

# **CONFLICT OF INTEREST CODE**

## **CITY OF MILLBRAE**

Adopted in December 11, 1979 pursuant to Resolution No. 79-145

Amended on October 13, 1992 by Resolution No. 92-112

Amended on August 9, 1994 by Resolution No. 94-77

Amended on September 24, 1996 by Resolution No. 96-101

Amended on September 22, 1998 by Resolution No. 98- 74

Amended on September 26, 2000 by Resolution No. 00-122

Amended on September 24, 2002 by Resolution No. 02-96

Amended on October 12, 2004 by Resolution No. 04-65

Amended on September 12, 2006 by Resolution No. 06-58

Amended on September 9, 2008 by Resolution No. 08-45

Amended on September 14, 2010 by Resolution No. 10-33

Amended on November 13, 2012 by Resolution No. 12-38

Amended on September 23, 2014 by Resolution No. 14-47

Amended on October 11, 2016 by Resolution No. 16-43

Amended on October 23, 2018 by Resolution No. 18-66

Amended on October 13, 2020 by Resolution 20-65

Amended on July 26, 2022 by Resolution 22-59

Amended on September 24, 2024 by Resolution 24-82

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The Political Reform Act of 1974, Government Code Sections 81000 et seq., requires state and local governmental agencies to adopt and promulgate Conflict of Interest codes.

The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest code, which can be incorporated by reference in any agency's code. After public notice and hearings, the standard code 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 attached Appendices, designating positions and establishing disclosure categories, shall constitute the Conflict of Interest Code of the City of Millbrae and the Successor Agency to the Millbrae Redevelopment Agency.

Individuals holding designated positions shall file their statements of economic interests with the City Clerk, who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Upon receipt of the statements of the Mayor, members of the City Council and Planning Commission, City Manager, Director of Finance and City Attorney, the City shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. All other statements shall be retained by the City, which shall be the filing officer.

## APPENDIX A

### DESIGNATED POSITIONS BY DEPARTMENT

<b>Administration</b>	<b>Disclosure Category</b>
Assistant City Manager/Human Resources Director	1, 2, 3, 4
City Clerk	1, 2, 3, 4
Project Manager	1, 2
Public Information Officer	1, 2
Senior Human Resources Analyst	1, 2

<b>City Attorney</b>	<b>Disclosure Category</b>
Assistant City Attorney	1, 2, 3, 4

<b>Community Development</b>	<b>Disclosure Category</b>
Community Development Director	1, 2, 3, 4
Planning Manager	1, 2, 3, 4
Building Official	1, 2, 3, 4
Code Enforcement Officer	1, 2, 3, 4
Senior Planner	1, 2, 3

<b>Finance</b>	<b>Disclosure Category</b>
Deputy Finance Director	1, 2, 3, 4
Senior Accountant	1, 2, 3
Accountant	1, 2

<b>Fire</b>	<b>Disclosure Category</b>
Fire Chief*	1, 2, 3
Deputy Fire Chief	1, 2, 3
Fire Marshal*	1, 2, 3

<b>Police</b>	<b>Disclosure Category</b>
Police Chief**	1, 2, 3

<b>Public Works</b>	<b>Disclosure Category</b>
Director of Public Works & Engineering	1, 2, 3, 4
Deputy Director of Public Works	1, 2, 3, 4
City Engineer/Capital Improvement Program Manager	1, 2, 3, 4
Environmental Program Manager	1, 2, 3
Lab & Source Control Supervisor	1, 2, 3
Parks Field Supervisor	1, 2, 3
Plant Superintendent	1, 2, 3
Public Works Superintendent	1, 2, 3
Public Works Supervisor I	1, 2, 3
Public Works Supervisor II	1, 2, 3
Senior Civil Engineer	1, 2, 3
Senior Environmental Program Manager	1, 2, 3

<b>Recreation</b>	<b>Disclosure Category</b>
Recreation Director	1, 2, 3, 4
Recreation Services Manager	1, 2, 3, 4
Parks and Recreation Commissioners	1, 2, 3

<b>City Wide</b>	<b>Disclosure Category</b>
Management Analyst***	1, 2
Senior Management Analyst***	1, 2
New Positions***	1, 2, 3, 4
Consultants***	1, 2, 3, 4

\* The Fire Chief and Fire Marshal serve by contract with Central County Fire.

\*\* The Police Chief serves by contract with San Mateo County Sheriff's Office.

\*\*\* Consultants/New Positions are 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 City Manager may determine in writing that a particular consultant or new position, 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 or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager'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.

All officials and designated positions required to submit a statement of economic interests shall receive ethics training as required pursuant to Government Code section 53235 (AB 1234) within six months of assuming office and every two years thereafter.

The following positions are NOT covered by the Conflict of Interest code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

- Mayor
- Member of the City Council
- City Manager
- Director of Finance
- City Attorney
- Planning Commissioner

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

Members of the Successor Agency to the Millbrae Redevelopment Agency and any employees or consultants providing assistance to the Successor Agency shall have disclosure requirements identical to the requirements they have in their capacity and positions as council members, employees, or consultants of the City of Millbrae.

## **APPENDIX B**

### **DISCLOSURE CATEGORIES**

- Category 1. Interests in real property, located in whole or in part within the boundaries of San Mateo County or within two miles of the County.
- Category 2. Investments, business positions, and sources of income, including loans, gifts, and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City.
- Category 3. Investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the City.
- Category 4. Investments, business positions and income, including gifts, loans and travel payments, from sources that have filed a claim against the City within the last two years or have a claim pending against the City.