

## **BOS Proposed Code of Conduct**

1. The Board is committed to maintaining a workplace and organization that is free from unlawful harassment, discrimination, and retaliation. Offensive language, humiliating, gossiping, threatening, or disparaging treatment, coercive, belittling, sabotaging, isolating, and discourteousness are considered abuse behaviors and can be considered bullying and will not be tolerated.
2. Board members conduct will further the ability of the Board and County to carry out business in an orderly and undisrupted manner.
3. Board members will refrain from behavior that brings County government or the Board into disrepute, including but not limited to engaging in abusive conduct toward staff, the community or other Board members; leveling unsubstantiated personal charges or allegations; using inappropriate or abusive language during Board meetings; or engaging in unsubstantiated or intemperate verbal or written attacks on the character or motives of other Board members, staff and members of the public.
4. Board members will respect the collective authority of the Board and will accurately represent the official policies and positions of TC and make clear the distinctions between such policies and positions and their individual positions and opinions. When stating their individual opinions and positions, Board members will explicitly state that they are not sharing the position of the entire Board.

## **Confidential Information**

5. Board members recognize their obligation to protect the confidential nature of information received in the course of their work, including confidential information provided in the closed session portions of Board meetings. Board members are also committed to compliance with the Brown Act, the Public Records Act and other applicable laws.
6. Board members must avoid any situation in which their personal interests—or those of their family members—conflict with the interests of the County or with

their official duties as elected officials. Board members shall not use their position to influence county decisions, policies, or contracts for personal gain. Prohibited actions include, but are not limited to: bidding on county contracts, using their position to benefit themselves or relatives, or disclosing confidential information to assist themselves or others. Board members have an obligation to uphold the integrity of their office and must recuse themselves from any matter where a conflict of interest exists or could reasonably be perceived.

### **Respect for the Boards Authority**

7. Individual members must respect the collective authority of the Board.

### **Code of Conduct Repercussions**

There are three basic consequences when violating the Code of Conduct:

- Censure – a formal statement of severe disapproval. It serves as a condemnation and has no direct effect on the person being censured.
- Loss of Executive Power
- Recommendation for referral to the Grand Jury - Pursuant to **California Government Code Section 3060**, a civil grand jury has the authority to accuse a public officer of willful or corrupt misconduct in office, which may lead to their removal following a trial without a recall.

### **Public Code of Conduct**

In the course of its review the TCGJ found that certain members of the public frequently direct personal attacks toward County employees, members of the BOS, and their families, rather than focusing their comments on the issues under discussion. The TCGJ found that several other counties have implemented a Code of Conduct for public participation at government meetings to promote respectful and constructive dialogue.

The TCGJ noted that having a Public Code of Conduct in place during BOS meetings can contribute to maintaining order and promoting respectful behavior. Such a code supports the smooth and safe conduct of County business by minimizing disruptions. In other jurisdictions, these codes are often displayed prominently in board chambers and included on agenda cover pages alongside information about the public's rights at government meetings.

The TCGJ suggests that the BOS formally adopt the proposed Public Code of Conduct or develop a comparable policy to guide public behavior during meetings.

### **Proposed Public Code of Conduct**

1. Treat all participants with kindness and respect, valuing the diverse opinions and views.
2. Respect the process for meeting participation including pre-registering to make a public comment.
3. Listening is an important sign of respect.
4. Comments should be clear and brief and stay on topic.
5. Refrain from demeaning, discriminatory, or harassing behavior.
6. Critique ideas rather than individuals.
7. Avoid distracting behaviors such as private conversations and phone use.
8. Exercise self-control. No threats of violence and loud or offensive communications.
9. Understand the rights of individuals to speak at public meetings including the right to criticize the government.

Violations of this Code may result in removal from the meeting.

The TCGJ strongly recommends scheduling the Public Comment session at the conclusion of BOS meetings rather than at the outset. This change would not limit opportunities for public input on specific agenda items as they arise. Several other counties have already adopted this practice, which helps ensure a more efficient progression through agenda items and prioritizes the timely completion of county business.

## Findings

**1. BOS meetings are a source for concern due to the inability of the Board to operate as a cohesive team.**

**2. Animosity between several of the BOS inhibits the ability to get county work done in a timely manner.**

**3. The ongoing personal and professional conflicts between Board members have inhibited the Board's ability to conduct its business in a timely manner.**

**4. A number of the BOS has expressed intent to remove the CEO, Personnel Director, and County Counsel. This has caused unnecessary tension within County Administration.**

**5. The ongoing BOS has caused a number of staff to feel uncomfortable, pointed out, and harassed. BOS has caused a number of staff to feel uncomfortable, pointed out, and harassed. BOS has caused a number of staff to feel uncomfortable, pointed out, and harassed.**

**6. Although paid by the county, BOS members are not county employees and are not hired by county personnel staff. This lack of enforceable standards for elected officials appears to reduce accountability and encourage poor behavior, undermining a respectful workplace.**