

CITY OF COLTON



CODE OF NORMS AND ETHICS

ADOPTED MARCH 29, 2010

It is the intent of the Colton City Council (“City Council”), in developing and adopting this Code of Norms and Ethics (“Code”), to achieve fair, ethical, and accountable local government for the City of Colton. The people of Colton expect public officials, both elected and appointed, to comply with both the letter and the spirit of the laws of the State of California, the United States of America, the Colton Municipal Code, and established policies of the City of Colton affecting the operations of local government. In addition, public officials are expected to comply with the provisions of this Code as approved by the Colton City Council. All persons covered by this Code will aspire to meet the highest ethical standards in the conduct of their duties and responsibilities as elected or appointed officials or staff members of the City of Colton.

This Code addresses various aspects related to the governance of the City of Colton and supplements, but does not supplant other laws and rules that prescribe the legal responsibilities of City officials. These include, but are not limited to, the Federal and State Constitutions, various provisions of the California Government Code, such as the Brown Act, Political Reform Act, the Labor Code, laws prohibiting discrimination and harassment, and the City of Colton Municipal Code. Elected and appointed officials and staff are expected to be familiar with these laws to ensure that they exercise their public responsibilities in a proper fashion.

The manner in which we govern ourselves is often as important as the positions we take. The City Council’s collective decisions will be better – and truer to our mission – when differing views have had the opportunity to be fully discussed and considered. We value all input.

Further, all those who appear before this City Council have the right to be treated with respect, courtesy and openness. As a result, we commit to conduct ourselves at all times with civility and courtesy, to both those whom the Council interacts with and with each other. We also pledge to correct ourselves, should our conduct fall below that which is enumerated in this Code as more particularly set forth below.

Statutory Requirements/Regulatory Guidelines

Certain state laws and other established regulations exist which govern various responsibilities of the City Council. Therefore, this Code is not intended to be comprehensive in

scope, but rather is an attempt to identify those issues and topics which are generally not covered by other laws or statutes that have been identified by the City Council as important rules of governance and a priority in the conduct of the people's business.

The citizens of the City of Colton are entitled to have fair, ethical and accountable local government. It is necessary that the public have confidence in the integrity of its government and in those persons who represent them. The purpose of the Code is to set forth policies and provisions, including rules of decorum beyond those established and required by state law.

City Council members bear ultimate responsibility to make decisions that are in the best interest of the City. The City Council must be independent, impartial and fair in their judgment and actions and will conduct public deliberations and processes openly and in an atmosphere of civility. All City Council deliberations shall be conducted respectfully.

While it is not possible to anticipate and provide a rule of conduct and ethical rule for all situations that public officials may face, this Code is designed to provide a framework to guide officials in their daily duties.

As a result, the provisions of this Code of Ethics and Norms shall be applicable to the Mayor and members of the City Council, and to all members of the City's boards, commissions, and committees appointed by the Mayor and/or City Council, including any *ad hoc* committees. In addition, where applicable and where authorized by labor agreements, the provisions of this Code shall also apply to Colton city employees. The provisions of this Code shall only apply to officials and members acting in their official capacities and in the discharge of their duties.

GENERAL ASPIRATIONS

- To take courageous action when necessary to keep the City of Colton a progressive, well managed innovative City embracing its stated Vision, Mission, Strategic Plan, City Goals and Core Values.
- The City Council provides leadership and participates in local, regional, state and federal programs and meetings.
- The City Council looks to commissions and committees for independent advice.
- Other community leaders should be consulted in the decision-making process when appropriate.
- There is extensive citizen participation and work on City programs and documents.
- An expectation that members should attend numerous meetings, other than regular City Council meetings.
- We stress training for staff, City Council, and commission members.

- City Council members will inform the Council's Executive Assistant when they will be out of town as early as possible and it will be put on the Council Calendar.
- City Council members get the same information as much as possible: including but not limited to citizen complaints, letters, background information, etc.
- City Council members will each determine specific commission packets they want to receive.
- Return unwanted reports and documents to staff for distributing to the public or for recycling or shredding.
- City Council members should meet with their Commission appointees at least annually, and Commission chairs should make written reports to the full City Council at least biannually regarding projects completed by the Commission.
- Mayor and Council will take responsibility to annually create the Council Vision, and approve staff project management outlines for budget, timelines, and specific responsibilities for accomplishment on a quarterly basis.
- Council members and City Manager prioritize City Projects for staff's follow-through.
- The City Council prefers to see a Strategic Plan for major goals; the City Manager must have a project management plan that tracks projects and gives updates to the City Council.

COUNCIL VALUES

- The Council and City Manager are a participatory team.
- Council values high energy, open mindedness, and is achievement-oriented.
- Council members will care and have respect for each other.
- Council members will be straightforward; with no hidden agendas.
- City Council values humor.
- Traditions are respected, but not binding.
- Council members communicate openly with each other and with City Manager.

