

**CITY OF CULVER CITY
COUNCIL POLICY STATEMENT**

Policy Number: 4006

**General Subject: ~~Employees and City~~ Officials
and Employees**

Date Issued: 10/27/2025

**Specific Subject: Code of Ethics; Acceptance
of Gifts and Gratuities**

Effective Date: 10/27/2025

Resolution No.: 2025-R_____

I. PURPOSE:

To encourage each public official and employee of the City to observe a personal code of ethical conduct, and to discourage gifts and gratuities. To establish the City's policy regarding the ethical conduct of City employees and officials.

II. STATEMENT OF POLICY:

It is the policy of the City that public officials and employees shall observe in their official acts the highest standards of ethics and shall discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Public officials and employees ~~Employees and Officials~~ should conduct their official and private affairs so as not to give a reasonable basis for the impression that any such official or employee can be improperly influenced in the performance of ~~his/her~~ their public duties. Such officials or employees should so conduct themselves as to maintain public confidence in their performance and public trust in the government they represent. ~~They should avoid even the appearance of conflict between their public duties and private interests.~~

Public ~~O~~officials and ~~E~~employees should not exceed their authority or violate the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from doing so by law.

Public officials and employees of the City are expected to be objective and fair in dealing with the public and persons or firms doing business with the City. Employees and officials are fully compensated for their assigned duties, and shall not solicit or accept gifts or gratuities for the performance of their City job responsibilities. Acceptance or solicitation of gifts or gratuities from any person or firm involved in any transaction with the City can create an appearance of influence, conflict of interest, or favoritism which may impair the employee's, or the City's, credibility with clients. Solicitation or improper acceptance of gifts or gratuities in violation of this Policy may be grounds for disciplinary action, up to and including termination of employment.

It is the personal responsibility of public officials and employees to adhere to applicable State law, including but not limited to the Political Reform Act, with regards to limitations and restrictions on gifts and ethics rules. Information relating to the Political Reform Act is available from the Fair Political Practices Commission (FPPC) website at www.fppc.ca.gov or the toll free help line at (866) 275-3772. Information related to limitations and restrictions on gifts for local public officials is available at <https://www.fppc.ca.gov/learn/public-officials-and-employees-rules-gifts-and-honoraria.html>, as may be updated from time to time.

III. DEFINITIONS:

The definitions provided below are intended to assist in the understanding of the specific provisions of ~~the ethics policy~~ this Policy and guidelines. However, in addressing ethical standards contained in State law, ~~City employees and public officials~~ and employees shall utilize the State law definition of those terms, and shall not rely upon their personal views or the following definitions as to what a term means. It is recommended that when situations covered by State law arise, ~~legal counsel~~ the City Attorney's Office be consulted.

- A. **"Business entity"** means any corporation, general or limited partnership, sole proprietorship (including a private consultant operation), joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether organized for profit or not.
- B. **"Confidential information"** means all information, whether transmitted orally or in writing, which is not a matter of public record, including material provided by legal counsel that is covered by the attorney/client privilege.
- C. **"Disclosure"** means bringing into view, revealing and making known information and/ or interest.
- ~~D. **"Gift"** means anything of economic value, regardless of the form. It does not include the solicitation, acceptance, receipt, or regulation of political campaign contributions regulated in accordance with provisions of federal, state, or local laws governing campaign finances. It does not include the items excluded under Section 82028 of the Government Code, or a gift provided to a group of Employees which is to be shared by the group.~~
- ED. **"Financial Interest"** means direct or indirect pecuniary or material benefit accruing to a public official or employee as a result of a contract, transaction, zoning decision, or other matter which is or may be the subject of an official act or action by or with the City, except for such contracts, transactions, zoning decisions, or other matters which by the terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated.

