

# REPORT

To the Honorable Mayor and City Council  
And the Redevelopment Agency Board  
From the City Clerk and City Attorney

November 22, 2004

**Subject**

Conflict of Interest Code Adoption – City and Redevelopment Agency

**Recommendation**

1. Adopt City Council resolution and exhibits adopting the City's Conflict of Interest Code.
2. Adopt Redevelopment Agency resolution with exhibits adopting the Agency's Conflict of Interest Code.

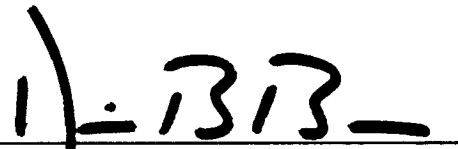
**Background**

The Political Reform Act of 1974 requires all governmental agencies to adopt a Conflict of Interest Code. The law further requires that each municipality review and amend its Code when necessary during even-numbered years. The Conflict of Interest Code designates employees, members of boards, committees, commissions, City officers and consultants who by virtue of their positions, make or participate in making decisions which may affect their financial interests and who therefor must disclose these interests on the Fair Political Practices Commission Form 700 - Statement of Economic Interests of Designated Employees.

Department Heads have reviewed and revised their department's portion of the Conflict of Interest Code with the City Attorneys' approval. Amendments involve either changes in titles or elimination of positions and the addition of a separate Redevelopment Agency resolution with pertinent exhibits.



Patricia S. Howe  
City Clerk/Agency Secretary



Damien Brower  
Assistant City Attorney/Assistant  
General Counsel

**Attachment**

Draft resolutions w/exhibits for City and Agency

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY RE-ADOPTING THE CITY'S CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION NOS. 9007, 9753, 10699, 11361, 11761, 12231, 12796, 13381, AND 14017**

**WHEREAS**, the Political Reform Act of 1974, as amended (Cal. Gov. Code §81000, et seq.) ("Act"), requires state and local government agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Fair Political Practices Commission ("FPPC") has adopted a regulation, which contains the terms of a standard conflict of interest code, that can be incorporated by reference by a local agency as that agency's conflict of interest code (2 Cal. Code of Regulations §18730); and

**WHEREAS**, Section 87306.5 of the Act requires that conflict of interest codes be reviewed and, if appropriate, revised biennially in even-numbered years; and

**WHEREAS**, by Resolution No. 9007, adopted November 23, 1981, this Council adopted a Conflict of Interest Code (the "Code") for the City of Redwood City ("City"), by adopting by reference 2 Cal. Code of Regulations Section 18730, as that section may be amended from time to time, and by also approving as exhibits, disclosure categories for certain designated positions within various City departments; and

**WHEREAS**, since its adoption, Resolution No. 9007 has been amended by the following resolutions: Resolution No. 9753 adopted December 17, 1984; Resolution No. 10699 adopted December 21, 1987; Resolution No. 11361 adopted August 13, 1990; Resolution No. 11761 adopted June 8, 1992; Resolution No. 12231 adopted June 27, 1994; Resolution No. 12796 adopted June 10, 1996; Resolution No. 13381

adopted July 6, 1998; Resolution No. 14017 adopted August 28, 2000; and Resolution 14468 adopted October 9, 2002; and

**WHEREAS**, the attached Exhibits "A through L" (the "Exhibits") describing the disclosure categories for the designated positions have been revised to reflect current personnel status; and

**WHEREAS**, this Council, as the Code reviewing body for the City, has determined that the Exhibits accurately set forth those positions and corresponding disclosure categories which should be designated in the Appendix to the Code for each of the Departments, Boards, Commissions, Committees, and consultants as specified in the Exhibits.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:**

1. Conflict of Interest Code Adopted. The terms of 2 Cal. Code of Regulations §18730, as may be amended from time to time by the FPPC, are hereby incorporated by reference and, along with the attached Exhibits, constitute the Code of the City, which is considered the "agency" within the purview of the Code.

2. Statements of Economic Interest. By April 1<sup>st</sup> of each year, designated employees, members of City Boards, Commissions and Committees, and consultants will file with the City Clerk their statements of economic for the prior calendar year. The City Clerk will be and will perform the duties of the City filing officer. Statements of Economic Interest will be available for inspection and reproduction pursuant to Government Code §81008.

