



REPORT TO COUNCIL

City of Sacramento

2

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
February 17, 2009

Honorable Mayor and
Members of the City Council

Title: 2009 Updated Conflict of Interest Code

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** 1) adopting the Conflict of Interest Code for the City of Sacramento; and 2) repealing resolution 2008-092.

Contact: Stephanie Mizuno, Assistant City Clerk, (916) 808-7200
Shirley Concolino, City Clerk, (916) 808-7200

Presenters: N/A

Department: City Clerk's Office

Division: N/A

Organization No: 0700

Description/Analysis

Issue: With this action, the City Council will adopt the updated version of the conflict of interest code for city departments and boards/commissions.

Policy Considerations: Updating the conflict of interest code fulfills the City's obligation under the Political Reform Act to update its conflict of interest Code to reflect changed circumstances.

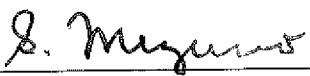
Environmental Considerations: N/A

Commission/Committee Action: N/A

Rationale for Recommendation: Pursuant to Government Code § 81000, et seq., local agencies are required to update their conflict of interest codes to reflect changed circumstances relating to its designated filers and disclosure categories. Updating the code also allows incorporation of provisions contained in Title 2, Division 6 of the California Code of Regulations that may have changed since the previous approval of the agency's code.

Financial Considerations: N/A

Emerging Small Business Development (ESBD): N/A

Respectfully Submitted by: 
Stephanie Mizuno
Assistant City Clerk

Recommendation Approved:


Shirley Concolino
City Clerk

Table of Contents:

Report	pg. 1
Attachments	
1 Background	pg. 3
2 Minutes	pg. 4
3 Resolution	pg. 12

ATTACHMENT 1

Background:

On January 15, 2009 the City Clerk's Office held an open hearing with departments to review the proposed code changes. This hearing was noticed in the Daily Recorder, posted in City Hall, posted within each department, and provided to each affected filer. The minutes of that hearing are included with this report as "Attachment 2".

In summary, the updated code includes additions of classifications that have been deemed to have authorities that require filing; deletion of classifications that have been deemed not to have authorities that require filing; deletion of classifications that no longer exist; modification of classifications that have been re-classified; modification in disclosure categories to establish accurate disclosure; modifications to departments as a result of reorganization; and deletions or additions of boards and commissions that have been created or disbanded since the prior code adoption.

Meeting Minutes

2009 Conflict of Interest Code Review Hearing

915 I Street, Historic Hearing Room
Sacramento, CA
January 15, 2009

Call to Order

The Conflict of Interest Code Hearing for city departments and boards and commissions was called to order at 1:33 p.m. by Jennifer Carlino, Senior Deputy City Clerk. The process of how the hearing would be conducted was explained. Denise Deprato, Program Specialist, Human Resources Department assisted.

Announcement

Senior Deputy City Clerk Carlino announced that notice of the hearing was published in the Daily Recorder on January 2, 2009, posted within each department (or provided directly to affected employees).

She asked if anyone in the audience was present to speak or ask questions about the proposed changes to the Code. No response was received.

Department Presentations

1. Lorraine Odom, Special Assistant to the City Attorney, opened the hearing for the **City Attorney's Office**

The Code for the City Attorney's Office had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

2. Denise Deprato, Program Specialist opened the hearing for the **City Clerk's Office** and the **Sacramento Regional Arts Facilities Financing Authority**.

The Code for the City Clerk's Office had no changes.

The Code for the Sacramento Regional Arts Facilities Financing Authority had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

3. Ilee Muller, Administrative Assistant, opened the hearing for the **City Manager's Office** and the **Compensation Commission**.

The Code for the City Manager's Office had no changes.

The Code for the Compensation Commission had no changes

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

4. Valerie Tedrow, Administrative Assistant, opened the hearing for the **City Treasurer's Office**.

The Code for the City Treasurer's Office was amended as follows The Code for the City Treasurer's Office is amended as follows Assistant City Treasurer title was modified to Chief Investment Officer with no changes in disclosure categories and Investment Officer to Investment and Operations Manager with no changes in disclosure categories. Additionally Disclosure category 15 was being added to all the following positions with no other changes: Chief Investment Officer; Debt Analyst; Investment and Operations Manager; Investment Operations Analyst; Senior Debt Analyst; Senior Investment Officer; Treasury Analyst; and Treasury Manager

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

5. Amber Delgado, Administrative Assistant, opened the hearing for the **Code Enforcement Department**, the **Housing Code Advisory and Appeals Board**, and the **Code Enforcement Hearing Examiners**.

