

**CITY OF SOUTH PASADENA
FINANCE COMMISSION REGULAR MEETING AGENDA**

**City Manager Conference Room
1414 Mission Street, South Pasadena, CA 91030**

December 19, 2019, at 6:30 p.m.

*In order to address the Finance Commission, please complete a Public Comment Card.
Time allotted per speaker is three minutes.*

- CALL TO ORDER:** Commission Chair Wood
- ROLL CALL:** Chair Wood, Vice Chair Adrian, Commissioners Choi, Findley, and Tao, and City Treasurer Pia
- COUNCIL LIAISON:** TBD
- STAFF PRESENT:** Acting Finance Director Demirjian, Acting Finance Director Aceves and Accounting Manager Trashian

PUBLIC COMMENTS AND SUGGESTIONS

(Time limit is three minutes per person)

The Finance Commission welcomes public input. Members of the public may address the Finance Commission by completing a public comment card and giving it to the Finance Manager prior to the meeting. At this time, the public may address the Finance Commission on items that are not on the agenda. Pursuant to state law, the Finance Commission may not discuss or take action on issues not on the meeting agenda, except that members of the Finance Commission or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

Note: Public input will also be taken during all agenda items. Time allotted per speaker is three (3) minutes.

ACTION/DISCUSSION

- 1. Approval of Minutes for Commission Meeting on October 24, 2019**
- 2. 2019 Annual Report**
- 3. 2020 Schedule and Workplan**

4. Code of Ethics and Conduct

COMMUNICATIONS

5. City Council Liaison Communications

6. Commissioner Communications

7. Staff Liaison Communications

- a. Sales Tax Update
- b. Utility Billing Update

ADJOURNMENT

FUTURE FINANCE COMMISSION MEETINGS

TBD

City Manager’s Conference Room

6:30 PM

PUBLIC ACCESS TO AGENDA DOCUMENTS

Prior to meetings, agenda related documents are available for public inspection at, City Hall, 1414 Mission Street, South Pasadena, CA 91030. The complete agenda packet may also be viewed on the City’s website at: <https://www.southpasadenaca.gov/government/boards-commissions/finance-commission>

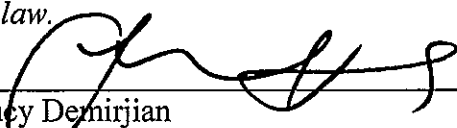
ACCOMMODATIONS



The City of South Pasadena wishes to make all of its public meetings accessible to the public. Meeting facilities are accessible to persons with disabilities. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Hearing assistive devices are available in the Council Chamber. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

I declare under penalty of perjury that I posted this notice of agenda on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City’s website as required by law.

12/16/19
Date


Lucy Demirjian
Acting Finance Director

**City of South Pasadena Finance Commission
Minutes for Regular Meeting of:
October 24, 2019 6:30 p.m.**

Location: City Hall – City Manager’s Conference Room
1414 Mission Street
South Pasadena, CA 91030

- I. Roll Call
 - Commission Chair Wood – Present
 - Commission Vice-Chair Adrian – Absent
 - Commissioner Choi – Present
 - Commissioner Findley – Present
 - Commissioner Tao – Present
 - City Treasurer Pia – Present
 - City Council Liaison Mahmud – Absent
 - Acting Finance Director Demirjian – Present
 - Acting Finance Director Aceves – Present
 - Accounting Manager Trashian – Present
 - Finance Manager Trinh – Present
- II. Public Comment
 - None.
- III. Presentation
 - 1. Commissioners, City Treasurer, and Staff received a presentation by Bryan Longpre from Morgan Stanley and David Paulus from Western Asset Management.
- IV. Action/Discussion
 - 2. Reviewed the 2019/20 Investment Policy and forward for Council approval. Approved 4-0.
 - 3. Reviewed and approved the calculation methodology of the Rubbish Rate Reduction Rate Assistance Program. Commissioners advised to continue the same methodology with updates to reflect the 2018 IRS 1040 Form for calculating the modified adjusted gross income. Approved 4-0.
 - 4. Discussed the meeting schedules for future meetings. Commissioners were informed that the maximum allowable commission meetings each year are 10. Additional discussion needed to decide on meetings to take place in 2020.
 - 5. Approval of Minutes
 - Minutes of Regular Meeting of August 22, 2019, Approved 4-0.
- V. Communications
 - 1. City Council Liaison Communications
 - None.
 - 2. Commissioner Communications
 - None.
 - 3. Staff Liaison Communications
 - None.
- VI. Next regular meeting – December 19, 2019 at 6:30 p.m.

