



City of Santa Clara

Ethics & Values Program



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CANDIDATE GUIDE TO BUILDING PUBLIC TRUST

RESOURCES FOR HONEST, FAIR, AND RESPECTFUL CAMPAIGNS
IN THE CITY OF SANTA CLARA

MUNICIPAL ELECTION
NOVEMBER 2, 2010

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A. INTRODUCTION TO THE CANDIDATE GUIDE

Over the next few months, Santa Clara voters will choose a Mayor and two Members to join the City Council as it addresses complex projects, critical policy issues, and at least three significant challenges facing every municipal government today:

1. How can we meet the needs of our residents and businesses, but spend less money?
2. How do we serve the public's best interests when the public itself is unclear or divided about those interests?
3. With public trust in government at its lowest point in 50 years, how do we strengthen good government in this City and build public trust in its leaders?

Wise and sustainable solutions to these issues will require robust public discussion, constructive Council deliberations, and trustworthy leadership. For candidates, the challenge of Campaign 2010 is to give voters the information they need to elect a Council they trust. For voters, the challenge of Campaign 2010 is to elect leaders who will work every day *at their best* for all the people of Santa Clara.

Honorable campaigns are the best guarantee that Campaign 2010 will meet these challenges. Candidates and voters have told us repeatedly over the past ten years that honest, fair, and respectful campaigns are a prerequisite for good government in Santa Clara. Three City surveys show clearly that ethical campaigns are fundamental to building public trust in the candidate, the Council, and the City. Public trust grows as candidates demonstrate trustworthy *leadership from the top*, deep regard for what the public thinks, promise-keeping, and an active commitment to putting the people and the City first.

Like any political race, honorable campaigns can be hard-fought, passionately argued, and competitive. The fight, however, is about issues; the argument is over the best way to meet public needs; and the competition is between generous and talented neighbors in a race to provide public service.

This *Candidate Guide to Building Public Trust* is a set of important resources and short articles to help Santa Clara candidates conduct honorable campaigns in the best interests of the City. The *Guide* presents need-to-know information, important dates, useful tools and other material.

Whether this is your first campaign or your fifth, you will find this *Guide* worth reading, applying, guiding, and challenging you and your campaign to be *at your best every day* promoting good government and building public trust in Santa Clara.

Candidates will discuss the *Guide* on August 24th (see p. 3). For any other questions, contact the City's Ethics Consultant, Dr. Tom Shanks (see p. 19).

B. PROGRAM CALENDAR

Please plan now to attend these events of central importance to the City's Campaign Ethics and Vote Ethics Programs. All will be held in Council Chambers. Additional details and ground-rules will be sent prior to each event.

1. AUGUST 24, 2010 **7:00-9:30 P.M.**

CAMPAIGN LEADERSHIP FOR PUBLIC TRUST: STRATEGIES FOR CONDUCTING AN HONORABLE POLITICAL CAMPAIGN IN 2010

This is the core workshop for all candidates, consultants, and key volunteers, as well as members of the public and media. It is very important that all six candidates attend. Candidates are invited to bring key volunteers. Participants will discuss campaign behavior that strengthens or harms public trust, as well as practical strategies for running successful and honorable campaigns. Candidates will be asked to identify specific campaign behaviors to practice and to avoid, review the resident checklist for assessing campaigns, and will discuss effective repudiation of third party attacks. Candidates will be invited to sign the City's Code of Ethics & Values and the State's voluntary Code of Fair Campaign Practices.

2. SEPTEMBER 20, 2010 **7:00-9:00 P.M.**

CANDIDATES FORUM

By City of Santa Clara policy, a single televised Candidates Forum is allowed to be held in Council Chambers, to be broadcast live on Municipal Cable Channel 15 and re-broadcast four times. The League of Women Voters or another neutral outside organization organizes this Forum. The Forum will be for candidates for City of Santa Clara elected office only.

2. NOVEMBER 1, 2010 **7:00-9:00 P.M.**

FINAL WORD FORUM

This public, televised Forum focuses on how well candidates fulfilled the promises they made to conduct honest, fair, and respectful campaigns. Dr. Shanks will select topics for discussion with assistance from the League of Women Voters and other neutral third parties who neither support nor oppose candidates. Open for discussion are any mailers received in the final week before the election, as well as campaign materials or strategies that raise issues of honesty, fairness and respect from any time during the campaign. No questions are taken at the event, but candidates and citizens are invited to suggest issues and compliments ahead of time.

3. JANUARY 5, 2011 **7:00-9:00 P.M.**

POST-ELECTION DEBRIEF SESSION

All candidates, residents, Council members, media, and other interested parties are invited to attend this open public debriefing. Having had enough time to gain some perspective on the election, we will discuss behaviors that made us proud, built public trust, and advanced the City's values. We also begin to develop a vision for the next election and the practical strategies to accomplish it. It is important for all candidates to attend this session, regardless of the outcome of the election.

C. HOW DID I BUILD PUBLIC TRUST TODAY?

Santa Clara's Ethics & Values Program is a public trust program. Its purpose is to foster *the public's confident reliance that their government works at all times, in public and in private, only for the best interests of all the people of Santa Clara.* (The italics are the way we define *public trust* in Santa Clara.)

In Santa Clara, building public trust and fostering good government are part of everyone's job description.

WHY IS PUBLIC TRUST SO IMPORTANT?

Ours is a government of the people. The people select representatives to work together for the best interests of all. From a purely practical point of view, voters need to trust their representatives enough to let the elected official do his or her job without constant monitoring.

Public trust is much more than just a practical concern. It is an absolute necessity. No public official or government at any level can succeed or survive without public trust. The authority to govern, the *Declaration of Independence* says, comes from the "consent of the governed." Voters give that authority only to people they trust.

The *U.S. Constitution* is the document "We the People" wrote containing the detailed rules for how the authority to govern was to be administered. The people trust every government official to operate according to the people's rules. Article 2 of the *California Constitution* makes this point clearly and specifies what happens when people lose trust in their government:

All political power is inherent in the people. Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require.

Consequently, public trust, like good government and ethical leadership, is not an add-on, an optional extra, or an occasional concern. It must be a central concern for everyone who seeks or holds public office. To ignore public trust, take it for granted, or do anything less than actively build it creates unnecessary risk for the success of your campaign and the government you wish to join. To make public trust a part of every decision and decision-making process during and after the campaign, ask the right questions at the right time:

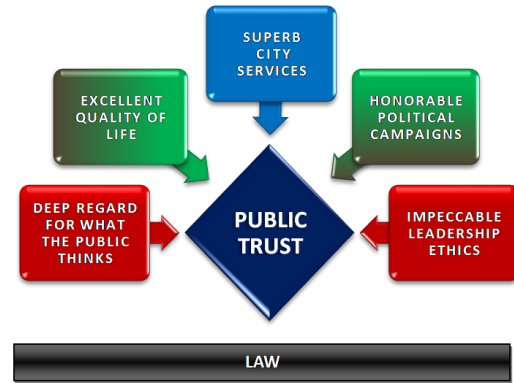
- **"How will this action build public trust? Why is it the right thing to do?"** Ask yourself (and have close associates ask you) these two questions before you comment about an opponent, publish a flier, finalize your campaign strategy, agree to a volunteer's suggestion, or decide to speak.
- **"How did I build public trust today?"** can spark a powerful daily reflection on the positive impact of your campaign and your public service. It can also lead to a candidate's own personal assessment of areas for improvement, skills to learn, and other ways to commit to the continuous improvement process the City adopted when it began to implement the *Code of Ethics & Values*.

D. BUILDING PUBLIC TRUST IN SANTA CLARA

The City of Santa Clara *Good Government Survey*, conducted over the last three election cycles, found that public trust in Santa Clara rests on six beliefs residents hold about the City, City officials, and candidates. Trust rises or falls to the extent that residents perceive that:

1. **City officials follow the law.** The law is the minimum expectation, the “floor,” not the “ceiling.” Breaking the law destroys public trust, but simply following the law does not actively promote it.

To earn public trust, City officials must be able to say more than, “We followed the law today.” Through actions first, and then words, City officials and candidates must be able to show that they:



2. **have deep regard and respect for the public, especially for what the public thinks and says**
3. **work tirelessly to create an excellent quality of life in the City**
4. **deliver consistently superb City services**
5. **conduct, support, and endorse honorable candidates and political campaigns**
6. **act with integrity, display impeccable ethics, and show respect to one another and City staff.**

If any one of these six fundamentals declines or disappears, public trust tumbles. Once weakened or destroyed, public trust takes a very long time to grow.

Public trust is the result of positive action, not empty words. It grows when the people have regular experiences of what they judge to be honorable campaigns, good government, and trustworthy leadership. Attempts to manipulate public trust and treat it like public relations “spin” will usually backfire and hurt public trust more. So, the first rule for Santa Clara candidates is “Actively build good government and public trust.”

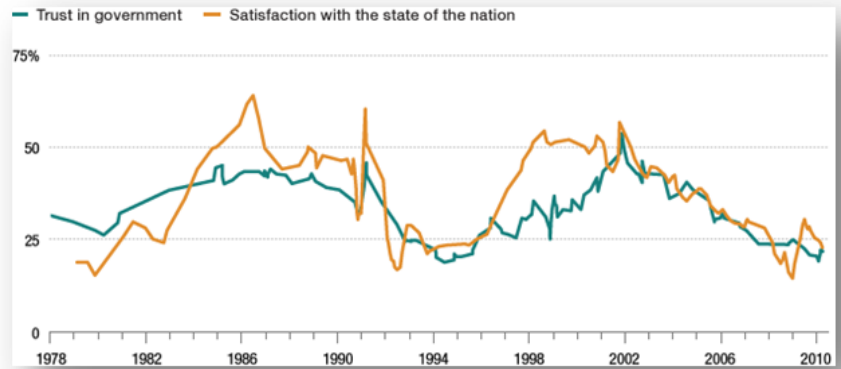
The second rule is, “Communicate your commitment to good government and public trust.” If government officials never talk about what they have done to foster public trust, most members of the public will never know. Give the public action-based reasons they should trust you, your Council, your City, and government at large.

