

PRINCIPLES OF ETHICS

The purpose of adopting general ethical principles is to show the County Board's respect for such values as trustworthiness, respect, fairness and responsibility in promoting public trust in government. It also includes the importance of avoiding even the appearance of impropriety. While ethics laws create minimum standards for ethical conduct by public officials, the public's expectations and ethics principles are likely to create an even higher standard for behavior.

Objectives

This Board Bylaw has the following objectives:

- (1) Alert Board members to the kinds of financial interests, relationships and/or activities that may either be prohibited or trigger disclosure or disqualification obligations under ethics laws described in Government Code section 53234(d).
- (2) Advise Board members to: a) avoid prohibited activities, b) comply with disclosure, disqualification and other affirmative ethics law requirements, and c) consult with qualified legal counsel and/or regulatory authorities regarding the specifics of any situation that may involve prohibited or required conduct.
- (3) Advise Board members of the legal and other consequences of violating ethics laws.

Conflicts of Interest, Perquisites of Office, Government Transparency

Guidance in discerning conflicts of interest, perquisites of office and governmental transparency include the following:

- A. Laws relating to personal financial gain by public servants, including, but not limited to:
 1. Laws prohibiting bribery (Pen. Code, § 68).
 2. Conflicts of Interest under the Political Reform Act (Gov. Code, §§ 87100, 87103).
 3. Contractual Conflicts of Interest (Gov. Code, § 1090 et seq.).

PRINCIPLES OF ETHICS

4. Conflicts of Interest and Campaign Contributions (Gov. Code, § 84308).
 5. Conflicts of Interest When Leaving Office (Gov. Code, §§ 87406.3, 87407).
- B. Laws relating to claiming perquisites of office, including, but not limited to:
1. Limitations on the Receipt of Gifts (Gov. Code, §§ 86203, 89503, 89506).
 2. Honoraria Ban (Gov. Code, § 89502).
 3. Misuse of Public Funds (Pen. Code, § 424; Gov. Code, § 8314; *Fair Political Practices Commission v. Suitt* (1979) 90 Cal.App.3d 125; *Stanson v. Mott* (1976) 17 Cal.3d 206).
 4. Prohibitions against gifts of public funds (Cal. Const., art. XVI, § 6).
 5. Mass mailing restrictions (Gov. Code, § 89001).
 6. Prohibitions against acceptance of free or discounted transportation-by-transportation companies (Cal. Const., art. XII, § 7).
- C. Government transparency laws, including, but not limited to:
1. Economic interest disclosure under the Political Reform Act (Gov. Code, §§ 87200 et seq.).
 2. Brown Act (Gov. Code, §§ 54950 et seq.).
 3. Public Records Act (Gov. Code, §§ 6250 et seq.).

PRINCIPLES OF ETHICS

D. Laws relating to fair processes, including, but not limited to:

1. Common law bias prohibitions.
2. Due process requirements.
3. Doctrine of Incompatible Offices (Gov. Code, §§ 1099).
4. Competitive bidding requirements for public contracts.
5. Disqualification from participating in decisions affecting family members (anti-nepotism laws).

Note: Government Code section 53235.1(b) provides as follows:

Each local agency official who commences service with a local agency on or after January 1, 2006, shall receive the training required by subdivision (a) of Section 53235 no later than one year from the first day of service with the local agency.

Adopted: 10/07/2009