ARTICLE IVI. FINANCE COMMISSION

2.69 Creation.

There is hereby created a finance commission. (Ord. No. 2294, § 1, 2016.)

2.70 Meetings.

The finance commission may hold a maximum of 10 regular meetings per calendar year. The commission shall adopt a schedule of meetings each year, consistent with this section. (Ord. No. 2294, § 1, 2016.)

2.71 Powers and duties.

The powers and duties of the finance commission shall be to:

- (a) Provide high-level oversight and advice to the city council, city treasurer and finance director regarding financial matters affecting the city including, but not limited to, investments, budget development and monitoring, revenue development, taxation, debt financing, and internal controls;
- (b) Formulate and propose policies on financial matters for approval by the city council;
- (c) Recommend the adoption of standards on organizations, personnel, areas and facilities, program and financial support;
- (d) Make periodic inventories of financial services that exist or may be needed and interpret the needs of the public to the city council;
- (e) Aid in coordinating the financial services with the programs of other governmental agencies and voluntary organizations;
- (f) Inform the public of the policies and functions of the financial programs as directed by the city council. (Ord. No. 2294, § 1, 2016.)

2.72 Composition of members.

The initial composition of the finance commission will consist of the five currently serving members of the finance committee, and their term lengths will be staggered as follows: one member will serve one year and then be eligible for two consecutive three-year terms, two members will serve two years and then be eligible for two consecutive three-year terms, and the remaining two members will serve three years and be eligible for one additional consecutive three-year term. Future appointments will be made by the mayor pursuant to SPMC 2.23 (Composition, appointment and removal of members). (Ord. No. 2294, § 1, 2016.)

ANNUAL REPORT 2019

FINANCE COMMISSION

City of South Pasadena



A Message from the Commission Chair

A brief message from the Chair person should be included. Could be 1-2 paragraphs in length.

Sincerely,

Ellen Wood
Finance Commission, Chair

PURPOSE STATEMENT

Provide high-level oversight and advice to the city council, city treasurer and finance director regarding financial matters affecting the city including, but not limited to, investments, budget development and monitoring, revenue development, taxation, debt financing, and internal controls

Finance Commission

Ellen Wood	Commission Chair
Carrie Adrian	Commission Vice-Chair
Edwin Choi	Commissioner
Fred Findley	Commissioner
Zhen Tao	Commissioner
Gary Pia	City Treasurer
Diana Mahmud, Councilmember	City Council Liaison
Lucy Demirjian and Karen Aceves (Acting Finance Director)	Staff Liaison

The finance commission holds 10 regular meetings per calendar year. Meetings are held on the last Thursday of the month at 6:30p.m. Meetings are held at: City Manager's Conference Room, 2nd Floor of City Hall.

Accomplishment or Notable Event #1

Accomplishment or Notable Event #2

Accomplishment or Notable Event #3



**CITY OF SOUTH PASADENA
FINANCE COMMISSION REGULAR MEETING SCHEDULE**

**City Manager Conference Room
1414 Mission Street, South Pasadena, CA 91030**

(last Thursday of the month) at 6:30 p.m.

January	23
February	27
March	26
April	23
May	28
June	25
July	23
September	24
October	22
December	17



Objective	Tasks and Activities	Target Date	Purpose	Status
Mid-Year Budget	Review Mid-year budget	February (annually)	Financial Oversight	
CAFR/ Audits	Review results of annual audits	March (annually)	Financial Oversight	
Budget and CIP	Review fiscal year budget and Capital Improvement Program	June (annually)	Financial Oversight	
Development Impact Fees	Receive and files report on impact fees	June (annually)	Financial Oversight	
Master Fee Schedule	Review fee schedule for annual CPI adjustments	June (annually)	Financial Oversight	
PERS unfunded Liability	Evaluate PERS Unfunded liability; Contract for actuarial report (Strategic Plan Objective)	May	Financial Oversight	
Investment Performance	Review investment Portfolio and update Policy as needed	September (annually)	Financial Oversight	
Purchasing Policy	Revamp purchasing policy for the City	April	Financial Oversight	
Accounting Systems	Review Department proposal for new software, updated procurement and internal controls procedures	July	Financial Oversight	
Utility Users' Tax	Review potential renewal of UUT (measure for November ballot)	May	Financial Oversight	
Tax Revenues	Review quarterly reports on sales and property tax revenues (from HdL)	Quarterly	Financial Oversight	
Financial Sustainability Plan	Receive updates on Long Term Financial Sustainability Plan	Quarterly	Financial Oversight	



Finance Commission Agenda Report

ITEM NO. _____

DATE: December 19, 2019

FROM: Lucy Demirjian, Acting Finance Director

SUBJECT: **Review of the Code of Ethics and Conduct Policy**

Recommendation

It is recommended that the Commission review the Code of Ethics and Conduct policy (policy) and provide input as necessary. In October 2019, the City Council considered the policy and directed staff to remand the policy to the Commissions for prior review before presented to Council for final approval.

