

Good Governance Checklist

What practices can a local agency put in place to promote public trust and confidence in the agency's basic governance practices? What practices can minimize the risk of missteps that could undermine or damage this trust and confidence?

The Institute for Local Government (ILG) has created a checklist to help elected officials, appointed officials, agency counsel, local agency executives and staff, and the community-at-large answer these fundamental questions. Some of the “good practices” are those necessary to comply with California law. Others set the agency's sights higher and take good practices to a level of “better practices.” Whenever possible, the checklists offer references for further information on a topic.

The checklist is divided into the following areas:

1. Stewardship of Public Resources (Financial Practices, Use of Public Resources, Procurement and Contracting)
2. Transparency (Open Government Practices, Meetings, Decision-Making)
3. Education, Training and Personnel
4. Campaigns

This checklist can be used by elected officials and staff to evaluate the current practices of an agency, identify deficiencies in policy and procedures, set goals and foster communication within the agency about its practices.

The checklist combines legal requirements included in California law as well as practices suggested by the following resources:

- Government Finance Officers Association's best practices, available at www.gfoa.org/best-practices



- Institute for Local Government's “Ethics Law Compliance Best Practices,” available at www.ca-ilg.org/ethicsbestpractices
- League of California Cities City Managers Department, “Transparency and Your City Self-Assessment Checklist,” draft version available at www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Managers/Transparency-Subcommittee/Transparency-and-Your-City-checklist
- California Special District Leadership Foundation, “District Transparency Certificate of Excellence Checklist,” available at www.sdlf.org/programs/transparency
- Sunshine Review, “2013 Transparency Report Card,” available at http://ballotpedia.org/Transparency_report_card_%282013%29

In addition, the League of California Cities helped develop a comprehensive fiscal assessment tool designed to probe more extensively into local agency fiscal conditions. This tool is available at www.californiacityfinance.com/Diagnostic1405.pdf.

About the Institute for Local Government

The Institute for Local Government is the nonprofit 501(c)(3) training and education affiliate of the League of California Cities, the California State Association of Counties, and the California Special Districts Association.

ILG is committed to empowering and educating public servants by delivering real-world expertise that helps them navigate complex issues, increase their capacity and build trust in their communities. All our work is guided by our core values of **collaboration, service, commitment, equity, inclusion** and **trust**. Our resources are centered on our four key pillars, which provide cities, counties and special districts with expertise, education and training in the following areas:

- Leadership & Governance
- Sustainable & Resilient Communities
- Public Engagement
- Workforce & Civics Education

Thanks to Our Partners

The Institute for Local Government would like to thank the following partners for their support:

- Best Best & Krieger, LLP**
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- Hanson Bridgett**
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- Liebert Cassidy Whitmore**
- Renne Public Law Group**
- Richards Watson & Gershon**

How to Use This Information

Although the Institute endeavors to help local officials understand technical and legal concepts that apply to their public service, these materials are not technical or legal advice. Officials are encouraged to consult technical experts, attorneys and/or relevant regulatory authorities for up-to-date information and advice on specific situations.

Acknowledgments

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STEWARDSHIP OF PUBLIC RESOURCES

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
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| FINANCIAL PRACTICES | | |
| General | <ul style="list-style-type: none"> <input type="checkbox"/> Consistent with generally accepted accounting principles, agency fully and accurately discloses both positive and negative financial information to the public and financial institutions including: <ul style="list-style-type: none"> ▪ Summaries of all municipal funds, fund balances and changes ▪ Summaries of all municipal revenues and expenditures ▪ Five-year financial forecast ▪ General status of reserves and any unfunded obligations (for example, pension obligations) <input type="checkbox"/> Agency creates and documents accounting policies and procedures Resource: <ul style="list-style-type: none"> ▪ www.gfoa.org/documenting-accounting-policies-and-procedures | <ul style="list-style-type: none"> <input type="checkbox"/> Agency discloses budget and financial documents on agency website. See Government Finance Officers Association’s (GFOA) Best Practice: Using Websites to Improve Access to Budget Documents and Financial Reports, available at www.gfoa.org/sites/default/files/CCIUsingWebsites.pdf <input type="checkbox"/> Agency prepares five-year financial forecasts for both general and other funds, examining issues such as overall economic trends, environmental and regulatory risks, unfunded liabilities, adequacy of fee levels, fund balances, cost deferrals and infrastructure condition <input type="checkbox"/> Agency officials discuss forecasts, comparing actual results to forecasts, accompanied by a broader discussion of risks that could affect core agency service levels and facilities during public meetings <input type="checkbox"/> Agency officials and the public they serve are clear on the financial implications (short and long term) of the policy and other decisions being made; management and decision-makers support a culture of transparency regarding the agency’s financial situation <input type="checkbox"/> Agency engages in energy efficiency and conservation measures to save money and natural resources Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/energy-efficiency-conservation |

