

RESOLUTION NO. 02/2014

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA AMENDING, ADOPTING AND PROMULGATING A CONFLICT OF INTEREST CODE FOR THE TOWN OF CORTE MADERA AND SANITARY DISTRICT NO. 2 OF MARIN COUNTY, A SUBSIDIARY DISTRICT TO THE TOWN OF CORTE MADERA

THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. The Political Reform Act, Government Code Sections 81000, et seq., requires cities and districts to adopt and promulgate a conflict of interest code that establishes reporting requirements of officers and employees. Every two years, the Town is required to review its code and determine if there are changes that need to be made.

Section 2. The Town Council reviewed and accepted its Biennial Notice on October 7, 2008 and determined that an amendment should be undertaken to:

- Include new positions (including consultants that must be designated);
- Revise disclosure categories.
- Revise the titles of existing positions
- Delete titles of positions that have been abolished

Section 3. The Town of Corte Madera last revised its Conflict of Interest Code on the following dates and by the following resolutions:

- May 4, 1982 via Resolution No. 2082 (designated certain positions);
- February 7, 1977 via Resolution No. 1752; and
- November 15, 1976 via Resolution No. 1728

Section 4. The titles of various employees and positions in the Town have changed or been added since the last adoption of an updated conflict of interest code, thereby necessitating an amendment to the Town's current Conflict of Interest Code.

Section 5. The Town Council is the code reviewing body for Sanitary District No. 2 of Marin County, A Subsidiary District to the Town of Corte Madera ("District"). As the code reviewing body for the District, the Town Council is given the responsibility of approving a conflict of interest code for the District. The Town Council hereby approves this conflict of interest code, as described by Sections 6 and 7, which approval shall be deemed the adoption and promulgation of both the Town's and the District's conflict of interest code.

Section 6. Section 18730 of Title 2, Division 6 of the California Code of Regulations, and any amendments thereto, is hereby adopted and promulgated as the Conflict of Interest Code of the Town and District within the meaning of Government Code Section 87300 et seq.

Section 7. The Appendices attached as Exhibits "A" and "B" to this resolution are incorporated into the Conflict of Interest Code of the Town of Corte Madera and the District as referenced therein by the term "Appendix."

Section 8. Persons holding designated positions listed in "Exhibit A" shall file Statements of Economic Interest pursuant to disclosure categories identified in Exhibit "B".

Section 9. This Resolution shall supersede all previous resolutions adopting or amending a Conflict of Interest Code.

I, the undersigned, hereby certify that the foregoing is a full, true and complete copy of a Resolution duly passed and adopted by the Town Council of the Town of Corte Madera at a regular meeting thereof held on the 4th day of February, 2014, by the following vote:

AYES: Bailey, Condon, Furst, Ravasio and Lappert

NOES: None

ABSENT: None

APPROVED:



Michael Lappert, Mayor

ATTEST: 

Lisa Harper, Interim Town Clerk

EXHIBIT A

DESIGNATED POSITIONS

<u>Designated Position</u>	<u>Disclosure Categories</u>
Mayor, Town Councilmembers	All*
President/District Directors	All*
Town Manager/Town Engineer	All*
Sanitary District Manager	All*
Administrative Services Director/Town Treasurer	All*
Administrative Services Director/District Treasurer	All*
Town Attorney	All*
District Attorney	All*
Assistant Town Attorney	All
Assistant District Attorney	All
Director of Public Works	All
Sanitary Services Manager	All
Director of Emergency Services	All
Battalion Chief	2, 3, 4, 5
Director of Parks and Recreation	All
Town Clerk/Assistant to the Town Manager	2, 3, 4, 5
District Clerk/Assistant to the Sanitary District Manager	2, 3, 4, 5
Director of Planning	All
Senior Planner	2, 3, 4, 5
Building Official	2, 3, 4, 5
Director of Field Maintenance and Operations	2, 3, 4, 5
Planning Commissioners	All*
Consultants	All**

*These positions report financial interests under state law pursuant to Government Code 87200.

**Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Town Manager/Town Engineer 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 in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Town Manager/Town Engineer'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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that are located in, that do business in or that own real property within the jurisdiction of the Town.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the Town.

Category 3: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the Town.

Category 4: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.^a

Category 5: All investments and business positions and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

^a This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position (Reg. 18730.1)