


Part 3. Ethics

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL POLICY 3.1 CODE OF ETHICS AND VALUES		
	Adoption Date:	1/10/2006	Adopted by:
Revised Date:	3/11/2019	Revised by:	City Council Resolution No. 2019-04
Authority:	City Council		

3.1.1 PURPOSE

Good government requires that decision-makers and policy makers be independent, impartial, and accountable to the people they serve. The City of Belvedere has adopted this Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in the pursuit of good government. All elected and appointed officials, City employees, volunteers, and others who participate in the city’s government are required to subscribe to this Code, understand how it applies to their specific responsibilities, and practice its eight core values in their work.

Because we seek public confidence in the City’s services and public trust of its decision-makers, our decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this code.

3.1.2 CODE OF ETHICS AND VALUES

- A. As a Representative of the City of Belvedere, I will be *ethical*. In practice, this value looks like:
- I am trustworthy, acting with the utmost integrity and moral courage.
 - I am truthful, do what I say I will do, and am dependable.
 - I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action.
 - I am fair, distributing benefits and burdens according to consistent and equitable criteria.
 - I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions.
 - I show respect for persons, confidences, and information designated as “confidential.”
 - I use my title(s) only when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.
- B. As a Representative of the City of Belvedere, I will be *professional*. In practice,

this value looks like:


- I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my job in a consistent, confident, competent, and productive manner.
 - I approach my job and work-related relationships with a positive attitude.
 - I keep my professional knowledge and skills current and growing.
- C. As a Representative of the City of Belvedere, I will be *service-oriented*. In practice, this value looks like:
- I provide friendly, receptive, courteous service to everyone.
 - I am attuned to, and care about, the needs and issues of citizens, public officials, and co-workers.
 - In my interactions with constituents, I am interested, engaged, and responsive.
- D. As a Representative of the City of Belvedere, I will be *fiscally responsible*. In practice, this value looks like:
- I make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability.
 - I demonstrate concern for the proper use of City assets (e.g., personnel, time, property, equipment, funds) and follow established procedures.
 - I make good financial decisions that seek to preserve programs and services for City residents.
- E. As a Representative of the City of Belvedere, I will be *organized*. In practice, this value looks like:
- I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long-term goals.
 - I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
 - I am respectful of established City processes and guidelines.
- F. As a Representative of the City of Belvedere, I will be *communicative*. In practice, this value looks like:
- I convey the City's care for and commitment to its citizens.
 - I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.
 - I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response that adds value to conversations.
- G. As a Representative of the City of Belvedere, I will be *collaborative*. In practice,

this value looks like:

- I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.
- I work towards consensus building and gain value from diverse opinions.
- I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.
- I consider the broader regional and statewide implications of the City's decisions and issues.

H. As a Representative of the City of Belvedere, I will be *progressive*. In practice, this value looks like:

- I exhibit a proactive, innovative approach to setting goals and conducting the City's business.
- I display a style that maintains consistent standards, but is also sensitive to the need for compromise, "thinking outside the box," and improving existing paradigms when necessary.
- I promote intelligent and thoughtful innovation in order to forward the City's policy agenda and City services.

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL POLICY 3.2 GIFTS, GRATUITIES & FINANCIAL INTERESTS		
	Adoption Date:	1/10/2006	Adopted by:
Revised Date:	3/11/2019	Revised by:	City Council Resolution No. 2019-04
Authority:	City Council		

3.2.1 PERSONAL GIFTS


Employment in municipal government carries with it responsibilities that are not ordinarily found in private employment. Gifts from an individual, a company, or organization may be accepted on behalf of the City for all the employees to enjoy. Acceptance of personal gifts will be considered a conflict of interest and will carry the appropriate disciplinary action.

3.2.2 GRATUITIES

No officer or employee of the City shall solicit or accept any gratuity for services rendered.

3.2.3 BUSINESS TRANSACTIONS AND FINANCIAL INTERESTS

No employee shall engage in any business transaction or shall have a financial interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest or would tend to impair independence of judgment or action in the performance of his/her official City duties.