STEWARDSHIP OF PUBLIC RESOURCES

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
|-----------------------------------|---|---|
| Internal Agency Controls | <ul style="list-style-type: none"> <input type="checkbox"/> Agency segregates duties among staff to minimize risk of error or misconduct <input type="checkbox"/> Agency has created a system of authorizations, approvals and verifications for transactions <input type="checkbox"/> Diligent reconciliation process requirements are in place and followed to compare various sets of data to one another; discrepancies are identified and investigated and corrective action is taken when necessary <p>Resource:</p> <ul style="list-style-type: none"> <input type="checkbox"/> www.osc.state.ny.us/agencies/ictf/docs/intcontrol_stds.pdf | <ul style="list-style-type: none"> <input type="checkbox"/> Managers are given information and training to take responsibility for internal controls <input type="checkbox"/> Manager involvement follows GFOA's best practices including: <ul style="list-style-type: none"> <input type="checkbox"/> Trainings for all employees <input type="checkbox"/> Documentation of internal controls <input type="checkbox"/> Practical means for employees to report management override of internal controls that could indicate fraud <input type="checkbox"/> Periodic evaluation of internal controls <p>Resource:</p> <ul style="list-style-type: none"> » www.gfoa.org/getting-management-involved-internal-control |
| Periodic Financial Reports | <ul style="list-style-type: none"> <input type="checkbox"/> A certified public accountant prepares agency annual financial reports in accordance with generally accepted accounting principles <input type="checkbox"/> Agency officials receive periodic financial reports (mid-year at a minimum) <input type="checkbox"/> Reports provide a clear and complete picture of the agency's assets and liabilities <input type="checkbox"/> Periodic financial investment reporting occurs in open meetings | <ul style="list-style-type: none"> <input type="checkbox"/> Agency complies with the GFOA financial reporting best practices. For more information see www.gfoa.org/conforming-governmental-accounting-auditing-and-financial-reporting-standards <input type="checkbox"/> Agency posts and archives periodic reports on the agency website <input type="checkbox"/> Reviewing officials receive training/information on how to evaluate reports <p>Resources:</p> <ul style="list-style-type: none"> <input type="checkbox"/> www.ca-ilg.org/FinancialReportingandAccounting |

STEWARDSHIP OF PUBLIC RESOURCES

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
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| Budget | <ul style="list-style-type: none"> <input type="checkbox"/> Agency makes complete current fiscal year budget available on agency website <input type="checkbox"/> Agency has a clear capital financing and debt management policy that addresses how it selects external consultants such as bond counsel, financial advisors, trustees, engineering consultants and underwriters <input type="checkbox"/> Capital financing and debt management policies address disclosure and relations with rating service agencies | <ul style="list-style-type: none"> <input type="checkbox"/> Agency complies with GFOA “Best Practices in Public Budgeting” available at www.gfoa.org/services/nacslb/ <input type="checkbox"/> Agency makes budgets for the past three years available on agency website <input type="checkbox"/> Agency officials receive training and information of how to review and/or comment on a budget and questions to ask Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/budget-creation-and-monitoring (materials and informational video) <input type="checkbox"/> Agency provides information on the budget to the public through a variety of channels, with an emphasis on presenting the information in plain and understandable terms Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/engaging-public-budgeting <input type="checkbox"/> Agency holds public budget workshops to get community input on needs |
| Expense Reimbursement Policy | See Use of Public Resources section below | |

STEWARDSHIP OF PUBLIC RESOURCES

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
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| Audits | <ul style="list-style-type: none"> <input type="checkbox"/> Agency auditing practices meet California State Controller's requirements Resource: <ul style="list-style-type: none"> ▪ www.sco.ca.gov/ard_local_info_resources.html <input type="checkbox"/> Agency secures independent audits of financial reports no later than 180 days after year end <input type="checkbox"/> Agency fully cooperates with state and federal audits <input type="checkbox"/> Agency posts most recent audit, including opinions on internal controls and other matters, on agency website as well as making such reports available at libraries <input type="checkbox"/> Agency periodically changes auditors to provide a fresh view of agency finances (no less than every six years)¹ <input type="checkbox"/> Agency governing body meets with auditor to review results of audit in a full and frank manner during a public meeting; officials treat any issues identified as opportunities to improve agency practices and not as opportunities to blame staff | <ul style="list-style-type: none"> <input type="checkbox"/> Agency auditing practices exceed State Controller's requirements Resource: <ul style="list-style-type: none"> ▪ www.sco.ca.gov/ard_local_info_resources.html <input type="checkbox"/> Auditors review agency procedures for handling potential conflicts of interests among agency staff <input type="checkbox"/> Agency posts the past three years' audits on agency website <input type="checkbox"/> Agency officials receive information and training on how to review and comment on an audit Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/audits |