The Code for the Code Enforcement Department was amended as follows Information Technology Supervisor with disclosure category 28 was added to the Code; The following positions were modified to delete disclosure category 7 and add disclosure category 5 with no other changes disclosure categories: Building Inspector I,II,III,IV; Code Enforcement Officer; Senior Code Enforcement Officer; Senior Supervising Building Inspector; Supervising Building Inspector and Zoning Investigator

The Code for the Housing Code Advisory and Appeals Board had no changes; and the Code for Code Enforcement Hearing Examiners had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

6. Linda Delong, Administrative Officer, opened the hearing for the **Convention, Culture & Leisure Department** and the **Sacramento Metropolitan Arts Commission**.

The Code for the Convention, Culture & Leisure Department was amended as follows Historic District Manager with disclosure categories 5, 17 was added.

The Code for the Sacramento Metropolitan Arts Commission had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

7. Mary Lota, Administrative Analyst, opened the hearing for the **Development Services Department**.

The Code for the Development Services Department was amended as follows: the following positions were deleted: Engineering Manager with disclosure categories 4, 5, 9, 11; Senior Management Analyst with disclosure category 6; Supervising Surveyor with disclosure categories 4, 5, 9 and the following position, Assistant Building Official, was modified to Deputy Chief Building Official with no changes in disclosure categories. The following positions were modified to add disclosure category 5 with no other changes disclosure categories: Chief Building Inspector; Principal Building Inspector; Senior Supervising Building Inspector. The following positions were modified to add disclosure categories 5, 29 with no other changes disclosure categories: Building Inspector I,II,III,IV and Supervising Building Inspector.

The Codes for the **Board of Plumbing Examiners, Building and Fire Code Advisory and Appeals Board, Design Commission, Development Oversight Commission, Electrical Code Advisory and Appeals Board, Mechanical and Plumbing Code Advisory and Appeals Board, and Preservation Commission** had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

8. Jo-An Dommino-Day, Administrative Technician, opened the hearing for the **Economic Development Department and Small Business Development & Employment Advisory Board**

The Code for the Economic Development Department had no changes to departmental classifications. The Code for the Small Business Development and Employment Advisory Board had no changes. The Code was amended to add the following board: The Sacramento Economic and Employment Development Corporation with disclosure categories 1, 2, 3, 4.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

9. Aaron Chong, Senior Management Analyst, opened the hearing for the **Finance Department**

The Code for the Finance Department had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

10. Lanisa Larrabee, Administrative Technician opened the hearing for the **Fire Department**.

The Code for the Fire Department had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

11. Kim Heckes, Administrative Officer, opened the hearing for the **General Services Department and Animal Care Services Citizens Advisory Committee**.

The Code for the General Services Department was amended as follows: The sections were reformatted and renamed for organizational purposes. The following positions were added: Administrative Analyst (Office of the Director) with disclosure category 5; Contract Compliance Specialist (Facilities) with disclosure category 4,5,9,29; Electronic Maintenance Technician II with disclosure category 5; Equipment Body Mechanic III with disclosure category 5; and Administrative Technician –Contracts (Procurement) with disclosure category 5. The following positions were modified to appear in the work units listed below and no other changes were made: Administrative Analyst-Contracts to Facilities/Property Management division; Program Specialist to Facilities/Property Management division; Equipment Maintenance Supervisor to Fleet division; Equipment Mechanic III to Fleet division; and Storekeeper to Fleet division. The following positions were modified: Program Specialist (Media) to Program Specialist with no change in disclosure categories; and Administrative Technician –Contracts to Administrative Technician with no change in disclosure categories

The Code for the Animal Care Services Citizens Advisory had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

12. Denise Deprato, Program Specialist, opened the hearing for the **Human Resources Department**, for the **Administration, Investment and Fiscal Management Board, Civil Service Board, Retirement Hearing Commission, and Sacramento Disabilities Advisory Commission**.

