us to imaginatively perceive opportunities for action...and to act.
- Ethics asks us to see and remove obstacles to doing the right thing.

The background of the slide is a photograph of a desk. In the top left corner, there is a silver desk lamp with a glass shade. The desk surface is covered with a white sheet of paper that has some faint, illegible text and a grid pattern. A blue ruler is placed horizontally across the middle of the desk. A red and white pen lies diagonally in the bottom right corner. The background wall is made of red bricks.

Topics for today

- What is ethics?
- Why ethics matters
- Why ethics is hard
- National trends in local government ethics
- Strategies for supporting a culture of ethics
- Best practices



This much we know:

“Americans want better performance from their government and their leaders. They want leaders who are more ethical in their behavior, who care more about the public interest and less about their own careers...”

~Rebuilding Citizen-Government Relations for the 21st Century



What is ethics?

- Standards of behavior that tell us what human beings ought to do in their personal and professional lives
- Ethics and ethical standards apply to individuals, organizations, and society as a whole

A desk with a lamp, a ruler, and a pen. The background is a brick wall. The desk is white and has a blue lamp on the left, a blue ruler on the right, and a red pen on the right. The text "Ethics is about:" is written in large black letters in the center of the desk.

Ethics is about:

- The quality of decisions we make
- The types of questions we ask when making decisions
- The quality of relationships we maintain with others

A desk with a lamp, a ruler, and a pen on a brick wall background. The lamp is in the top left corner, and the ruler and pen are in the bottom right corner. The background is a brick wall.

Ethics is not:

- Not just feelings
- Not just religion
- Not simply following the law
- Not just following the crowd, socially accepted standards


A desk with a lamp, a ruler, and a pen. The background is a brick wall. The desk is white and has a blue lamp on the left, a blue ruler on the right, and a red pen on the right. The text is centered on the desk.


Why ethics is hard

- On what standards do we base our ethical standards?
- How do we apply those standards in difficult, real-world situations?
- How do we have the courage to act as we know we should?



A Framework for Ethical Decision Making

- Recognize the ethical issue
 - Get the facts
 - Evaluate alternative actions
 - Make a decision
 - Test your decision
 - Act, then reflect
- 



How do you make ethical decisions?

- Consider the facts
- Walk in the shoes of those affected
- Consider all options
- Evaluate your options
 - ✓ More harm than good?
 - ✓ Supports rights?
 - ✓ Treats everyone fairly?
 - ✓ Best for the community?
 - ✓ Can this decision be defended publicly?

A desk with a lamp, a ruler, and a pen. The background is a brick wall. The desk is white and has a lamp on the left, a ruler on the right, and a pen at the bottom. The title 'The decision process' is centered on the desk.