STEWARDSHIP OF PUBLIC RESOURCES

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
|---|--|---|
| USE OF PUBLIC RESOURCES <i>(Agency Funds and Anything Purchased with Those Funds)</i> | | |
| Expense Reimbursement | <ul style="list-style-type: none"> <input type="checkbox"/> Agency has required travel and expense reimbursement policies for elected and appointed officials,² as well as for staff. Reimbursements are limited to “actual” and “necessary” expenses Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/SampleReimbursementPolicies <input type="checkbox"/> Agency provides the expense reimbursement policy to all new employees and officials <input type="checkbox"/> Staff carefully and consistently reviews compliance with expense reimbursement policy and receives support from senior management and governing body in doing so <input type="checkbox"/> Compliance with expense reimbursement policy is subjected to independent verification <input type="checkbox"/> Legislative body members require brief report of meeting attendance at the agency’s expense at the next meeting of the body³ <input type="checkbox"/> Members of the legislative body shall use government and group rates for transportation or lodging services for travel when available⁴ | <ul style="list-style-type: none"> <input type="checkbox"/> Policy and organizational culture emphasizes the value of being conservative about using public resources Resources: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/reimbursementpolicy ▪ “Buying Meals for Others on the Public’s Dime” available at www.ca-ilg.org/dime <input type="checkbox"/> Agency posts the expense reimbursement policy on agency website <input type="checkbox"/> Staff and elected officials receive periodic reminders on the provisions of the policy that most likely apply to them Members make a brief report on meetings, trainings or conferences attended, to share learning objectives, best practices and other information obtained, underscoring the value |
| Allowances | <ul style="list-style-type: none"> <input type="checkbox"/> Any allowance (for example, a telephone or technology allowance) is backed up by documentation explaining the factual basis for the allowance | <ul style="list-style-type: none"> <input type="checkbox"/> Officials decline overly generous or duplicative allowances/benefits that could create public perception issues or present ethical concerns |

STEWARDSHIP OF PUBLIC RESOURCES

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
|--|---|---|
| Use of Agency Resources and Equipment | <ul style="list-style-type: none"> <input type="checkbox"/> Agency adopts policy which takes into account proscriptions against: <ul style="list-style-type: none"> ▪ Gifts of public resources ▪ Personal use of public resources ▪ Political use of public resources (see Campaign section below) <input type="checkbox"/> Agency policy is consistently applied <input type="checkbox"/> Staff and elected officials understand and comply with mass mailing prohibitions⁵ Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/massmailing <input type="checkbox"/> Those with special access to agency equipment receive training and periodic reminders on prohibitions of use of agency resources for personal or political purposes | <ul style="list-style-type: none"> <input type="checkbox"/> Orientation of newly elected officials, newly appointed officials and newly hired staff address the issue of permissible and impermissible uses of public resources <input type="checkbox"/> Agency periodically reminds team members of policies and proscriptions at relevant time points (for example, before election season) <input type="checkbox"/> Agency explores opportunities to share limited resources among a network of local agencies (cities, schools, special districts, counties, etc.) to leverage capital and staff resources through joint training programs, sharing services and joint use of facilities and equipment Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/shared-services-and-joint-use |

STEWARDSHIP OF PUBLIC RESOURCES

**Minimum Standards/
Good Practices**

**Beyond the Minimum/
Better Practices**

PROCUREMENT AND CONTRACTING

Procurement and Contract Rules and Policies

- Agency has and complies with transparent and fair process for selecting with whom it will do business
- Agency complies with state competitive bidding requirements for public works projects⁶
- Agency has clear organization-wide standards and guidelines regarding procurement and contracting
- Agency has policy for advertising contracts open for bidding
- Agency has policies in place for the proper disposal of surplus property – policies are communicated to staff
- Local officials involved in contracting decisions receive information and/or training on the laws prohibiting self-dealing in agency contracts⁷
- Officials involved in contracting and purchasing decisions must be included in an agency’s conflict of interest code and regularly file a Statement of Economic Interests (Form 700)⁸
 - Form 700 is available at: www.fppc.ca.gov
- Agency completes Agency Report of Consultants (Form 805)⁹ and ensures that all consultants in designated positions complete and file a Statement of Economic Interests (Form 700)
 - Form 805 is available at: www.fppc.ca.gov/forms/805.pdf

- Agency complies with both the letter and the spirit of procurement laws and policies, that all interested parties are given the opportunity to do business with the agency on an equal basis
- Agency website explains processes for doing business with the agency
- Agency website includes information about contract opportunities and Requests for Proposals (RFPs)
- Vendors receive information about ethics standards for doing business with the agency
- Agency conducts periodic training and outreach to educate prospective and current vendors on the agency contracting process
- Agency engages in climate-friendly purchasing practices

Resource:

 - www.ca-ilg.org/climate-friendly-purchasing
- Agency engages in regional or shared bidding processes among local agencies in a geographic area to reduce costs.