One way to do this is to describe the question you asked yourself (“How will this action build public trust?”), why you asked it, how you arrived at the answer, the answer you reached, and the action you took. Another way is to publicly recognize someone in your campaign for the “Good Government” action of the week.

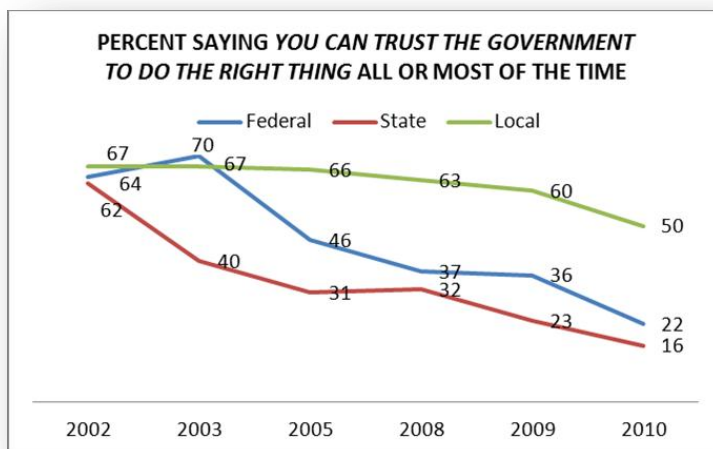
E. THE URGENT NEED TO FOSTER PUBLIC TRUST IN 2010

Public trust is most at risk during political campaigns. Residents believe campaign conduct has improved over the last three elections. Yet, the majority still believes candidates lie about themselves and about their opponents. Large numbers believe candidates would do anything to win and will take no action to prevent or stop supporters from unfairly attacking opponents.

Public trust is even more at risk in Campaign 2010 because, as the chart shows, public trust in government at all levels has now dropped to its lowest point in 50 years. In April, NPR reported that just 22% of American people said that the government can be trusted to do the right thing. By July, according to the Gallup Poll, the number had dropped to 11%.



Mirroring the seismic displeasure of Americans with their government, this past April the national Rasmussen Poll reported that *government ethics and corruption* had become the most important issue for Americans (84%), more important than the economy (81%) and healthcare (72%).



Most alarming for local government officials are recent Gallup poll and Public Policy Institute of California data showing that trust in local government is also dropping.

Local trust is traditionally very stable, with just under 70% having high trust. The chart shows a drop of 10% in the last year alone. The economic crisis is likely to add momentum to that slide.

The fragile nature of public trust makes it imperative that candidates do no further harm. A strong case can also be made that candidates must do more than the minimum. In addition to avoiding untrustworthy conduct, candidates might take concrete action to rebuild trust in local government. Candidates might consider asking volunteers or the public for suggestions the candidate could implement.

F. TRUSTWORTHY LEADERSHIP

What residents expect from the City is good government. What they look for in candidates is trustworthy leadership. The *Code of Ethics & Values* was designed as a practical guide to both.

To develop the Code, the City asked itself: **When we are *at our best* earning the public's trust as City officials, City staff, and candidates, what core values do we practice? How do we treat one another and City residents?**

Trustworthy Leaders

Residents said that public trust increases when City officials:

- Are honest and tell the truth to citizens, colleagues, and staff;
- Are dependable and do what they say they will do;
- Make prudent financial decisions, taking into account both short-term needs and long-term financial stability;
- Act with integrity, and seek to do the right thing for the City in public and in private;
- Take responsibility for their actions, even when it is uncomfortable or unpopular to do so;
- Make impartial decisions, free of any interests that might compromise or appear to compromise their independence of judgment;
- Are accountable, willing to explain actions and to accept fair consequences when they make mistakes.

After a lengthy public process, the City reached consensus on its core values: At our best, we are ethical, professional, service-oriented, fiscally responsible, organized, communicative, collaborative, and progressive.

The ethical core value provides the answer to how candidates and public officials treat one another and City residents. The behaviors which foster public trust are listed in order of importance in the *Trustworthy Leaders* chart.

For each City value, the *Code* lists the core character traits residents expect to see in a leader who practices that value.

Residents also expect the same values and behaviors from candidates. For example, first-time candidates may not

have had the opportunity to make Council-level financial decisions, but voters expect all candidates to follow the Campaign Finance Ordinance, file accurate financial reports, and make good decisions about money spent during and after the campaign.

The *Behavioral Standards for Council Members* (included in the *Additional Resources* section beginning on p. 26) is another important tool. For each of the *Code's* values and character traits, a representative list of specific Council behaviors that build public trust in that area are listed, along with specific behaviors to avoid. The lists are not exhaustive, but they give Council members and residents enough examples to judge areas of strength and areas for further development. Candidates should become familiar with these behavioral standards.

G. GOOD GOVERNMENT GUIDING PRINCIPLES

The *Code of Ethics & Values* takes a core values approach: it names the value, describes important character traits, and identifies representative behaviors.

The *Good Government Guiding Principles* take a different approach and are used for practical decision-making. These are norms or principles which prescribe a particular course of action and provide more specific guidance for behavior. The Golden Rule, "Treat others as you want to be treated," is another useful principle and is found in most cultures on the planet.

These principles build relationships, protect individuals and communities, and consider both the end result and the means we used to get there. They are built on law, have stood the test of time, and cut across cultures.

GOOD GOVERNMENT GUIDING PRINCIPLES

We foster public trust when we:

1. Honor the spirit and the letter of the law.
2. Treat everyone equitably and respectfully.
3. Do the greatest good and the least harm.
4. Impose the lightest burden possible.
5. Fulfill our duties and protect personal rights.
6. Act only in the community's best interests, guided by the City's Code of Ethics & Values.



City of Santa Clara

At Our Best Every Day For Public Trust

ETHICAL • PROFESSIONAL • SERVICE-ORIENTED • FISCALLY RESPONSIBLE • ORGANIZED • COMMUNICATIVE • COLLABORATIVE • PROGRESSIVE

Good Government Decision-Making Process

Trustworthy leaders follow the law and make decisions after:

- Carefully considering the facts and staff recommendations
- Listening carefully to the interests of all stakeholders
- Developing a number of good options for action
- Choosing the option which best meets these standards:
 - Positive consequences outweigh negative ones
 - An individual's rights are protected and advanced
 - Everyone is treated with dignity and respect
 - The action is fair, just, and equitable
 - The action is best for the community as a whole
 - The action best advances the City's Core Values
- **Test 1:** If I do this, who wins? Who loses? Why? Should we consider different options? What do others think of our reasoning? Why is this the right thing to do?
- **Test 2:** Explain your reasoning to someone harmed by it.

Trustworthy leaders take action and learn from each decision.

They can be particularly helpful when the decision is difficult, when someone will be hurt no matter what the decision-maker does, or when decision-makers need to choose between two good options.

In the chart to the left (taken from the City's Pocket Card on p. 18), good government principles are used as standards to assess how well the decision promotes good government.

After making sure the decision is legal, the decision-maker goes through the first three bullets in the process.

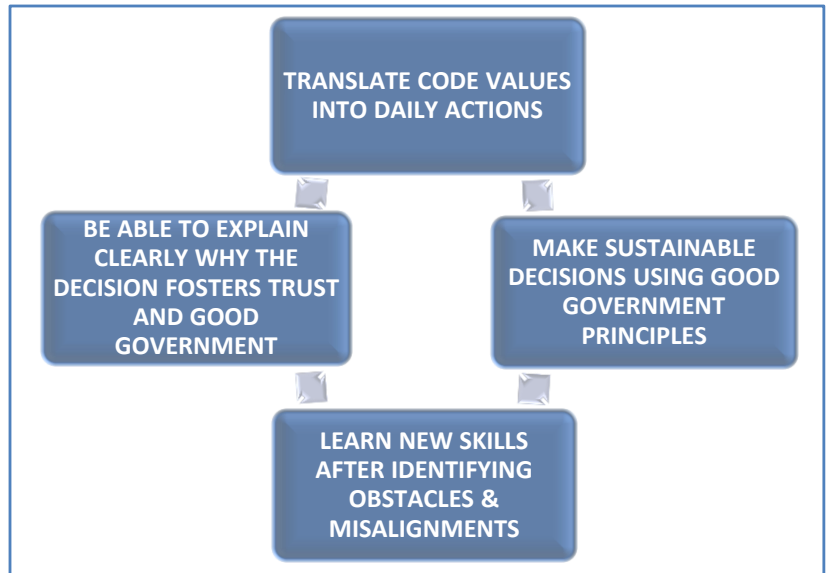
The decision-maker then identifies the two most likely courses of action and uses the good government principles to evaluate each one. The sustainable action or policy is the one that satisfies all of the principles: It does more good than harm, treats individuals with dignity and respect, is fair, treats everyone the same, is best for the community as a whole, and advances the City's Core Values.

When we meet all principles, everyone wins. If the decision must cause harm, we go out of our way to impose the lightest burden possible. Sustainable solutions require imagination, tenacity, and courage by candidates and elected officials.

