TO:      HONORABLE CITY COUNCIL

FROM:    City Attorney  
         City Clerk  

DATE:    December 1, 2008  

SUBJECT: Adoption of Resolution Amending the Conflict of Interest Code for Designated City Officers and Employees as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission and Repealing Resolution No. 8671. 

The Political Reform Act requires the City to review its conflict of interest code at least every two years. Chapter 2.09 of the Palo Alto Municipal Code and the Political Reform Act require the City to adopt a list of designated positions and disclosure responsibilities for each position subject to the Conflict of Interest Code for Designated Employees. Disclosure statements from designated positions are due each April. 

The attached resolution amends the City's Conflict of Interest Code to update the list of designated positions to reflect administrative changes, including title changes and positions added or deleted from the Table of Organization. Changes to the Disclosure Categories are recommended to improve clarity on the elements of reporting. 

We recommend that Council adopt the attached resolution.  

JOINTLY PREPARED BY: 

GARY M. BAUM  
City Attorney  

DONNA J. Gridner  
City Clerk  

cc:  James Keene, City Manager  
     Lalo Perez, Director of Administrative Services
Resolution of the Council of the City of Palo Alto Amending the Conflict of Interest Code for Designated City Officers and Employees as Required by the Political Reform Act and Regulations of the Fair Political Practices Commission and Repealing Resolution No. 8671

The Council of the City of Palo Alto does RESOLVE as follows:

SECTION 1. Resolution No. 8671 is hereby repealed.

SECTION 2. The Conflict of Interest Code for the City of Palo Alto is hereby amended to read as follows:

CONFLICT OF INTEREST CODE FOR THE CITY OF PALO ALTO

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 Cal. Code of Regs. section 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing the regulation 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 Appendix attached to this resolution and a part of it, designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the City of Palo Alto.

Designated employees shall file statements of economic interests with the City Clerk who will make the statements available for public inspection and reproduction. (Gov. Code, § 81008.) Statements for all designated employees will be retained by the City Clerk.

SECTION 3. The Conflict of Interest Code for the City of Palo Alto will be effective thirty (30) days from the date the City Council approves this resolution.
SECTION 4. The City Council finds that there is no possibility that this resolution will have a significant effect on the environment and upon that basis determines that this resolution is exempt from the California Environmental Quality Act.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

____________________________________  ______________________________________
City Clerk  Mayor

APPROVED AS TO FORM:

APPROVED:

____________________________________  ______________________________________
City Attorney  City Manager
**NOT YET APPROVED**

APPENDIX OF DESIGNATED POSITIONS

<table>
<thead>
<tr>
<th>Titles</th>
<th>Assigned Disclosure Categories</th>
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<tbody>
<tr>
<td><strong>ADMINISTRATIVE SERVICES DEPARTMENT</strong></td>
<td></td>
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<tr>
<td>Finance Division</td>
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<tr>
<td>Assistant Director, Administrative Services</td>
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<tr>
<td>Deputy Director, Administrative Services</td>
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<tr>
<td>Senior Financial Analyst</td>
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<tr>
<td>Manager, Accounting</td>
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<td>Senior Accountant</td>
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<tr>
<td>Staff Accountant</td>
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<tr>
<td>Manager, Purchasing &amp; Contract Admin</td>
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<td>Senior Buyer</td>
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<tr>
<td>Warehouse Supervisor</td>
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<tr>
<td>Supervisor, Reproduction &amp; Mail</td>
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<td>Contracts Administrator</td>
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<tr>
<td>Senior Business Analyst</td>
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<td>Business Analyst</td>
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<tr>
<td>Payroll Analyst</td>
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<td>Manager, Energy Risk</td>
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<tr>
<td><strong>Real Estate Division</strong></td>
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<td>Manager, Real Property</td>
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<tr>
<td>Senior Financial Analyst</td>
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<tr>
<td>Financial Analyst</td>
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<td><strong>Budget &amp; Management Analysis Division</strong></td>
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<td>Budget Manager</td>
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<tr>
<td>Senior Financial Analyst</td>
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<td><strong>Information/Technology Division</strong></td>
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<td>Chief Information Officer</td>
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<td>Manager, Information Technology Services</td>
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<td>Senior Technologist</td>
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<td>Executive Assistant</td>
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<td>Technologist</td>
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<td><strong>APPOINTED OFFICIALS</strong></td>
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<tr>
<td>Architectural Review Board</td>
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<tr>
<td>Historic Resources Board</td>
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<tr>
<td>Human Relations Commission</td>
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<tr>
<td>Library Advisory Commission</td>
<td>1</td>
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</table>
***NOT YET APPROVED***

