

**RESOLUTION NO. 2024 – \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS  
AMENDING THE CITY OF SAN CARLOS' CONFLICT OF INTEREST CODE.**

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**WHEREAS**, the Political Reform Act requires certain city officials, specified in section 87200 of the California Government Code, to file economic disclosure forms (Form 700) and abstain from making or participating in making governmental decisions which have a reasonably foreseeable material effect on an economic interest; and

**WHEREAS**, the Political Reform Act also requires cities to adopt a local Conflict of Interest Code that enumerates specific city positions other than those specified in Government Code Section 87200, which involve making or participating in making decisions which have a reasonably foreseeable material effect on an economic interest, and to designate for each position the specific types of investments, business positions, interests in real property and sources of income which are reportable based on the scope of the decision making authority of the position; and

**WHEREAS**, State law requires every local government agency to perform review of its Conflict of Interest Code biennially; and

**WHEREAS**, the San Carlos City Council adopted a revised Conflict of Interest Code in 1992 by Resolution No. 1992-085, which was modified in 1994 and then biennially since 1998; and

**WHEREAS**, the City Council has reviewed said Conflict of Interest Code and has determined that amendments are required (as shown in **red** in Exhibit A); and

**WHEREAS**, the Conflict of Interest Code adopted by this Resolution accurately reflects the duties of each position and the appropriate disclosure categories for each position.

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. All previously adopted Resolutions amending the City's Conflict of Interest Code are hereby rescinded.
2. The Conflict of Interest Code for the City of San Carlos, is hereby amended to read as follows:

**CITY OF SAN CARLOS  
CONFLICT OF INTEREST CODE**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This

regulation and the attached Exhibit A, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the City of San Carlos.

Individuals whose position title is listed in Exhibit A shall file a Statement of Economic Interest (FPPC Form 700) with the City of San Carlos under the designated disclosure category and is required to comply with the ethics training requirements of California Government Code §§53234, et seq.

Statement of Economic Interests will be retained by the City Clerk and will be available for public inspection and reproduction pursuant to Gov. Code Sec. 81008.

- 3. If no comments are received pursuant to the 45-day written comment period, there will be no additional public hearing on the proposed code.
- 4. The City Council, as code reviewing body for the City of San Carlos, has determined that the attached Exhibit A accurately sets forth those positions which should be designated and the categories of financial interests which should be made reportable for each position.

\* \* \* \* \*

I, City Clerk Crystal Mui, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Carlos at a scheduled meeting thereof held on the 23<sup>rd</sup> day of September 2024, by the following vote:

**AYES, COUNCILMEMBERS:** \_\_\_\_\_

**NOES, COUNCILMEMBERS:** \_\_\_\_\_

**ABSENT, COUNCILMEMBERS:** \_\_\_\_\_

\_\_\_\_\_  
**CITY CLERK** of the City of San Carlos

APPROVED:

\_\_\_\_\_  
**MAYOR** of the City of San Carlos

Exhibit A: Designated Officers and Employees

**EXHIBIT A  
DESIGNATED OFFICERS AND EMPLOYEES**

| <b>DESIGNATED POSITION</b>                | <b>DISCLOSURE CATEGORIES</b> |
|---|------------------------------|
| <b>ADMINISTRATION</b>                     |                              |
| <del>Assistant to City Manager</del>      | <del>4</del>                 |
| Assistant City Manager                    | 1                            |
| City Council                              | 1                            |
| City Manager                              | 1                            |
| City Treasurer                            | 1                            |
| Senior Management Analyst                 | 3                            |
| <b>CITY ATTORNEY</b>                      |                              |
| City Attorney                             | 1                            |
| <del>Deputy City Attorney</del>           | <del>4</del>                 |
| <b>CITY CLERK</b>                         |                              |
| City Clerk/Community Relations Director   | 1                            |
| <b>ADMINISTRATIVE SERVICES DEPARTMENT</b> |                              |
| Administrative Services Director          | 1                            |
| Financial Services Manager                | 1                            |
| Human Resources Manager                   | 1                            |
| Information Technology Manager            | 1                            |
| Senior Accountant                         | 2                            |
| Senior Systems Analyst                    | 3                            |
| Senior Management Analyst                 | 3                            |
| <b>COMMUNITY DEVELOPMENT DEPARTMENT</b>   |                              |
| Assistant Planner                         | 2                            |
| Assistant Community Development Director  | 1                            |
| Associate Planner                         | 2                            |
| Building Inspector                        | 2                            |
| Building Official                         | 1                            |
| Code Enforcement Officer                  | 2                            |
| Community Development Director            | 1                            |
| Economic Development & Housing Manager    | 1                            |
| Economic Development Coordinator          | 3                            |
| Planning Manager                          | 1                            |
| Principal Planner                         | 1                            |
| Senior Building Inspector                 | 2                            |
| Senior Management Analyst                 | 3                            |
| Senior Planner                            | 2                            |

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**FIRE**

|                         |   |
|-------------------------|---|
| Deputy Fire Chief       | 1 |
| Fire Chief              | 1 |
| Fire Prevention Officer | 1 |

**POLICE**

|  |   |
|--|---|
| Police Captain (Assigned to Police Chief for San Carlos) | 1 |
|--|---|

**PARKS AND RECREATION DEPARTMENT**

|                               |   |
|-------------------------------|---|
| Parks and Recreation Director | 1 |
| Recreation Manager            | 2 |
| Recreation Supervisor         | 3 |

**PUBLIC WORKS**

|                                       |              |
|---------------------------------------|--------------|
| Assistant Public Works Superintendent | 2            |
| Associate Engineer                    | 1            |
| City Engineer                         | 1            |
| Public Works Director                 | 1            |
| Public Works Inspector                | 2            |
| Public Works Superintendent           | 2            |
| <del>Public Works Supervisor</del>    | <del>2</del> |
| Senior Engineer                       | 1            |
| Senior Traffic Engineer               | 1            |

**COMMISSIONS**

|   |   |
|---|---|
| Planning and Transportation Commissioners   | 1 |
| Economic Development Advisory Commissioners | 1 |

**SPECIFIED CONSULTANTS/NEW POSITIONS**

Consultants/new positions shall be included in the list of designated officials and employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The City Manager, or his designee, may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Government Code Section 81008.)

Nothing herein excuses any consultant from any other provision of this Conflict of Interest Code, specifically those dealing with disqualification.

## **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for the category to which he or she is assigned. Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the City.

### **1. FULL DISCLOSURE**

Persons in this category must disclose all investments and business positions in business entities, sources of income including gifts, loans and travel payments, and interests in real property located in the City. *Applicable Form 700 Schedules: A through E*

### **2. DEPARTMENT-RELATED INCOME, REAL PROPERTY**

Persons in this category must disclose all investments and business positions in business entities and sources of income including gifts, loans and travel payments, and all interests in real property, if the source is of a type which provides, manufactures, or supplies goods, materials, equipment, machinery or services, including training or consulting services, of the type utilized by or subject to the review or approval of the department in which that person is employed. *Applicable Form 700 Schedules: A through E*

### **3. DEPARTMENT-RELATED INCOME**

Persons in this category must disclose all investments and business positions in business entities and sources of income, including gifts, loans and travel payments if the source is of a type which provides, manufactures, or supplies, goods, materials, equipment, machinery or services, including training or consulting services, of the type utilized by or subject to the review or approval by the department in which that person is employed. *Applicable Form 700 Schedules: A, C, D, E*