| TRANSPARENCY | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| OPEN GOVERNMENT PRACTICES | | |
| Promoting Transparency | <ul style="list-style-type: none"> <input type="checkbox"/> Agency anticipates information the public needs concerning the agency’s activities and makes the information available through a variety of channels including the agency website <input type="checkbox"/> Local officials and designated staff are current in making their Statement of Economic Interests (Form 700) disclosures <ul style="list-style-type: none"> ▪ Form 700 is available at: www.fppc.ca.gov <input type="checkbox"/> Agency institutes a policy for receipt of free tickets/event admissions for officials, posts the policy on the agency’s website and ensures reporting compliance on the FPPC Agency Report of Ceremonial Role Events and Ticket/Admission Distributions (Form 802)¹⁰ <ul style="list-style-type: none"> ▪ Form 802 is available at: www.fppc.ca.gov/forms/802.pdf | <ul style="list-style-type: none"> <input type="checkbox"/> Agency creates a “transparency portal” on its website that provides anticipated information the public needs from all agency departments in one easy to find location <input type="checkbox"/> Agency makes Statement of Economic Interests (Form 700) disclosures available on the agency website <input type="checkbox"/> Agency makes Payment to Agency Report (Form 801) available on the agency website <ul style="list-style-type: none"> ▪ Form 801 is available at: www.fppc.ca.gov/forms/801.pdf <input type="checkbox"/> Agency uses an electronic filing system to make posting and completion of the required disclosures easier |
| Public Records Act Requests | <ul style="list-style-type: none"> <input type="checkbox"/> Agency adopts policy for handling Public Records Act requests and makes the policy available on website and through other channels <input type="checkbox"/> A designated staff member handles all records requests in order to ensure prompt compliance with records requests <ul style="list-style-type: none"> ▪ (Alternative for Larger Agencies) Designated staff members within each department receive training on Public Records Act compliance to enable the department to properly respond to such requests | <ul style="list-style-type: none"> <input type="checkbox"/> Agency accepts online records requests <input type="checkbox"/> Agency anticipates commonly requested records and posts them on the agency website, including all Fair Political Practices Commission forms <input type="checkbox"/> Agencies participating in joint use or shared services provide online access to documents and materials about cross-agency relationships |

TRANSPARENCY

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
|--------------------------|---|---|
| Public Engagement | <ul style="list-style-type: none"> <input type="checkbox"/> Agency posts current public meeting agenda in legally required location accessible from agency home page <input type="checkbox"/> Agency website uses plain language and minimizes the use of acronyms to ease understanding <input type="checkbox"/> Agency understands current legal restrictions and guidance on social media and ensures compliance by elected officials and staff <input type="checkbox"/> Agency provides information explaining how the decision-making process works and how people can provide input Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/PEOrientations <input type="checkbox"/> Agency engages in regular communications through a variety of channels to keep the public up-to-date on agency activities Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/PEstrategiccommunications <input type="checkbox"/> Communications are translated as needed and distributed to appropriate community groups Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/EthnicMediaInfographic <input type="checkbox"/> Agency officials maintain regular office hours <input type="checkbox"/> Department heads maintain an “open door policy” for the public | <ul style="list-style-type: none"> <input type="checkbox"/> Residents can subscribe to an e-notification system for meetings, summaries of actions taken at meetings, workshops or other events/ information <input type="checkbox"/> Agency uses social media and other digital tools to engage and communicate with the public Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/online-engagement-guide <input type="checkbox"/> Agency adopts a social media policy Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/post/sample-social-media-policies <input type="checkbox"/> Agency uses mobile app for community members to report issues Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/technology-and-public-input <input type="checkbox"/> Agency develops relationships with community based organizations, neighborhood groups, ethnic media and clergy/congregations to distribute information and solicit input on issues of potential interest to those groups Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/partnering-community-based-organizations <input type="checkbox"/> For potentially controversial and/or complex issues, the agency creates additional opportunities for individuals to learn about and give input about those issues Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/DeeplyHeldConcerns |

| TRANSPARENCY | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| Public Engagement, Continued | | <ul style="list-style-type: none"> <input type="checkbox"/> Agency has or creates youth commissions as an opportunity to connect with younger generations about public services and needs Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/engaging-youth <input type="checkbox"/> Agency collaborates and partners with other local agencies to engage shared constituencies through activities such as joint meetings and newsletters <input type="checkbox"/> Agency uses both virtual and in-person engagement methods to gather input from the community <input type="checkbox"/> Agency considers non-traditional engagement opportunities to allow for increased participation and reach historically under-resourced communities |
| Information about Key Elected and Appointed Officials and Staff | <ul style="list-style-type: none"> <input type="checkbox"/> Contact information, including telephone numbers, mailing addresses, office locations and email addresses are available on agency website and kept current <input type="checkbox"/> Terms of office/appointment and next election date are disclosed <input type="checkbox"/> Agency Report of Appointments (Form 806) is posted on agency website¹¹ <ul style="list-style-type: none"> ▪ Form 806 is available at: www.fppc.ca.gov/forms/806.pdf | <ul style="list-style-type: none"> <input type="checkbox"/> Website and other communications explain terms of office and next election/appointment date for elected and appointed officials <input type="checkbox"/> Materials and information on how to seek election and appointment are available on agency website <input type="checkbox"/> Agency website contains a dedicated page for links to other local, state and federal agencies, clarifying the functions and services of each agency and makes referrals to other agencies where appropriate |