COUNCIL INTERACTION AND COMMUNICATION

- Individuals are responsible to initiate resolution of problems quickly and not let them fester.
- City Council will not direct cheap shots at each other during public meetings, in the press, or any other place/time.
- Relationships are informal, but not casual in public [beware of impact on, and perception of, the public].
- Council members will be flexible in standing in for each other.
- Substantive Council/Manager Items are to receive advance notice and public notification.
- Council Committees:
 - Committee areas belong to the whole council; Council appointees are not seen as territorial.
 - Committees are responsible to keep rest of Council informed; and other members are responsible for letting committee know if they want more information or to give input. Need to establish clear communication from/to all.
 - Before committees start moving in new direction, they will get direction from the rest of Council.
 - Committee reports will be made under Council Reports, when appropriate.
 - Committee information summaries will be sent on an interim basis to update other Council members on:
 - o Issues being discussed
 - o Options being considered
 - o Progress
 - Information summaries shall not be discussed by a majority of the council members prior to a noticed agenda council meeting.
- Council and committees will give clear and focused direction as early as possible.
- Individual City Council members will not respond to Citizen's complaints during Council meetings unless directed through the Mayor. City Manager or City Attorney will generally assign responses to Citizens to get them necessary information to solve their issues.

COUNCIL INTERACTION AND COMMUNICATION WITH STAFF

City Manager

- City Manager will review assignments from individual City Council members. If the City Council member wishes to pursue an assignment that will take a substantial amount of department work, as determined by the City Manager in his or her sole authority, the matter will be referred to the Council as a whole for direction.
- City Manager will endeavor to schedule monthly individual meetings with each Council member.
- City Manager will conduct a staff retreat to develop specific measurable goals and to provide Council with options for their City goals, timelines and specific project management needs, prior to the adoption of City goals.
- Council will provide annual City-wide goals to provide direction to the City Manager.
- City Council will designate five to ten specific measurable goals for the City Manager's performance that are different from the broad City goals.
- Council will conduct quarterly Closed Session reviews of City Manager/City Attorney goals progress.
- Council members should always feel free to go to the City Manager.
- When a Council member is unhappy about a department, he/she should always discuss with the City Manager and not the department head.
- Concerns about a department head must be taken to the City Manager only.
- Critical information will be passed to all City Council members by appropriate personnel.
- The Council will provide ongoing feedback, information, and perceptions to the City Manager, including some response to written communications requesting feedback.
- The City Manager or the Assistant City Manager deals with issues that cross department boundaries.
- Council will provide City Manager with an annual facilitated evaluation.
- Council will direct City Manager in providing positive Public Relations information on a routine and regular basis by contract or full-time staff.

Staff in General

- Council can talk with department heads if asking for general inquiry/information.
- Council will not assign staff any assignments or requests without conferring with the City Manager. Information only is acceptable if it doesn't require a substantial amount of department work, as determined by the City Manager in his or her sole authority.
- Council will always be informed by staff when an unusual event occurs that the public would be concerned about, i.e., anyone wounded by officer-involved gunfire, area cordoned off by police or fire, etc.
- The Council and staff will not blind side each other in public on any City matters.
- If there is an issue or a question a Council member has on an agenda item, that member will contact the City Manager and/or staff prior to the meeting.

City Attorney

- City Attorney shall partner with Council, City Manager and staff when and where appropriate.
- City Attorney is to regularly consult with Council on items of concern on upcoming agenda at the earliest time possible.
- City Attorney will track Commissions' actions, agenda of City Council and committees for needed input.
- City Attorney is to pro-actively inform and protect City Council members from potential violations and conflicts.
- City Attorney will actively provide a strategy for cost reductions, cost recovery of all fees including litigation and development products.

COUNCIL RECOMMENDATIONS FOR KEEPING INFORMED

- It is recommended that each Council member read Commission Minutes in order to find out what is being worked on.
- It is recommended that each Council member read documents on planning related items.
- City Manager will discuss future Agenda topics with Council members.
- Council members will do their homework.
- There is extensive use of staff and commission reports, and commission minutes.

- Council members need to create open communication with each other and with City Manager.

MAYOR PRO TEM SELECTION

- For the selection of the Mayor Pro Tem, the City Council shall follow the policy formally adopted by the City Council by ordinance or resolution.

MAYOR'S ROLE

- Each Mayor is unique; the role is defined by the person, based on that person's style.
- The Mayor is the spokesperson for the City.
- The Mayor will inform the Council of any informal correspondence sent out to anyone in relation to City business.
- The Mayor regularly communicates with the City Manager and keeps Council and Mayor Pro Tem fully informed.
- The Mayor will regularly schedule quarterly meetings to evaluate City Manager/City Attorney goal progress and achievement.
- The Mayor will caution Council in chastising or criticizing staff in public.
- The Mayor will continually strive to provide new efficiencies in conducting Council business, adhering to Council norms and managing an effective business meeting. (Mayor Pro Tem will effectively support this effort.)

