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1 which combines certain provisions from Policy 4003 into Policy 4006 for one
2 comprehensive policy, updates outdated language, streamlines the policy provisions to
3 incorporate state conflict laws by reference, and removes items that are covered by other
4 city policies and state and federal laws.

5 NOW, THEREFORE, the City Council of the City of Culver City, California,
6 DOES HEREBY RESOLVE as follows:
7

8 1. The City Council hereby adopts an amended City Council Policy
9 Statement No. 4006 entitled "Code of Ethics; Acceptance of Gifts and Gratuities," which
10 Policy is attached hereto as Exhibit "A" to this Resolution and will replace existing Council
11 Policy Statements 4003 and 4006. The amended Policy, as set forth in Exhibit A, shall
12 supersede all other previously adopted policies regarding the subject matter therein, as
13 reflected in the amended Policy.
14

15 2. The City Manager is hereby authorized to format the attached City Council
16 Policy in a format consistent with other City Council adopted policies and shall include the
17 final version of this adopted Policy with other adopted policies.

18 3. The City Council hereby rescinds City Council Policy Statement No. 4003.
19

20 APPROVED and ADOPTED this _____ day of _____ 2025.
21
22

23 _____
24 DAN O'BRIEN, Mayor
City of Culver City, California

25 ATTEST:

APPROVED AS TO FORM:

26 

27 _____
JEREMY BOCCHINO, City Clerk

28 _____
HEATHER BAKER, City Attorney

EXHIBIT A

CITY OF CULVER CITY COUNCIL POLICY STATEMENT

General Subject: City Officials and Employees

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

Policy Number: 4006

Date Issued: 10/27/2025

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.

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 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 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.

Public officials and 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 this Policy and guidelines. However, in addressing ethical standards contained in State law, 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, 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.
- E. **"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 Policy, and upon confirming certain monetary or other thresholds as provided by the Political Reform Act, a public official or employee shall be deemed to have a disqualifying¹ financial interest in the affairs of:

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.fppc.ca.gov/learn/conflicts-of-interest-rules.html>).

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.

- D. **"Gift"** means anything of economic value, regardless of the form, for which a person does not provide consideration of equal or greater economic value. 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 and is distinct from the issue of contributions governed by Government Code Section 84308. It does not include the items excluded under Section 82028(b) of the Government Code. Please refer to the FPPC's guidance on limitations and restrictions on gifts for local officials, available at <https://www.fppc.ca.gov/learn/public-officials-and-employees-rules-gifts-and-honoraria.html>, which may be updated from time to time.
- 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, board, 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, whether paid or unpaid.
- H. **"Public official"** means any person holding a position by election in the service of the City, whether paid or unpaid, and members of any City commission, board, or committee.

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.** No public official or employee should grant any special consideration, treatment or advantage to any member of the public beyond that which is available to every other member of the public. There shall be no discrimination in the provision of public services.
- C. **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.
- D. **Solicitation of Contributions.** Public 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 the recipient on behalf of the donor. Public officials and employees of the City should carefully consider the circumstances before creating such an impression.

- A. The State of California has enacted the 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.

B. Certain 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 public official or Employee 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. 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.
4. **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.

VI. PROCEDURES

A. Where to Seek Advice.

1. **City Employees:** Public employees who have questions about the ethics of an action or situation should discuss it with

their supervisor, the Human Resources Director, City Attorney or City Manager.

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 FPPC.

2. **Public Officials:** Members of the City Council, Commissions, Boards or Committees 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. Public officials may also request an opinion from the FPPC.

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 a year.

C. **What to 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 state law or this Policy, the safest course of action for the public official or employee is simply to declare that a conflict may exist that prevents them from participating.

D. **How to Report Improper Behavior.**

Public employees and officials have a duty to prevent and report unethical or illegal action.

1. **City Employees:** should report any observed problem or wrongdoing to their supervisor, Human Resources Director, City Manager or City Attorney.
2. **Public Officials:** should report any observed problem or wrongdoing to the City Manager or the City Attorney.

VII. **VIOLATIONS:**

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

- A. **City Employees:** Disciplinary action will be taken in conformance with the procedures established by the Culver City Municipal Code, Civil Service Rules, and any applicable employment contract. Additional penalties authorized by law may also be imposed.
- B. **City Commissioners, Board and Committee Members:** City commission, board and committee members appointed by the City Council may be removed from office for a violation of this Policy.
- C. **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.***



OFFICE OF THE CITY ATTORNEY

CITY OF CULVER CITY

**ELECTIONS GUIDANCE FOR CITY STAFF AND OFFICIALS
LEGAL RESTRICTIONS ON CAMPAIGN ACTIVITIES**

State law prohibits City officials from using City resources in connection with a candidate election. These guidelines are designed to offer general guidance about legal restrictions applicable to activities associated with campaigning for election in Culver City. (NOTE: These guidelines are specific to candidate elections. Please consult with the City Attorney's Office for guidance relating to the use of City resources for activities associated with ballot measure elections.)

