City Of Long Beach

City Clerk Department
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Authorities, Boards, Commissions, and Committees Handbook

February 19, 2008

Approved by the Long Beach City Council on February 19, 2008

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MESSAGE FROM THE CITY CLERK:

Welcome and congratulations on your appointment as a City of Long Beach Commission or Board member. As a member, it is your task to provide the Long Beach City Council with your advice and information on a wide variety of matters. Over the years, the services and programs provided by the City have expanded. Without your insight, many decisions made for this City would have been done without adequate information and thought. The detailed studies and considered advice of boards and commissions are key to creating new programs and policies that will make this City the best it can be.

Serving on a board is leadership in a significant way in that your actions can speak louder than words. Serving on a board or commission is a rewarding experience where constituents can be directly involved in major decision making to improve our community.

A democracy relies on the participation of its constituents and those courageous enough to keep alive and balance multiple opinions relative to good city policy and governance. It is the duty of the government to listen to its people, but it's the responsibility of the people to speak.

Thank you for your service and your dedication to the City of Long Beach.

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Chapter
1

INTRODUCTION

A. CITIZEN PARTICIPATION

Long Beach's system of authorities, boards, commissions, and committees provides one way for residents who have special experience or interests to participate in the City's decision-making process by advising the City Council on numerous issues. Other ways for citizens to get involved in local government include speaking at public hearings, speaking before the City Council and its subcommittees, participating in neighborhood-based organizations, petitioning, and letter writing.

The boards and commissions system provides the opportunity to interact creatively with people of all ages, interests, and backgrounds. Democracy can be realized when citizens are able to come together across neighborhood and economic lines to assist in making the community decisions that will shape all of their lives. While commissioners are themselves appointed from within the community, it is important that they in turn ensure that a wide variety of viewpoints from the rest of the community are considered when commissions make recommendations to the City Council. Commissioners should treat these widely varying viewpoints of other commissioners and members of the public with respect so that all citizens are encouraged to participate in government.

Please note that in this manual the term “commissions/ commissioners” is inclusive of authorities, committees, boards and the members of such agencies.

For additional information, please contact your commission liaison, who is your primary contact with the City. If more assistance is required you may also contact the City Clerk department at (562) 570-6101.

B. COMMISSION ORIGINS

Commissions originate from four different sources: the City Charter, City Council action, vote of the people, and state mandate.

City Charter

Six Charter Commissions exist in the City of Long Beach. The City Charter, approved by the voters, governs each of these commissions. The Long Beach City Charter is analogous to the Constitution.

City Council Action (Ordinance or Resolution)

Some commissions are created through City Council action when they see a need for an additional commission. An ordinance is a law of the City; all laws of the City are codified in the Long Beach Municipal Code. A resolution is a statement of City policy.

Vote of The People

Some commissions derive their authority from measures adopted directly by the voters, by initiative, and can only be changed with a vote of the people.

State Mandate

Some commissions are required by the state, for which their duties and purposes are outlined by the state codes. For example, all cities are required to have a Planning Commission.

C. CURRENT LIST OF COMMISSIONS

The following is a list of the commissions that currently exist in The City of Long Beach; the numbers in the parenthesis show the number of members on each commission:

- *Charter Commissions:*
  - Citizens Police Complaint Commission (11)
  - Civil Service Commission (5)
  - Harbor Commission (5)
  - Parks and Recreation Commission (7)
  - Planning Commission (7) (also State Mandated)
  - Water Commission (5)

- *Council Action (Ordinance or Resolution) Commissions:*
  - Airport Advisory Commission (9)
  - Belmont Shore Parking and Business Improvement Area Advisory Commission (7)
  - Bixby Knolls Parking and Business Improvement Area Advisory Board (11)
  - Board of Examiners, Appeals, and Condemnation (7)
  - Board of Health and Human Services (15)
  - Cable Communications Advisory Commission (11)

- California State University Headquarters Building Joint Powers Authority (5)
- Citizens' Advisory Commission on Disabilities (15)
- Commission on Youth and Children (19)
- Community Development Advisory Commission (15)
- Cultural Heritage Commission (15)
- Economic Development Commission (17)
- Homeless Services Advisory Committee (11)
- Human Relations Commission (13)
- Long Beach Housing Authority (11)
- Long Beach Housing Development Company Board (14)
- Long Beach Transportation Company Board of Directors (7)
- Marine Advisory Commission (9)
- Municipal Golf Commission (13)
- Pacific Gateway Workforce Investment Board (also State Mandated) (45)
- Public Safety Advisory Commission (13)
- Redevelopment Agency (7)
- Senior Citizen Advisory Commission (15)
- Sustainable City Commission (10)

- *Vote of the People:*
  - Pedestrian Safety Advisory Committee (13)

- *State Mandate:*
  - Disabled Access Appeals Board (5)

- *Miscellaneous:*
  - Arts Council for Long Beach (28)
  - Metropolitan Cooperative Library System Advisory Board (1)
  - Relocation Appeals Board (5)
  - Vector Control District (2)

D. COMMISSION FUNCTION

Commission functions fall into four major categories. Commission functions can and often do cross one or more category.