5.4B-4

3. Savings Clause. Any change provided for in the Code will not affect or excuse any offense or act committed or done or omission or any penalty or forfeiture incurred or accruing under any other conflict of interest code, nor will it affect any prosecution, suit, or proceeding pending, or any judgment rendered in connection with any other conflict of interest code.

4. Repeal. City Council Resolution Nos. 9007, 9753, 10699, 11361, 11761, 12231, 12796, 13381, and 14017 are hereby repealed in their entirety.

5. Effective Date. This Resolution will be effective upon its adoption.

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**EXHIBIT A**

**CITY AND PORT ATTORNEY**

**Designated  
Positions**

**Disclosure  
Category**

(City Attorney files original with FPPC in Sacramento.)

City and Port Attorney.....	1
Assistant City Attorney.....	1
Special Counsel.....	1
Applicable Consultants.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property, and sources of income from entities in, or doing business in, or subject to the jurisdiction of the City of Redwood City.

5.4B-6

**EXHIBIT B**

**CITY CLERK DEPARTMENT**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
City Clerk.....	1
Deputy City Clerk.....	1

**Disclosure Category 1**

All interests in real property, sources of income, investments and business positions in business entities located in or doing business in Redwood City of the type which:

- a. manufacture, distribute or sell election materials, supplies or services;
- b. any newspaper or other publication used by the City for legal or other advertising;
- c. publish or print municipal documents (i.e., Municipal Code, City Charter, etc.);
- d. manufacture, distribute or sell equipment or materials normally used in the Office of the City Clerk.

**EXHIBIT C**

**CITY MANAGER DEPARTMENT**

**Designated  
Positions**

**Disclosure  
Category**

(City Manager files original with FPPC in Sacramento)

Assistant City Manager (including Part Time Assistant City Manager)	1
Assistant to the City Manager.....	1
Public Communications Manager.....	1
Applicable Consultants.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in Redwood City.

5.4 B-8

**EXHIBIT D 1**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Administration**

**Designated  
Positions**

**Disclosure  
Category**

Community Development Director..... 1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in, Redwood City.

**EXHIBIT D - 2**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**Building and Inspection**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Manager, Building and Inspection.....	1
Plan Check Engineer.....	1
Senior Building Inspector.....	1
Building Inspectors.....	1
Permit Technician.....	1
Plan Checker.....	1

**Board of Building Review**

5 members - City Council Appointees.....	1
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**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities, in, or doing business in, Redwood City.

**EXHIBIT D - 3**

**COMMUNITY DEVELOPMENT SERVICES DEPARTMENT**

**Engineering and Construction**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Manager, Engineering and Construction .....	1
Supervising Civil Engineer.....	1
Senior Civil Engineers.....	1
Applicable Consultants.....	1
Permit Technician.....	1
Senior Building Coordinator.....	1
Assistant Engineer.....	1
Senior Engineering Technician.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in Redwood City.

**EXHIBIT D - 4**

**COMMUNITY DEVELOPMENT SERVICES DEPARTMENT**

**Planning**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Community Development Services Manager.....	1
Community Development Services Supervisor.....	1
Senior Planner.....	1
Associate Planner.....	1
Assistant Planner.....	1
Applicable Consultants.....	1
Contract Planners.....	1

**Architectural Review Committee**

5 members - City Council Appointees.....	1
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**Historic Resources Advisory Committee**

7 members - Planning Commission Appointees..... plus one Planning Commission Representative	1
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**Planning Commission**

7 members – City Council Appointees

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in, Redwood City.

**EXHIBIT D - 5**

**COMMUNITY DEVELOPMENT SERVICES DEPARTMENT**

**Redevelopment**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Community Development Services Manager.....	1
Community Development Services Supervisor.....	1
Housing and Economic Development Specialists I and II.....	1
Management Analyst.....	1
Applicable Consultants.....	1

**Housing and Human Concerns Committee**

9 members - City Council appointees.....	2
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**Housing Rehabilitation Loan Program Committee**

7 members - City Council appointees.....	2
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**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in, Redwood City.

**Disclosure Category 2**

All investments and business/board positions in business or non-profit entities in, or doing business in, Redwood City, or requesting funds from any Committee.

**EXHIBIT E**

**DEPARTMENT OF FINANCE**

**Designated Positions**

**Disclosure Category**

(Finance Director files original with the FPPC in Sacramento.)

