

RESOLUTION NO. 136-08

RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,  
AMENDING CONFLICT OF INTEREST CODE FOR THE CITY OF RICHMOND

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WHEREAS, the Political Reform Act, Government Code section 81000 *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes; and,

WHEREAS, the Fair Political Practices Commission has adopted a regulation (Title 2, Division 6, California Code of Regulations section 187302) which contains the terms of a standard conflict of interest code that meets the requirements of the Political Reform Act; and

WHEREAS, the terms of Title 2, Division 6, California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference; and

WHEREAS, the City of Richmond's Conflict of Interest Code includes, in addition to Title 2, Division 6, California Code of regulations section 18730, appendices of those positions that are required to disclose financial information ("designated positions") and disclosure categories; and

WHEREAS, said appendices of Resolution No. 179-00, which include designated positions and disclosure categories, have been reviewed by the City Attorney's Office; and

WHEREAS, based on this review, the City Attorney's Office determined that the City of Richmond's Conflict of Interest Code should be amended to reflect current positions and duties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond, as follows:

- A. Resolution No. 179-00, adopted October 17, 2000, is hereby rescinded and is of no further force and effect.
- B. City council members, the mayor, the city manager, the city attorney, members of the planning commission, public officials who manage public investments, and any other officer who may be subject to the provisions of Government Code section 87200, shall file one original Statement of Economic Interest (Form 700) with the City Clerk who shall make and retain a copy and forward the original to the Fair Political Practices Commission which shall be the filing officer.

- C. This Resolution, including the attached Appendix A (Designated Positions), Appendix B (Disclosure Categories), and Appendix C (Regulations of the Fair Political Practices

Commission, Title 2, Division 6, California Code of Regulations section 18730) shall constitute the City of Richmond's Conflict of Interest Code.

- D. The terms of Title 2, Division 6, California Code of Regulations section 18730 and any amendments adopted by the Fair Political Practices Commission, are hereby incorporated by reference as Appendix C.

- E. City Clerk as Filing Officer: An individual holding a designated position shall file his or her Statement of Economic Interest (Form 700) with the City Clerk to whom the Richmond City Council hereby designates the authority to carry out the duties of the filing officer.

- F. Point of Contact for each Department: No later than March 1, every department head shall designate an individual in his or her department whose duty it is to notify each designated employee by March 1 that he or she must submit an original Statement of Economic Interest to the City Clerk by April 1. No later than March 15, the department head shall also notify the City Clerk who he or she assigns to notify the designated employees within the department. In addition to notifying each designated employee that he or she must submit a Form 700, the point of contact for each department should also provide each designated employee a Form 700 (either electronic or hard copy) to complete. No later than March 15, the point of contact for each department shall send the City Clerk a list of names of all designated employees.

- G. Departing Designated Employees: The point of contact shall notify departing designated employees that he or she must submit a Form 700 no later than his or her last day of service. The point of contact must also provide the name of the departing designated employee to the City Clerk before his or her last day of employment.

- H. New Designated Employees: When a new employee starts in a department, the point of contact shall determine if the employee is a designated employee, and if he or she is a designated employee, the point of contact must notify the City Clerk within 10 days of his or her starting date. The point of contact must also notify a new designated employee within the department that he or she must submit a completed Form 700 to the City Clerk within 30 days of his or her initial start date.

- I. Individuals holding designated positions shall file their Statement of Economic Interest no later than April 1 with the City Clerk, who will retain the statements and make them available for public inspection and reproduction.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof on **December 16, 2008**, by the following vote:

Ayes: Councilmembers Bates, Butt, Lopez, Sandhu, Vice Mayor Marquez, and Mayor McLaughlin

Noes: None

Abstentions: None

Absent: Councilmembers Rogers and Viramontes

**DIANE HOLMES**

Clerk of the City of Richmond

Approved:

**GAYLE McLAUGHLIN**

Mayor

Approved as to form:

**RANDY RIDDLE**

City Attorney

State of California }

County of Contra Costa : ss.

City of Richmond }

I certify that the foregoing is a true copy of resolution **No.136-08**, finally passed and adopted by the Council of the City of Richmond at a meeting held on December 16, 2008.