The Code for the Human Resources Department was amended as follows The following positions were added: Support Services manager with disclosure categories 6, 13, 16, 21, 22, 31, 35, 36, 37; Program Specialist with disclosure categories 5, 31, 35; and Organizational Development Specialist with disclosure categories 5, 31, 35. The following positions were modified Director of Human Resources changing disclosure categories from 5, 13, 16, 21, 22, 31, 35 to 6, 13, 16, 21, 22, 31, 35; Human Resources Manager to Human Resource Manager Benefits and changing disclosure categories from 5, 13, 16, 21, 22, 31, 35 to 5, 13, 16, 21, 22, 31, 35, 36, 37; Human Resources –Loss Control changing disclosure categories from 5, 31 to 5, 31, 35; and Risk Manager changing disclosure categories from 5, 31 to 5, 31, 35

The Codes for the Administration, Investment and Fiscal Management Board, Civil Service Board, Retirement Hearing Commission, Sacramento Disabilities Advisory Commission had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

13. Ignacio Estevez, Program Manager, opened the hearing for the **Information Technology Department**.

The Code for the Information Technology Department had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

14. Jami Kinney, Administrative Assistant, opened the hearing for the **Labor Relations Department**.

The Code for the Labor Relations Department was amended as follows: the following position was added Labor Relations Officer with disclosure categories 16, 31.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

15. Denise Deprato, Program Specialist, opened the hearing for the **Mayor/ Council Office and the Meadowview Development Committee.**

The Code for the Mayor/Council Office had no changes.

The Code for the Meadowview Development Committee had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

16. Esther Sato, Secretary, opened the hearing for the **Neighborhood Services Department.**

The Code for the Neighborhood Services Department had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

17. Sheila Colson, Senior Personnel Transaction Coordinator, opened the hearing for the **Parks and Recreation Department and the Parks and Recreation Commission.**

The Code for the Parks and Recreation Department was amended as follows: the following position was added: Assistant Planner with disclosure categories of 4,5,9,29,30 and the following position was modified: Assistant Landscape Architect to Landscape Assistant with no change in disclosure categories.

The Code for the Parks and Recreation Commission had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

18. Diane Morrison, Administrative Officer, opened the hearing for **Planning Department.**

The Code for the Planning Department was amended as follows: the following position was added: Senior Management Analyst with disclosure category 6.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

19. Chris Hadley, Program Analyst, opened the hearing for the **Police Department and the Community Racial Profiling Commission**.

The Code for the Police Department was amended as follows: the following position was added: Program Analyst-Procurement with disclosure category 5; and the following position was modified: Principle Engineer to Principle Systems Engineer with no change in disclosure categories

The Code for the Community Racial Profiling Commission had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

20. Flora Horton, Administrative Assistant, opened the hearing for the **Transportation Department**.

The Code for the Transportation Department was amended as follows: The Code was reformatted for organizational purposes The following positions were added Contracts and Compliance Specialist with disclosure categories 4, 5, 11, 30; Senior Architect with disclosure category 6; Street Maintenance Supervisor with disclosure category 5; Telecom Engineer with disclosure categories 4, 5, 11, 30

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

21. Drew Farmer, Program Manager opened the hearing for the **Utilities Department**

The Code for the Utilities Department was amended as follows: The following disclosure categories were added: Category 38 reads "All investments and business positions in businesses entities, and income from sources, that provide utility service or utility services of the type provided by the City Department of Utilities pursuant to Title 13 of the Sacramento City Code." and Category 39 reads "All investments and business positions in businesses entities, and income from sources, that provide goods, services, including consulting services, facilities, equipment, or machinery of the type used by the City Department of Utilities in connection with the provision of utility service or utility services pursuant to Title 13 of the Sacramento City Code." The following board was added the Utilities Rate Advisory Commission with disclosure categories 4, 38, 39

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

22. Denise Deprato, Program Specialist Human Resources Department, opened the hearing on behalf of Vickie Smith, for the **Alkali Flat Redevelopment Advisory Committee, Del Paso Heights Redevelopment Advisory Committee, North Sacramento Redevelopment Advisory Committee, Oak Park Redevelopment Advisory Committee, Sacramento Army Depot Redevelopment Advisory Committee, Stockton Boulevard Redevelopment Advisory Committee, 65th Street Redevelopment Advisory Committee, Old Sacramento Variance Appeals Board.**

The Code for the Alkali Flat Redevelopment Advisory Committee, Del Paso Heights Redevelopment Advisory Committee, North Sacramento Redevelopment Advisory Committee, Oak Park Redevelopment Advisory Committee, Sacramento Army Depot Redevelopment Advisory Committee, Stockton Boulevard Redevelopment Advisory Committee, 65th Street Redevelopment Advisory Committee, and Old Sacramento Variance Appeals Board had no changes.

With no testimony or protests received, the hearing for this department was closed and the Conflict of Interest Code was adopted for transmittal to the City Council.

All of the disclosure categories noted herein are specifically described in the Code that was posted in the Office of the City Clerk, posted each department, and provided to each affected filer.

