RESOLUTION NO. 2011-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING THE CODE OF ETHICS TITLE PAGE AND THE COMMITMENT TO INTEGRITY STATEMENT, ADOPTING AN ETHICS POLICY FOR CANDIDATES FOR ELECTIVE OFFICE, AND ADOPTING GUIDELINES FOR CLARIFYING CANDIDATES' ROLES

WHEREAS the Torrance City Council created the Election and Candidates Ethics Committee on January 25, 2011 to produce certain materials that will support ethical conduct of candidates in their campaigns for elective office; and

WHEREAS the Committee reviewed material that has already been created for elected officials, appointed officials, and City employees; and

WHEREAS the Committee conducted extensive research and deliberated thoughtfully on an ethics program for candidates for elective office; and

WHEREAS the Code of Ethics for Elected and Appointed Officials that was adopted by minute order of the Torrance City Council on April 1, 2008 includes a preamble, code of conduct, standards, and commitment to integrity statement that are also applicable to candidates for elective office; and

WHEREAS the Committee has determined that the Code of Ethics, amended to include candidates for elective office, would best be memorialized by formal adoption of a resolution of the City Council; and

WHEREAS the Committee has recommended that adopting an ethics policy for candidates for elective office, which provides specific expectations of all candidates during an election campaign, would reinforce the Code of Ethics; and

WHEREAS the Committee has identified that establishing guidelines to clarify roles during election campaigns would benefit the community by distinguishing a candidate's role as an elective office seeker from other roles that he/she might serve;

NOW, THEREFORE, the City Council of the City of Torrance resolves as follows:

(1) The *Code of Ethics* document and *Commitment to Integrity* statement shall be amended to include "Candidates for Elective Office;"

(2) The Ethics Policy for Candidates for Elective Office is adopted; and

(3) Guidelines for Clarifying Your Role as a Candidate is adopted.

A copy of the referenced documents are attached and can be found in the Election and Candidates Ethics Committee's *Report to the Torrance City Council: Recommendations for an Ethical Campaign Program for Candidates for Elective Office*, dated October 18, 2011.

INTRODUCED, APPROVED, AND ADOPTED this 18th day of October, 2011.

/s/ Frank Scotto
Mayor Frank Scotto

APPROVED AS TO FORM:
JOHN L. FELLOWS III, City Attorney

ATTEST:

by /s/ Patrick Q. Sullivan
Patrick Q. Sullivan, Assistant City Attorney

/s/ Sue Herbers
Sue Herbers, CMC
City Clerk

TORRANCE CITY COUNCIL RESOLUTION NO. 2011-92

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Sue Herbers, City Clerk of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Torrance at a regular meeting of said Council held on the 18th day of October, 2011 by the following roll call vote:

AYES:	COUNCILMEMBERS	Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.
NOES:	COUNCILMEMBERS	None.
ABSTAIN:	COUNCILMEMBERS	None.
ABSENT:	COUNCILMEMBERS	None.

/s/ Sue Herbers
Sue Herbers, CMC
City Clerk of the City of Torrance

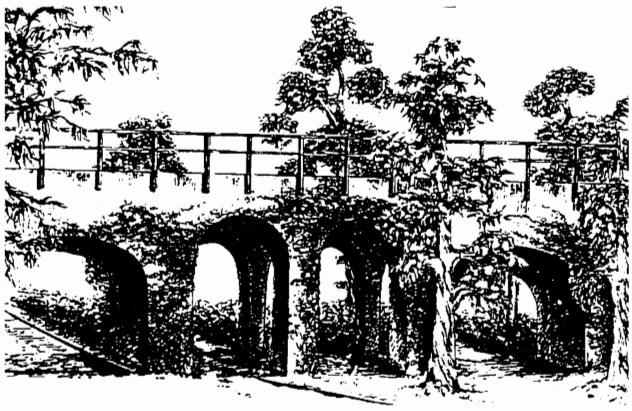
Date: October 20, 2011

EXHIBIT 1

City of Torrance

Code of Ethics

For
Elected Officials
Appointed Officials
Candidates for Elective Office



Adopted April 1, 2008
Amended by
Resolution 2011-92 - October 18, 2011

Preamble

"The ethical person should do more than he is required to do and less than he is allowed to do."

