

CODE
Of
CONDUCT
For
PENN VALLEY
FIRE PROTECTION DISTRICT
BOARD MEMBERS

Adopted by Board Resolution #03-07
On (date)

Code of Conduct for Board Members Table of Contents

Table of Contents	1
Board Resolution of Adoption	2
Code of Ethics and Conduct	3
Responsibilities	3
Chairman	3
Vice-Chairman	3
Board Member	4
Meeting Chair	4
Former Board Members	4
Policies and Protocol Related to Conduct	4
Ceremonial Events	4
Correspondence Signatures	4
Endorsement of Candidates	5
Closed Session Confidentiality	5
Avoid Conflicts	5
Board Conduct	5
In Public Meetings	6
In Private Encounters	6
Board Conduct with Penn Valley Fire Protection District Staff	7
Board Conduct with the Public	8
In Public Meetings	8
In Unofficial Settings	8
Board Conduct with Other Public Agencies	9
Board Conduct with the Media	9
Sanctions	10
Principals of Proper Conduct	11
Checklist for Monitoring Conduct	12
Glossary of Terms	13

RESOLUTION NO. 03-7

A RESOLUTION OF THE BOARD OF PENN VALLEY FIRE PROTECTION DISTRICT ESTABLISHING A CODE OF ETHICS AND CONDUCT FOR BOARD MEMBERS

WHEREAS, the Board of the Penn Valley Fire Protection District believes that the proper operation of a democratic government requires that:

1. All public officials, particularly members of the board be independent and impartial in their judgment and actions;
2. Public office not be used for personal gain;
3. The public should be able to have confidence in the integrity of its government and public officials;
4. Public deliberations and actions should be conducted in an atmosphere free from personal animosity and hostility;
5. All public officials should abide by and uphold all local ordinances, rules, and regulations; and

WHEREAS, the Board finds and determines that a Code of Ethics and Conduct for Board Members and members of the various commissions of the District furthers the purposes hereinabove set forth; and

WHEREAS, the Board has previously adopted By-Laws Dated 11/6/01 together with amendments establishing rules and procedures for the conduct of its meetings; this resolution is not intended to counter or supersede anything therein; and

WHEREAS, the Board strongly endorses the underlying principles and tenets of the Ralph M. Brown Act and the Fair Political Practices Act and feels that the promulgation of local policies that reflect the spirit and intent of these laws is desirable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Penn Valley Fire Protection District hereby adopts the attached Code of Ethics and Conduct for each Board Member of the Penn Valley Fire Protection District. The Secretary/Clerk to the Board is hereby directed to send a copy of this resolution and code to each Board Member.

APPROVED on this ____ day of _____, 2003:

George Mueller
Chairman

Attest:

Approved as to Form:

CODE OF ETHICS AND CONDUCT

THIS CODE OF CONDUCT is designed to describe the manner in which Board Members should treat one another, district staff, constituents and others they come into contact with in representing the Penn Valley Fire Protection District. It reflects the work of a Board Subcommittee that was charged with defining more closely the behavior, manners, and courtesies that are suitable for various occasions. The Subcommittee also considered a wide variety of policy changes and clarifications designed to make public meetings and the process of governance run more smoothly.

The constant and consistent theme through all of the conduct guidelines is “respect”. Board Members experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Board Members to do the right thing in even the most difficult situations.

RESPONSIBILITIES

Other resources that are helpful in defining roles and responsibilities of elected officials can be found in the Leadership Guide of Board Members published by the League of California Cities.

