



# **TOWN OF APPLE VALLEY CODE OF ETHICS**

## **Preamble**

The residents and businesses in the Town of Apple Valley are entitled to have a fair, ethical and accountable local government that has earned the public's full confidence for integrity. The proper operation of democratic government requires that public officials be independent, impartial and responsible in their judgment and actions to the people.

Town employees are also in a position of public trust and have an obligation, even higher than the private sector, to do their jobs well in the spirit of public service. As such, Town officials and employees shall conduct themselves in an ethical manner, both on and off the job, and in a manner that does not present the appearance of a conflict of interest.

In recognition of these goals, the Town Council has adopted the following Code of Ethics. For ease of reference, "Town" shall refer to the Town of Apple Valley. "Officials" herein shall refer to any and all members of the Town Council or any member of a Town board or commission. "Employees" shall refer to all Town employees.

## **The Code of Ethics**

### **1. Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, officials and employees will work for the common good of the people of the Town of Apple Valley and not for any private or personal financial business interest. Officials and employees will assure fair and equal treatment of all persons, claims and transactions.

### **2. Comply with the Law**

Officials and employees shall comply with the laws of the United States of America, the State of California and the Town of Apple Valley in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Town of Apple Valley Municipal Code; laws pertaining to the conflict of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government, as well as other Town resolutions and policies.

### **3. Conduct**

The professional and personal conduct of officials and employees must avoid the appearance of impropriety. Officials and employees shall refrain from abusive conduct, personal charges of verbal attacks upon the character or motives of other officials, employees or the public.

Officials and employees should conduct their official and private affairs so as not to give a reasonable basis for the impression that any such fellow official or employee can be improperly influenced in the performance of his/her duties. Officials and employees should not be a source of embarrassment to the Town and should avoid even the appearance of conflict between their public duties and private interests. Officials and employees will make impartial decisions, free of unlawful gifts, narrow political interests and be truthful in what they say and do.

### **4. Use of Public Resources**

Officials and employees shall not use public resources not available to the public in general, for private gain or campaign purposes.

Officials and employees shall use Town or departmental letterhead for official Town business-related purposes only.

Officials and employees will use their title(s) only when conducting official Town business, for information purposes, or an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority.

Public resources should only be used when authorized by the Town Manager and/or his/her designee and when there is a benefit to the Town for the use of such resources in a community event or activity.

### **5. Conflict of Interest**

To assure their independence and impartiality on behalf of the common good officials shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. Employees must avoid conflicts of private interests with public duties and responsibilities and shall not do indirectly what may not be done directly.

Officials and employees shall also comply with the Town's Conflict of Interest Code which is on file with the Town Clerk's Office.

## **6. Gifts**

State law limits the amounts of gifts that can be received by officials, candidates, and designated employees, and contains requirements for reporting such gifts. Officials and employees shall comply with these state laws, and shall not take special advantage of services or opportunities for personal gain, by virtue of their position with the Town, which is not available to the public in general. No Councilmember, employee or other Town official shall receive or accept, directly or indirectly, any gift or favor from anyone doing business with the Town under circumstances from which it could reasonably be inferred that such was intended to influence him/her in his/her official employment or duties, or as a reward for official employment or duties.

## **7. Confidentiality**

Officials and employees shall respect the confidentiality of information and shall refrain from disclosing confidential information concerning litigation, personnel, property, or other affairs of the Town, without proper legal authority, nor use such information to advance their financial or other private interests.

Confidential information means all information, whether transmitted verbally or in writing, which is of a nature that it is not, at that time, a matter of public record or public knowledge, including those items described in the California Public Records Act (Government Code Section 6254 et seq.), items from closed session under the Brown Act (Government Code Section 54950 et seq.) and items subject to the attorney-client privilege.

## **8. Outside Employment**

The Town recognizes the rights of employees to engage in activities outside of their Town employment that are of a private nature and unrelated to Town work. However, employees are prohibited from engaging in outside employment or rendering services for private interests that creates a conflict of interest for the employee. Employees must receive written authorization from the Town Manager before engaging in outside employment and must also comply with any applicable department policy.

## **9. Cost Control**

To effectively conserve Town resources, officials and employee will attempt to use the most reasonable, economical, direct and efficient cost of goods and

services when conducting Town business for which the Town may reimburse them.

## **10. Conduct of Public Meetings**

Officials and employees shall comply with the Ralph M. Brown Act and all applicable open meeting laws. They shall prepare themselves for public issues, listen courteously and attentively to all public discussions before them, and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business before them or otherwise interfering with the orderly conduct of meetings. Officials shall also base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

## **11. Representation of Public Interests**

In keeping with their role as stewards of the public interest, officials shall not appear on behalf of the private interests of third parties before the Council of any board, commission or proceeding of the Town. Officials shall also represent the official policies and positions of the Town Council, board or commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, officials shall explicitly state they do not represent their body or the Town, nor will they allow inferences that they do.

## **12. Compliance and Enforcement**

Officials and employees have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. This Code of Ethics becomes most effective when officials and employees are thoroughly familiar with it and embrace its provisions.

For this reason, ethical standards shall be included in the regular orientation for newly elected and appointed officials, board members and commissioners, as well as for all Town employees.

The Mayor and chairs of boards and commissions have the additional responsibility to intervene when actions of fellow officials appear to be in violation of the Code of Ethics and are brought to their attention. The Town Manager or his/her designee shall investigate alleged violations of the Code of Ethics when they involve Town employees.