

RESOLUTION NO. 18-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
RIPON AMENDING THE RIPON CODE OF ETHICS TO  
INCLUDE SENIOR STAFF

WHEREAS, the City of Ripon ("City") has adopted a Code of Ethics ("Code") for members of the City Council, and the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.; and

WHEREAS, the City Council now desires to amend the Code to also apply to senior staff members employed by the City ("Amended Code"); and

NOW, THEREFORE, the City Council of the City of Ripon does hereby resolve as follows:

1. That the Amended Code of Ethics, attached hereto as Exhibit A, is hereby approved and adopted.
2. That City staff is hereby directed to take all steps necessary for the implementation of the Amended Code of Ethics, including the development of applications, acknowledgements, public information and education materials, and any other related actions.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 9th day of October, 2018, by the following vote:

**RESULT: ADOPTED AS AMENDED [UNANIMOUS]**

**MOVER:** Leo Zuber, Vice Mayor

**SECONDER:** Dean Uecker, Council Member

**AYES:** Dean Uecker, Daniel de Graaf, Leo Zuber, Michael Restuccia

**ABSENT:** Jake Parks

**THE CITY OF RIPON,**  
A Municipal Corporation

By   
MICHAEL RESTUCCIA, Mayor

ATTEST:

By:   
LISA ROOS, City Clerk

# **CODE OF ETHICS FOR MEMBERS OF THE RIPON CITY COUNCIL, BOARDS, COMMISSIONS, AND SENIOR STAFF**

## **Preamble**

The citizens and businesses of Ripon are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity. In keeping with the City of Ripon's Commitment to Excellence, the effective functioning of democratic government therefore requires that:

- Public officials, including elected, appointed, and hired, shall comply with both the letter and spirit of the laws and policies affecting the operations of government;
- 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 Ripon City Council has adopted a Code of Ethics for members of the City Council, City's boards and commissions, City Administrator, and the City Senior Staff (collectively "Members"), to assure public confidence in the integrity of local government and its' effective and fair operation. For this Code of Ethics, members of the City Senior Staff are defined as the Heads of each City Department, as defined in the City of Ripon Merit System Section 201.D.

### **1. Act in the Public Interest.**

- Members are elected, appointed, and hired to serve the citizens of the City of Ripon, and shall first and foremost work for the benefit of the City above all other positions held either by appointment or volunteered.
- Members, at all times, shall protect the financial viability of the City by taking actions necessary to ensure that maximizes the "quality of life" for its residents

### **2. Comply with the Law.**

- Members shall comply with the laws of the nation, the State of California and the City of Ripon in the performance of their public duties.
- These laws include, but are not limited to: the United States and California constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, processes of conducting governmental business and City ordinances and policies.

### **3. Conduct of Members.**

- The professional and personal conduct of Members must be above reproach.
- Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of members of Council, boards and commissions, the staff or public.

#### **4. Respect for Process.**

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

#### **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.
- Members 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.
- Elected or appointed Members shall refrain from questioning staff at a public meeting for the purpose of embarrassing them.
- Every effort should be made by elected or appointed Members to make inquiries of staff prior to or after public meetings ensuring that the City Administrator is informed of any inappropriate behavior.

#### **6. Decisions.**

- Elected or appointed 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.
- All City Council correspondence on behalf of the city shall have the signature of the mayor.

#### **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, sources 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 not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general.
- 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 the property, personnel or affairs of the City.
- Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

#### **11. Use of Public Resources.**

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

#### **12. Representation of Private 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.
- Also, no Member shall 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.
- When presenting their individual opinions and positions, Members shall explicitly state they do not represent their body or the City of Ripon, nor will they allow the inference that they do.
- Council, board and commission decisions shall receive the support of all Members.

#### **14. Policy Role of Members.**

- Members shall respect and adhere to the council-manager structure.
- In this structure, the City Council determines the policies of the City after considering any comments and information provided by the public, boards, commissions and City staff.
- 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 shall refrain from using their position to unduly influence the deliberations or outcomes of the Council, board and commission proceedings.
- It is also important that Members are required to follow the policies adopted by the City Council and not insert their own opinions which would over reach their authority.

## **16. Positive Work Place Environment.**

- Members shall support the maintenance of a positive and constructive work place environment for City employees and for 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.
- It is imperative that Members not give staff direction outside or contrary to previously approved decisions of the Council, board or commission.

## **17. Implementation.**

- As an expression of the standards of conduct for Members expected by the City, the Ripon Code of Ethics is intended to be self-enforcing.
- 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 City Senior Staff, candidates for City Council, applicants to board and commissions, and newly elected and appointed officials.
- Members entering office shall sign a statement affirming they read and understood the City of Ripon Code of Ethics.

## **18. Compliance and Enforcement.**

- The Ripon Code of Ethics expresses standards of ethical conduct expected for Members.
- 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 and commissions, the Mayor, and City Administrator have the additional responsibility to intervene when actions of Members that appear to be in violation of the Code of Ethics are brought to their attention.
- The City Council or City Administrator 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 assignments, or budget restriction.
- The City Council also may remove Members of boards and commissions from office.
- A violation of this code of ethics shall not be a basis for challenging the validity of a Council, board or commission decision.

**MEMBER STATEMENT** As a member of the Ripon City Council, board, commission, City Administrator, or as a Department Head, I agree to uphold the Code of Ethics for elected and appointed officials adopted by the City and conduct myself by the following model of excellence. I will:

1. Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
2. Help create 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;
3. Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
4. Respect the dignity and privacy of individuals and organizations;
5. Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit;
6. Avoid and discourage conduct which is divisive or harmful to the best interests of Ripon;
7. Treat all people with whom I come in contact in the way I wish to be treated.

***I affirm that I have read and understood the City of Ripon Code of Ethics.***

Signature \_\_\_\_\_

Date \_\_\_\_\_

Name \_\_\_\_\_

Office/Position: \_\_\_\_\_