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# CITY OF POMONA ETHICS COMMISSION REPORT

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April 23, 2026

To: Ethics Commission

From: René Anderson, HR/Risk Management Director

SUBJECT: PRESENTATION FROM CITY MANAGER AND CITY ATTORNEY CONCERNING RECOMMENDATION FOR AN UPDATED ORDINANCE CLARIFYING ETHICS COMMISSION POWERS AND DUTIES AND RECOMMEND AN ETHICS CODE

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## **RECOMMENDATION:**

It is recommended that the Ethics Commission:

1. Receive a presentation from the City Manager and City Attorney concerning recommendations for an updated ordinance clarifying Ethics Commission powers and duties, and recommends an Ethics Code; and
2. Recommend Council Adopt the Draft Ordinance and Ethics Code.

## **DISCUSSION:**

In 2023, the City Council adopted an ordinance establishing the Ethics Commission as required by Pomona City Charter Section 807 which was adopted by the voter approval of a ballot measure amending the Charter in 2022.

Shortly after establishment of the Ethics Commission a meeting was held to discuss the duties and powers of the Commission. A list of work plan items (review Form 700's and AB 1234 training compliance) was discussed. In addition, staff discussed with the Commission the creation and adoption of an ethics policy.

After numerous meetings and drafts, a copy of the draft policy was presented for review by the City Attorney. The City Attorney advised staff that the proposed policy appeared to be more of a restatement of existing laws and suggested a comprehensive review of other policies and the adoption of a Code of Ethics. In addition, the City Attorney advised staff that any policy impacting employees and imposing new working conditions (making employees subject to Ethics Commission review) could possibly be in violation of the Charter's council-manager form of government and could require meet and confer obligations with the bargaining units.

The City Attorney has offered an alternative approach which clarifies the duties and authority of the Ethics Commission in an ordinance, defining and clarifying with more specificity what the Ethics Commission must do. The City Attorney has also suggested a Code of Ethics to be adopted by the City Council.

The proposed ordinance, along with the Code of Ethics would clarify the role of the Ethics Commission, lawfully cover employees and officials and provide for oversight, review and investigation by the appropriate bodies. Together they also provide for reporting and oversight by the Ethics Commission, in a manner that is consistent with labor and employment laws and the City Charter.

Under the proposed documents, complaints concerning employees would be referred and handled by the City Manager with reporting to the Commission to the extent legally authorized. The Commission can make recommendations to the City Manager concerning employee issues. Complaints concerning the Council appointees: City Manager, City Clerk and City Attorney would be referred to the City Council as they are the body that has authority over these positions according to the City Charter. Finally, as for elected officials and appointed commissioners there would be a process for reviewing complaints, seeking legal advice, referring to enforcement agencies and taking enforcement action.

**ATTACHMENTS:**

Attachment No. 1 – Draft Ordinance

Attachment No. 2 – Draft Ethics Code