Quasi-Judicial

Certain commissions hold the authority to make decisions, which require or restrict the action of individuals. For example, the Planning Commission has the right to approve or deny permits, subject to appeal to the City Council.

Administrative

Some commissions may have the power to appoint, discipline, and dismiss their own employees. For example, the Harbor Commission has the power to hire its own staff.

Advisory to the City Manager

Certain Boards make recommendations to the City Manager when it comes to personnel hiring, discipline, or firing. For example, the Citizens Police Complaint Commission makes recommendations to the City Manager regarding the discipline of police officers.

Advisory to the City Council

All commissions advise the City Council concerning policies and programs upon request of the City Council.

E. DEPARTMENT OF THE CITY CLERK

Duties of the City Clerk Department

In 2007, the City Clerk Department was charged with the responsibility for coordinating administrative processes related to the appointment and enrollment of citizens to all Boards and Commissions. Specifically the City Clerk Department is responsible for processing new incoming members via an orientation program in compliance with State Law. (The processes are contained within this handbook). In addition to these responsibilities, the City Clerk Department is responsible for the maintenance and distribution of this handbook and the Boards and Commissions Roster throughout the City. Key City facilities where this handbook will be available include; City Hall and the Public Library, as well as the Internet.

Chapter 2

SERVING ON A COMMISSION

This chapter addresses all aspects of the process of becoming a commissioner, serving on the commission, the responsibilities tied in with the position, and leaving the commission.

A. MEMBERSHIP

This section outlines the steps required to be taken throughout the commission process, from applying to serve on a commission to the completion of service.

1) APPLICATION/ SELECTION PROCEDURES

The following are the procedures required for one to apply and be selected for a commission.

a. Residency Requirements

The members of each body must reside in the City at the time of appointment, and must maintain residence within the City at all times during their service on the advisory body. This is as stated in the Long Beach Municipal Code (LBMC) § 2.18.050 (B). In some instances, residency is determined by business ownership.

b. Application

Most commissions apply through the Mayors' office where the application can be picked up and turned in. Departments are responsible to assist the Mayor's Office in community outreach and application distribution. Applications will remain valid and in an active status for two years. Refer to Appendix B for a copy of application or go online to:

http://www.longbeach.gov/mayor/commissions/application.asp

For commissions not under the exclusive jurisdiction of the City (*e.g.*, Pacific Gateway Workforce Investment Board), there may be a separate application and appointment process.

c. Fingerprinting and Background Check

Prior to nomination or appointment to a commission, the Office of the Mayor will order a Live Scan background and fingerprint check. To complete this step, a Live Scan appointment will be facilitated for each nominee with the Long Beach Police Department by the Office of the Mayor. City departments will be "charged-back" the cost of the Live Scan check and all the Live Scan reports will filed in the City's Human Resource Department.

d. Appointment

Appointments are generally made by the Mayor and then approved by the City Council. See LBMC § 2.18.050(A). Appointments to charter commissions and the Redevelopment Commission are first referred to the City Council Personnel and Civil Service Committee before being heard by the full Council. See LBMC § 2.03.065.

For commissions not under the jurisdiction of the City, commissioners may be appointed by other jurisdictions as well. Examples of such commission include: California State University Headquarters Building Joint Powers Authority, Pacific Gateway Workforce Investment Board, Metropolitan Cooperative Library System Advisory Board, and Vector Control District.

Appointments for the Pedestrian Safety Advisory Committee are made by the City Manager. For this exception, and to learn more about this committee's particular set of rules, see LBMC § 10.68.010.

