



**CITY OF SOUTH PASADENA  
PUBLIC ART COMMISSION MEETING  
AGENDA**

**City Council Chambers  
1414 Mission Street, South Pasadena, CA 91030**

**December 16, 2019 at 6:30 PM**

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

*South Pasadena City Council Statement of Civility*

*As your elected governing board we will treat each other, members of the public, and city employees with patience, civility and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all city business and community participation. The decisions made tonight will be for the benefit of the South Pasadena community and not for personal gain.*

- CALL TO ORDER:** Jaz Sawyer, Chair
- ROLL CALL:** Steven Wong, Vice-Chair  
Jeffrey Burke  
Phung Huynh  
Kris Kuramitsu
- COUNCIL LIAISONS:** Mayor Khubesian, M.D.
- STAFF PRESENT:** Margaret Lin, Manager of Long Range Planning and Economic Development

**PUBLIC COMMENTS AND SUGGESTIONS**

(Time limit is three minutes per person)

The Public Art Commission (Commission) welcomes public input. Members of the public may address the Commission by completing a public comment card and giving it to the Margaret Lin, Manager of Long Range Planning and Economic Development prior to the meeting. At this time, the public may address the Commission on items that are not on the agenda. Pursuant to state law, Commission may not discuss or take action on issues not on the meeting agenda, except that members of the 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.

**COMMUNICATIONS**

1. **City Council Liaison Communications**
2. **Commissioner Communications**
3. **Staff Liaison Communications**

**ACTION/DISCUSSION**

4. **October 23, 2019 Meeting Minutes**

Recommendation

It is recommended that the Commission review and approve the October 23, 2019 Meeting Minutes.

5. **2019 Annual Report**

Recommendation

It is recommended that the Commission review and approve the 2019 Annual Report.

6. **Draft 2020 Work Plan**

Recommendation

It is recommended that the Commission review and provide comments on the Draft 2020 Work Plan.

7. **Draft Code of Ethics**

Recommendation

It is recommended that the Commission review and provide comments on the Draft Code of Ethics.

**ADJOURNMENT**

**FUTURE PUBLIC ART COMMISSION MEETINGS**  
2020 TBD

**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>

**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.*

12/5/19

Date

Margaret Lin

Manager of Long Range Planning and Economic Development

**MINUTES OF THE REGULAR MEETING OF THE  
PUBLIC ART COMMISSION  
OF THE CITY OF SOUTH PASADENA  
CONVENED THIS 23<sup>rd</sup> DAY OF OCTOBER 2019 6:34 P.M.  
CITY COUNCIL CHAMBERS  
1414 MISSION STREET**

<b>CALL TO ORDER/ROLL CALL</b>	The regular meeting of the Public Art Commission (Commission) was convened at 6:34 P.M. Commissioners present: Burke, Huynh, Kuramitsu, Sawyer, and Wong; Commissioner absent: none; Council Liaison: none; and Staff present: Manager of Long Range Planning and Economic Development (Manager) Lin.
<b>PUBLIC COMMENTS (ITEMS NOT ON THE AGENDA)</b>	Yes on Measure A representative provided comments on the need for the sales tax increase.
<b>1. CITY COUNCIL LIAISON COMMENTS</b>	None.
<b>2. COMMISSIONER COMMENTS</b>	Commissioner Burke commented on the selection of the curator for the Civic Center Art Gallery, shared that he attended the South Pasadena Arts Council's (SPARC) fundraising event (SPARctacular), commended the Chamber of Commerce for another great Arts Crawl, and commented on the fact that there will no longer be an Eclectic Music Festival. Chair Sawyer, Commissioner Wong, and Commissioner Huynh also commented on the Arts Crawl and need to maintain a close relationship with SPARC.
<b>3. STAFF LIAISON COMMENTS</b>	None.
<b>ACTION/DISCUSSION ITEMS</b>	
<b>4. APPROVAL OF THE MINUTES</b>	The August 28, 2019, regular meeting minutes were approved (4 ayes, 0 noes, 1 abstain).
<b>5. 2019 ANNUAL REPORT</b>	Manager Lin reported that each year commissions are asked to provide an annual report to share their accomplishments from the past year; and presented the draft 2019 Annual Report. The Commission reflected on the items that were presented and made a motion to approve the annual report (5 ayes, 0 noes, 0 abstain).
<b>6. DRAFT 2020 WORK PLAN</b>	<p>Manager Lin reported that per the Council's direction each commission will review their purview and develop a subsequent work plan for the next year. The Draft 2020 Work Plan would be adopted at the first meeting of the new year.</p> <p>The Commission discussed the draft work plan and asked to consider the use of art as a form of public engagement (Commissioner Huynh would reach out to Metro); expanding the</p>

