

MINNESOTA BALLPARK AUTHORITY

CODE OF CONDUCT

I. Purpose. The purpose of this Code of Conduct is to establish the general standards of conduct required of the Minnesota Ballpark Authority (“Authority”), its Commissioners and employees. This Code is intended to comply with both the letter and the spirit of Minnesota law, as amended from time to time.

This Code of Conduct will assist Commissioners and employees in identifying conflicts of interest, as well as situations in which the perception or appearance of a conflict may exist, and to establish procedures for Commissioners and employees to declare and monitor as these situations arise.

The Authority requires each Commissioner and employee to be advised of, and provided a copy of, this Code of Conduct immediately upon assuming their duties and to be periodically reminded of this Code and educated concerning its application. Every Commissioner and employee is responsible for knowing and observing the Code.

II. Conflicts Of Interest.

A. Conflicts of Interest Are Prohibited. Neither Commissioners nor employees shall voluntarily take part in any manner in making any sale, lease, or contract in the Commissioner’s or employee’s official capacity, in which the Commissioner or employee has a personal financial interest.

B. Potential Conflicts of Interest. A potential conflict of interest is present if a Commissioner or employee who in the discharge of official duties would be required to take an action or make a decision that would substantially affect the Commissioner’s or employee’s financial interests or those of an associated business, unless the effect on the Commissioner or employee is no greater than on other members of the Commissioner’s or employee’s business classification, profession, or occupation.

C. Potential Conflicts of Interest Must be Disclosed. Before taking an action or making a decision that would substantially affect the personal financial interests of the Commissioner or employee, or of his or her associated business, the Commissioner or employee must disclose the potential conflict by taking the following actions:

1. Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict of interest; and
2. Deliver copies of the statement to the Chair of the Authority.

If a potential conflict of interest presents itself and there is insufficient time to provide the written statement under paragraphs 1 and 2, the Commissioner or

employee must orally inform the Authority of the potential conflict in open meeting session.

D. Required Actions for Commissioner or Employee with Potential Conflict of Interest.

1. If an employee has a potential conflict of interest, the employee's supervisor shall immediately assign the matter in which the potential conflict arises, if possible, to another employee who does not have a conflict of interest.
2. If a Commissioner has a potential conflict of interest the Commissioner shall:
 - a. Abstain, if possible, from influence over the action or decision in question.
 - b. File a statement describing the potential conflict and the action taken, if the Commissioner is not permitted or is otherwise unable to abstain from action in connection with the matter. The statement shall be filed with the Authority, within a week of the action taken.
 - c. Not chair a meeting, participate in any vote, offer any motion or discussion, or otherwise attempt to influence other Commissioner's on the matter giving rise to the potential conflict of interest.

III. Authority May Approve Certain Affiliations. Even if a particular situation does not give rise to an actual or potential conflict of interest, the perception of a conflict of interest should also be avoided. Therefore, before an employee accepts a position of any type, paid or unpaid, or becomes a member of or participant with any vendor, contractor, supplier, or any party doing business with or contracting with the Authority, (the "Affiliation") the employee shall give notice describing such affiliation to the Executive Director of the Authority. The Executive Director shall present the proposed Affiliation in writing to the Board of Commissioners for approval or disapproval based on whether the perception of a conflict of interest may reasonably arise. The Board of Commissioners shall make its determination promptly and the Executive Director shall communicate such determination to the employee.

This paragraph is intended to supplement and not to replace the conflict of interest provisions contained elsewhere in this Code of Conduct.

IV. Conflict of Interest Pursuant to Minnesota Statutes Section 43A.38. The following actions by a Commissioner or employee shall be deemed a conflict of interest and subject to the procedures outlined in Section II:

Use or attempted use of the Commissioner's or employee's official position to secure benefits, privileges, exemptions or advantages for the Commissioner, employee or immediate family or organization with which they are associated which are different from those available to the general public.

V. Gifts Prohibited.

A. In General. No Commissioner or employee of the Authority shall directly or indirectly receive or agree to receive any compensation, gift, reward, or gratuity from any source except the Authority for any matter or proceedings connected with it or related to the duties of such Commissioner or employee unless otherwise provided for by this section. Honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees on their own time shall not be deemed a violation of this Section provided such activity is approved by the Authority.

B. Ethics in Government Act. A lobbyist or principal may not give a gift or request another to give a gift to a Commissioner or local official designated by the Authority. A Commissioner or local official may not accept a gift from a lobbyist or principal. "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment that is given and received without the giver receiving consideration of equal or higher value in return.