2) **ENROLLMENT**

Once appointed and approved, these are the procedures that must be completed before being enrolled on the commission: the completion of Orientation, Form 700, ethics training, and the oath of office; which will not be administered before the completion of the previously mentioned requirements.

a. Orientation With City Clerk Department

An approved candidate for the commissioner position must attend a brief orientation in the City Clerk Department upon approval by Council. Candidates will be required to complete enrollment information before taking the seat as a commissioner, absent extenuating circumstances. After completing this information the Oath of Office will then be administered.

b. Form 700

The Political Reform Act (California Government Code §§ 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in commission decisions that may affect their personal economic interest. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions. All commissioners are required to fill out the Form 700. This form must be filed before assuming office, every year thereafter by April 1st, and upon leaving office. The commission liaison is responsible for the submittal of the Form 700 of all commissioners. The Oath of Office will not be administered before the form is completed and filed. For more information please visit:

http://www.fppc.ca.gov/Act/2007Act.PDF for the Political Reform Act or

http://www.fppc.ca.gov/forms/700-06-07/Form700-06-07.pdf for the Form 700.

Additionally, a copy can be picked up at the City Clerk Department.

c. Ethics Training Assembly Bill 1234

The LBMC requires Ethics Training for commission and advisory members LBMC § 2.07.020 (Required ethics training). In the event that a member of any City Charter commission or advisory body fails to complete the ethics training required by California Government Code Section 53234 et seq., within the time period specified therein, that person shall automatically be removed from membership from the commission or advisory body. (ORD-06-0050 § 1, 2006). This procedure must be fulfilled at the City Clerk Department before assuming office. The Oath of Office will not be administered before the initial training is completed. Failure to complete training will result in automatic termination.

d. Oath of Office

According to the California Constitution in Article 20, § 3, Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the Oath of Office. This will be administered at the City Clerk Office upon receiving the Form 700 and administering the Ethics Training. Failure to take the Oath of Office within 30 days of appointment letter result in automatic termination. Copy of Oath of Office is attached in Appendix D.

3) TENURE AND CONDITIONS OF SERVICE

The terms of office, regulations, attendance, and the process of completion of service are listed below.

a. Term of Office

Charter Commissions

The term of office of members of the Commissions set forth in this Charter shall be four (4) years, except that the term of office of members of the Harbor Commission shall be six (6) years and the term of office for Water Commission members shall be five (5) years, beginning with the first Monday after the first day of July following their respective appointments, and until their successors are appointed and take office. No person shall serve more than two (2) full terms on any one Commission. Serving any portion of an unexpired term shall not be counted as service of one term on such Commission. Long Beach City Charter § 508.

Additionally, members of the Citizen Police Complaint Commission are limited to two (2) year terms. § 1151.

Council Action (Ordinance or Resolution) Commissions

For non-Charter commissions, the term of office shall be two (2) years for members of each body. Members may be reappointed after their initial term, but in no event shall any person who has served four (4) consecutive two (2) year terms on the same body be eligible for reappointment to that body. Serving any portion of an unexpired term shall not be counted as service of one term. Members not eligible for reappointment may continue to serve until their successors are appointed and qualified. The specific terms of office for members of all advisory bodies are set forth in the roster.

b. Commissions with Special Regulations

A few commissions require special qualifications such as degrees or certificates, specialized backgrounds or experience. When these positions become available, any special qualifications will be noted.

c. Attendance Requirement

For non-charter commissions, the members of each body may be removed by a majority vote of all members of the City Council for absence from three consecutive meetings without official permission expressed in the official minutes. LBMC § 2.18.050(F1).

d. Accommodations for Commissioners with Disabilities

Commissioners who have disabilities are entitled to receive reasonable accommodations upon request in order to fully participate in board or commission meetings and events.

e. Stipends

Commission members shall receive no compensation for the performance of their official duties unless compensation is expressly provided by the City Council or the City Charter.

f. Removal by Majority Vote/Automatic Terminations

1. For charter commissions, members can be removed by action of the Mayor with the concurrence of 2/3 of the Council. Long Beach Charter § 510.

2. For non-charter commissions, the members of each body may be removed by a majority vote of all members of the City Council for the following causes:

   a) Absence from three consecutive meetings without official permission expressed in the official minutes,
   b) Incompetence, malfeasance, misfeasance, neglect of duty, or conviction of a crime involving moral turpitude, and
   c) Refusal to resign from an advisory body when no longer a resident of the City. LBMC § 2.18.050 (F).

3. Automatic termination can result from the following:
   a) Absence from three consecutive meetings,
   b) Not filing the required Form 700;
   c) Non-Residency within the City of Long Beach;
   d) Failure to take the Oath of Office within 30 days of appointment letter; and
   e) Failure to complete required Ethics Training.

g. Resignation Procedures

A commissioner wishing to resign shall submit a letter of resignation directly to the commission liaison who then shall send the original to the City Clerk for retention and to update the official commissioner roster. Department staff are requested to contact

the City Clerk Department for the current procedures regarding the electronic transmission of resignation notices.