CHAIRMAN

- Is appointed by a majority of the Board for a one year term
- Acts as the official head of the Board for all ceremonial purposes
- Chairs Board meetings
- Is recognized as spokesperson for the Board
- Selects substitute for Board representations when Chairman cannot attend
- Makes judgment calls on proclamations, special orders of the day, etc.
- Recommends subcommittees as appropriate for Board approval
- Leads the Board into an effective, cohesive working team
- Signs documents on behalf the District
- Serves as official delegate of the Board to events and conferences

VICE-CHAIRMAN

- Serves at the pleasure of the Board, selected by a majority of the Board for a one year term
- Performs the duties of the Chairman if the Chairman is absent or disabled
- Chairs Board meetings at the request of the Chairman
- Represents the Board at ceremonial functions at the request of the Chairman

ALL BOARD MEMBERS

- Fully participate in Penn Valley Fire Protection District meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Board meetings and shall be familiar with issues on the agenda
- Represent the Board at ceremonial functions at the request of the Chairman
- Shall be respectful of other people's time, stay focused, and act efficiently during public meetings
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Penn Valley Fire Protection District government
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Board procedures such as this Code of Conduct

All members of the Penn Valley Fire Protection District Board, including those serving as Chairman and Vice-Chairman, have equal votes. No Board Member has more power than any other Board Member, and all should be treated with equal respect.

MEETING CHAIR

The Chairman will chair official meetings of the Penn Valley Fire Protection District, unless the Vice-Chairman or another Board Member is designated as Chair of a specific meeting. The person elected as the chair by each respective member shall serve in this capacity.

FORMER BOARD MEMBERS

Past members of the Penn Valley Fire Protection District who speak to the current Board about a pending issue should disclose whom they are speaking on behalf of (individual or organization). Past members should recognize that their privileged access to staff and facilities can no longer be provided.

POLICIES AND PROTOCOL RELATED TO CONDUCT

Ceremonial Events

Requests for a District representative at ceremonial events will be handled by District staff. The Chairman will ordinarily serve as the designated Board representative. If the Chairman is unavailable, the Chairman will recommend which Board Member should be asked to serve as a substitute. Invitations received at the District are presumed to be for official District representation. Invitations addressed to Board Members at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Board Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during their respective meetings. District staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature

of the Chairman unless the Chairman requests that they be signed by another member of the board or District staff. If correspondence is addressed only to one Board Member that Board Member should check with staff on the best way to respond to the sender.

Endorsement of Candidates

Board Members have the right to endorse candidates for all Board seats or other elected offices as individuals but not as a member of the Board. It is inappropriate to mention endorsements during Board meetings or other official District meetings.

Closed Session Confidentiality

Board Members may not disclose confidential information, as defined in Government Code Section 54963, that has been acquired by being present in a closed session authorized by Government Code Sections 54956.7, 54956.8, 54956.86, 54956.87, 54956.9, 54957, 54957.6, 54957.8, or 54957.10 to a person not entitled to receive it, unless the Board specifically authorizes disclosure of that confidential information. Any Board Member making an unauthorized release of such information shall be subject to provisions and sanctions as provided in Government Code Section 54963.

Avoid Conflicts

In keeping with their role as stewards of the public interest, members of the Board shall not appear on behalf of the private interests of third parties before the Board, or proceedings of the District, nor shall members of boards, commissions, and other advisory boards appear before their own bodies or before the Board on behalf of the private interests of third parties on matters related to the areas of service of their bodies, except for limited exceptions, as provided for in Fair Political Practices Commission Regulation 18702.4.

Avoid even the appearance of conflict between public duties and personal interests and activities. If elected or appointed officials have personal or financial interests in matters coming before them, they shall disqualify themselves from making, participating in the making of, or seeking to influence any decision respecting such matter.

Because of the value of the independent advice of boards, commissions, and other advisory bodies to the public decision-making process, members of Board and all appointed officials shall refrain from using their positions to advocate for or to unduly influence the deliberations or outcomes of official proceedings of boards, commissions, and other advisory bodies.

BOARD CONDUCT

Board members are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and future of the community. In all cases, this common goal should be acknowledged even as Board Members by “agree to disagree” on contentious issues.