Michael Josephson
Founder of the Josephson Institute of Ethics

Ethical behavior is the cornerstone for all aspects of city government. The Torrance City Council reinforces the City's commitment to ethical government by adopting the letter and spirit of this Code of Ethics. It was built around the values that have been embraced by those devoted public servants who have served the public so well. The Code's aim is to affirm an identity of Excellence and Integrity for our City's government through our citizens, our employees and our dealings with other communities.

The Code provides guidance in making the right ethical decisions in the conduct of City business. It goes beyond the many laws, rules and regulations that already exist. This Code takes Torrance to the next level of public trust by providing standards of conduct expected of those engaged in City business.

The Code applies to all who represent our City's government. It includes all elected and appointed officials, citizens campaigning for elective office, city employees and others who participate in city government. As representatives of the City, all are required to subscribe to and understand how the Code applies to them. All must agree to practice the values expressed in the Code in day-to-day service to the City.

Code of Conduct

This Code of Conduct provides a framework for making ethical decisions. It should assist people in doing the right thing by identifying not just appropriate behavior but also actions to be avoided.

This framework is expressed in the Values and Standards, which follow.

Values

Honesty

Respect

Responsibility

Transparency

Trust

Standards

Honesty

- I am committed to doing the right thing.
- I speak the truth – even if it is uncomfortable – I am sincere, candid and keep confidences.
- I make decisions based solely on the best interests of the City of Torrance and recuse myself at any instance of potential conflict.

Respect

- I treat my fellow officials, staff and the public with courtesy, compassion and civility, even when we disagree on what is best for the community.
- I actively listen, ask questions, seek diverse opinions and participate in value-added discussion for the purpose of consensus building.
- I respect the right of all employees and the public to fair treatment and equal opportunity, free from discrimination or harassment of any sort.
- I accept individual differences and beliefs without prejudice and judge others based on their character, ability and conduct.
- I gain personal value by respecting others' ideas, diversity, skills and knowledge.

Responsibility

- I take responsibility for my actions regardless of their outcome.
- I am a prudent steward of public resources and consider the impact of my decisions on the City and the community.
- I prepare for meetings, read provided material, research issues and make informed decisions.
- I encourage others to act responsibly by the example I set.
- I never excuse or ignore inappropriate activities.

Transparency

- I will be open in all activities in which I am engaged, making every attempt to keep the public aware.
- I will not maintain nor support any hidden agenda and my decisions/ actions will be based solely on the merits of the matter before me.
- I understand that public perception is important and recognize that I am ethically bound to do more than is required of me and less than is allowed by law.
- I will view my conduct through the eyes of those watching my actions to build and maintain the public's confidence.

Trust

- I will ensure that all my communications, interactions and transactions are open, honest, accurate and have the best interest of the City and the residents in mind.
- I will be fair, impartial and equitable when making decisions, avoiding the temptation to favor those who have supported me and disfavor those who have not.
- I will uphold the public trust by never using City assets, information or relationships for personal gain.

Commitment to Integrity

As a Public Official, elected or appointed, and/or as a candidate for public office or a member of a Board or Commission, I agree to uphold and operate by the Code of Conduct and Code of Ethics for elected and appointed officials adopted by the City Council and sign my name below with full understanding of the expectations that the Citizens of Torrance hold for me.

I will conduct myself according to the Values outlined in the Code of Ethics as I carry out business for the City, represent the City to the public and in my workings with other elected and appointed officials both within the City of Torrance and with other Agencies;

I will embrace the Standards included in the City of Torrance Code of Ethics and use them as guiding principles to assist me in conducting myself as a representative of the City of Torrance;

I am committed to acting with Honesty and integrity;

I will treat people with Respect;

I will take Responsibility for my actions;

I will act with Transparency as I do the City's business;

I will uphold the public Trust.