H. BIG IDEA: THE HABITS OF TRUSTWORTHY LEADERSHIP

One of the big ideas behind the success of the City’s Ethics & Values Program is that trustworthy leadership is a continuous improvement process, involving four skills which, over time, can become habits for trustworthy leaders. Think of them as four questions to ask about any campaign or policy decision:

1. Is this consistent with the City’s core values and trustworthy leadership behaviors?
2. Is my decision consistent with good government principles? Why is it the right thing to do?
3. Have I communicated why this is a trustworthy decision?
4. If I dropped the ball or made a mistake, what skill do I need to learn and what have I done to learn it or to improve it in my campaign?



I. CAMPAIGN ETHICS PROMISES

With public trust, good government, and trustworthy leadership as the goals, candidates are invited to “voluntarily endorse, subscribe to, and solemnly pledge” that they will follow the specific practices described in the State’s *Code of Fair Campaign Practices* and the City’s *Code of Ethics & Values*. (These documents can be found on the following pages.)

At the August 24th workshop, candidates are invited to sign both documents. A candidate who signs these documents:

- Publicly commits to conducting a campaign that meets or exceeds the values and practices described in these Codes
- Invites the public to hold him or her accountable in the ballot box for building public trust by meeting or exceeding the principles and practices in the two Codes

Note that the State of California recently expanded Practice 3 of the *Code of Fair Campaign Practices*. Candidates and their supporters should take steps to prevent negative prejudice of any kind toward individuals or their associates.

OLD VERSION	NEW VERSION
I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.	I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.



City of Santa Clara, CA Code of Ethics & Values

City Council approval April 4, 2000; modified August 21, 2001



PREAMBLE

The proper operation of democratic government requires that decision-makers be independent, impartial, and accountable to the people they serve. The City of Santa Clara has adopted this Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the City's government. All elected and appointed officials, City employees, volunteers, and others who participate in the city's government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its eight core values in their work. Because we seek public confidence in the City's services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this code.

1. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *ETHICAL*.

In practice, this value looks like:

- a. I am trustworthy, acting with the utmost integrity and moral courage.
- b. I am truthful, do what I say I will do, and am dependable.
- c. I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
- d. I am fair, distributing benefits and burdens according to consistent and equitable criteria.
- e. I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions.
- f. I show respect for persons, confidences, and information designated as "confidential."
- g. I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.

2. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *PROFESSIONAL*.

In practice, this value looks like:

- a. I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.
- b. I approach my job and work-related relationships with a positive attitude.
- c. I keep my professional knowledge and skills current and growing.

3. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *SERVICE-ORIENTED*.

In practice, this value looks like:

- a. I provide friendly, receptive, courteous service to everyone.
- b. I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers.
- c. In my interactions with constituents, I am interested, engaged, and responsive.

4. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *FISCALLY RESPONSIBLE*.

In practice, this value looks like:

- a. I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
- b. I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.
- c. I make good financial decisions that seek to preserve programs and services for City residents.

5. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *ORGANIZED*.

In practice, this value looks like:

- a. I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals.
- b. I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
- c. I am respectful of established City processes and guidelines.

6. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *COMMUNICATIVE*.

In practice, this value looks like:

- a. I convey the City's care for and commitment to its citizens.
- b. I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.
- c. I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.

7. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *COLLABORATIVE*.

In practice, this value looks like:

- a. I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
- b. I work towards consensus building and gain value from diverse opinions.
- c. I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.
- d. I consider the broader regional and State-wide implications of the City's decisions and issues.

8. AS A REPRESENTATIVE OF THE CITY OF SANTA CLARA, I WILL BE *PROGRESSIVE*.

In practice, this value looks like:

- a. I exhibit a proactive, innovative approach to setting goals and conducting the City's business.
- b. I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.
- c. I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.

Signature _____

Printed Name _____

Date: _____ **Date of Election:** _____

California Code

Chapter 5: Fair Campaign Practices¹

ELECTIONS CODE 20400-20444

20400. The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

20420. As used in this chapter, "Code" means the Code of Fair Campaign Practices.

20440. At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure, as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the code shall read, as follows:

¹ Retrieved May 24, 2010 from <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=elec&codebody=&hits=20>

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties that merit this criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on a candidate's actual or perceived race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, age, sexual orientation, sex, including gender identity, or any other characteristic set forth in Section 12940 of the Government Code, or association with another person who has any of the actual or perceived characteristics set forth in Section 12940 of the Government Code.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice that tends to corrupt or undermine our American system of free elections, or that hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group that resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics that I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Date

Signature

20441. The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. In no event shall a candidate for public office be required to subscribe to or endorse the code.

ELECTIONS CODE 20500-20502

20500. The provisions of Part 2 (commencing with Section 43) of Division 1 of the Civil Code, relating to libel and slander, are fully applicable to any campaign advertising or communication.

20501. (a) A candidate or state measure proponent is liable for any slander or libel committed by a committee that is controlled by that candidate or state measure proponent as defined by Section 82016 of the Government Code if the candidate or state measure proponent willfully and knowingly directs or permits the libel or slander.

(b) A person who is a sponsor of a sponsored committee, as defined by Section 82048.7 of the Government Code, is liable for any slander or libel committed by the sponsored committee if the sponsor willfully and knowingly directs or permits the libel or slander.

20502. (a) In any action for libel or slander brought by a candidate, the willingness or unwillingness of the defendant to retract or correct a communication made in the course of a campaign, and his or her action in doing so, shall be admissible in evidence in the exemplary damages phase of a bifurcated trial.

(b) The remedy provided by this section is in addition to any other remedy provided by law.

J. LEADERSHIP FROM THE TOP: *THE COUNCIL OF TRUST*

Leadership from the top is the single most important element in building public trust. So, when the City Council decided ten years ago to focus on campaign ethics, it recognized the importance of the actions and words of sitting City Council members during an election. Every Council since then has promised to follow the guidelines in the document below, whether they were a candidate, supporter, or endorser. At the Council meeting on August 31, the current Council will discuss the document and adapt it, if necessary, for the issues facing the City this election.



A COUNCIL OF TRUST PRINCIPLES, NORMS, STANDARDS AND BEST PRACTICES

At a Special Meeting on "Managing Change" held on Monday, July 29, 2002, the Council discussed managing change brought about by the implementation of *The Code of Ethics and Values*. The Council's goal was to draft a set of norms to guide those running for elected office. By the end of the session, the Council had described "running for office and living our values" as looking like:

1. Following These Guiding Principles

- Look at the law and also at "the right thing to do."
- Hold yourself and each other to the higher standard.
- Honor the common good. Represent community.
- Separate role as Council Member from role as candidate. Honor your role as a Council Member. Act as a member of the Council Team.
- Assume all are here for service of city.
- Think strategically. Educate.
- Communicate consistently that ethics is upfront in this campaign.

2. Using These Specific Norms and Standards

- Don't jump to conclusions.
- Avoid finger-pointing.
- Stick to the issues.
- Tell the truth. Don't mislead.
- Rely on facts and interpret them as fairly as you can.
- Avoid impression of representing city, overstating our contributions.
- Don't assume you know someone else's motive. Attribute positive motive of service to community.
- Treat others with respect. Golden Rule ("Treat others as you would want to be treated." Alternately: "What you do not wish done to yourself, do not do to others.")
- Respect the process.
- Respect City resources.

3. Adopting These Best Practices:

- Wait. Get Facts.
- Talk to each other. Go directly to the other person. Discuss.
- Arrive at ground-rules with your opponents beforehand, if at all possible.
- Communicate your ethics clearly ahead of time to your staff and workers.
- Make clear to all your supporters how you are running your campaign and what you will do if anyone distorts that or attacks an opponent in an unethical manner.
- Appoint and empower a staff conscience to help when time is short and stressed.
- Ask the ethics questions by habit: Use the decision-making tool, and especially ask: How does this decision advance the City's values in best practice? What ethics reasons make this the right thing to do?
- Use ethics language to explain your decisions.
- Have something written stand "the test of time."
- Maintain a sense of humor. Take the responsibility of the office seriously – don't take yourself too seriously.
- Be able to look at yourself in the mirror at the end of the day...and set a high standard for what you want to see.

The Council agreed that these practices would create behavior that they and others would trust, thus the "Council of Trust".

K. VOTER CHECKLIST

Vote Ethics, the City's information outreach program to residents, summarizes these promises as a checklist, seen below in the 2008 flyer. This year's flyer may be different, but the checklist will be very close to the one below.

Make ethics part of your candidate selection criteria

City of Santa Clara Code of Ethics & Values

Ethical
Professional
Service-Oriented
Fiscally Responsible
Organized
Communicative
Collaborative
Progressive

Voter Checklist For Evaluating Candidates

As best as you can tell, have the candidates you are favoring ...

- Told the truth about themselves?
- Focused on issues relevant for Santa Clara?
- Told truths about opponents that were important for voters to know?
- Pointed out differences between themselves and opponents that are relevant to the political office?
- Treated opponents with dignity and respect?
- Fought fairly and avoided demeaning or irrelevant personal attacks?
- Never tried to confuse or mislead voters?
- Clearly identified who was behind any committee that is candidate-controlled?
- Took responsibility for any mistakes they made or mistakes made by volunteers or consultants?
- Criticized unfair, dishonest or disrespectful attacks by committees not controlled by the candidate?
- Kept their Vote Ethics promises?

Ethics in government begins at the ballot box



L. TEST YOURSELF: PRACTICAL ETHICS IN SANTA CLARA

The page below was used in an early campaign ethics workshop. Use it now to test your understanding. It takes an earlier version of the State's Code (in the left column), identifies core values behind the specific practice (middle column), and asks whether the campaign practice (right column) is consistent with the promise and the value. In other words, if I pledge X, because the City values Y, is campaign practice Z appropriate? Test your understanding.

