



City of Aliso Viejo

COUNCIL POLICY

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| POLICY ON CODE OF ETHICS | 2005-056 | 400-14 | 10/01/2008 Revised 8/18/2010 7/17/2019 | 1 of 3 |

PURPOSE

Every citizen of the City of Aliso Viejo is entitled to have complete confidence in the integrity of local government. The purpose of this Policy is to set a standard of conduct for all elected officials, officers, employees, and members of advisory boards, commissions and committees of the City of Aliso Viejo (collectively "Officials"). This Policy is not intended to supersede or invalidate any statute, ordinance, or personnel rule or regulation.

POLICY

The following policies constitute the official Code of Ethics for all Officials of the City of Aliso Viejo:

1. All Officials shall uphold the Constitution of the United States, the Constitution of the State of California, and the Aliso Viejo Municipal Code, and carry out impartially the laws of the nation, state and municipality.
2. All Officials shall comply with all applicable provisions of state law, particularly the California Political Reform Act including but not limited to its provisions on gifts and conflicts of interest. All elected officials, the City Manager and all Department Heads shall receive at least two (2) hours of training in general ethics principle and ethics laws in accordance with the requirements of Government Code Section 53234 *et seq.* (i.e., AB 1234) every two (2) years.
3. All Officials shall comply with the provisions of the City's Sexual Harassment Prevention Training and Education Policy as codified in City Resolution No. 2017-06 (Policy No. 400-18).
4. Officials shall not engage in any activity which results in any of the following:
 - (a) Use of time, facilities, equipment, supplies, or other resources of the City for the private advantage or gain for oneself or another;
 - (b) Use of official information that is not available to the general public for private advantage or gain for oneself or another;
 - (c) Use of the authority of their position with the City to discourage, restrain or interfere with any person who chooses to report potential violations of any law or regulation.



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5. Officials shall not accept, directly or indirectly:
 - (a) Private advantage, gain, remuneration, or reward for oneself or another as a result of the prestige or influence of the City office, employment, or appointment;
 - (b) Financial consideration from any source other than the City of Aliso Viejo for performance of their official duties, except for stipends received as representatives on board, commissions or committees at a local, regional, or state level;
 - (c) Employment from private interests, when such employment is incompatible with the proper discharge of their official duties or may result in a conflict of interest.
6. Officials shall not give special treatment or consideration to any individual or group beyond that available to any other individual.
7. Officials shall not discriminate against or harass a citizen or co-worker on the basis of race, color, gender, religion, national origin, ancestry, physical or mental handicap, marital status or age; harassment shall include verbal, physical, and sexual harassment.
8. Officials shall not appear on behalf of the private interests of third parties before the City Council or any board, commission or committee of the City.
9. All Officials shall conduct themselves in a courteous and respectful manner at all times during the performance of their official City duties.
10. Officials shall respect the confidentiality of information concerning the property, personnel or affairs of the City. Officials shall not disclose confidential information without proper legal authorization.
11. When traveling at the City's expense, all Officials shall comply with the City's Travel and Expense Policy as codified in City Resolution No. 2005-056 (Policy No. 300-4).



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ENFORCEMENT

Any Official found to be in violation of this Code of Ethics who is found guilty or liable by any court of law, enforcement agency, administrative hearing officer, or public agency investigation, of violating a Law or Regulation, as that term is defined below, may be subject to censure by the City Council. Any member of an advisory board, commission, or committee found to be in violation may be subject to dismissal. In the case of an employee, appropriate disciplinary action shall be taken by the City Manager or by an authorized designee.

For purposes of this Policy, the following constitute "Laws and Regulations" which may give rise to censure:

- California Political Reform Act of 1974 (Gov. Code § 81000 et seq.)
- Regulations of the Fair Political Practices Commission (2 CCR § 18109 et seq.)
- Statutes concerning conflicts in government contracts (Gov. Code § 1090 et seq.)
- Statutes concerning political activity of city officers (Gov. Code § 3201 et seq.)
- Statutes concerning unlawful use of government resources (Gov. Code § 8314)
- Statutes regarding defamation, libel, or slander (Civil Code §§ 44-46).

The City Clerk shall provide a copy of this Code of Ethics to all candidates for City Council. Said candidates shall sign an acknowledgment of receipt of a copy of the Code of Ethics. The City Clerk shall also provide a copy of this Code of Ethics to any new Council Member after they have assumed office. All new Council Members shall sign an acknowledgment of receipt of a copy of the Code of Ethics. All acknowledgments from candidates and Council Members shall be maintained on file with the City Clerk.