	<p>Art Resources Inventory from a spreadsheet to a slideshow of available resources, programming for the City’s cable channel (channel 19), and an update on the funds collected through the of the Public Art Development Fee. The Commission made a motion to ask each commissioner identify a minimum of three resources to be included in the Art Resources Inventory (5 ayes, 0 noes, 0 abstain). The Commission also made a motion to establish an ad hoc committee comprised of Chair Sawyer and Commissioner Burke to explore options for the cable channel.</p>
<b>ADJOURNMENT</b>	<p>By consensus, the Commission adjourned the meeting at 7:34 P.M.</p>

Approved By:

---

Jaz Sawyer  
Chair

DRAFT



# Public Art Commission Agenda Report

---

**DATE:** December 11, 2019

**FROM:** Joanna Hankamer, Director of Planning and Building  
Margaret Lin, Manager of Long Range Planning and Economic  
Development

**SUBJECT:** **2019 Annual Report**

---

## **Recommendation**

It is recommended that the Commission review and approve the 2019 Annual Report.

## **Discussion/Analysis**

Each year commissions are asked to provide an annual report to share their accomplishments from the past year.

## **Background**

On October 17, 2018, the City Council approved the creation of the Public Art Commission for the purpose of reviewing and approving public art projects associated with the Public Art Program, including but not limited to, proposed site-specific public art, art donations, and public art developed with the funds from the Public Art Development Fee.

## **Public Notification of Agenda Item**

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website and/or notice in the *South Pasadena Review* and/or the *Pasadena Star-News*.

Attachment: 2019 Annual Report

---

# **ANNUAL REPORT 2019**

---

## **PUBLIC ART COMMISSION**

---

**City of South Pasadena**



---

# A Message from the Commission Chair

Today, more than ever the arts are essential to navigating both our challenges and opportunities within society. It's important that we incorporate the arts into our lives, every day, as each person has the ability to be creative and deserves an outlet for expression.

As a commission, it is vital to our success that we continue to achieve growth through the embodiment of diversity, ingenuity and community.

Sincerely,

Dr. Jaz Sawyer  
Public Art Commission, Chair

---

## **PURPOSE STATEMENT**

The Public Art Commission provides support to the City Council pertaining in all matters to public art or art in public spaces. The Public Art Commission is responsible for reviewing and approving public art projects associated with the Civic Center Art Gallery, public art program, and public art development fee.



---

# Public Art Commission

Jaz Sawyer	Commission Chair
Steven Wong	Commission Vice-Chair
Jeffrey Burke	Commissioner
Phung Huynh	Commissioner
Kris Kuramitsu	Commissioner
Marina Khubesrian, M.D., Mayor	City Council Liaison
Margaret Lin, Manager of Long Range Planning and Economic Development	Staff Liaison

Public Art Commission meetings are held every fourth Wednesday of the month at 6:30 PM. Meetings are held at: City Council Chambers (1424 Mission Street, South Pasadena, CA 91030)

---

---

**Released a Request for Proposals,  
conducted interviews, and selected a  
curator for the Civic Center Art Gallery**

---

---

**Successfully developed a Public Art Program Review Criteria, that was adopted by the City Council, to provide a framework for the evaluation and acceptance of public art**

---

---

**Initiated the development of an Arts Resources Inventory in order to formulate more well-informed decisions on future projects and programming**



# Public Art Commission Agenda Report

---

**DATE:** December 11, 2019

**FROM:** Joanna Hankamer, Director of Planning and Building  
Margaret Lin, Manager of Long Range Planning and Economic  
Development

**SUBJECT:** **Draft 2020 Work Plan**

---

## **Recommendation**

It is recommended that the Commission review and provide comments on the Draft 2020 Work Plan.

## **Discussion/Analysis**

Per the City Council's direction each Commission will review their purview and develop a subsequent work plan for the year. The work plan will help manage limited staff resources and the tasks or processes necessary to achieve those goals for the commission. The Draft 2020 Work Plan will be presented to the Commission for adoption at the beginning of the 2020.

## **Background**

On October 17, 2018, the City Council approved Ordinance No. 2326 to create the Public Art Commission. The Public Art Commission is responsible for the review and approval of public art projects associated with the Public Art Program, including but not limited to, proposed site-specific public art, art donations, and public art developed with the funds from the Public Art Development Fee.