PRACTICAL CAMPAIGN ETHICS IN SANTA CLARA

If I pledge that . . .	because our community values	then is this behavior appropriate?
1. I shall conduct my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing the record and policies of my opponent or political parties which merit such criticism.	<ul style="list-style-type: none"> • integrity • truth • moral courage • professionalism 	<ul style="list-style-type: none"> —avoiding tough issues and instead focusing on personalities and innuendo —sending out a “hit piece” that distorts my opponent’s record, educational background, and positions on issues —timing this “distortion piece” so it arrives when it’s too late for opponent’s response
2. I shall not use or permit the use of character defamation, whispering campaigns or scurrilous attacks on any candidate or his or her personal or family life.	<ul style="list-style-type: none"> • ethics • respect • fairness • compassion 	<ul style="list-style-type: none"> —reveal that my opponent is a recovering alcoholic —exploit the criminal record of my opponent’s child —instruct my aide to give the press the name and phone number of a person who claims to have had an affair with my opponent
3. I shall not use or permit any appeal to negative prejudice based upon race, sex, religion, national origin, physical health status, or age.	<ul style="list-style-type: none"> • tolerance • diversity • fairness • respect 	<ul style="list-style-type: none"> —portray my opponent as too old to be an effective leader —make the claim that because of my religious beliefs I am better able to respect certain community values —question the person’s patriotism simply because they were not born in this country
4. I shall not use or permit any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.	<ul style="list-style-type: none"> • fairness • integrity • participation • justice • honesty • service-orientation 	<ul style="list-style-type: none"> —use my current public position as an early campaign soapbox, altering my previous behavior, paying attention to current matters only if they advance my campaign. —encourage the misuse of the absentee ballot —publish erroneous poll data that skews the public’s perception —support third-party mailers which give the impression that you have been endorsed by parties, people, politicians when you haven’t been.
5. I shall not coerce election help or campaign contributions for myself or any other candidate from my employees.	<ul style="list-style-type: none"> • respect • freedom 	<ul style="list-style-type: none"> —promise future perks to groups who help organize and facilitate campaign appearances
6. I shall immediately and publicly repudiate support deriving from any individual or group which resorts, on behalf on my candidacy, or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any who violates any provision of this code or the laws governing elections	<ul style="list-style-type: none"> • integrity • accountability • role modeling 	<ul style="list-style-type: none"> —a third party group who supports you because of one issue on which you see eye to eye, distribute false information about your opponent. When asked about it by the press, you say “no comment.” —a supporter of yours organizes a “beer bus” to bring students to the polls; your name is featured prominently on the bus
7. I shall defend and uphold the right of every qualified American voter to full and equal participation in the electoral process	<ul style="list-style-type: none"> • participation • justice 	<ul style="list-style-type: none"> —on the day before the election your staff plants a rumor that people in a certain neighborhood supporting your opponent have had their polling location changed leading to confusion and fewer votes.

M. A DECISION-MAKING TOOL: POCKET CARD

Another useful tool is the *Fostering Public Trust* pocket card. It has been distributed to the City Council, Commissioners, City staff, and others involved in City government. While it may seem a bit large to be a true “pocket card,” it was designed to be folded in half. One side focuses on good government decision-making and the other on the City’s core values. The two questions at the top of the page are especially recommended to evaluate the ethics of your campaign decisions.

ASK THESE TWO QUESTIONS BEFORE YOU MAKE YOUR FINAL DECISION: 1. HOW WILL MY ACTION BUILD PUBLIC TRUST? 2. WHY IS THIS THE RIGHT THING TO DO?				2: VALUES
PROVIDE SUPERB CITIZEN SERVICES.	PROFESSIONAL I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner. • I approach my job and work-related relationships with a positive attitude. • I keep my professional knowledge and skills current and growing.	SERVICE-ORIENTED I provide friendly, receptive, courteous service to everyone. • I am attuned to, and care about, the needs and issues of citizens, public officials, and city workers. • In my interactions with constituents, I am interested, engaged, and responsive. •	ORGANIZED I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals. • I follow through in a responsible way, keeping others informed, and responding in a timely fashion. • I am respectful of established City processes and guidelines. •	FISCALLY RESPONSIBLE I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability. • I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures. • I make good financial decisions that seek to preserve programs and services for City residents.
BUILD TRUST AND MUTUAL RESPECT.	COLLABORATIVE: I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding. • I work towards consensus- building and gain value from diverse opinions. • I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team. • I consider the broader regional and State-wide implications of the City’s decisions and issues.		COMMUNICATIVE: I convey the City’s care for and commitment to its citizens. • I communicate in various ways that I am approachable, open-minded and willing to participate in dialog. • I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.	
BE AT OUR BEST	PROGRESSIVE: I exhibit a proactive, innovative approach to setting goals and conducting the City’s business. • I display a style that maintains consistent standards, but is also sensitive to the need for compromise, “thinking outside the box,” and improving existing paradigms when necessary. • I promote intelligent and thoughtful innovation in order to forward the City’s policy agenda and City services.			
Developed by Thomas E. Shanks, Ph.D., The Ethics Company of San José, CA. Email: teshanks@comcast.net				

FOSTERING PUBLIC TRUST: A PRACTICAL GUIDE TO GOOD GOVERNMENT

1: ETHICS

City of Santa Clara, CA

The City’s *Code of Ethics & Values*, the *Behavioral Standards* documents, and the *Good Government Decision* process describe the core practices and key behaviors of trustworthy leaders. They ask everyone involved in City government to:

- become a role model for the City’s eight core values
- act *at our best* and only in the *best interests* of all who live or work in the City
- carefully consider the impact of our actions on public trust.

Public trust rests on the *public’s perception* that their leaders:

1. Listen carefully
2. Practice impeccable ethics
3. Campaign honorably
4. Provide superb services
5. Maintain excellent *quality of life*.



Good Government Decision-Making Process

Trustworthy leaders follow the law and make decisions after:

- Carefully considering the facts and staff recommendations
- Listening carefully to the interests of all stakeholders
- Developing a number of good options for action
- Choosing the option which best meets these standards:
 - Positive consequences outweigh negative ones
 - An individual’s rights are protected and advanced
 - Everyone is treated with dignity and respect
 - The action is fair, just, and equitable
 - The action is best for the community as a whole
 - The action best advances the City’s Core Values

- **Test 1:** If I do this, who wins? Who loses? Why? Should we consider different options? What do others think of our reasoning? Why is this the right thing to do?
- **Test 2:** Explain your reasoning to someone harmed by it.

Trustworthy leaders take action and learn from each decision.

AS A REPRESENTATIVE OF SANTA CLARA, I WILL BE:

IMPECCABLE ETHICS
ETHICAL: I am trustworthy, acting with the utmost integrity and moral courage. • I am truthful, do what I say I will do, and am dependable • I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action. • I am fair, distributing benefits and burdens according to consistent and equitable criteria. • I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions. • I show respect for persons, confidences, and information designated as “confidential.” • I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority. •

N. ETHICS CONSULTANT ROLE AND CONTACT INFORMATION

Candidates are responsible for the ethics of their campaigns, the content of flyers and other campaign materials, and any follow-up action to complaints.

Dr. Shanks is a resource for all candidates, as described in the list below, approved by the Council prior to the last election. He facilitates communication between candidates and can help candidates think through the ethical implications of

decisions they are about to make.

He will not look at campaign materials prior to publication. Candidates are welcome to discuss concerns they have prior to publication.

Please be sure to add Dr. Shanks to campaign mailing lists.

His address is 6241 Ginashell Circle, San José, CA 95119.

If you need to reach him, please call between 8 am and 10 pm daily on his cell phone at 408-529-5318 or his home phone 408-300-1603.

The Role of the Ethics Consultant During City Election Campaigns

Approved by City Council on April 15, 2008

A. The Ethics Consultant will:

1. facilitate the August workshop for candidates for elective office, their consultants and volunteers. Media and the public are also invited to this workshop
2. facilitate the Final Word Forum the night before the election
3. facilitate the January post-election review for all candidates, their consultants, and others involved in the campaign. This review recognizes candidates and campaigns which build public trust, discusses the successes of the Vote Ethics citizen outreach, suggests Ethics Program goals for future campaigns, and discusses practical ways to continue to build public trust during future campaigns. Media and the public are also invited to this review
4. be available in the week following the August workshop to meet with candidates in specific races. This is a voluntary meeting to open lines of communication between candidates and to explore ground-rules and other methods to resolve communication issues during the campaign. The consultant would speak publically about the meeting only to correct any misrepresentation of the meeting
5. during the campaign, be available to facilitate communication, problem solving, and any issues with ground-rules candidates have agreed upon
6. discuss any general ethical issues candidates may have about flyers they are planning to send. The consultant will help candidates make their own decisions about such flyers by assisting them in working through the questions on the City's "pocket card" for making an ethical decision (distributed during the August workshop)
7. facilitate communication and problem-solving between candidates regarding mailers which candidates believe raise issues of honesty, fairness, respect, or public trust for the elected position sought. The consultant facilitates the clarification of any disputed facts by initiating direct communication between candidates or by other means. Candidates make any final decision about remedying honest mistakes, raising ethics issues during campaign debates, or suggesting unresolved ethics issues for potential discussion at the Final Word Forum
8. serve as an ethics and public trust resource for Council Members who are not running for election, but who wish to discuss potential ethics or public trust issues in their support of particular candidates
9. send written suggestions on the ethics of candidate forums to all organizations sponsoring such forums and offer to meet in person to discuss ethics issues involved in structuring such a forum.
10. serve as resource to the City Manager, Deputy City Manager and the City Clerk (as Elections Officer)

Voicemail and email are available for messages. Email is teshanks@comcast.net.