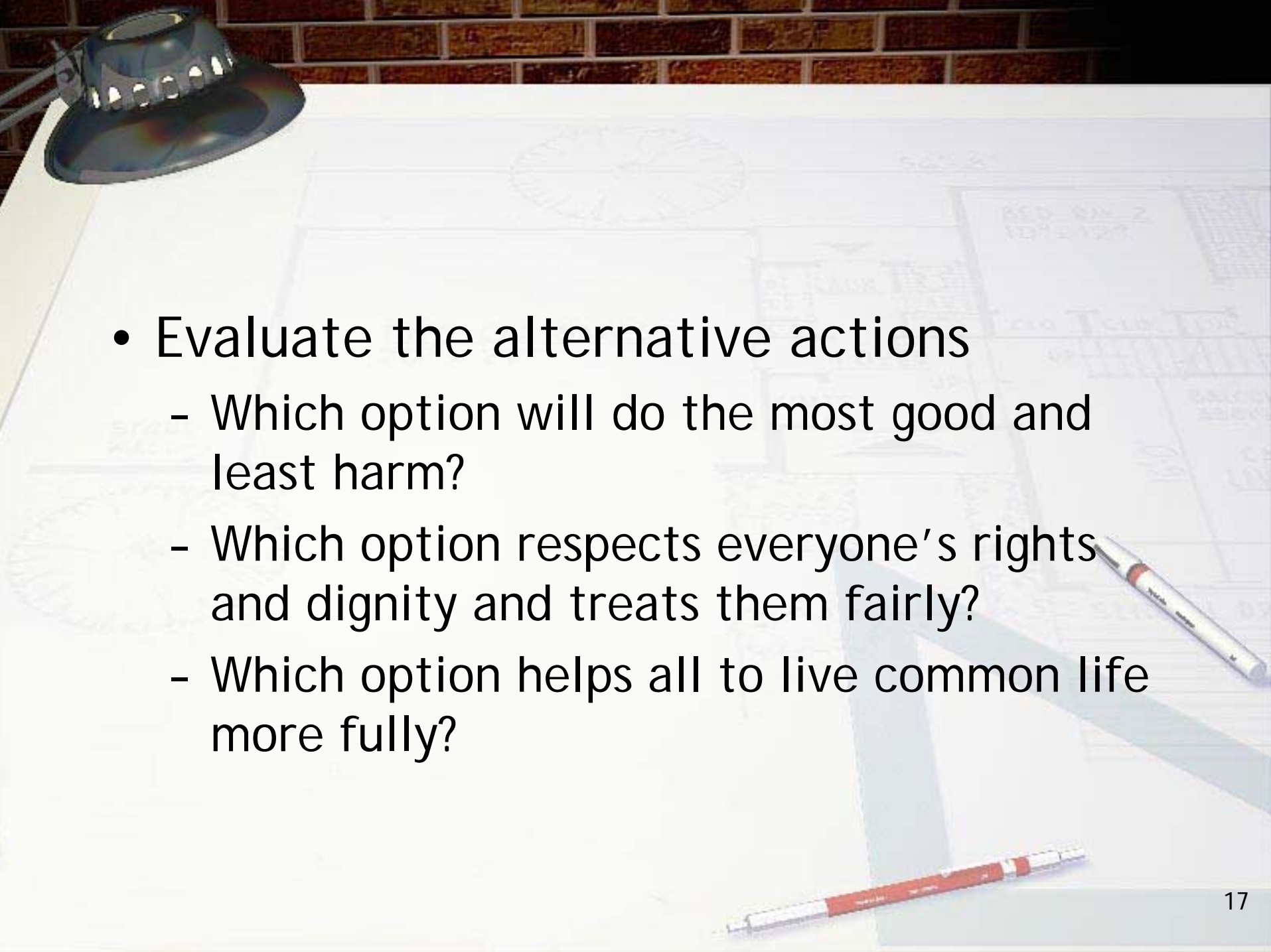
The decision process

- Recognize an ethical issue
 - Is there something wrong, personally, interpersonally, socially? Potentially damaging?
 - What does it do to people?

A desk with a lamp, a ruler, and a pen over a blueprint. The background is a brick wall. The desk is white. A blue lamp is in the top left. A blue ruler is in the bottom right. A red pen is in the bottom right. A blueprint is spread across the desk.