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL		
	POLICY 3.3 CONFLICT OF INTEREST CODE		
Last Revised Date:	9/12/2022	Revised by:	City Council Resolution No. 2022-48
Authority:	City Council		

3.3.1 ADOPTION & CONTENTS OF THE CONFLICT-OF-INTEREST CODE

The City of Belvedere’s Conflict-of-Interest Code was last updated and adopted in its entirety by City Council Resolution No. 2022-48 on September 12, 2022.

The body of the Conflict-of-Interest Code is a word-for-word copy of the Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations. The Conflict-of-Interest Code has an appendix consisting of two parts which spell out which of Belvedere’s public officials must file Statements of Economic Interests and what financial interests they are required to disclose. The appendix is reproduced in the following two sections.

3.3.2 C.O.I. CODE – APPENDIX SECTION 1 – SCHEDULE OF DESIGNATED PUBLIC OFFICIALS

POSITION	DISCLOSURE CATEGORY
Public officials whose duties are broad and indefinable: <ul style="list-style-type: none"> • Assistant City Attorney 	1
Public officials with limited decision-making authority over insurance matters and purchasing and who make recommendations to the city council, thereby participating in the making of governmental decisions: <ul style="list-style-type: none"> • Risk Management Officer 	2
Public officials with limited decision-making authority, such as purchasing, contracting for services, and/or making recommendations to the city council, and who work for specific departments within the City: <ul style="list-style-type: none"> • City Clerk/Management Analyst • City Engineer • IT Coordinator • Police Chief • Public Works Director/ Emergency Preparedness Manager 	3


POSITION	DISCLOSURE CATEGORY
<p>Members of the planning and building departments who issue permits and/or make recommendations to the planning commission:</p> <ul style="list-style-type: none"> • Administrative Clerk • Assistant Planner • Associate Planner • Building Official/Code Enforcement Officer • Director of Planning & Building • Planning Intern 	4
<p>Consultants who serve in a staff capacity that is equivalent to a designated position.</p>	<p>Same category as the designated position.</p>
<p>Consultants who serve in a staff capacity that is equivalent to a designated position, but who are hired to perform a range of duties that is limited in scope.</p>	<p>The City Clerk or City Attorney shall describe in writing the consultant’s duties and, based upon the description, state the extent of disclosure requirements. <i>(This determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.)</i></p>
<p>Consultants who serve in a capacity for which there is no equivalent designated position, who are hired to make or participate in the making of governmental decisions which may foreseeably have a material effect on any financial interest of the City of Belvedere.</p>	<p>The City Clerk or City Attorney shall determine whether disclosure is required. If so, the City Attorney shall describe in writing the consultant’s duties and, based upon the description, state what those requirements are.</p>
<ul style="list-style-type: none"> • Positions which do not entail the making or participation in the making of governmental decisions which may foreseeably have a material effect on any financial interest of the City of Belvedere. • Unsalaries members of boards or commissions which serve in a solely advisory capacity. • Positions that are clerical, secretarial, manual, or ministerial. 	<p>Not required to disclose economic interests.</p>

POSITION	DISCLOSURE CATEGORY
<ul style="list-style-type: none"> • Public officials who file a statement of economic interest pursuant to Government Code Section 87200: <ul style="list-style-type: none"> ○ City Council members. ○ Planning Commissioners. ○ City Manager/City Treasurer ○ City Attorney • Public officials who manage public investments as defined by 2 California Code of Regulations Section 18701(b): <ul style="list-style-type: none"> ○ Administrative Services Manager 	<p>These officials are subject to the disclosure requirements of Government Code Section 87200 et seq. rather than to this conflict of interest code.</p>