B. CONFLICT OF INTEREST

Conflict of Interest rules exist to reinforce public confidence that City officials, employees and commissioners are acting in the best interests of the public, and not in furtherance of their own self-interests. As a general rule, commissioners should avoid situations where their official actions may affect or appear to affect their private interests, financial or otherwise.

1) **RELATION TO CONTRACTS**

State law prohibits commissioners from being financially interested in any City contract if your duties call on you to participate in any way or at any stage in the approval of the contract. Any participation (including discussion) in the process by which such a contract is developed, negotiated or executed is a violation of the law.

2) **PUBLIC DISCLOSURE REQUIREMENT**

If disqualification on a meeting agenda item is required, the commissioner must publicly disclose the interest that is the subject of the potential conflict as well as the fact that they are disqualifying themselves from any participation in the decision. The disclosure may be made orally at the public meeting and/or in writing to the board secretary and must be made a part of the agency's official records (*e.g.,* the minutes of the meeting.) If commissioners have any further questions, please contact the City Attorney's office.
For more information please reference the Ethics Handbook at Appendix E.

C. COMMISSION ORGANIZATION

The commissions follow Robert's Rules of Order for their meetings and their general organization. Highlights of these aspects are listed below:

1) **OFFICER ELECTIONS AND TERM OF OFFICE**

a. Each commission shall have at least two officers (such as chair and vice-chair) and such other officers it deems necessary.

b. All officers shall be elected by the members for a term of one year and no officer shall serve more than two successive terms. LBMC § 2.18.060.

2) **DUTIES OF OFFICERS**

The chair, or in his/her absence, the vice chair, performs the following duties:

- Presides at all meetings of the commission and ensures that the work of the commission is accomplished;
- Appoints commission members to temporary subcommittees and ad hoc committees subject to the approval of committee;
- As necessary approves agenda prior to distribution;
- Signs the correspondence on behalf of the commission;

- Represents the commission before the City Council with the approval of the commission; and
- Approves and signs commission reports to Council as prepared by the commission.

3) **TRANSFER OF CHAIR**

In the absence of the chair or his/her inability to act, the vice chair presides in their place. In the event that neither can perform, the remaining committee must elect a temporary chair.

4) **DUTIES OF COMMISSION LIAISON**

The commission liaison is a City employee assigned from the operating department normally designated to the commission. This individual assists the commission in its functions and advises them of staff's recommendations. The liaison should inform commissioners about activities, projects, and work taking place in the organization. Their duties include the following:

- Insure that commissioners file their Form 700 prior to taking part in the commission, every year there after by April 1st and upon leaving office;

- Insure that commissioners complete their required Ethics Training before taking their position as a commissioner;

- Execute commission meeting and agenda process to maintain compliance with the Brown Act, including tasks such as preparation of the agenda and minutes, notices, records of votes and attendance utilizing the City's legislative information management system. System training will be provided by the City Clerk Department;

- Serve as the primary contact to the City Clerk Department for the commission;

- Notify the City Clerk Department of resignations;

- Request permission from the City Manager or department director to have extensive staffing; and

- Initiate suggestions to help lead commissioners in the right direction.

5) **DUTIES OF SUPPORTING DEPARTMENT**

Supporting departments are responsible for providing orientation to the commissioners regarding the role of the commission to which they have been appointed. Departments also have the authority to provide the commissioners with business cards, which are to be used for City business. Departments also pay the costs of Live Scan.

Chapter
3

COORDINATION WITH COUNCIL

In this chapter certain roles and procedures pertaining to the relationship between commission and City Council are outlined.

A. COORDINATION WITH COUNCIL

Some commissions' main function is to report and advise the City Council on issues. This section outlines major ways of doing so.

1) **RELATIONSHIP TO COUNCIL**

The City Council welcomes advice and input from City commissions. The Council relies on the various commissions to have a large number of viewpoints and talents to help solve City problems.

2) **PRESENTING AGENDA ITEMS TO COUNCIL**

Commissions are welcome to request an item be placed on the City Council agenda. Commissioners must act through the department liaison. The liaison will work with the City Manager to request placement in the agenda at an appropriate time. Due to limited time available in City Council meetings, placement cannot be guaranteed and is up to the discretion of the City Manager. In addition to requesting that the City Manager place an item on an agenda, all citizens (including commissioners) have the right to request that a Councilmember or the Mayor place an item on the Council agenda.