## APPENDIX A - DESIGNATED POSITIONS

### CITY ATTORNEY'S OFFICE

<b>Designated Position</b>	<b>Disclosure Category</b>
Assistant City Attorney	1, 2
City Attorney (87200 Filer)	1, 2
City Prosecutor	1, 2
Deputy City Attorney	1, 2
Law Office Supervisor	6

### CITY CLERK'S OFFICE

<b>Designated Position</b>	<b>Disclosure Category</b>
City Clerk (87200 Filer)	1, 2
Deputy City Clerk	1, 2

### CITY MANAGER'S OFFICE

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Chief	1, 2
City Manager (87200 Filer)	1, 2
Community Affairs Coordinator	5
Environmental Manager	2, 3, 5, 7
Management Analyst	5
Neighborhood Safety Director	5
Storm Water Program Manager	5

### CITY COUNCIL

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the City Council (87200 Filer)	1, 2
Staff Assistant to City Council	1, 2

### COMMUNITY REDEVELOPMENT AGENCY

<b>Designated Position</b>	<b>Disclosure Category</b>
Accountant	3
Chief of Redevelopment Projects	1, 2
Community and Economic Development Agency Director	1, 2
Community and Economic Development Finance Manager	1, 2
Community Development Construction Representative	2, 3,
Community Development Construction Services Coordinator	2, 3, 4
Community Development Finance Coordinator	1, 2

Community Development Program Manager	2,3
Construction and Facilities Manager	2,3
Construction Development Representative	2,3
Deputy Director, Housing	1,2
Deputy Director Redevelopment	1,2
Development Project Manager	2,3
Economic Development Administrator	1 2
Economic Development Marketing Manager	2 3, 6
Housing Finance Supervisor	1,2
Housing Director	1 2
Housing Programs Analyst	2 3, 6
Project Manager	2,3, 6
Redevelopment Administrative Services Manager	2,3, 6
Redevelopment Agency Construction Services Coordinator	2,3, 6
Redevelopment Contract Administrator	2,3, 6
Redevelopment Director	1,2
Redevelopment Specialist	2,3
Senior Business Assistance Officer	1,2
Urban Planner	1 2

#### EMPLOYMENT AND TRAINING DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Accountant	6
Employment Program Manager	6
Employment Program Specialist	6
Employment and Training Director	1, 2
Project Coordinator	1, 2
Project Manager	6
Senior Budget Analyst	1
Senior Employment Program Specialist	6
Workforce Program Coordinator	6

#### ENGINEERING & WASTEWATER

<b>Designated Position</b>	<b>Disclosure Category</b>
Assistant Engineer	2, 5
Assistant City Engineer	2, 5
Assistant Public Works Inspector	2, 3, 5, 7
Associate Civil Engineer	2, 5
Capital Improvement Program Manager	1, 2
City Engineer	1, 2
Engineering Operations Administrator	2, 6
Industrial Waste Inspector	2, 5, 7

Office Assistant II	2, 3, 6
Senior Civil Engineer	2, 5
Senior Industrial Waste Inspector	2, 3, 5, 7
Senior Public Works Inspector	2, 3, 5, 7
Traffic Engineer	2, 5, 7

#### FINANCE DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Accountant (II) - Debt	1, 2
Accounting Administrator	5
Accounting Manager	1
Budget Administrator	1, 2
Buyer (I, II, Senior)	5
Chief Accountant	1, 2
Deputy Budget and Financial Services Agency Director	1, 2
Finance Director / Treasurer	1, 2
Internal Auditor	1, 2
Investment Analyst	1
Project Manager ERP Systems	1
Purchasing Manager	4, 5
Revenue Collection Manager	1, 2

#### FIRE DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Aide	6
Battalion Chief	1
Chief	1, 2
Deputy Chief	1, 2
Deputy Fire Marshal	1, 2
Emergency Services Manager	1
Fire Inspector I, II	1, 2
Fire Marshal	1, 2

#### HOUSING AUTHORITY

<b>Designated Position</b>	<b>Disclosure Category</b>
Accountant II	1, 2
Assisted Housing Manager	2, 7
Deputy Director of Housing Authority	1, 2
Executive Director of Housing Authority	1, 2
Finance Manager	1, 2
Housing Program Analyst	2, 6, 7
Housing Program Specialist (I, II, III)	2, 6, 7
Low Income Housing Program Specialist	6

Project Manager II	1, 2
Modernization Program Specialist	1, 2
Public Housing Asset Manager	1, 2

#### HUMAN RESOURCES MANAGEMENT DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Assistant City Manager/Human Resources Director	1, 2
Administrative Services Analyst	6
Employee Benefits Analyst	5
Human Resources Personnel Officer	1
Labor Relations Training Manager	1
Personnel Analyst (I, II, Senior)	1
Principal Personnel Analyst	1
Risk Manager	1, 2
Senior Employee Benefits Analyst	1

#### INFORMATION TECHNOLOGY DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Business Systems Analyst (II)	6
Business Systems Manager	6
Cable Television Coordinator	6
GIS Coordinator	6
Information Technology Director	1
Systems and Networking Manager	6
Technology Systems Manager	6
Web Coordinator	6

#### LIBRARY AND CULTURAL SERVICES

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Librarian – Adult and Access Services	6
Administrative Librarian – Children and Extension Services	6
Arts and Culture Manager	6
Budget Analyst	6
Director of Library and Cultural Services	1, 2
Executive Secretary	6
Head of Reference	6
Learning Center Manager	6
Librarian (I, II)	6
Library Access Services Manager	6
Literacy Program Manager	6