3.3.3 C.O.I. CODE – APPENDIX SECTION 2 - DISCLOSURE CATEGORIES


Category	Disclosure Requirements
1	<ul style="list-style-type: none"> • All investments, business positions in, and income (including gifts, loans, and travel payments) from sources which are now: located in the city; doing business in the city; and/or which own real property in the city. • All investments, business positions in, and income (including gifts, loans, and travel payments) from sources which plan within the next calendar year to: be located in the city; do business in the city; and/or acquire real property in the city. • All interest in real property, except for a primary residence, which is located in whole or in part within, or within a two-mile radius of, the limits of the city. • All investments, business positions in, and income (including gifts, loans, and travel payments) from sources that: <ul style="list-style-type: none"> ○ Manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City of Belvedere. ○ Are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before the City of Belvedere. ○ Engage in construction, or the acquisition or sale of real property, on the Tiburon peninsula. ○ Are the type of entity with which the City of Belvedere is empowered to invest funds. ○ Engage in the business of insurance, including but not limited to, insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers and actuaries. ○ Are financial institutions, including but not limited to: banks and savings and loan associations. ○ Have filed a claim, or have a claim pending, against the City of Belvedere. ○ Deliver concessions or services on behalf of the City of Belvedere by virtue of the City’s authority.

Category	Disclosure Requirements
2	<p>All investments, business positions in, and income (including gifts, loans, and travel payments) from sources that:</p> <ul style="list-style-type: none"> ○ Manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City of Belvedere. ○ Engage in the business of insurance, including but not limited to, insurance companies, carriers, holding companies, underwriters, brokers, solicitors, agents, adjusters, claims managers and actuaries. ○ Have filed a claim, or have a claim pending, against the City of Belvedere. ○ Deliver concessions or services on behalf of the City of Belvedere by virtue of the City’s authority.
3	<p>All investments, business positions in, and income (including gifts, loans, and travel payments) from sources that:</p> <ul style="list-style-type: none"> ○ Manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the employee’s designated department.
4	<ul style="list-style-type: none"> ● All investments, business positions in, and income (including gifts, loans, and travel payments) from sources which are now: located in the city and/or which own real property in the city. ● All investments, business positions in, and income (including gifts, loans, and travel payments) from sources which plan within the next calendar year to be located in the city and/or acquire real property in the city. ● All interest in real property, except for a primary residence, which is located in whole or in part within, or within a two-mile radius of, the limits of the city. ● All investments, business positions in, and income (including gifts, loans, and travel payments) from sources that: <ul style="list-style-type: none"> ○ Are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before the planning or building departments of the City of Belvedere. ○ Engage in construction, or the acquisition or sale of real property, on the Tiburon peninsula. ○ Provide consulting services of the type utilized by the employee’s designated department.

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL		
	POLICY 3.4 RECUSAL PROCEDURES FOR LEGISLATIVE BODIES		
Adoption Date:	Winter 2003	Adopted by:	City Council
Revised Date:	3/11/2019	Revised by:	City Council Resolution No. 2019-04
Authority:	City Council		

California Assembly Bill 1797 went into effect January 1, 2003. It changes the manner in which members of the City Council, Planning Commission, and other City committees must recuse themselves from items during a meeting. Staff has already been briefed on the new procedure, which is as follows:

- If you have a potential conflict of interest associated with an agenda item, announce it immediately prior to consideration of that item.
- Recuse yourself from discussing, voting, or otherwise acting on or participating in the matter.
- Describe the conflict of interest in sufficient detail so that the members of the audience understand why you are excusing yourself. (Because the address of your property is confidential, you need not give the street number.) For example: “I must recuse myself from this matter because I live within 500 feet of the subject property;” “I must recuse myself from this matter because the applicant is a client of my consulting business.”
- If the matter is on the Consent Calendar, you should step down from the dais and take a seat in the audience.
- For any matter placed elsewhere on the agenda, such as a public hearing, you should retire to the city offices where you cannot be seen or heard from the council chambers.
- If you wish to say something as a private citizen, you may do so during the time public comments are solicited from the audience. Before leaving the chambers, let staff know if this is your intention so they can summon you at the appropriate time to make your statement.
- When the matter is concluded, a staff member will let you know it’s time to come back in and proceed on to the next agenda item. Your questions regarding the conduct and outcome of the part of the meeting you missed should be directed to staff, after the meeting, as you continue to refrain from speaking about it with other members.