Public Art Commission ................................................................. 1
Utilities Advisory Commission ..................................................... 1
Parks and Recreation Commission .................................................. 1

CITY CLERK

City Clerk ...................................................................................... 1
Parking Examiner ........................................................................... 1
Assistant City Clerk ........................................................................ 3
Deputy City Clerk ........................................................................... 3

CITY MANAGER

Assistant City Manager ..................................................................... 1
Deputy City Manager ....................................................................... 1
Assistant to City Manager ................................................................. 31
Executive Assistant to City Manager .................................................. 3
Public Communication Manager ....................................................... 4
Utilities Communication Manager ...................................................... 4

CITY ATTORNEY

Senior Assistant City Attorney ....................................................... 1
Assistant City Attorney ....................................................................... 1
Senior Deputy City Attorney ............................................................ 1
Deputy City Attorney ........................................................................ 1
Claims Investigator ........................................................................... 3
Secretary to City Attorney ................................................................. 4
Legal Administrator ........................................................................... 4

CITY AUDITOR

City Auditor ...................................................................................... 1
Senior Auditor .................................................................................. 1

COMMUNITY SERVICES

Director, Community Services ......................................................... 1
Executive Assistant .......................................................................... 3

Cubberley Center & Human Services Division
Cubberley Center & Human Services Division Manager ......................... 1
Coordinator, Child Care ..................................................................... 3
Management Assistant ...................................................................... 4

Arts & Culture-Sciences Division
Arts & Culture-Sciences Division Manager .......................................... 6
***NOT YET APPROVED***

Manager, Arts .................................................................6

Recreation and Youth Services
Golf Division
Recreation and Youth Services Golf Division Manager ..................6
Supervisor, Junior Museum ..................................................5
Supervisor, Recreation Programs ...........................................5
Administrator, Special Events
Coordinator, Recreation Programs ........................................5
Superintendent, Golf Course ...............................................5
Superintendent, Parks .......................................................5
Supervisor, Parks .............................................................5

Open Space Division
Open Space Division Manager ...............................................6
Supervisor, Open Space .....................................................5

Parks and Golf Division
Parks and Golf Division Manager ..........................................6
Superintendent, Golf Course ...............................................5
Superintendent, Parks .......................................................5
Supervisor, Parks .............................................................5

FIRE DEPARTMENT

Fire Chief...........................................................................1
Emergency Medical Services (EMS) Chief ................................1
Deputy Fire Chief ................................................................1
Fire Marshal ........................................................................1
Battalion Chief ...................................................................6
Emergency Medical Services (EMS) Coord. ............................6
Executive Assistant Office of Emergency Services (OES) Coordinator ....5

HUMAN RESOURCES DEPARTMENT

Director, Human Resources ................................................1
Manager, Risk & Benefits Assistant Director, Human Resources ...1
Manager, Employee Relations ..............................................3
Manager, Human Resources Development ............................3
Administrator, Human Resources ..........................................3
Senior Administrator ..........................................................3

LIBRARY DEPARTMENT

Director, Libraries ............................................................1
Manager Assistant Director, Main Library Services ..................4
Supervising Librarian Division Head, Library Services ...............5
### Planning & Community Environment Department

**Planning and Transportation Division**
- Director, Planning & Comm. Environment ......................................... 1
- Chief Planning & Transportation Official ........................................ 1
- Assistant Director, Planning & Community Environment .................. 1
- Administrator, Planning & Community Environment ........................ 1
- Manager, Economic Development .................................................. 1
- Transportation Manager .................................................................. 4
- Managing Arborist ........................................................................... 45
- Manager, Planning ........................................................................... 4
- Senior Planner ................................................................................. 4
- Planner ............................................................................................ 4
- Associate Planner ............................................................................. 4
- Coordinator, Transportation Systems Mgmt .................................... 4
- Code Enforcement Officer ............................................................... 4