Discussion/Analysis

Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. The Code of Ethics and Conduct promotes an atmosphere of respect and civility where individual members, City staff and the public are free to express their ideas and work to their full potential.

The purpose of a Code of Ethics and Conduct policy is to ensure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the City.

The overall principles and guidelines contained in this Code also describe the manner in which the City Council, City Treasurer, City Clerk, Commissioners, Committee members and Board members are expected to treat one another, City staff, and all others they come into contact with while representing the City. The Code Conduct defines more clearly the behavior, manners, and courtesies that are suitable for various occasions. The constant and consistent theme through all of the conduct guidelines is "respect."

The Code of Ethics and Conduct is intended to be self-enforcing and is an expression of the standards of conduct for members expected by the City. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

Background

Assembly Bill 1234 (Salinas) - Compensation and Ethics, requires all elected or appointed officials, City employees, and members of boards, commissions, committees, and task forces to participate in ethics training in general ethics principles and ethics laws relevant to public service every two years.

In addition to state required training, many cities have adopted a Code of Ethics and Conduct for members of the City Council and the City's boards and commissions to ensure public confidence in the integrity of local government and its effective and fair operation.

Next Steps

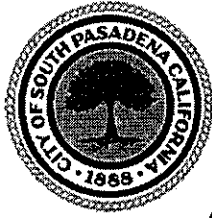
1. The ordinance will be brought back to Council for adoption.
2. Upon Council approval, the Code of Ethics and Conduct will be included in the regular orientations for candidates for elected offices including City Council, City Treasurer, City Clerk, and applicants to Board, Committee and Commissions.
3. Members entering office shall sign a statement acknowledging they have read and understood the Code of Ethics and Conduct.
4. The Code of Ethics and Conduct will be periodically reviewed by the City Council and updated as necessary by Council Resolution.

Legal Review

The City Attorney has reviewed this item.

Fiscal Impact

There is no fiscal impact with the adoption of a Code of Ethics policy.



City of South Pasadena

Code of Ethics and Conduct for Elected and Appointed City Officials

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

-Mark Twain

PURPOSE

The City Council adopts this Code of Ethics and Conduct to ensure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of the City government.

CODE of ETHICS

The citizens and businesses of South Pasadena are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Are independent, impartial and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Therefore, members of the City Council, City Treasurer, and City Clerk and of all Boards, Committees and Commissions shall conduct themselves in accordance with the following ethical standards to assure public confidence in the integrity of local government and its effective and fair operation.

1. Acts in the Public Interest

Members will work for the common good of the people of South Pasadena and not for any private or personal interest, and they will ensure fair and equal treatment of all persons, claims and transactions coming before the South Pasadena City Council, boards and commissions.

2. Comply with the Law

Members shall comply with the laws of the nation, the State of California and the City of South Pasadena in the performance of their public duties. These laws include but are not limited to: The United States and California constitutions, Fair Political Practices laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open processes of government and adopted City ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the council, boards and commissions, the public and staff.

4. Respect for Process

Members shall perform their duties in accordance with the processes and rules of order established by the City council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public and implementation of policy decisions of the City Council by staff.

Members shall respect the determinations of the City Council or board and commission majority, understanding that a tenant of parliamentary procedure is finality—after vigorous discussion, debate, and vote the matter is deemed closed, and members shall refrain from requesting to revisit the matter, other than through a motion for reconsideration consistent with parliamentary procedure set forth in Roberts Rules of Order or Rosenberg's Rules of Order.

5. Conduct of Public Meetings

Members shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision making process.

8. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

In accordance with the law, members shall disclose investments, interests in real property, source of income, and gifts, and they shall abstain from participating in deliberations and decision-making

where conflicts may exist.

9. Gifts and Favors

Members shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

10. Confidential Information

Members shall respect the confidentiality of information concerning property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or private interests.