I. OVERVIEW OF RULES

More details about how to apply each rule may be found in these guidelines.

- Applies to City officials. The rules in these guidelines apply to the actions of all City officials. For purposes of these guidelines, "City Officials" means City elected and appointed officials, including the City's commission, board and committee (CBC) members, and City employees. These rules apply regardless of whether a candidate is running for City, county, state, or federal elective office.
- No use of City resources for campaign activities. City Officials may not use City resources including City facilities, City equipment, City supplies, City funds (i.e., office operating budget), City compensated time, or other City resources to engage in campaign-related activities, such as fundraising, developing campaign materials, conducting polls, distributing materials, making calls, attending campaign events, and performing campaign research.
- No campaign activities during City business hours. City employees may not engage in political activities during City business hours.
- No participating in political activities in City uniform. City employees who are required to wear a uniform as part of their duties may not participate in any political activity while in uniform.
- No promises for contributions or votes. City Officials may not promise to provide any person with a gift, money, promotion, job, or other form of compensation in return for a contribution or vote.
- Political activities off-duty are okay! City Officials may engage in any political activities (e.g., campaigning, fundraisers) while acting in their individual capacity off-duty.

**ELECTIONS GUIDANCE FOR CITY STAFF AND OFFICIALS
LEGAL RESTRICTIONS ON CAMPAIGN ACTIVITIES**

II. CITY RESOURCES

City Officials are prohibited from using City resources for campaign-related purposes. “City resources” generally include any property or asset owned by the City including, but not limited to, land, buildings, facilities, funds, equipment, supplies, phones, computers, e-mail, vehicles, travel, and City compensated time (i.e., staff time). This means that:

- No use of City equipment. City Officials may not use City telephones, computers, Outlook e-mail accounts, fax machines, copiers, or similar equipment for campaign-related activities. City Officials who engage in campaign-related communications must use telephones, computers, and e-mail accounts that they own personally or are provided by the campaign.
- No use of City internet. The City’s internet connection and office space may not be used to access campaign e-mail accounts, conduct campaign research, or perform work on a campaign website except where the access is open to the public for use (e.g., Culver City’s public Wi-Fi areas).
- No use of City e-mail. If a City official receives a campaign-related e-mail on a City e-mail account, the official should direct the individual to the campaign committee’s e-mail address. Similarly, if a City official receives a campaign-related telephone call on a City line, the official should refer the caller to a campaign telephone number.
- No use of e-mails generated with City funds. E-mail lists that have been generated with City resources may not be used for campaign purposes. For example, if a City website invites constituents to join an e-mail list, that list may not be exported or otherwise appropriated for campaign-related purposes.
- No use of City property, land, or facilities. City Officials may not use City office space, property, or facilities for campaign-related activities. This prohibition does not apply to the use of a City facility that is a public facility equally available to all candidates (e.g., park, recreation center) provided that the City Official pays any required fees and does not use the power or authority of their position to obtain special treatment or access to the facility.
- No use of City seal or logo. The City seal or logo cannot be used for campaign-related purposes, including in mass mailings or otherwise in campaign materials. It can give the public a false or misleading impression that the City authorizes or supports the candidate, which the City cannot and would not do.
- No campaign signs on City property. Campaign signs cannot be placed on, above, along, or within public property, including, City property and buildings, rights-of-way, telephone poles, utility poles, streetlights, streets signs, trees, sidewalks, median islands, parks, and any other public area.

**ELECTIONS GUIDANCE FOR CITY STAFF AND OFFICIALS
LEGAL RESTRICTIONS ON CAMPAIGN ACTIVITIES**

- No appearance in City uniform or in City-issued shirts. City Officials required to wear a uniform as part of their employment may not participate in any political activity while in uniform. If a City Official wears a uniform that has become associated with a specific position at the City, they may not appear at any political function in that uniform even when off duty. Examples of uniformed employees include, but are not limited to, Fire, Police, Code Enforcement, Animal Control, and Public Works crews. City Officials should not participate in any political activity while wearing a City-branded shirt that identifies them as City Officials.

III. CITY TIME

- No political activities during City work hours. City Officials may not engage in political activities during work hours. This means City Officials may not engage in campaign activities, such as preparing and/or distributing campaign materials, making fundraising calls, conducting research to be used against an opponent, or otherwise working on a candidate's campaign during work hours.
 - "During work hours" includes any standard or overtime hours that are part of a shift that a City Official is required to work.
 - City Officials are considered "off-duty" (1) when they are on a permitted lunch break, vacation, an administrative leave day, or during a public holiday the City observes; and (2) before the beginning of, or at the end of, any standard or overtime hours in their shift or that they are otherwise required to work. See more information about what is considered "off-duty" under "*WHEN CITY OFFICIALS MAY ENGAGE IN POLITICAL ACTIVITIES*" section below.
 - Elected and appointed City officials who are not City employees may participate in campaign-related activities at any time they are not conducting City business. For example, City Council and CBC members may not conduct campaign-related activities from the dais during City Council and CBC meetings.
- Applies when using personal equipment. Be aware that the prohibition against using City time for campaign-related activities applies even if a City Official (i.e., City employee) is using their personal equipment. For example, a City Official may not engage in phone conversations, post on social media, or exchange e-mails regarding a campaign-related issue while on City time, even if the City Official is using their own computer or phone for such communications.

