

TO: City Council

FROM: Ronald Whisenand, Community Development Director

SUBJECT: Housing Authority Conflict of Interest Code

DATE: February 6, 2007

NEEDS: For the City Council to review and approve the conflict of interest code for the Housing Authority of the City of Paso Robles.

FACTS:

1. The Housing Authority of the City of Paso Robles is a governmental agency that is established pursuant to Health and Safety Code Sections 34200 et seq. Per Section 34270, the City Council is charged with appointing the five members of the Board of Commissioners.
2. Both the City and the Housing Authority are subject to the Political Reform Act (Government Code Sections 81000 et seq.), which requires both bodies to adopt conflict of interest codes.
3. The City Attorney has advised that, since the City Council appoints the members of the Housing Authority Board of Commissioners, it has the responsibility to approve their conflict of interest code.
4. On January 9, 2007, the Housing Authority Board of Commissioners adopted Resolution 233 adopting a conflict of interest code. A copy of this resolution is attached.

ANALYSIS AND CONCLUSION: The form and content of the conflict of interest code adopted by the Housing Authority was prepared by the City Attorney. Approval of the Housing Authority's Conflict of Interest Code may be accomplished via minute action (voice vote).

REFERENCE: Health and Safety Code Sections 34200 et seq.; Government Code Sections 81000 et seq.

FISCAL IMPACT: Approval of the Housing Authority's Conflict of Interest Code will not have an impact on the General Fund.

OPTIONS:

- a. Approve the attached Conflict of Interest Code for the Housing Authority via minute action.
- b. Amend, modify, or reject the above options.

ATTACHMENT: Housing Authority Resolution 233

RESOLUTION NO. 233

**A RESOLUTION OF THE
HOUSING AUTHORITY OF THE CITY OF PASO ROBLES
ADOPTING A CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act (California Government Code section 81000, *et seq.*) requires public agencies to adopt and promulgate conflict of interest codes.

WHEREAS, the Fair Political Practices Commission ("FPPC") in adopting Title 2, Division 6 of the California Code of Regulations section 18730 created a standard Conflict of Interest Code, that may be incorporated by reference, and that the FPPC will amend from time to time to conform to statutory amendments of the Political Reform Act.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF PASO ROBLES hereby resolves and orders as follows:

1. Incorporation of California Code of Regulations. The terms of Title 2, Division 6 of the California Code of Regulations section 18730 and any amendments to it duly adopted by the California Fair Political Practices Commission from time to time, along with the attached Exhibit "A," in which officials and employees are designated and Exhibit "B," in which disclosure categories are set forth, are hereby adopted and incorporated by reference and shall constitute the Conflict of Interest Code for the Housing Authority of the City of Paso Robles ("Code").
2. Designated Positions. The positions listed in Exhibit "A" are designated positions. Officers and employees holding these positions are deemed to make or participate in the making of decisions which may foreseeably have a material effect on any financial interest.
3. Disclosure Statements. Persons holding designated positions pursuant to Exhibit "A" shall file statements of economic interest (FPPC Form 700), pursuant to Section 18730(b)(4) of the California Code of Regulations, disclosing that person's interests designated as reportable under the disclosure category to which the person's position is assigned in Exhibit "B." This Code does not establish any disclosure obligation for any person holding a designated position excluded pursuant to Section 18730(b)(3) of the California Code of Regulations.
4. Place of Filing. Persons holding designated positions shall file statements of economic interest with this Authority. Upon receipt of the statements, the Authority Secretary shall make and retain copies of all statements and forward the originals of these statements to the Clerk of the City of Paso Robles.
5. Time of Filing. A person holding a designated position shall file an initial statement of economic interest within thirty (30) days after the effective date of this Code. A person holding a designated position shall file an annual statement of economic interest and other required statements pursuant to Section 18730(b)(5) of the California Code of Regulations.

6. Send to Code-Reviewing Body. The Authority Secretary is hereby authorized and directed to forward a certified copy of this resolution to the City Council of the City of Paso Robles for review and filing.

PASSED AND ADOPTED on 01/09/2007, 2006, by the following roll call vote:

AYES: Dotter, Hampson, Stainbrook, Rakowitz, Sylvester, Willhoit


NOES:

ABSENT: Munak



Chet Dotter
Chairman, Board of Commissioners

ATTEST:



Secretary of the Authority

EXHIBIT A

CONFLICT OF INTEREST CODE FOR THE
HOUSING AUTHORITY OF THE CITY OF PASO ROBLES

DESIGNATED POSITIONS

| <u>Designated Positions</u> | <u>Types of Interest Required to be Disclosed</u> |
|-----------------------------|---|
| Board of Commissioners | 1 |
| Executive Director | 1 |
| Consultants ¹ | 1 |

¹ The Executive Director or his or her designee may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written documentation shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director or his or her designee'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.

CONFLICT OF INTEREST CODE OF THE
HOUSING AUTHORITY OF THE
CITY OF PASO ROBLES

The Housing Authority of the City of Paso Robles ("Authority") hereby submits the attached Conflict of Interest Code to the City Council of the City of Paso Robles as the Code-Reviewing Body of the Authority.

Housing Authority of the City of Paso Robles



Chet Dotter
Chairman, Board of Commissioners

Received on behalf of the City Council of the City of Paso Robles as the Code-Reviewing Body:

Date: _____, 200_

City of Paso Robles

Frank Mecham
Mayor

The attached Conflict of Interest Code, having been submitted by the Authority designated above, was approved by order of the City Council of the City of Paso Robles on _____, 200_.

Deborah D. Robinson