Adjournment

With no further business to be conducted the hearing was adjourned at 2:03 p.m.

Respectfully submitted,

Jennifer Carlino
Senior Deputy City Clerk

Approved:

Shirley Concolino
City Clerk

RESOLUTION NO. 2009-xxx

Adopted by the Sacramento City Council

DATE

ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY OF SACRAMENTO AND REPEALING RESOLUTION 2008-092

BACKGROUND

- A. The Political Reform Act, Government Code § 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes; and
- B. On February 19, 2008, the City Council of the City of Sacramento adopted Resolution 2008-092 which adopted the Conflict of Interest Code for the City of Sacramento; and
- C. The City Council of the City of Sacramento has determined that it should update the Conflict of Interest Code for the City of Sacramento; and
- D. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations § 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments to the Political Reform Act.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Conflict of Interest Code adopted by Resolution 2008-092 is hereby repealed in its entirety; provided, however, this shall not affect or excuse any act or omission or any other penalty or forfeiture incurred or accrued under the Conflict of Interest Code adopted by Resolution 2008-092; nor shall it affect any prosecution, suit, or proceeding that is pending or may be commenced or any judgment rendered in connection with the Conflict of Interest Code adopted by Resolution 2008-092.
- Section 2. The Conflict of Interest Code attached hereto as Exhibit A is hereby adopted.
- Section 3. This resolution will take effect on the date it is passed.

Table of Contents:

Exhibit A: The Conflict of Interest Code of the City of Sacramento
Adopted by the City of Sacramento City Council on XXXXXX by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Kevin Johnson, Mayor

Attest:

Shirley Concolino, City Clerk

EXHIBIT A

THE CONFLICT OF INTEREST CODE OF THE CITY OF SACRAMENTO

SECTION 100. The terms of 2 California Code of Regulations section 18730, which is attached hereto as **Appendix 1**, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with **Appendix 2** and **Appendix 3** which designates officials and employees and sets forth disclosure categories, constitute the Conflict of Interest Code of the City of Sacramento.

SECTION 200. Designated employees shall file statements of economic interests pursuant to the provisions of this Conflict of Interest Code.

SECTION 300. Designated employees shall file their statements of economic interests with the City Clerk of the City of Sacramento to whom the City Council hereby delegates the authority to carry out the duties of filing officer.

SECTION 400. Notwithstanding the provisions of 2 California Code of Regulations section 18730, subdivision (b)(5)(C), all designated employees shall file their annual statements of economic interests no later than April 30 of each calendar year.

SECTION 500. The statements of economic interests that the members of the City Council file by virtue of their positions as members of the City Council shall suffice for the statements of economic interests they are required to file as members of the governing boards of the Economic Development Commission of the City of Sacramento, Housing Authority of the City of Sacramento, Redevelopment Agency of the City of Sacramento, and Sacramento City Financing Authority.

SECTION 600. The statements of economic interests that the City Treasurer, Director of Finance, City Attorney, and City Clerk file by virtue of their positions with the City of Sacramento shall suffice for the statements of economic interests they are required to file in connection with their positions with the Sacramento City Financing Authority.

SECTION 700. The City Manager, or designated representative, shall make the initial determination as to whether individuals are consultants, as defined in 2 Cal. Code Reg. § 18701. In making such determination, the City Manager or designated representative may consult with and rely upon the advice of the City Attorney. The requirements of this Conflict of Interest Code shall be included in the contract which is entered into between the City and the consultant.

SECTION 800. Any filer required to disqualify himself or herself shall give notice of disqualification to the City Clerk, to his or her immediate supervisor and to his or her division or department head, if there is no division head. Such notice shall be in writing and shall be made part of the official records of the City Clerk. The filer shall then refrain from participation and shall attempt in no way to use his or her official position to influence any other person with respect to the matter.

SECTION 900. Upon request, any filer who is unsure of any right or obligation arising under this Conflict of Interest Code may request a formal opinion or letter of advice from the City Attorney. If an opinion is rendered by the City Attorney stating in full the facts and the law upon which the opinion is based, compliance by the filer may be evidence of good faith in any civil or criminal proceeding brought pursuant to the Political Reform Act of 1974 or this Conflict of Interest Code. The filer's good faith compliance with the opinion of the City Attorney shall also act as a complete defense to any disciplinary action that the City may bring under Government Code Section 91003.5 or this Conflict of Interest Code.