TRANSPARENCY

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
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| Boards and Commissions | <ul style="list-style-type: none"> <input type="checkbox"/> Agency complies with California law relating to creation of a Local Appointments List (Maddy Act), which is a list of all appointed positions that expire within the next calendar year. The list is made available to members of the public by various means and provided to the local library with the largest service population¹² <input type="checkbox"/> Agency posts unexpected vacancies in the agency’s clerk’s office, the local library with the largest service population and other locations as directed by the legislative body¹³ <input type="checkbox"/> Agency posts the Local Appointments List on the agency website on or before January 2 of each year | <ul style="list-style-type: none"> <input type="checkbox"/> Agency supports leadership program(s) to familiarize potential applicants who are thinking of applying to boards and commissions with relevant roles and responsibilities <input type="checkbox"/> Agency distributes the Local Appointments List broadly through social and print media, ethnic media, community-based organizations, and clergy and congregations <input type="checkbox"/> Agency publicizes unexpected vacancies broadly through press releases, social and print media, ethnic media, community-based organizations, and clergy and congregations <input type="checkbox"/> Agency encourages local officials to engage in widespread outreach through their networks to inform all segments of the community about opportunities to serve on boards and commissions |

| TRANSPARENCY | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| MEETINGS | | |
| Policies and Procedures | <ul style="list-style-type: none"> <input type="checkbox"/> All elected and appointed officials have received information/training related to California’s open meeting laws¹⁴ <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/abc <ul style="list-style-type: none"> <input type="checkbox"/> Chairperson receives training/ information about the role of the chairperson <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/chairmeeting <ul style="list-style-type: none"> <input type="checkbox"/> All members of the decision-making body receive training/information about roles, responsibilities and purpose <ul style="list-style-type: none"> <input type="checkbox"/> Agency has adopted rules of procedure to govern meetings that meet the needs of the agency and the public <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/parliamentarysimplified | <ul style="list-style-type: none"> <input type="checkbox"/> Agency promotes civility in public meetings and adopts a civility policy, code of conduct or code of decorum <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/Civility <ul style="list-style-type: none"> <input type="checkbox"/> Agency officials and staff model civil behavior and decorum in all communication <ul style="list-style-type: none"> <input type="checkbox"/> Agency posts meeting norms/codes of conduct and/or reminds meeting participants of the policies at the beginning of public meetings <ul style="list-style-type: none"> <input type="checkbox"/> A statement of basic rules and protocol related to public participation is included on meeting agendas and orally stated at the beginning of public comment period <ul style="list-style-type: none"> <input type="checkbox"/> Agency engages in processes to enable the public to understand how to most effectively communicate concerns about issues to the agency <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/publicmeetings |

| TRANSPARENCY | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| Website Content | <ul style="list-style-type: none"> <input type="checkbox"/> Agency posts regular meeting agendas 72 hours in advance and special meeting agendas 24 hours in advance on agency website¹⁵ <input type="checkbox"/> Current year meeting minutes and agendas are available on agency website <input type="checkbox"/> Community members can sign up for email notices/reminders of public meetings <input type="checkbox"/> Calendar of date, time, location of meetings is available on the agency website | <ul style="list-style-type: none"> <input type="checkbox"/> Agency posts meeting agendas for regular meetings earlier than required to enable the public to understand upcoming issues before the meeting <input type="checkbox"/> Agency makes archives of meeting minutes and agendas for three years or longer <input type="checkbox"/> Agency makes available live audio/video streams and archived recordings of meetings available on the agency website <input type="checkbox"/> Agency posts video recordings of meetings with relevant accompanying materials <input type="checkbox"/> Agency emails meeting agendas to subscribers with information on how to view related materials on the website |
| DECISION-MAKING | | |
| Decision-Makers | <ul style="list-style-type: none"> <input type="checkbox"/> California Fair Political Practices Commission's Form 700 (Statement of Economic Interests) is distributed and collected in a timely manner on an annual basis (required by law¹⁶) <input type="checkbox"/> Decision-makers know where the 500-foot, 1,000-foot and 1,500-foot boundaries are with respect to their various property interests¹⁷ <input type="checkbox"/> Officials are advised of prohibitions against self-dealing in addition to the Political Reform Act¹⁸ | <ul style="list-style-type: none"> <input type="checkbox"/> Agency staff creates a map of the 500-foot, 1,000-foot and 1,500-foot boundaries for each decision-maker to help him or her determine if there is a potential conflict of interest in a decision |

TRANSPARENCY

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
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| Processes | <ul style="list-style-type: none"> <input type="checkbox"/> Agency has adopted a conflict of interest code as required by the Political Reform Act¹⁹ <input type="checkbox"/> Decision-makers receive training on due process rules applicable to quasi-adjudicatory (administrative) hearings. Resources: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/bias <input type="checkbox"/> Decision-makers know the agency's policies for disclosure of information they receive outside of adjudicatory hearings <input type="checkbox"/> Agency policies are applied consistently to those seeking agency approvals, regardless of personal connections <input type="checkbox"/> Decision-makers listen attentively at public hearings, particularly adjudicatory hearings <input type="checkbox"/> Decision-makers consider potential impacts to the resources of other local, state, federal or tribal agencies when making decisions | <ul style="list-style-type: none"> <input type="checkbox"/> Decision-makers voluntarily abstain when their ability to make decisions in the public interest (as opposed to personal or political interests) might be reasonably questioned Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/abstentions |