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL POLICY 3.5 CONFERENCE & WORKSHOP ATTENDANCE		
	Adoption Date:	1/10/2006	Adopted by:
Revised Date:	3/11/2019	Revised by:	City Council Resolution No. 2019-04
Authority:	City Council		


3.5.1 PURPOSE

1. The City Council of the City of Belvedere determines that attendance at conferences and workshops by Councilmembers, Commissioners, and staff provides an opportunity to keep up to date on current issues and regulations.
2. Conference and workshop attendance benefits the community by allowing City representatives to network with other professionals in their field and bring back new ideas.
3. Conference and workshop attendance allows City representatives to learn from the mistakes of other communities and share the Belvedere way of doing things.
4. The City Council therefore established this policy for attendance at conferences and workshops by Councilmembers, Commissioners, and staff.

3.5.2 POLICY

It is the policy of the City Council of the City of Belvedere to allow attendance at conferences and workshops based on the following criteria:

1. The conference attendee shall make a request to attend the conference or workshop specifying the value of the conference or workshop and their reasons for a request to attend.
 - a. Commissioners shall provide a written or oral request to their staff liaison who will prepare a staff report for City Council consideration.
 - b. Staff members shall make a request to the City Manager for authorization to attend a conference or workshop.
2. Upon return from a conference or workshop:
 - c. Commissioners shall provide a written or oral report to their corresponding Commission members on the information learned from the conference or workshop. The minutes shall reflect the discussion or the written report shall be given to the City Council.
 - d. Councilmembers shall provide an oral report to the City Council on the information learned from the conference or workshop.
 - e. Staff members shall provide a written report to the City Manager on the information learned from the conference or workshop.

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL POLICY 3.6 ETHICS TRAINING		
	Adoption Date:	6/8/2009	Adopted by:
Revised Date:	9/9/2013 3/11/2019	Revised by:	unknown City Council Resolution No. 2019-04
Authority:	City Council		

3.6.1 ETHICS TRAINING REQUIREMENT FOR PUBLIC OFFICIALS

The following policy is instituted in compliance with Article 2.4, “Ethics Training,” of Chapter 2, Part 1, Division 2, Title 5 of the California Government Code, also known generally as AB1234 (2005).

3.6.2 PERSONS REQUIRED TO RECEIVE ETHICS TRAINING

It is the policy of the City of Belvedere to reimburse City elected and appointed officials and all City employees for all actual and necessary expenses incurred in the performance of official duties. Therefore, members of the City Council and Planning Commission are required by §53235(a) G.C. to receive ethics training. In addition, individual members of other legislative bodies of the City of Belvedere who receive reimbursement of expenses, as well as all City employees and contractors who are required to file a Statement of Economic Interest, FPPC Form 700, are required by the City to receive ethics training.

The only appointed officials exempt from this policy are board members of the Belvedere-Tiburon Library Agency (BTLA), Belvedere-Tiburon Joint Recreation Committee (BTJRC), and other JPA’s and special districts (e.g., County Commission on Aging, Marin/Sonoma Mosquito and Vector Control District) who receive expense reimbursement from those agencies.

3.6.3 TYPE OF TRAINING

The required training shall be composed of at least two hours of training in general ethics principles and ethics laws relevant to service in municipal government. Training shall meet all State requirements and a proof of participation shall be issued to each person successfully completing the training. The City Clerk shall provide information on training available to meet the requirement to Belvedere’s local officials at least once annually.

3.6.4 FREQUENCY OF TRAINING

Every newly elected or appointed official shall receive the training no later than one year from the first day of service with the City. Thereafter, each official shall receive training at least once every two years. Costs associated with the training shall be paid by the City of Belvedere.

3.6.5 RECORD KEEPING

The City Clerk is responsible for maintaining records indicating the dates that officials satisfied the training requirement and the entity that provided the training. These records shall be retained for a minimum of five years after the official received the training.



CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL

**POLICY 3.7
OATH OF OFFICE**

Adoption Date:	1/10/2006	Adopted by:	City Council motion
Revised Date:	3/11/2019	Revised by:	City Council Resolution No. 2019-04
Authority:	City Council		

The Oath of Office is an affirmation that the employee will support, defend, and bear truth and allegiance to the Constitution of the United States and the State of California. It states that the employee will take this obligation freely and will faithfully carry out the duties upon which the employee is about to enter.

All employees, city council members, and planning commissioners are required to take an Oath of Office upon assuming their position. The City Clerk shall arrange to administer the Oath of Office.