Financial Services Manager.....	1
Informational Technology Manager.....	3
Revenue Services Manager.....	2
Applicable Consultants.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in Redwood City.

**Disclosure Category 2**

Investments and business positions in business entities, and income from any business entity, that manufactures, distributes or sells equipment, products or services to the City of Redwood City.

**Disclosure Category 3**

Investments and business positions in business entities and income from any business entity involved in the manufacture, distribution, sales or leasing of electronic technology hardware and/or software, and ancillary products and services.

**EXHIBIT F**

**FIRE DEPARTMENT**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Chief of Fire Department.....	1
Battalion Chiefs.....	1
Fire Prevention Officer.....	1
Administrative Chief/Fire Marshal.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities, in or doing business in Redwood City.

**EXHIBIT G**

**HUMAN RESOURCES**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Human Resources Director.....	1
Personnel Analysts.....	1
Benefits Coordinator.....	1
Administrative Assistant.....	1

**Disclosure Category 1**

All investments and business positions in any business entity, and income from sources from entities located in, or doing business in Redwood City which provide services in the fields of employee training, employee recruitment, employee selection, labor relations, and wage and salary administration, or which provides, sells, or makes recommendations relating to any group health insurance, life and dental insurance, workers' compensation insurance, employee safety program or disabilities accommodation programs

**EXHIBIT H**

**REDWOOD CITY PUBLIC LIBRARY**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Library Director.....	1, 2
Library Division Managers.....	1, 2
Library Supervisors.....	2
<b>Library Board</b>	
5 members - appointed by Council.....	1, 2

**Disclosure Category 1**

All investments and business positions in business entities, and income from sources which are doing business or planning to do business with the Redwood City Library and all interests in real property.

**Disclosure Category 2**

All investments and business positions in business entities and income from the publishing industry and distributors of published materials, the recording industry and distributors of such materials, and companies selling or renting films, filmstrips, and microforms to public libraries.

**EXHIBIT I**

**PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Parks, Recreation and Community Services Director.....	1
Parks, Recreation and Community Services Manager.....	2
Parks, Recreation and Community Services Superintendent.....	2
Applicable Consultants.....	1

**Parks and Recreation Commission**

7 members - appointed by Council.....	3
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**Civil Cultural Commission**

7 members - appointed by Council.....	3
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**Fair Oaks Community Center Advisory Board**

7 members - appointed by Council.....	3
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**Senior Affairs Commission**

7 members - appointed by Council.....	3
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**Disclosure Category 1**

All investments and business positions in any business entity and income from sources dealing in real property sales or development in Redwood City, and all interests in real property in Redwood City.

**Disclosure Category 2**

All investments and business positions in any business entity and income from sources that manufacture, distribute, sell or otherwise provide services, supplies, materials, machinery or equipment of a type utilized by the Redwood City Parks, Recreation and Community Services Department.

5.4B-18

**Disclosure Category 3**

All investments and business/board positions in any business or non-profit entity in, or doing business in Redwood City, or requesting funds or other consideration from the Board, Committee or Commission.

**EXHIBIT J**

**POLICE DEPARTMENT**

**Designated  
Positions**

**Disclosure  
Category**

Chief of Police.....	1
Police Captains.....	1

**Disclosure Category 1**

All investments and business positions in any business entity and income from sources in, or doing business in Redwood City, and all interests in real property in Redwood.

**EXHIBIT K**

**PORT OF REDWOOD CITY**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Port Manager, Executive Director.....	1
Director, Finance and Administration.....	1
Manager, Economic Development.....	1
Manager, Operations.....	1
Applicable Consultants.....	1

**Board of Port Commissioners**

5 members - appointed by Council.....	1
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**Disclosure Category 1**

All interests in real property, investments and business positions in business entities and income from sources located in, or doing business in, the "Port Area" (as that term is defined in Section 50 of the Charter of the City of Redwood City).

**EXHIBIT L**

**PUBLIC WORKS SERVICES DEPARTMENT**

<b><u>Designated Positions</u></b>	<b><u>Disclosure Category</u></b>
Public Works Services Director.....	1
Public Works Superintendent.....	2
Public Works Supervisor.....	2
Lead Equipment Mechanic.....	2
Customer Support Services Specialist.....	2
Applicable Consultants.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in Redwood City.