**Inspection Services Division**
- Chief Building Official ................................................................... 1
- Assistant Building Official .............................................................. 4
- Supervisor, Building Inspection ....................................................... 4
- Building Inspector Specialist .......................................................... 4
- Building Inspector ........................................................................... 4

### Police Department

**Police Division**
- Police Chief ................................................................................... 1
- Assistant Police Chief ..................................................................... 1
- Police Captain ................................................................................ 1
- Police Lieutenant ............................................................................ 1
- Senior Administrator ....................................................................... 3
- Supervisor, Police Services ............................................................. 3
- Business Analyst ............................................................................ 3

**Animal Services Division**
- Superintendent, Animal Services .................................................. 7
- Supervisor, Animal Services ............................................................. 7
- Veterinarian ...................................................................................... 7

**Communications Division**
- Coordinator, Police Technical Services ......................................... 9

### Public Works Department

**Administration Division**
- Director, Public Works/City Engineer ............................................. 1
| Assistant Director, Public Works | 1 |
| Senior Administrator | 3 |

**Engineering Division**
| Assistant Director, Public Works | 4 |
| Senior Engineer | 4 |
| Supervisor, Inspection & Surveying | 4 |
| Senior Project Manager | 4 |
| Project Manager | 4 |
| Project Engineer | 4 |
| Public Works Administrator | 3 |

**Equipment Management Division**
| Fleet Manager | 5 |
| Assistant Fleet Manager | 5 |

**Facilities Management Division**
| Manager, Facilities Maintenance & Projects | 5 |
| Project Manager | 45 |
| Supervisor, Building Services | 7 |
| Supervisor, Facilities Management | 7 |

**Operations Division**
| Deputy Director, Public Works Operations | 4 |
| Manager, Maintenance Operations | 5 |
| Managing Arborist | 5 |
| Superintendent, Public Works Operations | 5 |
| Project Manager | 6 |

**Refuse Division**
| Supervisor, Public Works | 6 |
| Executive Assistant | 6 |
| Manager, Environmental Control Programs | 6 |
| Manager, Solid Waste | 6 |
| Senior Engineer | 64 |

**Storm and Surface Water Management Division**
| Senior Engineer | 64 |
| Project Engineer | 4 |
| Manager Maintenance Operations | 64 |

**Water Quality Control Division**
| Manager, Water Quality Control | 4 |
| Manager, Laboratory Services | 5 |
| Manager, Environmental Compliance | 1 |
| Manager, Environmental Control Programs | 4 |
| Assistant Manager, Water Quality Control Operations | 3 |
***NOT YET APPROVED***

Supervisor, Water Quality Control Operations ........................................... 3
Senior Engineer .......................................................................................... 34

UTILITIES DEPARTMENT

Director, Utilities ...................................................................................... 1
Senior Administrator .................................................................................. 3
Senior Business Analyst ........................................................................... 4

Administrative-Customer Support Services Division
Assistant Director, Customer Support Services ........................................... 1
Manager, Field & Customer Service ......................................................... 4
Manager, Utility Rates ............................................................................. 4
Manager, Utility Marketing Services ....................................................... 4
Manager, Utilities Telecommunications .................................................. 1
Senior Business Analyst .......................................................................... 4
Senior Market Analyst ............................................................................. 4
Key Account Representative Utilities ...................................................... 4
Contracts Administrator .......................................................................... 43

Resource Management Division
Assistant Director, Resource Management ............................................... 1
Manager, Supply Resources ..................................................................... 3
Senior Resource Planner .......................................................................... 3
Senior Resource Originator ..................................................................... 3
Resource Planner ..................................................................................... 3
Senior Market Analyst ............................................................................. 3

Engineering Division
Assistant Director, Utilities Engineering .................................................. 1
Engineering Manager, Water-Gas-Wastewater ....................................... 4
Engineering Manager, Electric ............................................................... 4
Project Engineer ....................................................................................... 4
Senior Project Engineer ........................................................................... 4
Senior Electric Project Engineer ............................................................. 4
Electric Project Engineer ......................................................................... 4