| PERSONNEL/ EDUCATION | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| EDUCATION/TRAINING | | |
| Onboarding | <ul style="list-style-type: none"> <input type="checkbox"/> Agency provides materials on duties and responsibilities for all newly elected and appointed officials and staff <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/new-local-public-service <ul style="list-style-type: none"> <input type="checkbox"/> Agency provides information on policies, including ethics policy, upon onboarding | <ul style="list-style-type: none"> <input type="checkbox"/> Orientation on duties and responsibilities is available to all newly elected and appointed officials and staff <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/OrientationMaterials <ul style="list-style-type: none"> <input type="checkbox"/> When appropriate, agency shares training services and costs among neighboring local agencies <input type="checkbox"/> Agency adopts a Governance Handbook or Manual and regularly reviews and updates the included policies <p>Resource:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/post/sample-governance-handbooks |

| PERSONNEL/ EDUCATION | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| Ongoing Education | <ul style="list-style-type: none"> <input type="checkbox"/> Agency supports continuing education activities for staff, appointed and elected officials (including those that are required by law for certain professional license-holders) <input type="checkbox"/> Agency requires attendance at sexual harassment prevention training for elected officials and those in supervisory positions (two hours every two years required for those in supervisory positions)²⁰ <input type="checkbox"/> Agency publicizes and makes available resources to help local officials understand ethics laws | <ul style="list-style-type: none"> <input type="checkbox"/> Agency encourages regular attendance at local and/or statewide continuing education activities <input type="checkbox"/> Agency plans regular training sessions and budgets for attendance at trainings <input type="checkbox"/> Agency provides information and guidance on handling ethical dilemmas in the workplace <input type="checkbox"/> Agency conducts joint education and information sessions among city, county, school and special district elected officials about roles, responsibilities and purpose of each local government agency to clarify and raise awareness among decision-makers <input type="checkbox"/> When appropriate, agency shares training services and costs among neighboring local agencies (e.g. computer classes for fundamental software programs) <input type="checkbox"/> Diversity, equity, inclusion and belonging are included as part of agency's annual and continuous professional development efforts for both staff and elected officials <input type="checkbox"/> Agency provides implicit bias and anti-racism training for all staff and officials <input type="checkbox"/> Agency joins a racial equity-focused organization to take advantage of education and training opportunities related to race, diversity, equity, belonging and inclusion <input type="checkbox"/> Agency engages in regular strategic planning, team building or other facilitated workshops to build relationships, review agency norms, revisit adopted policies and discuss any barriers to good governance |

| PERSONNEL/ EDUCATION | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| Promoting Organizational Ethics | <ul style="list-style-type: none"> <input type="checkbox"/> Ethics values are included in the agency's mission statement <input type="checkbox"/> Agency has adopted a value-based code of ethics Resources: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/ethicscodes <input type="checkbox"/> Ethics are part of agency's hiring practices and interview process <input type="checkbox"/> Agency values collaboration and partnerships with other local agencies and community-based organizations | <ul style="list-style-type: none"> <input type="checkbox"/> Agency's leadership leads by example by consistently demonstrating agency's values through actions <input type="checkbox"/> When collaborating with other agencies, staff and leadership show respect and decorum for the formal and informal processes of partners and the community, developing and formalizing agreements when necessary |
| Ethics Training (AB 1234)²¹ | <ul style="list-style-type: none"> <input type="checkbox"/> Elected and appointed officials receive two hours of ethics training every two years (and basic overview training within one year of assuming position)²² <ul style="list-style-type: none"> ▪ Online training available at: www.fppc.ca.gov <input type="checkbox"/> All local officials who must receive AB 1234 training are current on their training <input type="checkbox"/> Top level staff voluntarily receives training on ethics laws and principles as relevant to their duties within the agency | <ul style="list-style-type: none"> <input type="checkbox"/> Elected and appointed officials receive basic overview training within two months of assuming position <input type="checkbox"/> Agency takes steps to make AB 1234 training meaningful, understandable and helpful and in a format that allows for discussion and questions <input type="checkbox"/> Certificates of compliance are easily accessible to the public and media (for example posted on the agency website) <input type="checkbox"/> Agency requires top level staff to participate in training on ethics laws and principles as relevant to their duties within the agency <input type="checkbox"/> Compliance is a condition of continuing appointment (for appointed officials) and reimbursement (elected officials) <input type="checkbox"/> Subsequent trainings are more in depth examinations of required topics²³ <input type="checkbox"/> Agency coordinates with other local agencies to provide AB 1234 training to all local officials and designated staff, including cities, counties, schools and special districts |