For purposes of this ~~ethics p~~Policy, and upon confirming certain monetary or other thresholds as provided by the Political Reform Act (the "Act"), a ~~P~~ublic ~~O~~fficial or ~~E~~mployee shall be deemed to have ~~an~~ disqualifying¹ financial interest in the affairs of:

1. the personal finances of the public official or employee and those of their immediate family;
2. any business entity in which the public official or employee has a certain monetary investment (as provided by the Act);
3. any business entity in which the public official or employee is a director, officer, partner, trustee, or employee or holds any position of management;
4. an individual or entity from whom the public official or employee has received income or promised income aggregating to a certain monetary amount (as provided by the Act) in the previous 12 months, including the official's community property interest in the income of their spouse or registered domestic partner;
5. an individual or entity from whom the public official or employee has received gifts aggregating to a certain monetary amount (as provided by the Act) in the previous 12 months; and/or
6. any real property in which the public official or employee has a direct or indirect interest worth a certain monetary amount (as provided by the Act) including leaseholds that are not month-to-month tenancies.

- ~~1. the Public Official or Employee's spouse or dependent children;~~
- ~~2. any person or business entity with whom a contractual relationship exists with the Public Official or Employee;~~
- ~~3. any business entity in which the Public Official or Employee is a director, officer, partner, trustee, or employee or holds any position of management; and~~
- ~~4. any business entity or real property in which the Public Official or Employee has a direct or indirect interest worth \$1,000 or more.~~

E. "Gift" means anything of economic value, regardless of the form. It does not include the solicitation, acceptance, receipt, or regulation of political campaign contributions regulated in accordance with provisions of federal, state, or local laws governing campaign finances. It does not include the items excluded under Section 82028 of the Government Code, or a gift provided to a group of Employees which is to be shared by the group.

¹ Please review the FFPC's summary on Disqualifying Financial Interests, the definitions or amounts of which may be updated by the State from time to time (<https://www.ffpc.ca.gov/learn/conflicts-of-interest-rules.html>).

- F. **"Official act or action"** means any legislative, administrative, appointive or discretionary act of any public Official or Employee of the City or any agency, commission, board, or committee ~~or commission~~, thereof.
- G. **"Public Employee or employee"** means any person, holding a position by appointment or employment in the service of the City municipality, whether paid or unpaid.
- H. **"Public Official"** means any person holding a position by election in the service of the City municipality, whether paid or unpaid, and members of any City commission, board, or committee, ~~or commission thereof~~.

IV. FAIR AND EQUAL TREATMENT

- A. **Use of public property.** No public official or employee should request, use or permit the use of City-owned vehicles, equipment, materials or property for personal convenience, except when specifically authorized.
- B. **Obligations to Members of the Public Citizens.** No public official or employee should grant any special consideration, treatment or advantage to any member of the public citizen beyond that which is available to every other member of the public citizen. There shall be no discrimination in the provision of public services.
- ~~C. **Non-Discrimination.** No person shall be placed in, or removed from, or in any way favored or discriminated against with respect to any position because of the person's race, color, age, sex, religion, disability, national origin, marital status, or sexual orientation if otherwise qualified for the position. Non-discrimination in employment is to be carried out in accordance with State and Federal laws and the City's equal employment opportunity plan. This provision shall not be construed to impair administrative discretion in determining the requirements of a position or in a job assignment or a person holding such a position.~~
- ~~D. **Unilateral Communications:** Any written unilateral communication received by a public official or employee in matters where all interested parties should have equal opportunity for a hearing should be made part of the record by the recipient. Officials are encouraged to bring any oral communication received under such conditions to the attention of the other members.~~
- ~~EC.~~ **Support of Council Policies.** Public officials and Employees are expected to carry out in a professional manner formally-adopted

City Council policies. Officials and employees shall not undermine, discredit or obstruct Council adopted policies or programs, although they are free to state their personal opinions.

~~F. City Council and Commissioner interface with CAO and Staff. City~~

~~Council and Commission members are not day-to-day supervisors of City staff, and should not individually attempt to exercise direction or control over the responsibilities of employees.~~

~~GD. Solicitation of Contributions.~~ Public officials and ~~E~~employees and ~~Officials~~ shall not solicit subordinate City Employees for contributions of time, money or property for any public or private cause or charitable organization. This provision does not prevent public employees and officials from voluntarily donating their personal time or money to any public or private cause or charitable organization.

V. CONFLICT OF INTEREST

Appearances and public perception regarding the ethical conduct of City officials are closely related. The acceptance of gifts or favors, even in the most innocuous situations, may give the appearance of influencing "appears" to influence the recipient on behalf of the donor. Public officials and employees of the City should ~~C~~carefully consider the circumstances before creating such an impression.