**Disclosure Category 2**

All investments and business positions in business entities, and income from entities that provide services, or manufacture, distribute or sell supplies, materials, equipment, or products in, or doing business in Redwood City, related specifically to services provided by the Public Works Services Department.

5.4 B-22

RESOLUTION NO. RD \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REDWOOD CITY REDEVELOPMENT AGENCY RE-ADOPTING THE AGENCY'S CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION NO. RD 87-04 AND RELATED RESOLUTIONS**

**WHEREAS**, the Political Reform Act of 1974, as amended (Cal. Gov. Code §81000, et seq.) ("Act"), requires state and local government agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the Fair Political Practices Commission ("FPPC") has adopted a regulation, which contains the terms of a standard conflict of interest code, that can be incorporated by reference by a local agency as that agency's conflict of interest code (2 Cal. Code of Regulations §18730); and

**WHEREAS**, Section 87306.5 of the Act requires that conflict of interest codes be reviewed and, if appropriate, revised biennially in even-numbered years; and

**WHEREAS**, by Resolution No. RD 87-04, adopted March 9, 1987, this Board adopted a Conflict of Interest Code (the "Code") for the Redwood City Redevelopment Agency ("Agency"), by adopting by reference 2 Cal. Code of Regulations §18730 and by also approving as an exhibit, disclosure categories for certain designated positions within the Agency; and

**WHEREAS**, the attached Exhibit "A" describing the disclosure categories for the designated positions have been revised to reflect current personnel status; and

**WHEREAS**, this Board, as the Code reviewing body for the Agency, has determined that Exhibit "A" accurately sets forth those positions and corresponding

disclosure categories which should be designated in the Appendix to the Code for those individuals specified in Exhibit "A."

**NOW, THEREFORE, BE IT RESOLVED BY THE AGENCY BOARD OF THE REDWOOD CITY REDEVELOPMENT AGENCY, AS FOLLOWS:**

1. Conflict of Interest Code Adopted. The terms of 2 Cal. Code of Regulations §18730, as may be amended from time to time by the FPPC, are hereby incorporated by reference and, along with the attached Exhibit "A," constitute the Agency Code.

2. Statements of Economic Interest. By April 1<sup>st</sup> of each year, designated employees, members of Agency City Boards, Commissions and Committees, and consultants will file with the Agency Secretary their statements of economic for the prior calendar year. The Agency Secretary will be and will perform the duties of the Agency filing officer. Statements of Economic Interest will be available for inspection and reproduction pursuant to Government Code §81008.

3. Savings Clause. Any change provided for in the Code will not affect or excuse any offense or act committed or done or omission or any penalty or forfeiture incurred or accruing under any other conflict of interest code, nor will it affect any prosecution, suit, or proceeding pending, or any judgment rendered in connection with any other conflict of interest code.

4. Repeal. Redevelopment Agency Resolution No. RD 87-04 and any amendments thereto related to the Code are hereby repealed in their entirety.

5. Effective Date. This Resolution will be effective upon its adoption.

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5.4B-24

**EXHIBIT A**

**REDEVELOPMENT AGENCY COUNSEL**

**Designated  
Positions**

**Disclosure  
Category**

General Counsel .....	1
Assistant General Counsel.....	1
Special Counsel.....	1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property, and sources of income from entities in, or doing business in, or subject to the jurisdiction of the City of Redwood City.

**EXHIBIT B**

**AGENCY SECRETARY**

**Designated Positions**

**Disclosure Category**

Agency Secretary.....	1
Deputy Agency Secretary.....	1

**Disclosure Category 1**

All interests in real property, sources of income, investments and business positions in business entities located in or doing business in Redwood City of the type which:

- a. manufacture, distribute or sell election materials, supplies or services;
- b. any newspaper or other publication used by the Agency for legal or other advertising;
- c. publish or print Agency documents;
- d. manufacture, distribute or sell equipment or materials normally used in the Office of the Agency Secretary.

5.4 B-26

**EXHIBIT C**

**REDEVELOPMENT AGENCY STAFF**

**Redevelopment**

**Designated  
Positions**

**Disclosure  
Category**

Executive Director of Redevelopment Agency..... 1

**Disclosure Category 1**

All investments and business positions in business entities, interests in real property and sources of income from entities in, or doing business in, Redwood City.