- Get the facts

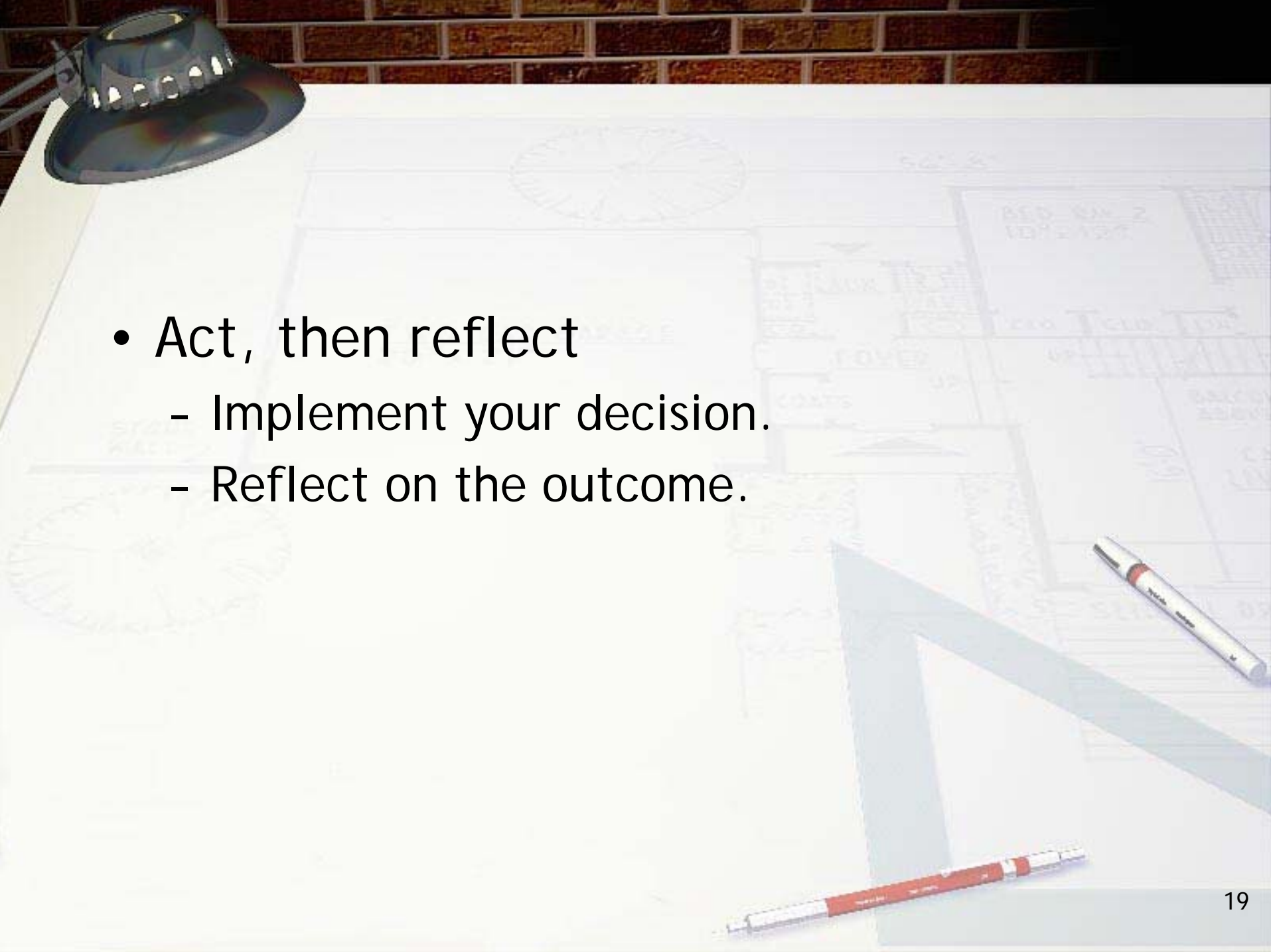
- What are the relevant facts of the case?
- What individuals or groups have a stake?
- What are the options? Have you consulted all who should be?

- 
- Evaluate the alternative actions
 - Which option will do the most good and least harm?
 - Which option respects everyone's rights and dignity and treats them fairly?
 - Which option helps all to live common life more fully?

A desk with a lamp, a ruler, and a pen over a blueprint. The lamp is in the top left corner. The ruler is in the bottom right corner. The pen is in the bottom right corner. The blueprint is in the background.

- Make a decision

- Considering all these perspectives, what is the right thing to do?
- If you told someone you respect why you chose this option, what would be their reaction?

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- A desk with a lamp, a blueprint, a ruler, and a pen. The background is a brick wall. The desk is covered with a large blueprint or architectural drawing. A desk lamp is in the top left corner. A ruler and a pen are in the bottom right corner. The text is overlaid on the blueprint.
- Act, then reflect
 - Implement your decision.
 - Reflect on the outcome.