SECTION 1000. Any board or commission member who fails to timely file a required statement of economic interests is subject to fine in accordance with the provisions of the Political Reform Act of 1974, together with any other penal or remedial measure authorized by that Act.

Where the board or commission member's failure to file persists for more than thirty (30) days after the final filing date, the City Clerk will forthwith notify the member that he or she is disqualified from any participation in meetings or other activities of the board or commission, until the member both files the required statement of economic interests and pays any fines associated with the failure to file. If the member's failure to file and/or pay the associated fine persists for more than sixty (60) days after the final filing date, the member may be removed from the board or commission pursuant to the procedures specified in City Charter Section 232.

SECTION 1100. Upon request by the Office of the City Clerk, the Labor Relations Director shall assist the City Clerk with any designated employee, other than a board or commission member, who fails to file any required statement of economic interests after written request by the department head (or designee) or the City Clerk's Office.

SECTION 1200. Designated employees violating any provision of this Conflict of Interest Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000 – 91014.

1 Amend 2 Cal. Code Regs. Section 18730 to read:

2 **§ 18730. Provisions of Conflict of Interest Codes.**

3 (a) Incorporation by reference of the terms of this regulation along with the designation
4 of employees and the formulation of disclosure categories in the Appendix referred to below
5 constitute the adoption and promulgation of a conflict of interest code within the meaning of
6 Government Code section 87300 or the amendment of a conflict of interest code within the
7 meaning of Government Code section 87306 if the terms of this regulation are substituted for
8 terms of a conflict of interest code already in effect. A code so amended or adopted and
9 promulgated requires the reporting of reportable items in a manner substantially equivalent to the
10 requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections
11 81000, et seq. The requirements of a conflict of interest code are in addition to other
12 requirements of the Political Reform Act, such as the general prohibition against conflicts of
13 interest contained in Government Code section 87100, and to other state or local laws pertaining
14 to conflicts of interest.

15 (b) The terms of a conflict of interest code amended or adopted and promulgated pursuant
16 to this regulation are as follows:

17 (1) Section 1. Definitions.

18 The definitions contained in the Political Reform Act of 1974, regulations of the Fair
19 Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any
20 amendments to the Act or regulations, are incorporated by reference into this conflict of interest
21 code.

22 (2) Section 2. Designated Employees.

23 The persons holding positions listed in the Appendix are designated employees. It has

1 been determined that these persons make or participate in the making of decisions which may
2 foreseeably have a material effect on economic interests.

3 (3) Section 3. Disclosure Categories.

4 This code does not establish any disclosure obligation for those designated employees
5 who are also specified in Government Code section 87200 if they are designated in this code in
6 that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly
7 included within the jurisdiction in which those persons must report their economic interests
8 pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200,
9 et seq.

10 In addition, this code does not establish any disclosure obligation for any designated
11 employees who are designated in a conflict of interest code for another agency, if all of the
12 following apply:

13 (A) The geographical jurisdiction of this agency is the same as or is wholly included
14 within the jurisdiction of the other agency;

15 (B) The disclosure assigned in the code of the other agency is the same as that required
16 under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

17 (C) The filing officer is the same for both agencies.¹

18 Such persons are covered by this code for disqualification purposes only. With respect to

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an, original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

1 all other designated employees, the disclosure categories set forth in the Appendix specify which
2 kinds of economic interests are reportable. Such a designated employee shall disclose in his or
3 her statement of economic interests those economic interests he or she has which are of the kind
4 described in the disclosure categories to which he or she is assigned in the Appendix. It has been
5 determined that the economic interests set forth in a designated employee's disclosure categories
6 are the kinds of economic interests which he or she foreseeably can affect materially through the
7 conduct of his or her office.

8 (4) Section 4. Statements of Economic Interests: Place of Filing.

9 The code reviewing body shall instruct all designated employees within its code to file
10 statements of economic interests with the agency or with the code reviewing body, as provided
11 by the code reviewing body in the agency's conflict of interest code.²

12 (5) Section 5. Statements of Economic Interests: Time of Filing.

13 (A) Initial Statements. All designated employees employed by the agency on the effective
14 date of this code, as originally adopted, promulgated and approved by the code reviewing body,
15 shall file statements within 30 days after the effective date of this code. Thereafter, each person
16 already in a position when it is designated by an amendment to this code shall file an initial
17 statement within 30 days after the effective date of the amendment.

18 (B) Assuming Office Statements. All persons assuming designated positions after the
19 effective date of this code shall file statements within 30 days after assuming the designated
20 positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

² See Government Code section 81010 and 2 Cal. Code of Regs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.