O. CANDIDATE COMMUNICATION AND COMPLAINTS

Candidates sometimes ask whether conducting a campaign that fosters public trust means that the candidates or campaign must be “nice.” They also ask whether they can be critical or “negative” about an opponent.

An honorable campaign does not have to be nice. It can be critical or negative about an opponent’s record, policy position, or plan. The only requirement is that the candidate is truthful, accurate, fair, and respectful of the opponent as a neighbor and fellow volunteer for public service. As it says in the State’s *Code of Fair Campaign Practices*, candidates may criticize the opponent’s record. What they may not do is fabricate or distort the record.

If a candidate believes his or her record has been distorted by an opponent, the best advice is to make direct contact with the opponent. Much damage is done by hearsay, rumors, or taking it on faith from a volunteer who tells you Candidate X said this or that about you. Most hearsay is not accurate. As it says in *The Council of Trust*, get the facts before you jump to conclusions and take action that may damage public trust. Be especially cautious before labeling an opponent or a campaign as “unethical.” Spurious ethics charges during a campaign almost always create a no-win situation for everyone involved.

On occasion, a candidate may get the facts and believe he or she has been unfairly characterized or their record distorted. If possible, raise this issue with your opponent. If that is not appropriate, candidates may make a written (email) complaint to the Consultant about something an opponent has said or published and which raises questions of honesty, fairness, respect, or public trust. A copy of the original flyer or other piece should be included, if possible.

B. The Ethics Consultant will not:
1. review flyers, mailers, or other campaign materials prior to their public distribution
2. advise candidates on general campaign strategies and tactics
3. become involved in ethics complaints which appear to be primarily political, part of campaign strategy, or which involve legitimate interpretations candidates may make of each others’ records, policies, or qualifications

In such situations, the Consultant tries to initiate direct communication between candidates through email,

phone, or a facilitated conversation. If direct communication between candidates is not possible, the Consultant follows up with both parties to be sure that facts are clear, to clarify statements which are not factually true and where documentation is available. It is the candidate’s decision to take action, if any, in response to a complaint. If the candidate takes no action, the person aggrieved may make a political issue of it and may submit the issue for potential discussion at the **Final Word Forum**.

Please do not use this complaint process or the Consultant as part of your political strategy. The Consultant is there to assist in communication and conflict resolution. He will not get involved in political efforts to harass an opponent, in campaign strategies, or in legitimate criticisms of each other’s records, policies, or qualifications.

P. VOTE ETHICS PROGRAM ADMINISTRATION

This year, for the third consecutive election, the City will continue its **Vote Ethics** information outreach program for residents. Program goals are listed in the box.

Deputy City Manager Carol McCarthy and City Clerk/City Auditor Rod Diridon, Jr. are co-directors of the Ethics & Values Program, delegated by City Manager Jennifer Sparacino. The City Clerk is also the City's Elections Officer. His duties are described in material distributed to candidates from his office.

The Deputy City Manager develops the Communication Plan and materials, oversees the contract with Dr. Shanks, receives any resident complaints, and handles many other staff responsibilities. The City Clerk makes presentations to community groups about the *Vote Ethics Program*, encourages voters to register to vote, and is a member of the Program Planning Team with the Deputy City Manager and the Ethics Consultant. Senior Staff Aide Jashma Kadam is another key member of the team and works closely with the two Co-Directors and Dr. Shanks.

The Ethics & Values Program is a non-partisan, non-political educational program. Neither the Program nor any staff connected with the Program is involved with the City's politics.

The City Manager works closely with the Council Ethics Committee, which makes recommendations for Council action about the Ethics & Values Program. During the election, the City Manager and Deputy City Manager are careful to avoid even the appearance of political involvement and will not attend workshops.

The City Clerk is an elected position; the Clerk will attend workshops in this role, and is careful to avoid conflicts of interest and maintain the impartiality of his office.

2010 VOTE ETHICS GOALS

- Increase the public's trust in municipal government by encouraging honorable campaigns, ethical leadership, and candidate accountability
- Educate and encourage candidates on how to run an honest and fair campaign which respects fellow candidates, the public and the office they seek
- Educate and encourage voters to consider ethics and values in evaluating candidate qualifications
- Increase community awareness of Santa Clara's overall Ethics Program
- Raise candidate awareness of ethical issues and provide ethical decision-making skills which are transferable to work on the City Council
- Obtain additional regional, state and/or national recognition of the City of Santa Clara for its commitment to the Vote Ethics program and its creative approach to improving the program (considering budget constraints)

Q. VOTERS AND ACCOUNTABILITY

The City's *Code of Ethics & Values* is a positive document, describing how City officials and candidates already act when they are at their best. The *Code* commits everyone involved with City government to a continuous improvement process and to a shared aspiration to be *at our best* every day in fostering public trust.

Vote Ethics gives voters the tools they need to judge who is and who is not fulfilling the City's shared aspiration. It does not tell voters whom to vote for or against. Rather, it encourages voters to let candidates know that they will vote only for those candidates who earn their trust during the campaign.

From a positive perspective, accountability is the process **whereby candidates are responsible for their decisions and actions, submit themselves to appropriate external scrutiny, and provide evidence of promise-keeping**, rather being punished for promise-breaking. In effect, accountability is the obligation and opportunity to answer for a responsibility conferred, freely accepted, and fulfilled.

In other words, residents are encouraged to pay attention to the promises candidates make when they sign the *City Code* and the *State Code* and to make ethical campaigning a prerequisite for one's vote. *Vote Ethics* is about recognizing campaigns for doing everything they can to foster public trust, especially at a time when trust in government is so fragile.

Vote Ethics also provides critical thinking tools to help residents evaluate candidates and their campaigns. Residents receive this information in a four-page ***Vote Ethics Guide*** in the City's newspaper, *Inside Santa Clara*. They receive the checklist for evaluating candidates in the utility bill and another message through a mailed piece.

In addition, letters are sent to churches and community groups in Santa Clara alerting them to the Program. The Ethics Consultant and the Elections Officer speak to groups throughout the community. This year, *Vote Ethics* will also distribute information at the City's Farmer's Market throughout October.

The 2008 Survey showed that the City's website was the single most important information source for local news during the election. So, extensive use will be made of the City's website, along with Cable Channel 15, as information resources for residents. As in the last election, two sites will provide additional information on ethics and public trust: <http://www.santaclaracampaigndollars.org> and <http://www.voteethics.org>.

R. COMPETING FOR SERVICE: WINNING THE RIGHT WAY

When researchers ask candidates “What is the purpose of a campaign?” the answer is “To win.” When voters are asked, the answer is “To have enough good information so that I can make my best voting decision.” For this *Guide*, the purpose of the 2010 campaign is for all candidates to win the right way. That means that a candidate conducts a campaign that gives voters truthful information, fairly represents their record and that of their opponents, points out relevant differences and strengths, and demonstrates to voters why this candidate deserves to win this competition for service as Mayor or City Council Member.

Winning the right way means communicating early, often, and consistently to your volunteers and supporters what kind of a campaign you will conduct, how they can assist you in conducting an honorable campaign, and what you will do to repudiate anyone who conducts an unfair, dishonest, or disrespectful campaign on your behalf or against an opponent.

The most difficult challenge for you and the City’s program often comes from groups who are not part of your campaign and with whom, by law, you can have no contact or coordination. The ad from the *San José Mercury News* illustrates the problem. How do you repudiate an anonymous third party who has launched an unfair attack on an opponent in the last few days of the campaign? Voters will often hold your campaign responsible, even though you knew nothing about it.

We will discuss new approaches to the dilemma of the third party attack when we meet on August 24th, but an early message to your network is important. Ask them to help you foster public trust in Santa Clara. Tell them you are not running a *crush the competition* campaign and they will not help you if they do so, either in support of you or in opposition to someone else.

Let these groups know early and clearly how they can help your campaign build public trust. Be equally clear about the actions you will take and the damage to your long-term relationship with them if they harm public trust by an attack that raises questions of honesty, fairness, or respect.

SUNDAY, MAY 23, 2010 111 BAY AREA NEWS GROUP A17

\$5,000 REWARD

TO: Residents in support of good government
FROM: The San Jose Silicon Valley Chamber of Commerce
SUBJECT: \$5,000 REWARD




Opponents of San Jose City Council candidate Magdelana Carrasco are sending unauthorized mailings to residents of District 5. The first mailer implied, among other things, that Ms. Carrasco supports communism. This was a blatant attempt to mislead voters, and an illegal misrepresentation of her campaign platform.

The San Jose Silicon Valley Chamber of Commerce, the San Jose Mercury News and community leaders including the Jobs First Coalition have joined together to condemn the unauthorized mailing as criminal, and are standing together to demand that action be taken.

We are offering a \$5,000 reward for information leading to the identification and conviction of those responsible for the production and distribution of these illegal flyers.

Anyone with information about this serious crime can report it without giving their name. Tips resulting in the conviction of those responsible will receive a \$5,000 cash reward. Please call Crime Stoppers at (408) 947-7867.

Vigorous debate during campaigning is to be expected, but political terrorism cannot be tolerated. Good government starts with honest campaigning. We encourage you to join us in putting an end to these dishonest and deceitful tactics.

Let them know that in the City of Santa Clara residents focus on campaign ethics issues. Residents expect candidates to be credible role models for trustworthy leadership, and that includes taking responsibility for volunteers and supporters. Let your supporters know that public trust is at greater risk than ever in this continuing recession and that you plan not only to avoid unfair and dishonest attacks, but you have set the bar much higher for yourself and for them: to run a campaign that actively promotes public trust.

