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CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
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March 25, 1981

APPROVED
BY THE CITY COUNCIL

MAR 31 1981

OFFICE OF THE
CITY CLERK

City Council
City of Sacramento
City Hall
Sacramento, California

In re: Conflict of Interest Codes - City Departments

Members in Session:

SUMMARY

The attached resolution would amend all City department codes to reflect a state law change in reporting amounts of financial interests and would also make changes in the Police Department Code to reflect existing department organization.

DISCUSSION

The following amendment is being requested to the Conflict of Interest Codes for various City departments which is made necessary by an amendment to the Political Reform Act. The Act provides that whenever investments or interest in real property of \$1,000 or more were required to be disclosed, the statement was required to contain a provision which stated whether the fair market value or interest in real property exceeds \$10,000 or whether it exceeds \$100,000. Chapter 1000 Stats. 1980 revised this requirement to provide for a statement as to whether or not the investment or interest exceeds \$1,000 but does not exceed \$10,000 or whether it exceeds \$10,000 but does not exceed \$100,000, or whether it exceeds \$100,000. Furthermore, the Political Reform Act of 1974 required income of \$250 or more to be reported under specified circumstances and requires a statement as to whether or not the aggregate value of income from each source is greater than \$1,000 and whether it is greater than \$10,000. Chapter 1000 revised this requirement to provide that such a statement include a provision stating the aggregate value of income from each source which was at least \$250, but did not exceed \$1,000, or whether it was in excess of \$1,000 but was not greater than \$10,000, or whether it exceeded \$10,000.

Also included in the attached resolution is an amendment to the Conflict of Interest Code for the Police Department. The change would bring the Code into conformity with existing department organizations. It would specifically provide for the


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position of Assistant Chief, would recognize the new position of Captain in charge of special enforcement and traffic. It would also delete the position of Inspector, Office of Operations because that position no longer exists.

RECOMMENDATION

It is recommended that the attached resolution be adopted.


Very truly yours,


THEODORE H. KOBAY, JR.
Assistant City Attorney

THK:kn

Attachment

RECOMMENDATION APPROVED:


WALTER J. SLAPE
City Manager

RESOLUTION NO. 81-255

Adopted by The Sacramento City Council on date of

APPROVED
BY THE CITY COUNCIL

RESOLUTION AMENDING RESOLUTION 79-414 RELATING
TO CONFLICT OF INTEREST CODES FOR DEPARTMENTS
OF THE CITY OF SACRAMENTO

MAR 31 1981

OFFICE OF THE
CITY CLERK

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Resolution 79-414 is hereby amended by amending Sections 400 and 500 of the Conflict of Interest for City Departments to read as follows:

Section 400. Place and Time of Filing.

(a) All designated employees required to submit a statement of economic interest shall file the original with the City Clerk of the City of Sacramento and a copy of such statement with the department head of the department in which the designated employee is employed.

(b) A designated employee required to submit a statement of economic interest shall submit an initial statement within thirty (30) days after the effective date of this Code.

(c) All persons appointed to positions as designated employees shall file initial statements not more than thirty (30) days after assuming such positions.

(d) Annual statements shall be filed by all designated employees during the month of April, disclosing reportable investments in business entities, interests in real property, and income held or received in the period since the closing date of the employee's previously filed statement and December 31.

(e) Each person who leaves a designated position specified in Exhibit "A" shall file a leaving office statement within thirty (30) days after leaving.

Section 500. Contents of Disclosure Statements.

(a) Disclosure statements shall be made on forms supplied by the City Clerk and shall contain the following information:

(1) Contents of investment reports:

When an investment is required to be reported, the statement shall contain:

(a) A statement of the nature of the investment;

(b) The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged;

(c) In the case of an investment which constitutes fifty percent (50%) or more of an ownership interest in the business entity, disclosure of the investments of the business entity;

(d) A statement of whether the fair market value of the investment exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

(2) Contents of real property reports:

When an interest in real property is required to be reported, the statement shall contain:

(a) A statement of the nature of the interest in and the address of other precise location of the real property;

(b) In the case of an investment in a business entity which must be disclosed constitutes fifty percent (50%) or more of an ownership interest in the business entity, interests of the business entity in real property.

(c) A statement of whether the fair market value of the interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

The principal place of residence of the designated employee need not be disclosed or reported, provided such real property is used exclusively as a principal place of residence.

(3) Contents of personal income reports:

When personal income is required to be reported, the statement shall contain:

(a) The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

(b) A statement whether the aggregate value of income from each source was at least two hundred fifty dollars (\$250), but did not exceed one thousand dollars (\$1,000), whether it was in excess of one thousand dollars (\$1,000), but was not greater than ten thousand dollars (\$10,000), or whether it was greater than ten thousand dollars (\$10,000).

(c) A description of the consideration, if any, for which the income was received; and,

(d) In the case of a gift, the name and address of the donor and the amount and the date on which the gift was received.

(4) Contents of business entity income reports:

When income of a business entity, including income of a sole proprietorship is required to be reported, the statement shall contain:

(a) The name, address, and a general description of the business activity of the business entity;

(b) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars (\$1,000);

(c) In the case of a business entity not covered by paragraph (b), the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000) during a calendar year.

(5) Contents of management position reports:

When management positions are required to be reported, designated employees shall list the name of each business entity not specified above in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management.

(b) Contents of initial statement:

The initial statement filed by an employee appointed to a designated position shall disclose any reportable management positions, investments and interests in real property.

(c) Contents of annual statement:

The annual statement filed by a designated employee shall disclose any reportable management positions, investments, interests in real property, and income during the period since the previous statement was filed.

(d) Contents of leaving office statements:

The leaving office statement filed by designated employees shall disclose reportable management positions, investments, interests in real property, and income during the period since the closing date of the previous statement filed pursuant to this Code. The statement shall include any investments in business entities, interests in real property, and income held or received at any time during the period covered by the statement, whether or not they are still held at the time of filing.

(e) Acquisition or disposal during reporting period:

In the case of statement filed under Sections 500(c) and (d), if the investment, or interest in real property, was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.

SECTION 2.

Resolution 79-414 is hereby amended by amending the Conflict of Interest Code for the Police Department to add to and delete from Exhibit A (Designated Employees) the following:

ADDITION TO EXHIBIT A:

DISCLOSURE CATEGORIES

Assistant Chief

1, 2, 3, 4

Captain, Special Enforcement Division

5(a)(1), 6, 7, 10, 18(m)

DELETION FROM EXHIBIT A:

Commander, Selective Enforcement Section

Commander, Traffic Section

Inspector Office of Operations

MAYOR

ATTEST:

CITY CLERK