A. The State of California has enacted a Political Reform Act which governs the behaviors and actions of public officials and employees. All public officials and employees of the City should be familiar with the Act and how it specifically relates to them. The Act covers conflicts of interest topics, including but not limited to when a public official's disqualification is required, when a public official must disclose personal financial information, and requirements regarding the filing of financial disclosure statements by designated officials. Public officials and employees should review the FPPC's website (<https://www.fppc.ca.gov/the-law.html>) for more information on the Act. Compliance with this ethics policy does not ensure compliance with the Political Reform Act.

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

~~C~~B. Certain Specific conflicts of interest are enumerated below for the guidance of employees and officials. This list is merely illustrative and not exclusive:

1. **Disclosure of Confidential Information.** No public official or employee shall, without proper authorization, disclose confidential information concerning the City, including materials received pursuant to the attorney/client relationship. Nor shall they use information to advance the financial or other private interests of themselves over others.
2. **Fiduciary Responsibility.** Employment by the City creates a special relationship in which the employee is entrusted with duties and responsibilities to always act in the best interests of the City. The Fiduciary Duty creates a confidence that City employees will not use their employment for personal gain, or to harm the City or its employees. A breach of Fiduciary Duty often causes a loss of respect for the City and employees alike.
3. **Gifts and favors.** No ~~P~~public ~~O~~fficial or ~~E~~mployee shall accept any gift for any reason prohibited by State law, or any gift valued at an amount in excess of what State law, including but not limited to the Political Reform Act, allows \$25 from any person, firm, or corporation which to his/her knowledge is interested in any business dealing with the City. State law shall dictate what holiday or other reciprocal gifts, and any attached monetary value, are authorized. Anonymous gifts shall be delivered to the City Manager for appropriate disposition. Nor shall any Official or Employee grant any improper favor, service or thing of value in the discharge of his/her duties. Gifts shall not include items received in the normal course of social relationships such as "birthday gifts, anniversary gifts, wedding gifts, or similar gifts from those with whom the recipient normally exchanges gifts." Nor shall gifts includes gifts valued at \$50 or less to be shared by a group of Employees. Anonymous gifts shall be delivered to the Chief Administrative Officer for appropriate disposition.
4. ~~**Nepotism.** The employment of individuals who are related to one another by blood or marriage is regulated under the City's nepotism policy.~~
54. **Political Activity.** Public officials and employees should be familiar with the Elections Guidance for City Staff and Officials – Legal Restrictions on Campaign Activities, attached hereto as Attachment 1, regarding legal restrictions applicable to activities associated with campaigning for election in Culver City. The Elections Guidance may be updated from time to

~~time and distributed to public officials and employees. Public officials and employees shall refer to Government Code Sections 3201-3209 for further restrictions concerning political activities of public officials or employees. No Public Official or Employee shall solicit or participate in soliciting an assessment, subscription, or contribution to any political party during working hours and shall at all times conform to the provisions of the Government Code of the State. No Official or Employee shall promise an appointment to any position with the City as a reward for any political activity.~~

~~D. Public Employees and Officials who have a direct financial or other interest in any official transaction, or in any legislation pending before the Council, shall disclose all sources of income and the nature and extent of any personal interest in such transaction or legislation when such income or interest may represent a substantial conflict of interest with his/her official duties. Such disclosure shall be made in official City records, and may be made periodically at the times indicated for all designated Officials and Employees. An affected Employee or Official should consult the City Attorney to determine whether he/she should abstain from such discussions at all.~~

~~E. No Public Official or Employee shall possess any substantial or controlling investment, direct or indirect, in any financial, business, commercial or other private transaction which creates or may create a conflict with official duties, nor shall they be a party to any transaction on which they may be called to make a decision in an official capacity.~~

VI. PROCEDURES

A. Where to Seek Advice

1. **City Employees:** Public ~~E~~employees ~~or Officials~~ who have questions about the ethics of an action or situation should discuss it with their supervisor, the Human Resources Director ~~Personnel Manager~~, City Attorney or City Manager ~~Chief Administrative Officer~~, or they may request an opinion from the ~~Ethics Advisory Committee~~.