Then send out your most persuasive supporters to let the third parties know that you meant what you said. Ask them to communicate that you really don't want an overzealous supporter to put you in the uncomfortable position of having to explain to the people of Santa Clara that you really didn't know anything about an unfair negative attack.

Let everyone involved in your campaign know that you are going to win the right way. Review with them how you plan to address critical choices during the campaign, why you are making that choice, and help them to do the same:

“Compete in a selfish struggle for power” or “Compete honorably for public service.”

“Do whatever it takes to win” or “Do the right thing to win the right way.”

“Practice politics-as-usual” or “Practice trustworthy leadership.”

“Give voters another experience of ‘the dirty business of politics’” or “Earn public trust for yourself, the City, and the Council on which you will serve.”

S. ADDITIONAL RESOURCES

Like the *Code of Ethics & Values*, this *Guide* is a living document. The following pages are reserved for additional resources and new pages as they are developed.

As of August 17, 2010 these resources include:

- Biography of Thomas E. Shanks, Ph.D.
- Behavioral Standards for City Council Members

Biography of Thomas E. Shanks, Ph.D.

Thomas Shanks, Ph.D., is an ethics, values, and organizational development consultant, facilitator, and speaker who resides in San José, California. Since 2006, he has been President of The Ethics Company, which he founded in 1992 as Thomas Shanks Consulting. From 1982 to 2007, he was a full-time member of the faculty at Santa Clara University where he served as Assistant Professor of Communication (1982-1988), Associate Professor of Communication (1988-2007), founder and first Chair (1985-1991) of the undergraduate Department of Communication, and Senior Associate Dean of the College of Arts and Sciences (1990-1995). At the University, Shanks taught undergraduate courses in communication ethics, new technologies, public policy, survey research, journalism, television production, and graduate courses in Engineering Ethics.

From 1985-2002 he was also associated with the University's Markkula Center for Applied Ethics. A founding member of the Center's Steering Committee (1985-1992), Shanks served as the Center's second Executive Director (1992-1999), and then as Director of Business and Public Policy Programs (1999-2000), and Senior Fellow in Business Ethics and Public Policy (2000-2002). He was a Senior Scholar with the Washington, D.C., Ethics Resource Center (1999-2002) and has been an expert witness in two legal cases involving ethics.

In 1999, the San Jose *Mercury News* recognized his ethics work by naming him as one of the *Millennium 100*, approximately 100 people over the last century who have "made Silicon Valley what it is today" and wrote, "As Executive Director from 1992-1999, Shanks elevated the (Ethics) Center into the region's standard bearer for teaching the value of ethical conduct – not only in high technology, but also in the health industry, government, banking, public service and other disciplines" (S.J. Mercury News, December 19, 1999.)

Since 1998, Shanks has been ethics consultant to the City of Santa Clara (CA) for a unique non-partisan, nonpolitical educational program in ethical decision-making and values-based management for local government officials, City staff, and candidates for political office. The International City Management Association chose the Santa Clara program as one of its "Best Practices Case Studies" in 2000. In 2002 and then again in 2007, the League of California Cities honored the City's programs in campaign ethics and "Vote Ethics" with the Helen Putnam Award for Excellence. In 2002, the United Nations included Santa Clara's program as one of just two "best practice" programs in campaign ethics world-wide.

From January 2004 to March 2005 he worked with the City of Milpitas (CA) on developing and implementing a Code of Ethics and an accountability process for public officials and candidates. He has also worked extensively with the Santa Clara County Library System, the County's Early Childhood Local Planning Council, and conducted ethics and team-building workshops for the League of California Cities, and the Cities of Sunnyvale, San Carlos, Mountain View, and San Mateo, Leadership Santa Clara, Leadership Los Gatos, and the Counties of Santa Clara, San Mateo, Sonoma, and Santa Barbara. In late 2007, he began on-going work with the Cities of Atascadero and Rancho Palos Verdes on conflict resolution, teambuilding, and public trust.

His corporate clients have included Juniper Networks, the Charles Schwab Corporation, Edwards Lifesciences Inc., the Investment Management Consultants' Association, and the start-up technology company, Propel, whose ethics and values program was featured in a cover story in SV (Silicon Valley), the Sunday magazine of the *San Jose Mercury News* ("Value Judgments: Do Well or Do Right?", April 16, 2000, pp. 8-16.) From 1993-2002, he advised the Tech Museum of Innovation in San Jose, California, on the integration of ethics throughout the museum. In 1995, he established the Applied Ethics Center at O'Connor Hospital and served as the Chair of its Steering Committee until 2002.

Shanks writes regularly about ethics, values, and communication. He authored or co-authored a series of articles and cases (especially *Everyday Ethics*, *Thinking Ethically*, *Framework for Ethical Decision-Making*) for the Markkula Center's *Issues in Ethics*, which have been distributed widely through the Internet. He is currently writing a book, titled: *At Our Best: Local Governments, Ethics, and Public Trust*.

From 1967-1999, Shanks was a member of the Society of Jesus, commonly known as the Jesuits, a Roman Catholic group of priests and brothers with a specialty in education. He served as a Jesuit priest from 1977-1999. He has a B.A. in Philosophy and Psychology from Saint Louis University (1971), an M.S. in Education from Fordham University in New York City (1975), a Master of Divinity from the Jesuit School of Theology at Berkeley (1977), and a Ph.D. in Communication Theory and Research from Stanford University (1985).

**City of Santa Clara
PROGRAM IN ETHICS & VALUES**

BEHAVIORAL STANDARDS FOR CITY COUNCIL MEMBERS¹

INTRODUCTION

Ten years ago, the City of Santa Clara began its ethics and values program to foster public trust by promoting and maintaining the highest standards of personal and professional conduct. Since the adoption of the Code of Ethics & Values in 2000, the City Council has promised the people of Santa Clara that Council Members, all elected and appointed officials, candidates for public office, and City Staff will meet the most demanding ethical standards and demonstrate the highest levels of achievement in practicing eight core values identified in the Code.

Those values, which are fundamental to public trust, were adopted to guide the decisions and actions of individual Council Members and the Council as a whole. City Council and City Staff have worked hard to integrate these values into the everyday operating culture of City Hall. The City has conducted extensive outreach to residents encouraging them to hold public officials accountable at the ballot box for being credible role models for these values, in word and in deed, in public or in private.

To help the Council make these values real in their regular work with the City, the Code describes for each value a basic set of character traits and actions residents can expect to see Council Members meet and exceed.

This document translates these traits and actions into concrete behavioral standards for the City Council. These standards describe what impeccable leadership ethics looks like in the everyday work of the Council. They reflect commonly accepted “best practices,” rather than specific issues or problems the Council has faced. The list seeks to include enough positive behaviors to practice (and negative behaviors to avoid) that a reasonable person can assess how credible he or she is as a role model and ethical leader.

This information is presented in four columns. Columns 1 and 2 reproduce the approved Code of Ethics. Columns 3 and 4 list the behavioral standards.

¹ This document is based on the *Behavioral Standards for Commissioners, Boards, and Other Appointed Officials*, developed during 2000-2002, and approved by the City Council in February 2003. A representative committee of Board Members and Commissioners, working with the City’s initial Ethics Ordinance Committee, drafted that document. It was then revised based on extensive feedback from all Board Members, Commissioners, and Staff Liaisons. In a working session in April, 2008, the Council used that document to develop the first draft of its own standards. The City’s Ethics Consultant, Dr. Tom Shanks, and City Staff drafted the final version for City Council review on May 6, 2008. Approved by City Council on May 20, 2008.

**City of Santa Clara
PROGRAM IN ETHICS & VALUES**

BEHAVIORAL STANDARDS FOR CITY COUNCIL MEMBERS

<i>The Code of Ethics & Values</i>		<i>Behavioral Standards</i>	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
<i>As a Santa Clara representative, I will be:</i>			
<i>Ethical</i>	<i>I am trustworthy, acting with the utmost integrity and moral courage</i>	<ul style="list-style-type: none"> • Making careful decisions, advancing the best long-term interests of the City, after considering all available facts, City Staff recommendations, and public comment 	<ul style="list-style-type: none"> • Making hasty, ill-informed decisions based on politics, bias, faulty assumptions, prejudice, self-interest, gossip, and half-truths
		<ul style="list-style-type: none"> • Voting my honest conviction, explaining my ethical reasoning, respecting the minority, and upholding the majority as the decision of the Council 	<ul style="list-style-type: none"> • Promising my vote before facts are known in order to gain favor with a crony, endorser, lobbyist, or special interest
		<ul style="list-style-type: none"> • Vigorously debating an issue, listening carefully to all sides, making my best judgment call, even if it's not popular, and taking responsibility for my actions 	<ul style="list-style-type: none"> • Saying whatever the vocal public wants to hear, dodging criticism of an unpopular vote, shifting the blame to the majority, other members, or City Staff
		<ul style="list-style-type: none"> • Preparing to vote by assessing how various options advance or harm the best interests of the City as well as the City's Mission and Core Values, working to minimize any harm 	<ul style="list-style-type: none"> • Always taking the short-term view, representing few stakeholders, believing ethics and City values have no bearing on decisions
		<ul style="list-style-type: none"> • Finding an imaginative solution that is in the best interests of the City, is fair, respects individual rights and the Council's duties, and advances City values 	<ul style="list-style-type: none"> • Saying and doing whatever it takes, no holds barred, to advance one's personal position, power, influence or political career

