

City of Folsom Code of Ethics and Conduct for Elected Officials, Commission and Committee Members

Statement of Purpose:

The City Council for the City of Folsom desires the highest level of ethical conduct for the members of the City Council and members of appointed commissions and committees. The residents and businesses of the City of Folsom are entitled to fair and accountable local government and to be represented by public officials who act in an ethical manner. The City of Folsom's strong desire to fulfill this mission therefore requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Candidates for City Council positions should adhere to high ethical standards;
- Public officials be independent, impartial and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City Council for City of Folsom has adopted this Code of Ethics and Conduct (Code of Ethics) for elected officials and members of appointed commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation. It is intended that this Code of Ethics apply to the designated public officials and candidates for the City Council. The goal of this Code of Ethics is to promote ethical behavior and to set ethical standards, rather than be penal in nature. Asserted violations of this Code of Ethics shall not be grounds to void any action taken by the City Council, commissions or committees. Nothing in this Code of Ethics is intended to limit any powers, rights or authority inherent in the City Council.

Members of the public seeking election to the City Council or appointment to commissions and committees are strongly encouraged to endorse and comply with the provisions of this Code of Ethics.

City Council members and members of appointed commissions and committees are referred to generally as "Public Officials" in this Code of Ethics.

1. Act in the Public Interest

Recognizing that the public interest must be their primary concern, Public Officials will work for the common good of the people of the City of Folsom and not for any private or personal interest. They will assure fair and equal treatment of all persons, businesses and interests coming before the City of Folsom City Council, commissions, and committees. The professional and personal conduct of Public Officials must be above reproach and avoid even the appearance of impropriety.

2. Comply with the Law

Public Officials shall comply with the laws of the nation, the State of California, and the City of Folsom in the performance of their public duties. These laws include, but are not limited to: the Constitutions of the United States and California; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, open processes of government; and the City of Folsom Charter, Municipal Code and Resolutions.

3. Respect for Process

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

4. Decisions Based on Merit

Public Officials shall base their decisions on the merits and substance of the matter at hand. Public Officials shall prepare themselves for public issues and listen courteously and attentively to all public discussions before the body.

5. Communication

Communication with the public is an important aspect of open and responsive government. While balancing the desire for open government and the need to preserve due process, Public Officials should avoid improper ex parte communications with parties when the official is sitting in a quasi-judicial role.

Public Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, commissions and committees, the staff or public and otherwise interfere with the orderly conduct of meetings. This provision is not intended to limit the right of a Public Official to comment on the manner in which the business of the City is being conducted.

6. Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, public officials shall not use their official position to influence government decisions in which they have a material financial interest. Public Officials shall comply with state law, the City Charter and the Municipal Code regarding disclosure and avoidance of conflicts of interest.

7. Gifts and Favors

Public Officials shall comply with the requirements of the Political Reform Act relating to the acceptance and reporting of gifts.

8. Confidential Information

Public Officials shall respect the confidentiality of information concerning City property, personnel or proceedings of the City, including information received in Closed Session meetings of the City Council. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal interests.

9. Use of Public Resources

Public Officials shall not use public resources for private gain or personal purposes. Public Officials shall not utilize the City's name or logo for the purpose of endorsing any political candidate or business.

10. Political Contributions

A member or candidate for City Council shall not solicit contributions or endorsements from City employees. This provision is not intended to interfere with an employee's right to endorse or contribute on his/her own or to prohibit soliciting contributions or endorsements from employee bargaining units.

11. Representation of Private Interests

In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board, commission, committee, or proceeding of the City, nor shall members of commissions or committees 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.

12. Advocacy

Public Officials shall represent the official policies or positions of the City Council, commission, or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, officials shall explicitly state they do not represent their body or the City of Folsom.

13. Policy Role of Members

Public Officials shall respect and adhere to the council-manager structure of the City of Folsom as outlined in the City's policies and procedures and follow the City of Folsom's Charter and Municipal Code with respect to the City Manager's relationship with the City Council. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, commissions and committees, and City staff. Except as provided by the City Charter or ordinance, Public Officials shall not interfere with the administrative functions of the City or the professional duties of City staff, including the City Manager's responsibility to address personnel matters; nor shall they impair the ability of staff to implement Council policy decisions.

14. Independence of Commissions and Committees

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

15. Positive Work Place Environment

Consistent with the City of Folsom's Core Values, Public Officials shall support the maintenance of a positive and constructive work place environment for City employees and for residents and businesses dealing with the City. Public Officials shall recognize their special role in dealings with City employees and refrain from creating the perception of inappropriate direction to staff.

16. Harassment and Discrimination

The City of Folsom is committed to providing an environment that is free from unlawful discrimination, including discrimination or harassment that is based on any legally protected status. Public Officials shall not engage in any form of harassment as that term is defined in the City of Folsom Personnel Rules and Regulations. The City will not tolerate any form of discrimination or harassment that violates this policy. This policy forbids any unwelcome conduct that is based on an individual's age, race, color, religion, sex, national origin, ancestry, marital status, sexual-orientation, veteran status, physical or mental disability, legally protected medical condition or association with anyone who has, or is perceived to have, any protected characteristic, or any other basis protected by state, federal or local law.

17. Implementation of the Code of Ethics

The City of Folsom Code of Ethics expresses standards of ethical conduct expected for members of the City of Folsom City Council, commissions and committees. Public Officials themselves share the 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.