Improving our decisions

- Anticipate difficult situations
- Preparing to handle these situations
- Reflecting on our own experiences
- Building our courage to act
- Building on our habit of acting ethically




Ethical standards

- Utility: What action produces the greatest good or does the least harm?
- Rights: What action best respects the rights of all who are affected?
- Justice: What action best treats people equally or fairly?
- Common good: What action most affects the whole community, not just the people most closely affected by the actions?
- Virtue: What action is most consistent with good character traits?
- Compassion: What action demonstrates compassion for all affected?




National trends in local government ethics

- Ethical failures getting more press and public attention
- Voters and residents care more about integrity
- Substantial focus on public spending and contracting
- Much more focus on conflicts of interest
- Adoption of codes of ethics more common
- Movement from compliance to ethics and values
- Mandatory ethics training more common
- National movement for model ethics code and program



Unavoidable ethical dilemmas occur around issues like these:

- Conflict of interest
- Gifts
- Whistleblowers
- Private lives of public officials
- Confidentiality
- Conflicts with personal beliefs
- Media relations
- Perceptions of fairness
- The “whole truth”



Values you associate with ethical behavior

Honesty

Respect

Trust

Integrity

Professionalism


Accountability

Competence


Responsibility

Fairness

Others?

A desk with a lamp, a ruler, and a pen, with architectural blueprints in the background. The lamp is a blue desk lamp with a white shade. The ruler is a blue L-shaped ruler. The pen is a red and white ballpoint pen. The blueprints are spread out on the desk, showing various architectural drawings and text.

**Cities are moving more
toward ethics and
values rather than
compliance**

A desk with a lamp, architectural blueprints, and markers. The background shows a brick wall. The text is centered on the page.

Creating a Culture of Ethics: Five keys

A desk with a lamp, a ruler, and pens. The background is a brick wall. The desk is covered with a white sheet of paper. A desk lamp is in the top left corner. A ruler is in the bottom right corner. Two pens are on the desk. The word 'Leadership' is written in large black letters in the center of the page.

Leadership

Leadership means

- Public policy makers and top administrators call for ethics as a priority and demonstrate that in word and deed.
- Elected leadership should state 'ethics' among top five best things about the city.



Commitment

Commitment means:

- All involved make the time, budget the money, and plan the program. This includes not only policy makers but community groups and city volunteers.



Collaboration

Collaboration means:

- All the stakeholders work to develop consensus and design the program.
- Encouraging public meetings across language and cultural boundaries.



Implementation

Implementation means


- The program includes a strategy for making ethics an integral part of the organization.
- An Ethics and Values Statement should be on: the city's home page, each piece of literature, job applications, RFPs, and all contracts.



Reflection and Renewal

Reflection and Renewal means

- Ongoing assessment includes an annual re-adoption of the code and an exploration of ways to communicate to new employees, vendors, residents, and members of the media.



Building an ethical organization

- Need to have commitment in word and deed
- Commitment to initial and on-going learning
- Working to be best in your field
- Depends on morally courageous leaders
- Interacts easily with internal and external stakeholders
- Views responsibility as individual rather than collective

~Ethics Honesty and Fairness in Public Service

A desk with a lamp, a ruler, and a pen. The background is a brick wall. The desk is white and has a lamp on the left, a ruler on the right, and a pen on the bottom right. The text is centered on the desk.


The challenge:

- Create a strong culture of ethics
- Communicate that to employees
- Reinforce through best practices
- Acknowledge and reward ethical behavior

A desk with a lamp, a ruler, and a pen. The background is a brick wall. The desk is white and has a blue lamp on the left, a blue ruler, and a red pen on the right. The text is centered on the desk.

Case studies

Learning through case studies allows candid discussions outside the personal, political, and emotional atmosphere.



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