In Public Meetings

- **Dress appropriately.** Board Members should dress appropriately in a manner befitting a professional person when attending meetings of the Board or any public event in a representative capacity.
- **Practice civility and decorum in discussions and debate.** Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Board Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.
- **Honor the role of the Chair in maintaining order.** It is the responsibility of the Chair to keep the comments of Board Members on track during their public meetings. Board Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's action, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- **Avoid personal comments that could offend other Board Members.** If a Board Member is personally offended by the remarks of another Board Member, the offended Board Member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Board Member to justify or apologize for the language used. The Chair will maintain control of this discussion.
- **Demonstrate effective problem-solving approaches.** Board Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

In Private Encounters

- **Continue respectful behavior in private.** The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.
- **Be aware of the insecurity of written notes, voicemail messages, and e-mail.** Technology allows words written or said without much forethought to be distributed wide and far. All written notes, voicemail messages and e-mail should be treated as potentially "public" communication.
- **Even private conversations can have a public presence.** District officials are always on display – people around them they may not know will monitor their actions, mannerisms, and language.

BOARD CONDUCT WITH PENN VALLEY FIRE PROTECTION DISTRICT STAFF

Governance of a District relies upon the cooperative efforts of elected officials who set policy and District staff who implements and administers the Board's policies, the District's charter, ordinances and other applicable laws and regulations. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals.** Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
- **Limit contact to specific District staff.** Questions of District staff and /or requests for additional background information should be directed only to the District Fire Chief or District Business Manager. The Office of the Fire Chief should be copied on any request, except those to the District Business Manager. Requests for follow-up or directions to staff should be made only through the District Fire Chief or the District Business Manager when appropriate. When in doubt about what staff contact is appropriate, Board Members should ask the Fire Chief for direction. Materials supplied to a Board Member in response to a request will be made available to all members of the Board so that all have equal access to information.
- **Do not disrupt District staff work.** Board Members should be respectful of staff's time and workload by always making an appointment for any discussion or meetings longer than a half-hour (30) minutes. Board Members must remain mindful of the fact that staff must tend to the day to day business of the district. District staff should not be disturbed while in meetings, on the phone, or engrossed in performing their job functions, in order to meet a Board Member's individual needs.
- **Never publicly criticize an individual employee.** Board Members should never express concerns about the performance of a District employee in public or to the employee directly. Comments about staff performance should only be made to the Fire Chief through private correspondence or conversation.
- **Do not get involved in administrative functions.** Individual Board Members must not attempt to influence District staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of District permits.
- **Check with District staff on correspondence before taking action.** Before sending correspondence, Board Members should check with District staff to see if an official District response has already been sent or is in progress.
- **Limit requests for staff support.** Routine secretarial support will be provided to all Board Members. All mail for individual Board Members shall remain unopened unless the individual requests other arrangements. Mail addressed to the Board as a body shall be opened by the District Clerk who will distribute copies of the correspondence to each Board

Member. Requests for additional staff support – even in high priority of emergency situations – should be made to the District Business Manager who is responsible for allocating District resources in order to maintain a professional, well-run District government.

- **Do not solicit political support from staff.** Board Members should not solicit any type of political support (financial contributions, display of posters, political buttons or lawn signs, name on support list, etc) from District staff. District staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace and never in their official capacity as a Penn Valley Fire Protection District employee.

BOARD CONDUCT WITH THE PUBLIC

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Board Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with care and gentleness.**
- **Be fair and equitable in allocating public hearing time to individual speakers.**
- **Give the appearance of active listening.**
- **Ask for clarification, but avoid debate and argument with the public.**
- **No personal attacks of any kind, under any circumstances. Follow parliamentary procedure in conducting public meetings.** The Chair, subject to the appeal of the full Board, makes final rulings on parliamentary procedure.

In Unofficial Settings

- **Make no promises on behalf of the Board.** Board Members will frequently be asked to explain an action they have taken or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of District policy and to refer to District staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise District staff will do something specific.
- **Make no personal comments about other Board Members.** It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Board members, their opinions or actions.
- **Remember that Penn Valley Fire Protection District is a small entity.** The community is constantly observing Board Members every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Penn Valley Fire Protection

District. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Board Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

BOARD CONDUCT WITH OTHER PUBLIC AGENCIES

- **Be clear about representing the District or personal interests.** If a Board Member appears before another governmental agency or organization to give a statement on an issue, the Board Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the District; and 2) whether this is the majority or minority opinion of his or her respective Board.