On October 17, 2018, the City Council also approved Ordinance No. 2325 to establish a Public Art Development Fee Program. The Development Fee would provide one percent (1%) of the total building valuation towards public art on-site or one and a half percent (1.5%) of the total building valuation to the public art development fee in lieu of providing public art on-site:

- Residential developments of four or more units with a building valuation exceeding \$500,000 as determined by the Building Official; and
- Commercial and industrial building projects with a building valuation exceeding \$500,000 as determined by the Building Official; and
- Remodeling projects of existing commercial or industrial buildings, when the remodeling has a building valuation exceeding \$250,000 as determined by the Building Official; and
- Remodeling projects of residential buildings of four or more units or complexes of four or more units, whether exterior or interior, when the remodeling has a building valuation exceeding \$250,000 as determined by the Building Official.

Developments or modifications to affordable housing, performance arts facilities, museums, private non-profit and institutional uses, interior remodel or tenant improvements, and national disaster repairs or rebuilding required by code will be exempt from this provision.

Projects that are subject to the Public Art Development Fee will be required to allocate a percentage of the total building valuation towards the following:

- One percent (1%) for on-site installation of approved site-specific public artwork, cultural, or artistic facilities equal to or exceeding the value of the contribution amount; or
- One and a half percent (1.5%) for payment in cash of the development fee to a new Public Art Fund.

Projects to be funded from the Public Art Fund shall consist of artwork placed in public places or incorporated into public buildings, art education programs, art display programs or performances, or the allocation of space such as a civic gallery or theater space. All projects subject to the Public Art Development Fee shall be reviewed and approved by the Public Art Commission following the design review for the associated development or redevelopment project.

### **Public Notification of Agenda Item**

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website and/or notice in the *South Pasadena Review* and/or the *Pasadena Star-News*.

Attachment: Draft 2020 Work Plan

**PUBLIC ART COMMISSION  
2020 Work Plan**



Objective	Tasks and Activities	Lead Person(s)	Timeline	Desired Outcome
Brown Act Training	<ul style="list-style-type: none"> <li>- Brown Act Training</li> </ul>	Margaret Lin	Quarter 1	Ensure all commissioners have a thorough understanding of the Brown Act
Election of Chair and Vice-Chair	<ul style="list-style-type: none"> <li>- Nominations</li> <li>- Elections</li> </ul>	Margaret Lin	Quarter 1	Select a Chair and Vice-Chair
Review of Public Art Commission Ordinance/ Work Plan/ Public Art Development Fee Ordinance	<ul style="list-style-type: none"> <li>- Review of the Commission's purview</li> <li>- Adoption of the 2020 Work Plan</li> </ul>	Margaret Lin	Quarter 1	Review the Commission's purview and work plan for 2020
Art Resources Inventory	<ul style="list-style-type: none"> <li>- Continue to add resources to the Inventory</li> </ul>	Margaret Lin	Quarter 2	Develop a comprehensive inventory of all art resources in the City

Objective	Tasks and Activities	Lead Person(s)	Timeline	Desired Outcome
Art Resources Gaps	<ul style="list-style-type: none"> <li>- Evaluate the Inventory to identify gaps</li> <li>- Identify priority areas for future funding</li> </ul>	Margaret Lin	Quarter 2	Identify gaps in the Art Resources Inventory to identify priority areas for future funding opportunities
Civic Center Art Gallery	<ul style="list-style-type: none"> <li>- Release Request for Proposals</li> <li>- Evaluate proposals</li> <li>- Conduct interviews</li> <li>- Award contract</li> </ul>	Margaret Lin	Quarter 2	Select a curator for the Civic Center Art Gallery
Public Art Program Proposals	<ul style="list-style-type: none"> <li>- Review and approval of public art proposals with the Public Art Program Review Criteria</li> <li>- Receive regular updates regarding the Public Art Development Program</li> </ul>	Margaret Lin	Ongoing	Ensure high-quality public art is developed through the Public Art Program





# Public Art Commission Agenda Report

---

**DATE:** December 16, 2019

**FROM:** Joanna Hankamer, Director of Planning and Building  
Margaret Lin, Manager of Long Range Planning and Economic  
Development

**SUBJECT:** Code of Ethics and Conduct

---

## **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.

**Public Notification of Agenda Item**

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website and/or notice in the *South Pasadena Review* and/or the *Pasadena Star-News*.

Attachment: Code of Ethics and Conduct



# 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*