3) **ANNUAL REPORT**

Commissions are required by the Long Beach Municipal Code to submit an annual report.

LBMC § 2.18.090

A. Each body shall present an annual written report of its activities for the past year to the Mayor and City Council; it may also make appropriate recommendations. The report shall include the following:

1. The name of the body;

2. Its objectives and functions;

3. A reference to all reports and recommendations presented to the City Council, including the number of subject matters referred by the City Council;

4. The number of meetings held;

5. Attendance records of all members;

6. The number of public hearings conducted;

7. The amount of money, if any, expended in support of that body;

8. A list of city personnel who regularly assist that body; and

9. A recommendation as to whether that body should be abolished, modified or continued.

B. The department liaison shall forward the original report to the City Council and shall maintain a copy. Such reports shall be open to public inspection.

4) **COUNCIL MEETINGS AND AGENDAS**

Regular City Council meetings are held every Tuesday except the last Tuesday of the month. Commissioners are welcome to attend and participate in the public comment period. When commissioners address the Council they should clarify whether they are speaking on their own behalf or on the behalf of the commission, at the beginning of their commentary. Only the chair of a commission, or a member who has the prior approval of the commission, should speak on behalf of the commission.

Chapter
4

COMMISSION PROCEDURES

This chapter is intended to highlight and assist commissioners and staff with meeting-to-meeting operations required for a well-functioning commission.

A. WORK PROGRAM

Commissioners may find it helpful to establish a yearly work program to set goals for the upcoming year. In it they could outline specific projects and estimated dates of completion. However, the commission controls its own ways of conducting business, and so it may decide on alternate procedures to conduct work efficiently and effectively.

B. MEETINGS

This section is designed to help commissioners and staff to understand the meeting process from writing the agenda, the type of meetings, regulations, minutes and record keeping.

1) **REQUIREMENT TO MEET IN PUBLIC**

The Brown Act (California Government Code § 54950 et seq.), adopted by the State of California, requires that commission meetings be held in public when a commission majority is present and thus allow all persons to attend such meetings. Reasons valid for holding closed sessions are very limited. Specific cases must be cleared by the City Attorney prior to the scheduling of the meeting. For more information on the Brown Act regulations, reference Appendix E or visit:

http://ag.ca.gov/publications/2003_Intro_BrownAct.pdf for the complete act.

2) **REQUIREMENT TO BE ACCESSIBLE TO PUBLIC**

All meetings must be held in an accessible location.

3) **REQUIREMENT TO ALLOW FOR PUBLIC PARTICIPATION**

a. Opportunity for Public Comment

The Brown Act requires that agendas for legislative bodies provide an opportunity for the public to address the body. Please refer to the Act or attachment in Appendix E for more information on procedures and time limits.

b. Formal Participation/Presentations

An individual wishing to formally address the commission or make a presentation must submit a written request to the commission liaison and if appropriate it will be scheduled on a future agenda. Once the request is on the agenda, the commission may grant or deny the presentation.

4) **TYPES OF MEETINGS**

Please consult the Brown Act or reference Appendix E for more information.

a. Public Hearing

Public Hearings are held when required by law or when the commission determines that such a hearing would be desirable. When law requires the hearing, that law may also specify the procedure for that hearing.

b. Workshops

Workshops are designed to elicit citizen input in an informal manner, it allows for citizens to interact with commissioners, which also allows commissioners to work on matters in more depth. Workshop sessions do not culminate in action at that meeting. Actions and recommendations should be taken at the next regular meeting.

c. Sub-committees and Ad Hoc committees

Sub-committees are designed to allow commissioners to discuss particular items for an indefinite length of time. Sub-committees are subject to the Brown Act if they have on going jurisdiction on a matter.

Ad Hoc committees are designed for a specific issue for a specific amount of time. Ad Hoc committees are not subject to the Brown Act because they are made up of less than quorum. For more information please reference the Brown Act.

5) **MEETING REGULATIONS**

- The subject matter must be clearly stated.
- Where a public hearing is mandated by law, the specified form and timing of the advanced notice is 72 hours prior to regular meeting and 24 hours prior to a special meeting.
- When conducting a hearing, the procedures depend on the subject matter and time available. When a hearing is run in a quasi-judicial fashion, minimal requirements for receiving testimony must be met. These include but are not limited to an introduction by the liaison or the chair, testimony by affected parties, interested citizens and the presentation of documents.
- Hearings should be formally declared open by the chair and should be terminated by commission motion.
- Findings that may be needed must be formally stated for the record.