If the Board Member is representing the District, the Board Member must support and advocate the official District position on an issue, not a personal viewpoint. If the Board member is representing another organization whose position is different from the District, the Board member should withdraw from voting on the issue if it significantly impacts or is detrimental to the District's interest. Board Members should be clear about which organizations they represent and inform the Chairman and Board of their involvement.

- **Correspondence also should be equally clear about representation.** District letterhead may be used when the Board Member is representing the District and the District's official position. A copy of official correspondence should be circulated and retained as part of the permanent public record in the District office.

District letterhead is not to be used for correspondence of Board members representing a personal point of view, or a dissenting point of view from an official Board position.

BOARD CONDUCT WITH THE MEDIA

Board Members are frequently contacted by the media for background and quotes.

- **The best advice dealing with the media is to never go "off the record".** Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.
- **The Chairman is the official spokesperson for the Board on District policy.** The Chairman is the designated representative of the Board to present and speak on the official District position. If the media contacts an individual Board member, the Board Member should be clear about whether their comments represent the official District position or a personal viewpoint.
- **Choose words carefully and cautiously.** Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

SANCTIONS

- **Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at the meeting or removed from the Board meeting room.

- **Inappropriate Staff Behavior**

Board Members should refer to the Fire Chief any District staff member that does not follow proper conduct in their dealings with Board Members, or the public. If such allegations are substantiated, these employees may be disciplined in accordance with standard District procedures for such actions.

- **Board Members' behavior and Conduct**

District Board Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Board, lose seniority or committee assignments (both within the Penn Valley Fire Protection District or inter-governmental agencies) or have official travel restricted. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by Board.

Board members should point out to the offending Board Member any infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Chair in private. If the Chair is the individual whose actions are being challenged, then the matter should be referred to the Vice-Chair.

It is the responsibility of the Chair to initiate action if a Board Member's behavior may warrant sanction. If the Chair takes no action, the alleged violation(s) can be brought up with the full Board in a public meeting.

PRINCIPALS OF PROPER CONDUCT

Proper conduct is . . .

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct is not . . .

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner
- Interrupting

It all comes down to respect . . .

Respect for one another as individuals

Respect for the validity of different opinions

Respect for the democratic process

Respect for the community that we serve

CHECKLIST FOR MONITORING CONDUCT

1. Will my decision/statement/action violate the trust, rights of good will of others?
2. What are my motives and the spirit behind my actions?
3. If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
4. How would my conduct be evaluated by people whose integrity and character I respect?
5. Even if my conduct is not illegal or unethical, is it done at someone else's expense? Will I destroy their trust in me? Will it harm their reputation?
6. Is my conduct fair? Just/ Morally right?
7. If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
8. Does my conduct give others reason to trust or distrust me?
9. Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
10. Do I exhibit the same conduct in my private life as I do in my public life?
11. Can I take legitimate pride in the way I conduct myself and the example I set?
12. Do I listen and understand the views of others?
13. Do I question and confront different points of view in a constructive manner?
14. Do I work to resolve differences and come to mutual agreement?
15. Do I support others and show respect for their ideas?
16. Will my conduct cause public embarrassment to someone else?

GLOSSARY OF TERMS

Attitude	The manner in which one shows one's dispositions, opinions, and feelings
Behavior	External appearance or action; manner of behaving; carriage of oneself
Civility	Politeness, consideration, courtesy
Conduct	The way one acts; personal behavior
Courtesy	Politeness connected with kindness
Decorum	Suitable; proper; good taste in behavior
Manners	A way of acting; a style, method, or form; the way in which things are done
Point of order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
Point of personal privilege	A challenge to a speaker to defend or apologize for comments that a fellow Board Member considers offensive
Propriety	Conforming to acceptable standards of behavior
Protocol	The courtesies that are established as proper and correct
Respect	The act of noticing with attention; holding in esteem; courteous regard