

Town of Atherton

Policy	Number: 2.1 Previously No. 100	Date of Approval: 9/17/2008 9/9/1999 2/19/1997	Adopted By: 08-36
Title: Code of Conduct	Prepared By: J. Gruber	Revised By:	Page: 1 of 5
Purpose: The citizens of Atherton are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity.			

1. PREAMBLE

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

- Public officials, both elected and appointed, and city employees, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials, both elected and appointed, and city employees, 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 Atherton City Council has adopted a Code of Conduct and Procedures for members of the City Council, City committees and commissions and City staff to assure public confidence in the integrity of local government and its effective and fair operation.

The Code of Conduct and Procedures shall be discussed at least annually, in either a regular meeting or a study session by the Council, Commissions, Committees and staff as an on-going means of developing a thorough understanding of the Code of Conduct and Procedures and the Brown Act.

RELATIONSHIP BETWEEN CITY COUNCIL AND TOWN STAFF

Town staff members, except for the City Attorney, work for the City Manager, who in turn works for the City Council. Staff can be used by Council as a resource for routine information on ongoing projects and programs. Contacts should be channeled through the City Manager for continuity purposes. If the City Manager is absent, the request should be directed to the Acting City Manager for processing purposes. The Acting City Manager will inform the City Manager upon his/her return of the request and what action was

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taken.

A more formal procedure should be followed if Council needs staff support that requires more than thirty (30) minutes of a staff member's time. If a majority of the Council approves such a request, the City Manager will proceed with said request and report his/her findings back to the Council upon completion. The same procedure applies to Council requests of the City Attorney, except in instances involving personnel or sensitive issues.

2. POLICY STATEMENT

The City Council of the Town of Atherton is committed to providing excellence in legislative leadership. In order to assist in the governing of the behavior between and among members of the City Council, Committees, Commissions and City Staff. We will strive to observe the following Code of Conduct and Procedures.

- 100.01 The public good shall be the highest priority of the Council, Commissions, Committees, and staff of the Town of Atherton. Public office should be used for public good, not for personal gain.
- 100.02 The work of the City is a team effort. Council members, Commissions, Committees and staff shall work together in a collaborative process, assisting each other in conducting the affairs of the Town.
- 100.03 When responding to constituent requests and concerns, Council members, Commissions, Committees and staff shall be courteous, responding to individuals in a positive manner and routing their questions to the City Manager.
- 100.04 The City Council and members of the Commission, Committees and staff shall develop a working relationship with the City Manager wherein current issues, concerns and Town projects are discussed comfortably and openly.
- 100.05 The City Council and members of the Commissions and Committees shall function as a part of the whole. Action issues shall be brought to the attention of the City Council as a whole rather than to individual members selectively.
- 100.06 The dignity, style, values and opinions of each member of the City Council, Commissions, Committees and staff shall be respected.
- 100.07 City Council members, Commissions, Committees and staff shall avoid double-talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

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- 100.08 City Council members, Commissions, committees and staff shall commit to focusing on issues and not personalities.
- 100.09 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the City Council, Commissions and Committees take action, Council, Committees, Commission members, and staff shall commit to supporting said action of the majority and not create barriers to the implementation of said action.
- 100.09.05 City Council Members, Members of the Commissions, Committees and Staff shall not represent themselves as speaking on behalf of the Town and/or the City Council without prior approval of the City Council. The statements of previously approved City Council may be made without additional City Council approval.
- 100.10 Individual Council members, Committees and Commission members shall not directly criticize any City employee or contract personnel publicly. Criticism of subordinates of the City Manager shall be given to the City Manager for his/her use as appropriate.
- 100.11 Council members should not publicly criticize the City Manager or staff, but shall discuss any concerns about the City Manager and staff in a closed session of the City Council.
- 100.12 Council members shall act within the spirit and intent of the Brown Act, including but not limited to, the provisions pertaining to inter-Council member communications.
- 100.13 Council members shall maintain confidentiality on all information discussed in closed session Council meetings.
- 100.14 The City Council, Commissions and Committees will distinguish between free speech and malicious innuendo or personal, insulting, slanderous attacks and will not tolerate verbal abuse of any Council members, Commissions or Committee members, or staff, either from the floor or from each other. It is the responsibility of the Chair, and, if necessary, all the members of the Council, Commissions and Committees, to enforce and maintain decorum at meetings.
- 100.15 No public official, officer or employee of the Town shall solicit or accept any gift, gratuity, favor or anything of monetary value which might be perceived as

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consideration for, present or future preferential treatment or as unethical attempts to influence Town operation's. Public Officials and employees are not to accept any gift, gratuity, favor or anything of monetary value from any individual, company or organization doing business with the Town.

3. COUNCIL, COMMISSION, COMMITTEE, STAFF PROCEDURES

One of the primary responsibilities of the City Council is to monitor the City's progress in attaining its goals and objectives while pursuing the Town's Mission Statement. Council, Commissions, Committee members and City Staff shall practice the following procedures:

- 100.01.a City staff members, except for the City Attorney, work for and are accountable to the City Manager, who, in turn, works for and is accountable to the City Council. City staff can be used by the City Council, Commissions and Committees as a valuable resource to provide routine information on ongoing projects and programs.
- 100.01.b Council members, Commissions and Committee members shall request information needed to supplement, upgrade or enhance their knowledge about Town projects and programs directly through the City Manager. If the City Manager is absent, the request should be directed to the Acting City Manager who will inform the City Manager upon his/her return of the request and what action was taken.
- 100.01.c A more formal procedure shall be followed if staff, support requires more than thirty (30) minutes of a staff member's time. Requests for information requiring more than thirty (30) minutes of staff time shall be placed on a regular Council meeting or study session agenda for discussion and possible approval.
- 100.01.d All complaints from residents and property owners of the Town of Atherton shall be referred directly to the City Manager. The City Manager will keep the interested Council member apprised on the resolution of the complaint.
- 100.01.e Public safety and/or hazardous issues shall be reported to the City Manager and each on-site Department Head. Emergency situations shall be dealt with immediately by staff, with notification to the City Council upon completion of the issue or with updated information as it becomes available.

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100.01.f The City Council, Commissions, Committee members and Staff should refer all personnel issues directly to the City Manager. Clarification for policy related concerns, especially those involving personnel, legal matters, finances and programming, shall be referred directly to the City Manager.

100.01.g Council members, Commissions and Committee members shall direct inquiries to the City Manager when approached by Town personnel concerning specific Town policy, to ensure that the proper chain of command is followed at all times.

100.01.h Council members, Commissions, Committee members and Staff shall not comment adversely on any Town employee with any constituent even in the event a constituent asks what he/she thinks of an employee.