- Any action resulting from the hearing must be clearly stated for the record. Under state law, action is prohibited on any matters not publicly noticed.

- If no action is taken, it should be announced by the chair and advise the public of when action is expected to take place.

- If a commissioner cannot participate because of conflict of interest, it should be noted at the commencement of the hearing.

C. COMMISSION AGENDA

This section is designed to give an overview of the agenda process and structure.

1) AGENDA TITLES/PURPOSES

The purpose of the agenda is to inform the public about the topics that will be discussed at the meeting. It is required by the Brown Act that the titles be as specific as necessary to fully describe the topic at hand.

2) AGENDA FORMAT

Prior to the scheduled meeting, the agenda needs to be formatted and distributed to include: Roll Call, Public Comment, Approval of Minutes, Public Hearing, Old Business, New Business, and Adjournment. Please refer to Appendices E & F for a sample.

3) SUBMISSION OF AGENDA REPORTS

All reports prepared by staff assisting the commission need to be submitted to the department director for policy and operational clearance about 3 full working days prior to mailing out deadline.

4) DISTRIBUTION OF AGENDA PACKETS

For those commissions staffed by the City Clerk department, it is requested that all necessary documents be submitted eight full working days prior to the meeting. For these commissions, the City Clerk Department will mail out agenda packets no later than seven days prior to the meeting to commissioners and any other required individuals. For all commissions, complete agendas must be made available to the public and commissioners 72 hours prior to the meeting, and 24 hours prior to a special meeting. Agendas may be distributed to other departments that work with the commission or those that find interest in it. The City's goal is to post all agendas on the Internet. To find an agenda for those commissions that are currently posting on the Internet, please go to:

http://www.longbeach.gov/cityclerk/comm_agenda.asp

For other commissions, please contact the department liaison.

D. MINUTES

In this section, the process of noting and recording minutes is explained.

1) **ACTION MINUTES**

An accurate record of the commission's proceedings must be kept either by the City Clerk staff or by the liaison executive secretary of the commission. The action minutes will state the date, time, place of the meeting, attendance of members and staff, and a description of the actions taken. Approved motions are indicated by "moved, seconded, or carried" and include the breakdown of the vote.

Minutes are then presented to the commission for approval in the next meeting. If any corrections are made, the corrected minutes shall be approved as corrected.

2) **TAPING MINUTES**

It is the policy of the City to record the meetings by tape/video streaming. The tapes/video streaming must be maintained in accordance with the City's Records Retention Schedule.

E. OFFICIAL COMMISSION RECORDS

All agendas, minutes, reports, communications, tapes, videos, and any other related material, should be kept in an organized manner as to facilitate the passing on of documents from one staff person to the next. It is the responsibility of the commission liaison or executive secretary to keep such documents in order.

APPENDICES

A. Boards and Commissions Chart

B. Sample Application

C. Form 700

D. Oath of Office

E. Robert's Rules of Order Quick Reference Outline

F. Handbook for Long Beach City Officials and Employees

Boards and Commissions

Advisory Commissions

- Airport Advisory Commission
- Citizens' Advisory Commission on Disabilities
- Commission on Youth and Children
- Economic Development Commission
- Homeless Services Advisory Commission
- Marine Advisory Commission
- Public Safety Advisory Commission
- Senior Citizen Advisory Commission
- Sustainable City Commission

Hearing Boards and Committees

- Board of Examiners, Appeals, & Condemnation
- Disabled Access Appeals Board
- Relocations Appeals Board

Charter Commissions

- Citizen Police Complaint Commission
- Civil Service Commission
- Harbor Commission
- Planning Commission
- Recreation Commission
- Water Commission

Agencies/Boards with Management & Fiduciary Responsibilities

- Long Beach Transportation Company Board of Directors
- Redevelopment Agency Board
- Long Beach Housing Development Company Board
- Community Development Advisory Commission
- Pacific Gateway Workforce Investment Board

Joint Powers, Misc. Authorities & Parking Authorities

- Belmont Shore Parking & Business Improvement Area Association
- Bixby Knolls Parking & Business Improvement Area Association
- CSU Headquarters Building Joint Powers Authority
- Metropolitan Cooperative Library
- Greater L.A. County Vector Control Board

Commissions with Advisory & Additional Oversight Responsibilities

- Cable Communications Advisory Commission
- Board of Health and Human Services
- Cultural Heritage Commission
- Long Beach Housing Authority
- Municipal Golf Commission
- Pedestrian Safety Advisory Commission

Appendix A

Appendix B

MAYOR BOB FOSTER 333 West Ocean Blvd. 14th Floor • Long Beach • 90802
CITY OF LONG BEACH

COMMISSION / COMMITTEE / BOARD 2007 APPLICATION

PLEASE NOTE:

All new commission appointees must complete the ethics training required by California Government Section 53234 and City Policy within the first 60 days of appointment and every 2 years thereafter. Noncompliance will result in automatic removal as detailed in L.B.M.C. Section 2.07.020.

