



City of Cambridge

23.

IN CITY COUNCIL

August 2, 1982

COUNCILLOR WYLIE

WHEREAS: This City Council has been in receipt of an Executive Order outlining standards of ethical conduct in regard to the process of awarding a Cable Television franchise, which Executive Order outlines the procedures to be followed and the restrictions imposed upon City officials, employees, City department heads and the Cable Television Committee, in connection with the award of a Cable Television franchise; now therefore be it

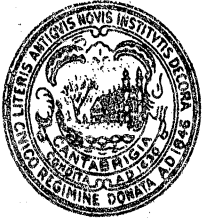
ORDERED: That this City Council hereby endorses and adopts for its membership the procedures and restrictions contained in the Executive Order of the City Manager, entitled "Standards of Ethical Conduct" as transmitted to this City Council in his communication dated August 2, 1982.

In City Council August 2, 1982.
Adopted by the affirmative vote of 8 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "Paul E. Healy". The signature is written in a cursive style with a large, looping initial "P".



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

EXECUTIVE ORDER

STANDARDS OF ETHICAL CONDUCT

WHEREAS, licenses to operate cable television systems are granted by the "issuing authority" of the City and pursuant to section 1(d) of chapter 166A, the issuing authority is the City Manager, and,

WHEREAS, the City of Cambridge is presently preparing and will soon start the process of awarding a cable franchise, and,

WHEREAS, an analysis of the experience of other cities which have undergone this process reveals a pattern of law suits filed against municipal governments alleging favoritism and other improper practices by city officials, and,

WHEREAS, these charges reflect poorly on all municipal employees and, more seriously, undermine the confidence of the people in their government. It is, therefore, imperative that strict rules be established to preclude any charges or appearances of unethical behavior while preparing and during the franchising process in Cambridge.

NOW, THEREFORE, BY THE AUTHORITY VESTED IN ME AS CITY MANAGER,
I HEREBY ORDER THAT:

In addition to the prohibitions contained in Chapter 268A of the General Laws, the state conflict of interest law, the following standards of conduct will apply to all employees, and strict discipline will be imposed, including suspension and dismissal, for any intentional breach.

- I. Employees, advisory committee members, city officials shall avoid action, whether or not specifically delineated, which might result in or create the appearance of:
 - a. using public office for private gain;
 - b. giving preferential treatment to any person or any company;
 - c. impeding governmental efficiency or economy;
 - d. using or attempting to use an official position to secure unwarranted privileges for himself/herself or others;
 - e. improperly disclosing confidential information acquired in the course of official duties;
 - f. making or appearing to make governmental decisions outside of official channels; or
 - g. adversely affecting the confidence of the public in the integrity of the government.
- II. Employees, advisory committee members, city officials shall avoid any unauthorized contact with the Cable Industry and shall abide by the following provisions:
 - a. No city employee, advisory committee member, city official except as expressly authorized by the City Manager, shall intentionally receive from or convey to any cable industry representative, directly or indirectly, any information which pertains to Cambridge franchise.
 - b. No City employee, advisory committee member, city official contacted by a cable industry representative shall arrange, or, without prior authorization of the City Manager, agree to arrange meetings between cable industry representatives and city officials, nor shall any city employee, advisory

committee member, city official refer any cable industry representative to any city employee other than Joseph G. Sakey, the CATV Commissioner.

- c. Any written communication between city employee, advisory committee member, city official and a cable industry representative pertaining to the Cambridge franchise shall be filed with the CATV Commissioner.

III. City employees, advisory committee members, city officials shall avoid contacts with cable industry representatives which violate the following guidelines:

- a. City employees, advisory committee members, city officials shall neither offer nor accept anything of value from a cable industry representative. The term anything of value includes but is not limited to gifts, travel, lodging, meals, beverages, or any other form of entertainment. Any offer of any gift, entertainment or other thing of value shall be reported at once in writing to the City Solicitor.
- b. Any city employee, advisory committee member, city official who cannot without embarrassment avoid receiving a gift, entertainment, or any other thing of value, shall reimburse the representative as soon as practical after the employee has knowledge of such gift or thing of value and shall immediately file a description of the circumstances surrounding the receipt and reimbursement with the City Solicitor.
- c. City employees, advisory committee members, city officials shall take all reasonable steps to insure that any social contact they may have with cable industry representatives

avoids even the appearance of impropriety.

- d. In exceptional circumstances these provisions may be waived upon application to the City Manager in writing, filed with the City Solicitor, if the City Manager determines that the proposed activity for which a waiver is sought will not adversely affect the integrity of the cable franchising process.

IV. In addition to the limitations on financial interests of city employees, advisory committee members, city officials imposed by Chapter 268A of the General Laws, the following restrictions shall apply:

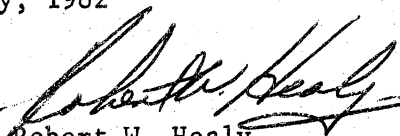
- a. No department head or city employee, advisory committee member, city official involved in the cable decision-making process shall knowingly have directly any financial interest, directly or indirectly, in any company which operates cable television systems and which are competing for the Cambridge franchise, or are eligible to compete for the Cambridge franchise.
- b. No department head or city employee, advisory committee member, city official involved in the cable decision-making process shall hold any financial interest in any company which supplies materials or services to the cable industry and which has a special arrangement with a cable operator or operators which are competing for the Cambridge franchise.

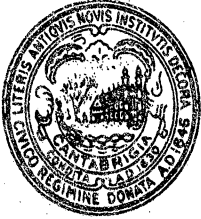
V. Department heads shall be responsible for the dissemination and enforcement of this Order within their respective departments.

All employees, advisory committee members, city officials are encouraged to contact the City Solicitor with any questions

concerning the meaning and application of the provisions of
the Conflict of Interest Statutes and the rules provided by
this Order.

Executed this 30th day of July, 1982


Robert W. Healy
City Manager



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

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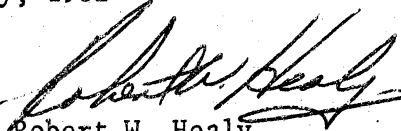
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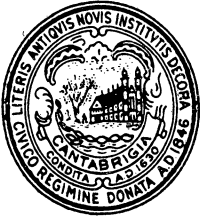
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

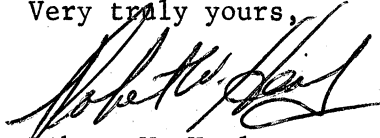
August 2, 1982

To the Honorable, the City Council:

Attached is a copy of an Executive Order issued to all departments relative to standards of ethical conduct in regard to the upcoming process of awarding a cable television franchise.

Because of the fragility of the process and its susceptibility to law suits on even the most frivolous of procedural infractions, I feel that it is important that the standards of conduct described in the order be strictly complied with by all City personnel associated with the cable franchising process.

Very truly yours,



Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item Number Twenty-Six

Re: Executive Order on the standards of
ethical conduct for all City personnel assoc-
iated with the cable franchising process.

*1982 order No. 25 enclosed by
Councilor Wylie*

In City Council,

August 2, 1982

*8/2/1982
Placed on File
Wylie order to
include City Council
Under Executive Order
Adopted on Voice Vote*