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Ethical (continued)	<i>I am truthful, do what I say I will do, and am dependable</i>	<ul style="list-style-type: none"> • Giving complete, factual, unbiased information to colleagues, public, and the press 	<ul style="list-style-type: none"> • Concealing, fabricating, overstating, understating, or denying the truth; spinning the truth; leaving out context
		<ul style="list-style-type: none"> • Making promises to the public, City Staff, and Council members which can be kept and do not exceed the authority of any individual Council Member 	<ul style="list-style-type: none"> • Promising more than can be delivered, overextending oneself, or taking sole credit for the work of the Council and others
	<i>I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action</i>	<ul style="list-style-type: none"> • Seeking advice from the City Attorney and City Manager when confronting a real or potential conflict of interest, and making a full public disclosure when the Council considers the agenda item 	<ul style="list-style-type: none"> • Helping a friend get a project through the Council in return for a donation to a campaign fund, school or charity, or the gift of tickets or another perk
		<ul style="list-style-type: none"> • Having declared a conflict, leaving the dais and Council Chambers, so other Council members are free of any undue influence 	<ul style="list-style-type: none"> • Talking to fellow Council Members prior to declaring a conflict, and asking them to take care of the item in a way that advances personal interests
	<i>I am fair, distributing benefits and burdens according to consistent and equitable criteria</i>	<ul style="list-style-type: none"> • Listening attentively to all sides, keeping an open mind and avoiding even the appearance of bias, following precedents consistently, treating equals equally 	<ul style="list-style-type: none"> • Paying more attention to friends' and supporters' projects • Making "back room" deals and decisions • Giving preferential treatment to special interests, consultants, and former Council Members

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Ethical (continued)	<i>I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions</i>	<ul style="list-style-type: none"> • Being available to anyone who wants to discuss an issue, keeping an open mind and not committing to vote for or against an item until after hearing the full public discussion 	<ul style="list-style-type: none"> • Promoting the interests of the business community without first considering the interests of all stakeholders • Giving special treatment to the companies that pay the most in taxes and to my largest campaign donors
	<i>I show respect for persons, confidences, and information designated as "confidential"</i>	<ul style="list-style-type: none"> • Referring media questions on Closed Session or other confidential matters to the City Manager's Office, rather than saying "No Comment" 	<ul style="list-style-type: none"> • Telling others about Closed Session proceedings, especially when it is an important issue and I want input on how to decide • Confirming a rumor, remaining silent, communicating non-verbally, or in other ways providing information that is confidential or that the Council Member has promised not to reveal
		<ul style="list-style-type: none"> • Treating the public and City Staff, at all times, the way I treat highly regarded colleagues in businesses or professions 	<ul style="list-style-type: none"> • Acting based on stereotypes, rumors, "ancient history," and prior negative experiences with an individual or groups
		<ul style="list-style-type: none"> • Bringing to the attention of the City Manager any concern about the actions or work of City Staff, or any complaint from the public 	<ul style="list-style-type: none"> • Criticizing or embarrassing the City Manager or other City Staff in public • Failing to publicly recognize extraordinary City Staff work

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Ethical (continued)		<ul style="list-style-type: none"> • Showing courtesy and interest in word and action to City Staff, public, and elected and appointed officials 	<ul style="list-style-type: none"> • Complimenting the work of a single City Staff member when a staff team actually did the work
		<ul style="list-style-type: none"> • Speaking and acting out of the belief that City Staff and all members of the Council are on the same team and committed to doing their best to serve residents 	<ul style="list-style-type: none"> • Engaging publicly or privately in personal verbal attacks against Council colleagues or City Staff; interrupting while they are speaking, rolling eyes, demeaning them, or in other ways treating them inappropriately
Professional	<i>I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority</i>	<ul style="list-style-type: none"> • Using City titles for identification at League meetings or when on other official City business, or when seeking information directly related to a Council matter from appropriate sources 	<ul style="list-style-type: none"> • Using a City title when making dinner reservations or making purchases • Referring friends to City businesses and suggesting they mention the name of a Council Member to get the best prices
	<i>I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner</i>	<ul style="list-style-type: none"> • Preparing by reading the agenda packet before meetings • Asking the City Manager informational questions ahead of time to assist in being prepared • Arriving on-time to meetings, paying attention and listening actively 	<ul style="list-style-type: none"> • Rushing into meetings late and being obvious about opening the agenda packet for the first time or speed-reading the packet while City Staff or the public are presenting information

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
<i>Professional (continued)</i>		<ul style="list-style-type: none"> • Asking questions that will advance the discussion, contribute to decision-making, and have not been covered in the agenda packet 	<ul style="list-style-type: none"> • Taking no notes, remembering little, if any, of the information in the agenda packet, asking to have information repeated constantly
		<ul style="list-style-type: none"> • Listening attentively to the public, City Staff, and other Council members who may speak at meetings 	<ul style="list-style-type: none"> • Making little or no eye contact with any speaker during the meeting • Leaving during public comment and returning only after it is over • Making comments to someone else while the public is speaking
	<i>I approach my job and work-related relationships with a positive attitude</i>	<ul style="list-style-type: none"> • Approaching Council work informed of issues, enthusiastic, energized, interested, ready to participate, and focused 	<ul style="list-style-type: none"> • Approaching Council work half-heartedly, coming to meetings eager to leave • Short-circuiting a discussion; being perceived as rude by other Council Members, City Staff, or the public
		<ul style="list-style-type: none"> • Making guests feel welcomed at meetings • Treating new Council Members as colleagues, encouraging them to express their opinions, and offering them positive feedback 	<ul style="list-style-type: none"> • Acting in a superior manner with newly elected Council members • Never making time to be responsive to residents who want to discuss issues
	<i>I keep professional knowledge and skills current and growing</i>	<ul style="list-style-type: none"> • Making it a priority to attend League meetings, Electric Joint Powers Agency meetings, and committees 	<ul style="list-style-type: none"> • Assuming there is nothing new to learn • Going to League meetings and conferences to be seen, but never attending any training

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Professional (continued)		<ul style="list-style-type: none"> • Reading background materials for general preparation including professional journals, books, and articles 	<ul style="list-style-type: none"> • Skipping meetings with the City Manager, assuming you know as much, if not more, than she does on this issue
Service-Oriented	<i>I provide friendly, receptive, courteous service to everyone</i>	<ul style="list-style-type: none"> • Not just answering questions, but sharing helpful knowledge of Council or government functions, even if the person asking isn't sure what they need to know 	<ul style="list-style-type: none"> • Acting like it's a bother anytime a resident asks a question or when they make inquiries about Council/government business
		<ul style="list-style-type: none"> • Seeking the opinions of those who are hesitant or unwilling to come forward with their ideas, but trying not to force anyone to speak in a public forum if they are uncomfortable or unprepared 	<ul style="list-style-type: none"> • Making guests or others feel stupid, intimidated, dismissed, manipulated, or demeaned by reading the newspaper, falling asleep, laughing at a private joke with another Council Member, or repeatedly leaving the room during discussions
	<i>I am attuned to, and care about, the needs and issues of residents, public officials, and city workers</i>	<ul style="list-style-type: none"> • Talking with residents and actively listening at City gatherings to be aware of what is going on in this community and other communities 	<ul style="list-style-type: none"> • Being arrogant or uninterested when responding to residents outside of City Hall about their concerns and debating with them to prove them wrong or misinformed
		<ul style="list-style-type: none"> • Attending City events and interacting effectively with the public, aware that others expect Council Members to be role-models 	<ul style="list-style-type: none"> • Showing up late to City events, leaving early, and spending most of the time talking only to one or two friends

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Service-Oriented (continued)		<ul style="list-style-type: none"> Relaying things heard or provided to the Council or the City Manager or other appropriate parties for follow-up 	<ul style="list-style-type: none"> Withholding important information to use it for narrow personal purposes at a later time
	<i>In my interactions with constituents, I am interested, engaged, and responsive</i>	<ul style="list-style-type: none"> Acting in a pleasant and friendly manner and encouraging people to speak their mind; welcoming constructive criticism as well as compliments 	<ul style="list-style-type: none"> Through word and action, discouraging people from proposing what they believe are solutions or expressing their concerns
		<ul style="list-style-type: none"> Focusing on the speaker and trying to see the world as they do in order to understand their needs 	<ul style="list-style-type: none"> While seeming to be engaged in one conversation, scanning the environment for someone more interesting or important to speak with; abruptly stopping the previous conversation to speak with the more important person
Fiscally Responsible	<i>I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability</i>	<ul style="list-style-type: none"> Before deciding how to vote, reviewing cost/benefit analysis and all related studies, along with City Staff recommendations 	<ul style="list-style-type: none"> Allowing other Council members who have more expertise in budgeting to take the lead in budget discussions, trusting that they know better, and never improving personal expertise
		<ul style="list-style-type: none"> Consider the City's short and long term financial condition prior to proposing new or expanded City projects 	<ul style="list-style-type: none"> Ignoring the constraints of the City budget when making decisions Citing "budget constraints" as the reason for not supporting a motion, when the real reason is how it will look in the next election