Operations Division
Assistant Director, Utilities Operations ..................................................... 1
Manager, Electric Operations .................................................................. 4
Manager, W-G-W Operations .................................................................. 4
Supervisor, Shop & Field, W-G-W ............................................................ 4
Coordinator, Utilities Safety and Security .................................................. 4
Coordinator, Utilities Projects ................................................................ 4
Supervisor, W-G-W ................................................................................... 4
Supervisor, Utility Construction Inspection Program ............................ 4

Appendix A-6
***NOT YET APPROVED***

Supervisor, Electric Systems ................................................................. 4
Supervisor, Water Transmission ............................................................. 4

CONSULTANTS .................. 1-9, as applicable

\[1\] Pursuant to Palo Alto Municipal Code section 2.09.060, the City Manager may determine in writing that a particular consultant, 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. Any such written determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements, if any. The City Manager may also determine whether a particular contract consultant constitutes a "consultant" as the term is defined in the Political Reform Act and regulations promulgated thereunder or whether the contract consultant is a registered professional engineer or licensed land surveyor exempted from the conflict of interest provisions under Government Code Section 87100.1. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as the Conflict of Interest Code.
APPENDIX OF DISCLOSURE CATEGORIES

1. FULL DISCLOSURE
   What to report? 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.
   What Form 700 schedules? All Schedules (A through E)

2. ALL INCOME
   What to report? Persons in this category must disclose all investments and business positions in business entities and sources of income including gifts, loans and travel payments.
   What Form 700 schedules? All Schedules except Schedule B "Interests in Real Property" A, C, D, E

3. CITY-RELATED INCOME
   What to report? 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 services, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the City.
   What Form 700 schedules? All Schedules except Schedule B "Interests in Real Property" A, C, D, E

4. CITY-RELATED INCOME, REAL PROPERTY
   What to report? 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 equipment, supplies, materials, machinery or equipment of the type utilized by or subject to the review or approval of the City. Persons in this category must report everything required by category 3 and all interests in real property.
   What Form 700 schedules? All Schedules (A through E)

5. DEPARTMENT-RELATED INCOME
   What to report? Persons in this category must report 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 if the source is of a type which provides, manufactures or supplies equipment, supplies, material, services or machinery of the type utilized by or subject to the review or approval of the department in which that person is employed.
   What Form 700 schedules? All Schedules except Schedule B "Interests in Real Property" A, C, D, E

6. DEPARTMENT-RELATED INCOME, REAL PROPERTY
   What to report? 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 if the source is of a type which provides, manufactures or supplies equipment, supplies,
material, services or machinery of the type utilized by or subject to the review or approval of the department in which that person is employed. Persons in this category must report all positions, interests, and sources described in category 5 and all interests in real property.

**What Form 700 schedules?** All Schedules (A through E)

7. **DIVISION-RELATED INCOME**

**What to report?** Persons in this category must report all investments and business positions in business entities and sources of income including gifts, loans and travel payments, which provide manufacture or supply supplies, equipment, machinery, services or material of the type utilized by or subject to the review or approval of the division in which that person is employed.

**What Form 700 schedules?** A, C, D, E All Schedules except Schedule B “Interests in Real Property”

8. **DIVISION-RELATED INCOME, REAL PROPERTY**

**What to report?** All investments and business positions in business entities and sources of income including gifts, loans and travel payments, which provide manufacture or supply supplies, equipment, machinery, services or material of the type utilized by or subject to the review or approval of the division in which that person is employed. Persons in this category must report all positions, interests and sources described in category 7 and all interests in real property.

**What Form 700 schedules?** All Schedules (A through E)

9. **CITY-RELATED COMPUTER HARDWARE & SOFTWARE**

**What to report?** Persons in this category must report all investments in business entities and sources of income including gifts, loans and travel payments, which provide supply, manufacture or service computer hardware or software of the type utilized by the City.

**What Form 700 schedules?** A, C, D, E All Schedules except Schedule B “Interests in Real Property”