***You must be a Long Beach resident**. All applicants will need to submit one application per commission or advisory board for which they would like to be appointed.*

Applicants are encouraged to submit a personal statement and a resume along with their signed application.

PLEASE PRINT YOUR RESPONSES…

APPLICATION TO SERVE ON:

Mr. ☐
Mrs. ☐
Ms. ☐
Other ☐

Last Name: _____

Fist Name: _____ **Middle:** _____

Residence Address: _____ **City:** _____ **Zip** _____

Business Address: _____ **City:** _____ **Zip** _____

Residence Phone: ( ) _____
Business Phone: ( ) _____

Cell/ Fax/Other: ( ) _____
(please indicate)
Email address: _____

Which address & phone number do you want shown in the city roster? ***(Required)***
Address: ☐ **Residence** ☐ **Business** **Phone:** ☐ **Residence** ☐ **Business** ☐ **Other**

How long have you been a resident of the City of Long Beach? _____ **:Years**

Are you a Registered Voter? _____

Who is your council member or District? _____

If you wish to have your council member endorse your application, please have him/her sign below:

Councilmember's Signature: _____ **Date:** _____
Councilmember's Comments: _____

_____

_____

PLEASE EXPLAIN WHY YOU WISH TO SERVE ON THIS COMMISSION/COMMITTEE/BOARD:

ORGANIZATION / COMMUNITY VOLUNTEER INVOLVEMENT/ EXPERIENCE:

Organization/Society	Title	Type of Work Performed

EDUCATION HISTORY:

Institution attended: Major: Degree Recv'd:

Institution attended: Major: Degree Recv'd:

PROFESSIONAL LICENSES/CERTIFICATES:

License/Certificate	Date Issued	License/Certificate	Date Issued

Some positions require the appointment of persons with specific degrees or certificates, specialized backgrounds or experience. Please indicate below those categories for which you qualify:

Accountant ☐	Airport Issues ☐	Architect ☐	Attorney ☐	Business ☐	Community Service ☐
Disabled Issues ☐	Early Childhood ☐	Education ☐	Trades ☐ Specify:	Ethnic/Minority ☐	Health ☐ Specify:
Historical Preservation ☐	Housing Issues ☐	Insurance ☐	Job Training ☐	Low Income ☐	Realtor ☐
Redevelopment ☐	Water/Marinas ☐	Other ☐			

LONG BEACH MUNICIPAL CODE - *CODE OF ETHICS* (Chapter 2.07) AND AB 1234 ETHICS TRAINING (California Government Section 53234)

Prior to assuming office or employment, every committee or board member shall pledge, in writing, to follow the principles outlined in the **Code of Ethics** while acting in their official capacity. Additionally, every newly appointed committee or board member is required to complete the AB 1234 Ethics training within the first 60 days of appointment notification. **Initials:**

STATEMENT OF ECONOMIC INTEREST FORM: (700 Form)

In compliance with state law, appointees to commissions are required to file a **Statement of Economic Interests Form (Form 700)** upon appointment, and annually thereafter. Applicants and incumbents are advised that they may be requested to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Long Beach or the decisions made by the City of Long Beach may influence that business or affiliation. **Initials:**

Applicants for **Charter Commissions** (Citizen Police Complaint Commission, Civil Service Commission, Harbor Commission, Planning Commission, Parks and Recreation Commission, and Water Commission) and the Long Beach Redevelopment Agency Board are subject to an investigation relating to the applicant's background. **Initials:**

The Citizens Advisory Commission on Disabilities requires that nine (9) members be disabled representatives, and that six (6) members be representatives of agencies that work with the disabled. If you are applying for this commission, please indicate by checking the Category for which you qualify: ☐ **Disabled** ☐ **Agency Representative**

PERSONAL REFERENCES: **(please print names)**

Name: Phone Number:

Name: Phone Number:

STATISTICAL INFORMATION (optional): To ensure adequate representation of all ethnicities and cultures in Long Beach, you may choose to volunteer such information below: **Gender:** **M** ☐ **F** ☐

Ethnicity: ☐ **Caucasian** ☐ **Latino/ Hispanic** ☐ **Asian/Pacific Islander** ☐ **African-American** **other:**

Applicant's signature: _____ **Date:** _____

We will retain your application on file for one (1) year.
This information is available in an alternative format by request to (562) 570-6801
* Please note that this application must be submitted with an original signature.