IV. CITY SOCIAL MEDIA AND WEBSITES

- City websites, newsletters, staff time and equipment cannot be used for campaign purposes. City equipment (e.g., computers, phones, printers), City websites, newsletters, and staff time may not be used to communicate with anyone regarding campaign purposes.

ELECTIONS GUIDANCE FOR CITY STAFF AND OFFICIALS
LEGAL RESTRICTIONS ON CAMPAIGN ACTIVITIES

- No campaign material on social media maintained by City staff. When social media and website accounts are maintained by City staff or linked directly from an official City website, they may not contain campaign-related material, including campaign-related material posted by other users.
- No City resources to maintain or drive people to a campaign social media page or website. A social media page containing campaign material is treated no differently than a website created by a candidate to promote their candidacy. City resources may not be used to maintain or drive internet traffic to a campaign social media page or website.
- No campaign links on the City's website, office newsletters, press releases. City Officials may not include links to social media pages used for campaign purposes on the City's website, or in newsletters and press releases related to City business and distributed using City resources.
- Keep accounts separated. Elected officials should keep their personal, campaign, and official social media accounts and websites separate to avoid any appearance that City resources are being used for campaign activities.

V. MASS MAILINGS

- No mass mailing sent using City funds. More than 200 substantially similar items featuring an elected official cannot be printed, produced, or sent on behalf of the City elected official using City funds unless an exception applies. An item features an elected official if it includes the elected official's photo or signature, or singles out the elected official by the manner his or her name or office is displayed.
- Exceptions. Generally, this rule does not apply to letterheads or stationery, meeting or event announcements related to the elected official's government duties and the elected official is holding the event or attending, or business cards. HOWEVER, within 60 days of an election these mailings cannot be sent by or on behalf of a candidate.
- Electronic communications okay. This rule does not apply to electronic communication, such as, e-mails, website or social media postings, text messages, and recorded telephone messages or robocalls.

VI. MAKING PROMISES

City Officials may not promise to provide any person with a gift, money, promotion, job, or other form of compensation in return for a contribution or vote. This means that:

**ELECTIONS GUIDANCE FOR CITY STAFF AND OFFICIALS
LEGAL RESTRICTIONS ON CAMPAIGN ACTIVITIES**

- No promise to hire. A City Official may not promise to hire or appoint any person for a City position in return for a contribution or vote for or against any candidate or ballot measure.
- No promises about salary. A City Official may not promise to increase the pay rate, salary, or fringe benefits of any officer or employee in return for a contribution or vote for or against any candidate or ballot measure.
- No promise of money or gifts. A City Official may not promise to provide any person with money, a loan, or a gift in return for a contribution or vote for or against any candidate or ballot measure.

VII. WHEN CITY OFFICIALS MAY ENGAGE IN POLITICAL ACTIVITIES

City Officials may engage in any campaign activities while off-duty acting in their individual capacity. For the purposes of the rules in these guidelines, the definitions below apply.

- Campaign activities include such things as: attending a political rally, participating in a campaign committee, sitting on a phone bank, doing campaign-related work, posting campaign signs, registering voters, or advocating that persons contribute to or vote for or against a candidate.
- Hourly Employees. City employees are “off-duty” (1) before the beginning of, or at the end of, any standard or overtime hours in their shift or that they are otherwise required to work; and (2) when they are on their approved lunch break or when they are on vacation, have taken an administrative leave day, or during a public holiday observed by the City.
- Salaried Employees. City salaried employees who do not have a regular shift or hours are generally considered to be “off-duty” before the commencement of, or at the end of, the City’s normal business hours. However, some salaried employees perform part of their official duties outside of the City’s normal business hours (e.g., appearance at after-hours Council and CBC meetings). Salaried City employees should be particularly careful to observe when they are and are not “off-duty” for purposes of these guidelines. As noted under Section III, City Time, this rule does not apply to elected officials.

VIII. DISCLAIMER

The information provided in these guidelines does not, and is not intended to, constitute legal advice nor is it a substitute for the language contained in applicable State and City laws and/or policies. These guidelines do not cover every circumstance or scenario that City Officials may encounter while involved in the election process. If you are a City Official and have specific issues or questions not covered in these guidelines, please feel free to contact the City Clerk’s Office (city.clerk@culvercity.org) or the City Attorney’s Office (city.attorney@culvercity.org).