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Statutory References	<p>A. The proper operation of local government requires that elected and appointed officials be independent, impartial and responsible to the people; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics and conduct for all elected and appointed officials whether paid or unpaid. The purpose of this chapter is to establish ethical standards of conduct for all such officials by setting forth guidelines and those acts or actions that are incompatible with the best interests of the city.</p> <p>B. Public officials are bound to observe in their official acts the highest standards of performance and to discharge faithfully the duties of their office regardless of personal considerations. Recognizing that the public interest must be their primary concern, their conduct in both their official and private affairs should be beyond reproach. The provisions of this chapter are hereby declared to be in the best interest of the city and for the protection of the public health, safety and welfare of its citizens. (Ord. 5219 (part), 1999)</p>

### **2.83.020 Definitions.**

For purposes of this chapter, the following terms shall have the meanings specified:

**Boards and Commissions.** The terms "boards and commissions" and "boards or commissions" includes all appointed boards or commissions under the Glendale Charter, Title 2 of the Glendale Municipal Code, 1995, and any other board, commission or committee where the members are appointed by the city council.

**Official.** The term "official" or "officials" shall include the members of the city council and members of all boards and commissions as set forth in the Charter, Title 2 of the Glendale Municipal Code, 1995, or any other board, commission or committee where the members are appointed by the city council.

**Private Advantage/Benefit/Gain, Etc.** As used in this section, the terms "private advantage," "private benefit," "private gain," or "economic gain" mean any personal advantage, benefit or economic gain, distinct from that enjoyed by members of the public without regard to official status or not resulting naturally from lawful and proper performance of duties. (Ord. 5219 (part), 1999)

### **2.83.030 Fair and equal treatment.**

A. No official shall request or permit the use of city-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of officials in the conduct of official business.

B. No official shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. (Ord. 5219 (part), 1999)

### **2.83.040 Avoidance of impressions of corruptibility.**

Public officials should conduct their official affairs so as not to give a reasonable basis for the impression that any such official can be improperly influenced in the performance of his/her public duties. Such officials should conduct themselves so as to maintain public confidence in their performance of the public trust and the government they represent. They should not be a source of

embarrassment to city government and should avoid even the appearance of conflict in the conduct of their public duties. (Ord. 5219 (part), 1999)

### **2.83.050 Improper activities.**

No official shall engage in any enterprise or activity which shall result in any of the following:

- A. Using the prestige of influence of the city office including board or commission membership for private gain or advantage of himself/herself or another.
- B. Using time, facilities, equipment or supplies of the city of Glendale for the private gain or advantage of himself/herself or another.
- C. Using official information not available to the general public for his/her private gain or advantage or that of another.
- D. Personally or through an intermediary receiving or accepting money or other consideration from any person or entity other than the city of Glendale, or agency or board of which they are a member (e.g., Alex Regional Theatre Board; Burbank, Glendale, Pasadena Airport Commission) where such receipt or acceptance is intended as consideration for the performance of acts done in the regular course of official duty. Example: An architect who is a member of the DRB which will determine the matter, and is hired to draft plans and/or advise a client and is paid for such services, is not in violation of this section assuming the architect is not otherwise in violation of state law or other provisions of this chapter.
- E. Receiving or accepting, directly or indirectly, any gift or favor from anyone doing business with the city of Glendale under circumstances from which it could reasonably be inferred that such was intended to influence him/her in the performance of his/her official duties, or as a reward for official action. (Ord. 5219 (part), 1999)

### **2.83.060 Accepting employment during pendency of action.**

- A. No official shall solicit or accept or promise to accept employment as a compensated representative of any person or entity which actually has a matter pending before the city council

(if the official is a councilmember), or any board or commission (if the official is a member of a board or commission which has jurisdiction over a matter). This section applies only to the actual solicitation, acceptance or promise of acceptance of employment at the time the matter is pending before the council or any board or the time the matter is pending before the council or any board or commission. This section shall not apply to any activity wherein an official has accepted employment with an individual or entity prior to the matter for which the official has accepted employment is accepted for filing or appealed to, the city council or board or commission of which the official is a member. Example: A member of the planning commission should not solicit, accept or promise to accept employment with an applicant for a parcel map after the matter has been filed for review by the planning division. However, the member may accept employment prior to the application being submitted to the planning division.

B. A written agreement to retain a council member, member of a board or commission or their firm or company, which agreement is executed by all parties prior to the matter being accepted for filing or appealed to, the city council or board or commission of which the official is a member shall create a rebuttable presumption that the matter was accepted prior to the filing of an application or appeal. (Ord. 5219 (part), 1999)

### **2.83.070 Improper use of city position or prospective position.**

No official of the city, and no candidate for elective city office, shall use his/her position or prospective position, or the power or authority of his/her office or position, in any manner intended to induce or coerce any person to provide, directly or indirectly, anything of value which shall accrue to the private advantage, benefit or economic gain of the official, or of any other person. This section does not apply to campaign contributions solicited or received consistent with State and local laws. (Ord. 5219 (part), 1999)

### **2.83.080 Confidential information.**

No current or former official of the city shall use or disclose to any other person without appropriate authorization, confidential information acquired by him or her in the course of his or her official duties. (Ord. 5219 (part), 1999)

**2.83.090 Protection of employees and others against retaliation for reporting fraud, waste or misuse of office.**

A. No official of the city shall use or threaten to use any official authority or influence to discourage, restrain or interfere with any person for the purpose of or preventing such person from acting in good faith to report or otherwise bring to the attention of the city or other appropriate agency, office or department, any information which, if true, would constitute a gross waste of city funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of an official, or use of a city office or position or of city resources for personal gain.

B. No official of the city shall use or threaten to use any official authority or influence to affect or a reprisal against a city official, employee, or any other person who reports or otherwise brings to the attention of the city or other appropriate agency any information regarding the subjects set forth in subsection A, above. (Ord. 5219 (part), 1999)

**2.83.100 Prohibition against future employment.**

It is improper for any former official to appear as a compensated representative at any time before the city council or any board or commission, of which they were formerly a member, in connection with any case or other matter in which such former official was duly connected in a policy-making capacity while an official with the city, for six months following the termination, resignation or expiration of the term of the official. Such official may be released from the obligation imposed by the provisions of this section upon the submission of a written request to the city council in advance of his/her proposed appearance and a certification that while an official of the city, took no action or obtained no information which would prejudice his/her conduct or presentation, either at the time he/she was an official or at the time of the presentation. (Ord. 5219 (part), 1999)

**2.83.110 Penalties for noncompliance-No new legal rights created.**

A. In addition to any other penalty provided by law, violation of any provision of this chapter shall be a basis for disciplinary action of a board or commission member, including removal from the position to which he/she was appointed. Any elected official who violates this chapter may be subject to censure by the city council

or other remedy permitted by law.

B. This chapter shall not be construed to create a cause of action or other remedy for damages against the city of Glendale or any officer or employee. It is intended solely to provide a basis for disciplinary action, censure, or removal from office as permitted by law. (Ord. 5219 (part), 1999)

**2.83.120 Code of ethics supplements existing law.**

This chapter is intended as an addition to and supplement of federal, state and local laws relating to the subject matter addressed herein. (Ord. 5219 (part), 1999)