11. Use of Public Resources

Members shall not use public resources unavailable to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

12. Representation of Public Interests

In keeping with their role as stewards of the public interest, members shall not appear on behalf of the private interests of third parties before the Council or any board, commission or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

13. Advocacy

Members shall represent the official policies or positions of the City Council, board or commission to the best of their ability when designated as delegates for this purpose. The official City position will be determined by a majority vote of the City Council. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of South Pasadena, nor will they allow inference that they do.

14. Policy Role of Members

Members shall respect and adhere to the council-manager structure of South Pasadena City government as outlined by the South Pasadena Municipal Code. In this structure, the City Council determines the policies of the City, with the advice, information and analysis provided by the public, boards and commissions and City staff.

Except as provided by the City Municipal Code, members shall not interfere with the administrative functions of the City or the professional duties of City staff, nor shall they impair the ability of staff to implement Council policy decisions.

15. Independence of Boards and Commissions

Because of the value of the independent advice of boards and commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of board and commission proceedings.

16. Positive Work Place Environment

Members shall support the maintenance of a positive and constructive work place for the City employees and for the citizens and businesses dealing with the City. Members shall recognize their

special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

CONDUCT

The Conduct section of the City's Code of Ethics and Conduct is designed to describe the manner in which Councilmembers and board and commission members should treat one another, City staff, constituents, and others they come into contact with in representing the City of South Pasadena.

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected and appointed officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers and board and commission members to do the right thing in even the most difficult situations.

1. Elected and Appointed Officials' Conduct with One Another in Public Meetings

Elected and appointed officials are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may "agree to disagree" on contentious issues.

(a) Use formal titles

Elected and appointed officials should refer to one another formally during public meetings, such as Mayor, Mayor Pro Tem, Chair, Commissioner or Councilmember followed by the individual's last name.

(b) Practice civility and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

(c) Honor the role of the chair in maintaining order

It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

(d) Avoid personal comments that could offend other members

If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this

discussion.

(e) Demonstrate effective problem-solving approaches

Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

2. Elected and Appointed Officials' Conduct with the Public in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

(a) Be welcoming to speakers and treat them with care and gentleness.

While questions of clarification may be asked, the official's primary role during public testimony is to listen.

(b) Be fair and equitable in allocating public hearing time to individual speakers.

The chair will determine and announce limits on speakers at the start of the public hearing process.

(c) Practice active listening

It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Members shall try to be conscious of facial expressions, and avoid those that could be interpreted as "smirking," disbelief, anger or boredom.

(d) Maintain an open mind

Members of the public deserve an opportunity to influence the thinking of elected and appointed officials.

(e) Ask for clarification, but avoid debate and argument with the public

Only the chair – not individual members – can interrupt a speaker during a presentation. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

3. Elected and Appointed Officials' Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

(a) Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

(b) Do not disrupt City staff from their jobs

Elected and appointed officials should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend City staff meetings unless requested by staff – even if the elected or appointed

official does not say anything, his or her presence implies support, shows partiality, may intimidate staff, and hampers staff's ability to do their job objectively.

(c) Never publicly criticize an individual employee

Elected and appointed officials should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation. Appointed officials should make their comments regarding staff to the City Manager or the Mayor.

(d) Do not get involved in administrative functions

Elected and appointed officials acting in their individual capacity must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits. The City Manager has the sole authority to direct staff, and is responsible for appropriate allocation of staff resources. The City Manager may request input from an elected official who possesses relevant professional experience, special knowledge or training which would be useful in development of requests for proposals or the selection process.

(e) Do not solicit political support from staff

Elected and appointed officials should not solicit any type of political support, or support for non-profits or affiliate organizations (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

(f) No Individual Attorney-Client Relationship

Members shall not seek to establish an individual attorney-client relationship with the City Attorney, including his or her staff and attorneys contracted to work on behalf of the City. The City Attorney represents the City and not individual members seeking advice on matters which are inconsistent with City policy. While the City Attorney may provide conflict of interest advise and other legal advice to members regarding matters within their subject matter jurisdiction and consistent with City policy, members who consult with the City Attorney in any other capacity cannot enjoy or establish an attorney-client relationship with the attorney to the exclusion of other members of the legislative body.