I have received and read the City of Torrance Code of Ethics for Elected Officials, Appointed Officials, and Candidates for Elective Office and fully understand the principles as set forth and agree to abide by them.

Signed this date _____

_____

by (print and sign)

Name of Office _____

GUIDELINES FOR CLARIFYING YOUR ROLE AS A CANDIDATE

During election campaigns (the time period between filing of nomination papers and the City election), it can be difficult for the public to separate your candidacy from the responsibilities you may have in your other capacities. These guidelines are recommendations on how you, a candidate for elective office, can respectfully maintain a separation between your role as a candidate, from the other roles in which you may serve.

Guidelines

1. Unless you have authorization to do so, represent only yourself at City events and public meetings, and not your Commission, the City Council, or other groups in which you are affiliated.

2. During public meetings, express comments that are relevant to the matter being considered, rather than policy statements that may appear to be political posturing.

3. At campaign events, ensure that you are not conducting official City business.

4. For those who currently serve in an appointed or elected capacity, during public meetings where you are serving in your official capacity, only discuss matters that are germane to your responsibilities. Do not engage in any campaign activities during your public meetings.

Putting the Guidelines into Practice

Examples of how these recommendations might help guide the actions of a candidate who **is not** currently an elected or appointed official:

- If you attend a City Council meeting, you may wish to express your opinion about an issue City Council is considering. You are certainly encouraged to express your opinion. To help the decision-making body understand your position, be sure your comments are focused on the issue at hand, rather than making policy statements. By making policy statements, it can appear that you are establishing a campaign position.
- If you are associated with a community organization (e.g. Homeowner's Association, non-profit group, etc.) represent only yourself when speaking at public meetings and City events unless you have received permission to represent your group. Make it easy for the public to recognize that you are only representing yourself.

Examples of how these recommendations might help guide the actions of a candidate who **is** currently an appointed or elected official:

- During your campaign, it is likely that you will have conversations with the public about your track record as an elected or appointed official. To ensure that you are not conducting official City business, you are encouraged to discuss only what you have done as a public official, not prospective actions as a current Commissioner or Councilmember.
- When discussing matters under your Commission or City Council's consideration, ensure that your remarks are relevant to the immediate decision. By making a statement regarding your beliefs about a policy, it can appear that you are establishing a campaign position.
- Ensure separation of your role as a public servant from your role as a candidate by avoiding any campaign activities or making any candidate statement during a public meeting.

Adopted October 18, 2011

EXHIBIT 3

CITY OF TORRANCE

ETHICS POLICY FOR CANDIDATES FOR ELECTIVE OFFICE

The City of Torrance identifies with excellence and integrity, and deserves the very best ethical behavior not only from its public officials, but from those seeking to hold public office in the City. The City expects that, at all times, its candidates will be ethical in word as well as deed, upholding the highest moral character and fostering the public trust. Candidates will be held accountable by the Torrance voters. Therefore, candidates for elective office in the City of Torrance are expected to:

Be Responsible

First and foremost, candidates are expected to educate themselves on how to run an ethical campaign. They are expected to follow the *City of Torrance Code of Ethics for Elected Officials, Appointed Officials, and Candidates for Elective Office*. Additionally, candidates are expected to abide by all state and local rules regarding campaign fundraising, advertising and participation.

Be Honest and Trustworthy

Candidates are expected to tell the truth about themselves as well as the truths about opponents that are important for voters to know. Candidates should focus on issues relevant to Torrance, and never try to confuse or mislead voters. Candidates are expected to keep their promise to conduct an issue-oriented, honest, fair and respectful campaign.

Be Respectful

Candidates should treat opponents with dignity and respect; in other words, point out differences between themselves and opponents that are relevant to the political office, fight fairly, and avoid demeaning or irrelevant personal attacks. Candidates are also expected to publicly and forcefully criticize unfair, dishonest or disrespectful attacks on other candidates from any source.

Be Transparent

Candidates should take responsibility for all statements and materials distributed on the candidate's behalf. They should also take responsibility for any mistakes they make or mistakes made by volunteers or consultants.