| PERSONNEL/ EDUCATION | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| PERSONNEL | | |
| Personnel Practices and Policies | <ul style="list-style-type: none"> <input type="checkbox"/> Agency has fair and merit based processes in place for hiring and advancing employees <input type="checkbox"/> Agency consistently makes a concerted effort to advertise widely for open positions <input type="checkbox"/> Elected officials generally play a role in selection of chief executive, department heads, agency counsel and non-elected or appointed staff and provide regular guidance and feedback to those employees. Resource: <ul style="list-style-type: none"> ▪ www.ca-ilg.org/Board-Chief-Executive-Relations <input type="checkbox"/> Officials understand and abide by agency's adopted policies relating to who makes hiring and other personnel decisions relating to subordinate staff <input type="checkbox"/> Agency has a non-discrimination policy and abides by its terms <input type="checkbox"/> Agency has adopted and follows an anti-nepotism policy <input type="checkbox"/> Agency has adopted a whistleblower protection policy and posted it on the agency website²⁴ (see Speaking Truth to Power section below) <input type="checkbox"/> Agency has adopted policies regarding second jobs and other potentially incompatible activities²⁵ <input type="checkbox"/> Compensation decisions for agency executives must be orally announced at regular meetings | <ul style="list-style-type: none"> <input type="checkbox"/> Agency posts compensation and benefits information for all officials and employees on the agency website <input type="checkbox"/> Agency completes salary comparison/ benchmarking for staff positions using a reputable salary survey every five years - agency posts summary of results on agency website <input type="checkbox"/> Agency analyzes data to understand the demographics of the community you serve and develop hiring strategies to reach candidates that represent those communities <input type="checkbox"/> Agency engages hiring managers and others who develop job descriptions, set minimum qualifications, review resumes, conduct interviews, and make hiring decisions in developing and implementing strategies to increase equity <input type="checkbox"/> Agency uses racial equity tools to analyze personnel policies and practices for implicit bias and institutional racism <input type="checkbox"/> Agency creates a workplace culture where racial equity is a value and is operationalized <input type="checkbox"/> Agency initiates and implements pipeline development programs <input type="checkbox"/> Agency set goals, tracks progress and focuses on accountability |

| PERSONNEL/ EDUCATION | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| Incentives for Speaking Truth to Power²⁶ | <ul style="list-style-type: none"> <input type="checkbox"/> Agency has an adopted policy clearly explaining procedures for reporting and investigating allegations of misconduct and protection of those that report misconduct <input type="checkbox"/> Unlawful conduct is dealt with swiftly, firmly and consistently within the agency <input type="checkbox"/> Agency supervisors and staff are familiar with legal protections related to whistle-blowing activities and receive on-going training | <ul style="list-style-type: none"> <input type="checkbox"/> Agency supports employees who bring forward truthful, but potentially unwelcome, unsolicited, unpopular or difficult information to the attention of relevant decision-makers <input type="checkbox"/> Governing bodies encourage chief executive and financial staff to regularly analyze financial trends for areas of potential concern/risks so the body can discuss and address them <input type="checkbox"/> Staff participates in professional associations that provide guidance on ethics as it relates to their role in the organization <input type="checkbox"/> Agency encourages open dialogues about taboo topics Resource: www.shrm.org/resourcesandtools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/pages/employer-guide-equity-inclusion-words-into-action.aspx <input type="checkbox"/> Agency makes the discrimination and harassment complaint systems better Resource: www.umass.edu/employmentequity/what-works-evidence-based-ideas-increase-diversity-equity-and-inclusion-workplace |
| Chief Executive | <ul style="list-style-type: none"> <input type="checkbox"/> Agency chief executive has a college degree in relevant field and a minimum of five years of broad-based management experience <input type="checkbox"/> Chief executive is or is willing to become a member of the International City/County Management Association (ICMA) in good standing and adheres to ICMA's declaration of ideals. For more information see www.icma.org | <ul style="list-style-type: none"> <input type="checkbox"/> The hiring process includes ethics and equity questions in interviews Resource: <ul style="list-style-type: none"> <input type="checkbox"/> https://racialequityalliance.org/wp-content/uploads/2015/02/Public-Sector-Jobs-Final1.pdf |

PERSONNEL/ EDUCATION

| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
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| Agency Counsel | <ul style="list-style-type: none"> <input type="checkbox"/> Agency counsel is an active member of the California State Bar in good standing with at least five years' experience in municipal law. See www.calbar.ca.gov <input type="checkbox"/> Agency counsel is familiar with and adheres to the California State Bar's Rules of Professional Conduct. See www.calbar.ca.gov/ethics | <ul style="list-style-type: none"> <input type="checkbox"/> The hiring process includes ethics questions in interviews <input type="checkbox"/> Agency counsel acts in accordance with the ethical principles and values set forth by the agency and other relevant organizations. For example, "Ethical Principles for City Attorneys" available at www.cacities.org/attorneys |
| Agency Clerk | <ul style="list-style-type: none"> <input type="checkbox"/> Agency clerk is or is willing to become a member of the International Institute of Municipal Clerks (IIMC) in good standing and adheres to IIMC's code of ethics. For more information see www.iimc.com | <ul style="list-style-type: none"> <input type="checkbox"/> Agency encourages clerks to engage in education, mentorship and professional development activities through the California Clerk of the Board of Supervisors Association and the California City Clerks Association <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.cbbsa.net ▪ www.californiacityclerks.org |