The Code of Ethics & Values		Behavioral Standards		
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like	
Fiscally Responsible (continued)	<i>I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures</i>	<ul style="list-style-type: none"> • Allocating resources according to the City’s plan and in compliance with the law and the City’s goals to provide residents with a better environment in which to live 	<ul style="list-style-type: none"> • Taking advantage of any opportunity to get something “free” from the City • Seeking discounts from the City’s vendors solely because of my position 	
		<ul style="list-style-type: none"> • Using City equipment only for Council work, not for personal use or for my business 	<ul style="list-style-type: none"> • Coming to City Hall regularly and asking City Staff to make just a few copies for personal use 	
		<ul style="list-style-type: none"> • Respecting City Staff time and being especially careful to ask the City Manager to take on special research or other projects only if convinced that this work is critical and necessary for the Council to better serve the needs of residents 	<ul style="list-style-type: none"> • Asking a lot of questions that focus on non substantive details, being unable to separate what’s important from what’s not 	
		<ul style="list-style-type: none"> • Representing the public’s interests to the best of my ability • Balancing long-term impacts and short-term goals 	<ul style="list-style-type: none"> • Acting as if I “own” the City or my seat on the Council 	
		<i>I make good financial decisions that seek to preserve programs and services for City residents</i>	<ul style="list-style-type: none"> • Being fully aware of and understanding the approved City budget, having solicited explanations from the City Manager, if necessary 	<ul style="list-style-type: none"> • Taking as many trips as possible at the City’s expense because of a personal feeling that the compensation is not sufficient and some reward for City work is deserved

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Organized	<i>I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals</i>	<ul style="list-style-type: none"> • Being cognizant of the importance of scarce meeting time and preparing accordingly, with the result that the Council spends time on the important issues and deals efficiently with other issues 	<ul style="list-style-type: none"> • Relying solely on prior knowledge and spending a great deal of the Council's time proving to everyone how much I know on all issues, large and small
	<i>I follow through in a responsible way, keeping others informed, and responding in a timely fashion</i>	<ul style="list-style-type: none"> • Sharing my research and experience with others on the Council, making worthwhile contributions and welcoming alternative viewpoints 	<ul style="list-style-type: none"> • Using hear-say from a third party as the sole basis for making a decision
		<ul style="list-style-type: none"> • Returning phone calls and email promptly, if at all possible; if unable, letting the person know when to expect a response 	<ul style="list-style-type: none"> • Failing to acknowledge receipt of requests for information • Responding only to people who can help with personal political goals • Eventually getting around to sending information, but never in a timely manner
	<i>I am respectful of established City processes and guidelines</i>	<ul style="list-style-type: none"> • Participating fully in orientation sessions and other sessions in order to understand how the City's policies and procedures impact the effectiveness of the Council 	<ul style="list-style-type: none"> • Criticizing City policies in public without first expressing concerns to City Staff or gaining knowledge necessary in order to offer constructive criticism
		<ul style="list-style-type: none"> • Helping to establish reasonable timetables and then following them • Being flexible in setting meeting dates and times 	<ul style="list-style-type: none"> • Ignoring deadlines, not keeping people informed, and making excuses which damage public trust

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Organized (continued)		<ul style="list-style-type: none"> • Being able to explain to residents, businesses, and visitors how the City's policies and procedures are examples of the City's Core Values in practice 	<ul style="list-style-type: none"> • Being cynical about policies and cavalier about following procedures because of a failure to see how these are related to fairness and the common good
Communicative	<i>I convey the City's care for and commitment to its residents</i>	<ul style="list-style-type: none"> • Being able to explain the City's goals to anyone and describe personal commitment to them • Supporting superb, affordable City services and conveying that commitment effectively to residents 	<ul style="list-style-type: none"> • Plotting and scheming to accomplish personal agendas • Deciding how you will vote and writing out those reasons prior to any public comment • Becoming angry at a resident who is critical of the Council
	<i>I communicate in various ways that I am approachable, open-minded and willing to participate in dialog</i>	<ul style="list-style-type: none"> • Being available to the public in person, at events, and through telephone and written correspondence to provide both answers to questions and dissemination of important information 	<ul style="list-style-type: none"> • Confusing residents, spreading rumors and gossip, or slandering elected or appointed officials, City Staff, or anyone • Interrupting someone who has the floor
		<ul style="list-style-type: none"> • Listening attentively, being open to multiple perspectives, and allowing the possibility of changing opinions and points of view 	<ul style="list-style-type: none"> • Listening solely to find flaws, to spot differences, and to counter arguments • Going out of my way during meetings to show why I am always right and others are not
		<ul style="list-style-type: none"> • Making it a practice to communicate equally well to all stakeholders, regardless of their influence, power, or campaign donations 	<ul style="list-style-type: none"> • Dominating meetings and asking many more questions than time allows, effectively excluding the input of others

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Communicative (continued)	<i>I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations</i>	<ul style="list-style-type: none"> • During meetings, giving residents and others the benefit of the doubt and listening to identify needs and interests • Asking questions to clarify, to understand, and to augment, in order to hear the truth as the resident sees it • Making the best decision to advance the community's values and goals 	<ul style="list-style-type: none"> • Considering people on the other side of issues as enemies, rather than as colleagues or fellow residents • Weakening public debate by belittling or mocking someone's viewpoint • Demonizing anyone who disagrees with a personal conviction or viewpoint
Collaborative	<i>I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding</i>	<ul style="list-style-type: none"> • Submitting one's best thinking, respecting all other participants and inviting their thoughts in order to develop better solutions • Seeing value in working with other agencies to develop consistent policies, where appropriate 	<ul style="list-style-type: none"> • Describing people who hold different viewpoints as "them" • Failing to recognize personal biases, prejudices, stereotypes, and their influence on language and attitudes toward residents and others
	<i>I work towards consensus building and gain value from diverse opinions</i>	<ul style="list-style-type: none"> • Approaching meetings and discussions assuming that many people have pieces of answers and that cooperation will lead to workable solutions for the most difficult problems 	<ul style="list-style-type: none"> • Approaching discussions as if there's already a single right answer that needs to be defended against opposing viewpoints
	<i>I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team</i>	<ul style="list-style-type: none"> • Understanding that what I do speaks more loudly than what I say • Showing respect for Council Members, Staff, and residents by giving priority to my City commitment, doing my homework 	<ul style="list-style-type: none"> • Focusing first on satisfying a personal or hidden agenda • Actively weakening the team that the Council and City Staff have devoted efforts to build

<i>The Code of Ethics & Values</i>		<i>Behavioral Standards</i>	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
<i>Collaborative (continued)</i>		<ul style="list-style-type: none"> • Understanding that each Council decision either builds public trust or detracts from it 	<ul style="list-style-type: none"> • Dismissing any idea proposed by a Council colleague who supported someone else in the last election
		<ul style="list-style-type: none"> • Working hard to develop among Council Members, other officials, City Staff, and the public a kindred spirit of cooperation when working toward implementing City values 	<ul style="list-style-type: none"> • Reaching conclusions based on satisfying personal or special interests and refusing to change one's position despite good reasons to reconsider • Holding grudges and considering some people as permanent enemies
	<i>I consider the broader regional and State-wide implications of the City's decisions and issues</i>	<ul style="list-style-type: none"> • While serving on County-wide committees, acting in a professional manner and approaching the tasks responsibly 	<ul style="list-style-type: none"> • Making derogatory remarks about other cities, feeling that Santa Clara is superior
		<ul style="list-style-type: none"> • Serving on County or State-wide panels, freely sharing information and resources so everyone may benefit from the City's experience 	<ul style="list-style-type: none"> • Having tunnel vision and ignoring anything beyond the City, depriving the City of the benefit of a broader, regional perspective

The Code of Ethics & Values		Behavioral Standards	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
Progressive	<i>I exhibit a proactive, innovative approach to setting goals and conducting the City's business</i>	<ul style="list-style-type: none"> • Contributing personal experiences and expertise to advance the goals of the Council and the City as a whole • Anticipating future problems or opportunities, raising the issues at the appropriate time for City Staff to investigate and for Council to consider 	<ul style="list-style-type: none"> • Being dogmatic in approaching decision-making and only doing things the way they've always been done • Never taking a forward looking, principled or values-centered stand, but preferring to solve issues in an ad hoc manner • Focusing on the short term, being concerned only about meeting minimum requirements of law, politics, or efficiency
	<i>I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary</i>	<ul style="list-style-type: none"> • Being able to explain how a decision is consistent with ethical standards and the City's Core Values • Committing to ongoing improvement, progressive government, and moral imagination in solving problems 	<ul style="list-style-type: none"> • Lying about personal mistakes and downplaying their importance • Manipulating discussions and decisions to advance personal, political aspirations • Speaking and listening only to one's friends on the Council
		<ul style="list-style-type: none"> • Taking responsibility for actions, making appropriate apologies or restitution when a mistake is made, and implementing a plan to develop practical skills to avoid such mistakes in the future • Actively listening, asking clarifying questions, and giving careful consideration to all 	<ul style="list-style-type: none"> • Holding on to opinions and viewpoints so stubbornly that mistakes are made, impacting public trust • Letting personal limitations impede progress or the work of the Council • Playing the role of pessimist whenever a new idea is presented, trying to bulldoze personal ideas

<i>The Code of Ethics & Values</i>		<i>Behavioral Standards</i>	
1 City Core Value	2 Basic Actions and Character Traits	3 Council Members Engage in Positive Behaviors Like	4 Council Members Avoid Negative Behaviors Like
<i>Progressive (continued)</i>		comments and viewpoints, even if they are expressed by people who think differently, have different beliefs, and have different groups of supporters	despite budget limitations, prior agreement, or consensus, and undermining new ideas by gossiping with others before the idea has a chance to be explored
	I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services	<ul style="list-style-type: none"> • Encouraging talented and diverse individuals to become involved in City service, as well as recognizing and celebrating talent and new ideas that help the City reach its goals, improve City services, and implement City Core Values in best practice 	<ul style="list-style-type: none"> • Pushing change in the City without ample thought, and causing change only for the sake of change, or only to fulfill a campaign promise