## OFFICE OF THE MAYOR

<b>Designated Position</b>	<b>Disclosure Category</b>
Assistant to the Mayor	1,2
Mayor (87200 Filer)	1,2
Secretary to the Mayor	1,2

## PARKS DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Aide	6
Assistant to Parks Superintendent	1, 2
Parks Equipment Parts Specialist	6
Parks Supervisor	2, 6
Superintendent of Parks and Landscaping	1, 2

## PLANNING DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Associate Planner	1, 2
Associate Civil Engineer	1, 2
Building Inspection Supervisor	1, 2
Building Inspector	1, 2
Chief Building Official	1, 2
Permit Technician (I, II)	1, 2
Plan Check Engineer	1, 2
Planning Director	1, 2
Planning Technician (I,II)	2, 7
Principal Planner	1, 2
Senior Building Inspector	1, 2
Senior Planner	1, 2

## POLICE DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Accountant II	6
Code Enforcement Manager	2, 5
Code Enforcement Officer (I, II)	2, 5
Code Enforcement Supervisor	2, 5
Communications Manager	6
Deputy Police Chief	1, 2
Executive Director of PAL	1

Internal Affairs Lieutenant	1,
Police Captain	1, 2
Police Chief	1, 2
Executive Secretary II	6
Senior Accountant	5

#### PORT DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Executive Director	1, 2
Operations Manager	6
Port Administrator	2, 6
Port Maintenance Manager	2, 6
Senior Accountant	1

#### PUBLIC WORKS DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Assistant to the Parks Superintendent	1, 2
Building Maintenance Supervisor	6
Constructions and Facilities Supervisor	6
Deputy Director of Public Works	1, 2
Electrical Supervisor	6
Equipment Services Superintendent	1, 2
Equipment Supervisor	6
Public Works Administrative Manager	6
Public Works Facilities Maintenance Superintendent	1, 2
Public Works Operations Administrator	6
Public Works Operations and Maintenance Director	1, 2
Public Works Street Maintenance Superintendent	1, 2

#### RECREATION DEPARTMENT

<b>Designated Position</b>	<b>Disclosure Category</b>
Administrative Manager	6
Budget Analyst	6
Community Services Program Manager	6
Para Transit Coordinator	6
Recreation Director	1, 2
Recreation Program Coordinator	6
Recreation Supervisor	6

#### ARTS AND CULTURE COMMISSION

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Arts and Culture Commission	1, 2

#### COMMUNITY DEVELOPMENT COMMISSION

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Community Development Commission	1, 2

#### DESIGN REVIEW BOARD

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Design Review Board	1, 2

#### ECONOMIC DEVELOPMENT COMMISSION

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Economic Development Commission	1, 2

#### GENERAL PENSION BOARD

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the General Pension Board	1

#### HISTORIC PRESERVATION ADVISORY COMMITTEE

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Historic Preservation Advisory Committee	1, 2

#### HOUSING ADVISORY COMMISSION

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Housing Advisory Commission	1, 2

#### PERSONNEL BOARD

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Personnel Board	1

#### PLANNING COMMISSION

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Planning Commission (87200 Filer)	1, 2

#### POLICE COMMISSION

<b>Designated Position</b>	<b>Disclosure Category</b>
Investigative Appeals Officer	1
Members of the Police Commission	1

#### POLICE AND FIREMEN'S PENSION BOARD

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Police and Firemen's Pension Board	1

#### REVOLVING LOAN FUND

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Revolving Loan Fund	1, 2

#### WORKFORCE INVESTMENT BOARD

<b>Designated Position</b>	<b>Disclosure Category</b>
Members of the Workforce Investment Board	1

#### MISCELLANEOUS

<b>Designated Position</b>	<b>Disclosure Category</b>
Consultant*	TBD

\*The City Manager, in consultation with the City Attorney, may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirement above. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the Disclosure Category required. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as Statements of Economic Interests filed pursuant to this conflict of interest code.

## **APPENDIX B - DISCLOSURE CATEGORIES**

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned.

Category 1: All management positions and investments in business entities, and all sources of income, including gifts, loans, and travel payments.

Category 2: All interests in real property which are located in whole or in part within, or within two (2) miles of, the jurisdiction of the City of Richmond. (Do not include primary residence)

Category 3: All investments and management positions in, and sources of income from, business entities that are engaged in land development, construction, or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and management positions in, and sources of income from, business entities that are banking, savings and loan, insurance, or other related financial institutions.

Category 5: All investments, management positions and sources of income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City of Richmond.

Category 6: All investments, management positions and sources of income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the Designated Employee's Department.

Category 7: All investments and management positions in, and sources of income from entities which are or could reasonably be expected to become subject to the regulatory, permit, or licensing authority of the Designated Employee's Department.