| CAMPAIGNS | | |
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| | Minimum Standards/ Good Practices | Beyond the Minimum/ Better Practices |
| Candidates | <ul style="list-style-type: none"> <input type="checkbox"/> Candidates for the governing board receive information on how to comply with campaign laws²⁷, including local requirements and restrictions²⁸ <input type="checkbox"/> Agency distributes California’s Code of Fair Campaign Practices to all candidates²⁹ <input type="checkbox"/> Agency provides candidates with information about ethics laws, including conflicts of interest, incompatible offices and governmental transparency requirements that will be relevant to their service if elected <p>Resource:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/CandidatePamphlet | <ul style="list-style-type: none"> <input type="checkbox"/> A pledge of fair campaign practices is distributed to and signed by all candidates. Available at www.ca-ilg.org/campaigncodes <input type="checkbox"/> Agency supports one or more leadership programs to familiarize potential candidates who are thinking of running for office with local issues and decision-making practices |
| Officials and Employees | <ul style="list-style-type: none"> <input type="checkbox"/> Officials and employees are advised of prohibitions relating to campaign fundraising directed at agency staff³⁰ <input type="checkbox"/> Officials and employees are advised of restrictions relating to political activities of public employees³¹ <input type="checkbox"/> Officials and employees are reminded of the proscriptions against political use of public resources including the use of equipment, photocopying, or mailing of campaign related materials at the public’s expense³² <p>Resources:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/massmailing ▪ The Fair Political Practices Commission fact sheet on prohibited mass mailings available at www.fppc.ca.gov | <ul style="list-style-type: none"> <input type="checkbox"/> Agency provides trainings to officials and employees on prohibitions and restrictions on the political activities of public employees <p>Resource:</p> <ul style="list-style-type: none"> ▪ www.ca-ilg.org/ballot-measure-activities |

References and Resources

Note: Sections in the California Code are accessible at <http://leginfo.legislature.ca.gov/>.

Fair Political Practices Commission regulations are accessible at www.fppc.ca.gov/index.php?id=52.

A source for case law information is www.findlaw.com/cacases/ (requires registration).

- 1 See Cal. Gov't. Code § 12410.6 (“a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local agency for six consecutive fiscal years.”).
- 2 Cal. Gov't Code § 53232.2.
- 3 Cal. Gov't Code § 53232.3.
- 4 GC 53323.2(e).
- 5 Cal. Gov't Code § 89001; 2 Cal. Code Regs §§ 18901-18901.1.
- 6 See Cal. Pub. Cont. Code §§ 20121-20123, 20162-20163.
- 7 See Cal. Gov't Code § 1090.
- 8 See 2 Cal. Code Regs. § 18730.
- 9 Available at www.fppc.ca.gov/forms/805.pdf.
- 10 See 2 Cal. Code Regs. § 18944.1.
- 11 See 2 Cal. Code Regs. § 18705.5.
- 12 Cal. Gov't Code §§ 54970-54973.
- 13 Cal Gov't Code § 54974.
- 14 Cal. Gov't Code § 54950 and following.
- 15 Cal. Gov't Code § 54954.2.
- 16 2 Cal. Code Regs. § 18723.
- 17 See 2 Cal. Code Regs. § 18705.2(a)(11), (A financial effect in which an official has a financial interest, other than a leasehold interest, is material whenever the governmental decision would consider any decision affecting real property value located within 500 feet of the property line of the official's real property unless the FPPC provides written advice of the determination that there will be no reasonably foreseeable measurable impact on the official's property).
- 18 See Cal. Gov't Code § 1090.
- 19 See Cal. Gov't Code §§ 87300-14.
- 20 Cal. Gov't Code § 12950.1.
- 21 Cal. Gov't Code § 53235 requires ethics training for specified local government officials. For more information see www.ca-ilg.org/ab1234compliance.

- 22 See Cal. Gov't Code § 53235(a), (b).
- 23 See California Attorney General's Guidelines, available at <http://oag.ca.gov/ethics>.
- 24 See Cal. Lab. Code § 1101-06.
- 25 See Cal. Gov't Code § 1126.
- 26 Aaron Wildavsky, *Speaking Truth to Power: The Art and Craft of Policy Analysis* (Boston: Little, Brown, 1979).
- 27 See generally Cal. Gov't Code §§ 84100 – 84511.
- 28 See Cal. Gov't Code § 81009.5 (Local government agencies that have adopted campaign finance ordinances must submit a copy to the FPPC). Copies or links to these ordinances are posted on the FPPC website at <http://www.fppc.ca.gov/index.php?id=9>.
- 29 Cal. Elect. Code §§ 20440-20444.
- 30 See Cal. Gov't Code § 3205.
- 31 See Cal. Penal Code § 424; Cal. Gov't Code § 8314.
- 32 Cal. Penal Code § 424; Cal. Gov't Code §§ 8314, 89001; 2 Cal. Code Regs. § 18901.1.