CITIZEN COMPLAINTS

- Staff will attach their response to the copy of the letter received when sending to Council.
- Council will be informed of significant, urgent and repetitive telephone complaints.
- Staff will draft a copy of responses for Council to use; letters over Council signatures checked out with signatory.
- Council should not attempt to fix Citizens' problems on their own; it will be referred to the City Manager.
- Responses to citizens are customized.
- Copies of responses to be included in individual packets.

- If a Council member wants action based on citizen complaint, they should go through the City Manager's office to ensure it gets into the tracking system.
- The level of detail in written responses will be selective.
- Generally, communications are acknowledged with discretion.

PUBLIC MEETINGS

- City Manager sets the Agenda for regular City Council meetings. Mayor and Mayor pro tem may provide input on issues, timelines and importance of various items in order to control lengthy meetings.
- Council Agenda needs to be planned early – not at last minute.
- Council meetings will not go beyond the time limits indicated in the Manual of Procedures.
- Public comment shall be received on all action items.
- City Council members will treat everyone with courtesy.
- Corrections to minutes are passed to the City Clerk as soon as possible.
- Each member may share his/her views about the issue and the reasons for his/her vote on non-Consent Calendar items or items not otherwise pulled for discussion or separate vote.
- Council members need to be cautious in their texting each other during Council meetings; need to show decorum and appropriateness in their meetings.
- **Consent Calendar**
 - There is judicious use of the Consent Calendar, such as minutes, routine City business, some appeals, things already approved in the budget.
 - If a Council member has a question on a Consent Calendar item for their information only, they should endeavor to ask staff ahead of time, rather than having it pulled off for discussion during the meeting.
 - Staff is prepared to report on every agenda item.
 - No 'grandstanding' by Council on Consent items.
- **Public Comment**
 - Staff report presentation procedures will include: (1) Staff Report, (2) Commission report, (3) Applicant report, (4) questions from Council, (5)

Public Comment, (6) closed Public Hearing, (7) any staff response, and (8) bring item back to Council for discussion.

- Applicant's comments will be limited to a reasonable time.
- Each City Council member shall conduct themselves and allow the meeting to be conducted in a manner that is most efficient with respect to time, but which also allows the most members of the public to express their views in the time allotted for the meeting.
- Everyone needs to ensure we do not waste excessive time during Comments in Council Meetings.
- It is acceptable to ask questions of a speaker for clarification.
- Each speaker will be thanked.
- Council will not respond until all public comment has been reviewed.
- Mayor allows other members to speak first and then gives his/her views and summarizes.

- **Voting**

- Everyone expresses their opinion and speaks before a motion.
- Attempts will be made to get consensus on significant policy issues.
- There will be electronic roll call on votes on large, monetary issues, and when a divided Council is obvious.
- Department heads will generally attend every meeting or have someone stand in for department; other staff attendance at Council meetings is at the City Manager's discretion.
- Council member discussions will not be redundant if they concur with what has already been said.

- **Closed Session**
 - Council will get written reports for Closed Session items as much as possible. The reports may be turned in at the end of the meeting to the City Attorney or City Manager. If such reports are kept by Council members, they shall be maintained as confidential.
 - City Manager will ask for pre-meeting Closed Sessions if it will save the City money (due to consultant fees, etc.); to be held at the convenience of Council.
 - There shall be no violation of Closed Session confidentiality.
 - Council members will not talk to affected/opposing parties, the press or anyone else concerning confidential information obtained in closed session, in compliance with requirements of the Brown Act.
 - Confidentiality relates to any non-public discussion items.
- **Special Meetings**
 - Special meetings may be called by Mayor or a majority of the City Council pursuant to the requirements of the Brown Act.

COMMISSIONS

- Problem solving issues with commissions will be done as much as possible with chairs and vice chairs.
- City Council members should meet with their Commission appointees at least annually, and Commission chairs should make written reports to the full City Council at least biannually regarding projects completed by the Commission.
- Commission needs:
 - To know Council vision.
 - Understand their roles/authority/no-no's.
 - To know annual priorities of Council.
 - Process/parameters within which to work, i.e., citizen involvement.
 - What to do when commission/Council disagree.
 - Chairs and vice chairs to receive annual support training.
 - All new commissioners receive training, with Council and staff for which chairs have assisted in the development of the agenda.

- **Criteria for Commissioner Re-Appointment shall include:**
 - Serve at the will of Council.
 - No conflicts of interest.
 - Participation.
 - Preparation.
 - Team player.
 - Support of community vision.
 - Respect for staff/public.
 - Regular attendance (not missing more than two meetings without a valid reason).
 - Quarterly attendance reports will be provided to Council.
 - Working for community versus personal purposes.