Contact Information:

Human Resources Director: hrdist@culvercity.org

City Attorney: city.attorney@culvercity.org

City Manager: city.manager@culvercity.org

Employees may also request an opinion from the FPCC.

2. **Public Officials:** Members of the City Council, Commissions, and Boards or Committees Members who are uncertain whether a conflict of interest or ethical problem may exist should contact the City Attorney for advice. Disclosure to the public may be required by State law. and/or may Public officials may also request an opinion from the FPPC Ethics Advisory Committee.

B. Training Offered.

1. Assembly Bill No. 1234, signed into law on October 7, 2005, requires all local officials, including elected officials and members of boards, committees, and commissions, who may receive compensation for their service to the City or may be reimbursed for their expenses, to complete two hours of training regarding ethics principles and laws every two years. New covered officials must receive the training within one year of starting service with the City and every two years thereafter.
2. The purpose of AB 1234 training is to aid covered officials of the City in carrying out their responsibilities as they relate to State ethics laws and principles, including but not limited to matters covered by this Policy. This training includes but is not limited to the following topics:
 - a. Laws relating to personal financial gain, including bribery and conflict of interest laws;
 - b. Transparency laws, including financial disclosure laws and the Brown Act;
 - c. Laws relating to fair processes; and
 - d. Laws relating to gifts and travel restrictions, prohibitions against gifts of public funds, and the like.
3. The City will provide covered officials with options for satisfying this training requirement at least once per year.

B. — Ethics Advisory Committee

- ~~1. — The purpose of the Ethics Advisory Committee is to aid the officials of the City in carrying out their responsibilities as they relate to this ethics policy by (a) advising on particular situations when requested by the individual involved in those situations and (b) clarifying ambiguities which may exist in the policy.~~
- ~~2. — The Ethics Advisory Committee is comprised of one member of the City Council, the Chief Administrative Officer, and one representative of each recognized bargaining unit of City~~

~~employees. The City Attorney shall be legal advisor to the Committee.~~

C. What to ~~d~~Do if You are Uncertain

The existence of an ethical issue may not arise until a situation is underway. In such cases, there may be no time to contact someone for advice. Rather than risk an inadvertent violation of ~~the ethics this p~~Policy, the safest course of action for the ~~P~~public ~~O~~fficial or ~~E~~mployee is simply ~~for him/her~~ to declare that a conflict may exist that prevents ~~them~~ him/her from participating.

~~D.~~ How to Declare a Possible Conflict

- ~~1. City Employees: Public Employees or Officials who believe they may have possible conflict should state it to their supervisor, Personnel Manager, City Attorney or Chief Administrative Officer, or in the case of Public Officials to the public as required by State law, and take the steps deemed appropriate given the specifics of the situation.~~

~~ED.~~ How to Report Improper Behavior

Public employees and officials have a duty to prevent and report unethical or illegal action. ~~Hence, it is appropriate to be a "whistle blower" if another employee or official may be acting improperly.~~

- ~~1. City Employees: should report any observed problem or wrongdoing to their supervisor, Human Resources Director ~~Personnel Manager, City Manager~~ Chief Administrative Officer or City Attorney.~~
- ~~2. Public Officials: should report any observed problem or wrongdoing to the City Manager or City Attorney.~~

VII. VIOLATIONS:

Violations of ~~the Ethics this~~ Policy and Guidelines may expose a public official or employee to a variety of consequences, including reprimand, removal from office, ~~or~~ termination of employment, and/or civil or criminal enforcement pursuant to applicable law.

- ~~1A.~~ City Employees: Disciplinary action will be taken in conformance with the procedures established by the Culver City Municipal Code, Civil Service Rules ~~and regulations~~, and any applicable employment contract. Additional penalties authorized by law may also be imposed.

2B. City Commissioners, /Board and Committee Members: City commissioners, /Bboard and committee Mmembers appointed by the City Council may be removed from office for a violation of ~~the Ethics~~ this Policy.

3C. Elected Officials: Penalties authorized by law may be imposed.

****This Policy supersedes Council Policy No. 4003 issued on January 23, 1995 by Resolution No. 95-R005 and Council Policy 4006 issued on May 2, 1996 by Resolution No. 96-R047.***