4. Council Conduct with Boards, Committees and Commissions

The City has established several Boards, Committees and Commissions as a means of gathering more community input. Citizens who serve on Boards, Committees and Commissions become more involved in government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

(a) If attending a Board, Committee or Commission meeting, be careful to only express personal opinions

Councilmembers may attend any Board, Committee or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a Board, Committee or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

(b) Limit contact with Board, Committee and Commission members to questions of clarification

It is inappropriate for a Councilmember to contact a Board, Committee or Commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for Councilmembers to contact Board, Committee or Commission members in order to clarify a position taken by the Board, Committee or Commission.

(c) Respect that Boards, Committees and Commissions serve the community, not individual Councilmembers

The City Council appoints individuals to serve on Boards, Committees and Commissions, and it is the responsibility of Boards, Committees and Commissions to follow policy established by the Council. But Board, Committee and Commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten Board, Committee and Commission members with removal if they disagree about an issue.

Appointment and re-appointment to a Board, Committee or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board, Committee or Commission appointment should not be used as a political "reward."

(d) Be respectful of diverse opinions

A primary role of Boards, Committees and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on Boards, Committees and Commissions, but must be fair and respectful of all citizens serving on Boards, Committees and Commissions.

(e) Keep political support away from public forums

Board, Committee and Commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support Board, Committee and Commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

SANCTIONS

(a) Acknowledgement of Code of Ethics and Conduct

Councilmembers who do not sign an acknowledgement that they have read and understand the Code of Ethics and Conduct shall be ineligible for intergovernmental assignments or Council subcommittees. Board, Committee and Commission members who do not sign an acknowledgement that they have read and understand the Code of Ethics and Conduct are not eligible to hold office.

(b) Ethics Training for Local Officials

Councilmembers, City Treasurer, City Clerk, Board, Committee and Commission Members who are out of compliance with State or City mandated requirements for ethics training shall not represent the City on intergovernmental assignments or Council subcommittees, and may be subject to sanctions.

(c) Behavior and Conduct

The South Pasadena Code of Ethics and Conduct expresses standards of ethical conduct expected for

members of the South Pasadena City Council, Boards, Committees and Commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of Boards, Committees and Commissions and the Mayor and Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

Councilmembers:

Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of South Pasadena and with intergovernmental agencies) or other privileges afforded by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by the Council.

Individual Councilmembers should point out to the offending Councilmember perceived infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being questioned, then the matter should be referred to the Mayor Pro Tem. It is the responsibility of the Mayor (or Mayor Pro Tem) to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor (or Mayor Pro Tem), then the alleged violation(s) can be brought up with the full Council.

Board, Committee and Commission Members:

Counseling, verbal reprimands and written warnings may be administered by the Mayor to Board, Committee and Commission members failing to comply with City policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective Board, Committee or Commission, the City Clerk, the City Attorney, the City Manager, and the City Council.

The City Council may impose sanctions on Board, Committee and Commission members whose conduct does not comply with the City's policies, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation.

When deemed warranted, the Mayor or majority of Council may call for an investigation of Board, Committee or Commission member conduct. Also, should the City Manager or City Attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the City Manager to investigate the allegation and report the findings.

These sanctions are alternatives to any other remedy that might otherwise be available to remedy conduct that violates this code or state or federal law. In order to protect and preserve good government, any individual including the City Manager and the City Attorney after complying with Rule 3-600(B) of the State Bar Rules of Professional Conduct, who knows or reasonably believes a member acts or intends or refuses to act in a manner that is or may be a violation of law reasonably imputable to the organization, or in a manner which is likely to result in substantial injury to the organization, may report the violation to the appropriate governmental authorities.

IMPLEMENTATION

The Code of Ethics and Conduct is intended to be self-enforcing, and is an expression of standards of conduct for members expected by the City. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement acknowledging they have read and understand the Code of Ethics and Conduct. In addition, the Code of Ethics shall be reviewed annually by the City Council, boards and commissions, and the City Council shall consider recommendations from boards and commissions and update as necessary.

COMPLIANCE AND ENFORCEMENT

The chairs of boards and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention. The City Council may impose sanctions on members whose conduct does not comply with the City's ethical standards, such as reprimand, formal censure, loss of seniority or committee assignment, or budget restriction. Under the City's Municipal Code, the City Council may also remove members of boards and commissions from office. A violation of this Code of Ethics and Conduct shall not be considered as a basis for challenging the validity of a council, board or commission decision.

I affirm that I have read and understand the City of South Pasadena Code of Ethics and Conduct for Elected and Appointed Officials.

Signature

Date

*Adopted on XXXX, 2020
City Council Resolution No. XXXX*