Office Use Only:
Residence Verified: **Yes:** _____ **No:** _____

2007/2008

FORM 700
Statement of Economic Interests

Also available on the FPPC Web site:
Form 700 Reference Pamphlet

a public document

Fair Political Practices Commission
428 J Street, Suite 620 • Sacramento, CA 95814
Toll-Free Advice Line: 866-ASK-FPPC • (866) 275-3772
Telephone: (916) 322-5660
www.fppc.ca.gov

Who must file:

- Elected and appointed officials and candidates listed in Government Code Section 87200.
- Employees and appointed officials filing pursuant to a conflict-of-interest code. Effective January 1, 2008, all candidates running for local elective offices that are designated in a conflict-of-interest code (for example, county sheriffs, city clerks, school board trustees, and water board members) also must file. Obtain your disclosure categories, which describe the interests you must report, from your agency. They are not part of the Form 700.
- Members of newly created boards and commissions not yet covered under a conflict-of-interest code.

(See Form 700 Reference Pamphlet, page 2. The Reference Pamphlet is available on the FPPC Web site at *www.fppc.ca.gov* or from your filing officer.)

Where to file:

87200 Filers

State offices	➲ Your agency
Judicial offices	➲ The clerk of your court
Retired Judges	➲ Directly with FPPC
Legislative Staff	➲ Directly with FPPC
County offices	➲ Your county filing official
City offices	➲ Your city clerk
Multi-County offices	➲ Your agency

Members of Boards/Commissions of Newly Created Agencies:

File with your newly-created agency or with your agency's code reviewing body as provided by the code reviewing body.

Code Filers — State and Local Officials and Employees Designated in a Conflict-of-Interest Code:

File with your agency, board, or commission unless otherwise specified in your agency's conflict-of-interest code. In most cases, the agency, board, or commission will retain the statements. Candidates file with their local elections office.

How to file:

A Form 700 should be provided to you by your filing official. An interactive version of the Form 700 is available on our Web site at *www.fppc.ca.gov.*

You only have to report investments and business positions in business entities, real property, and income from sources that are located in or doing business in your agency's jurisdiction. However, reportable gifts must be disclosed regardless of the jurisdiction. See Form 700 Ref. Pamphlet, page 12, for more information.

When to file:

Annual Statements

➲ **March 3, 2008***

- Elected State Officers
- Judges and Court Commissioners
- State Board/Commission Members listed in Government Code Section 87200

➲ **April 1, 2008**

- Most other filers

Individuals filing under conflict-of-interest codes in city and county jurisdictions should verify the annual filing date with their local filing officer.

*Because March 1 is a Saturday, the deadline is extended. Statements postmarked by the filing deadline are considered timely filed.

Assuming, Leaving and Initial Statements

Most filers file within 30 days of assuming or leaving office or within 30 days of the effective date of a newly adopted or amended conflict-of-interest code.

Candidate Statements

File no later than the final filing date for the declaration of candidacy or nomination documents.

Amendments

Statements may be amended at any time. You are only required to amend the schedule that needs to be revised. It is not necessary to amend the entire filed form. Obtain amendment schedules from your filing official or interactively at *www.fppc.ca.gov.*

Statements that are mailed are considered filed on the postmark date. There is no provision for filing deadline extensions. Statements of 30 pages or less may be faxed by the deadline as long as the originally signed paper version is sent by first class mail to the filing officer within 24 hours.

See Form 700 Ref. Pamphlet, page 5, for more information.

INTRODUCTION

The Political Reform Act (Gov. Code Sections 81000-91014) requires most state and local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in decisions which may affect their personal economic interests. The Fair Political Practices Commission (FPPC) is the state agency responsible for issuing the attached Statement of Economic Interests, Form 700, and for interpreting the law's provisions.

Gift Prohibition

Most state and local officials, employees, and candidates are prohibited from accepting gifts totaling more than $390 (effective January 1, 2007) in a calendar year from a single source.

In addition, state officials, state candidates, and certain state employees are subject to a $10 limit per calendar month on gifts from lobbyists and lobbying firms registered with the Secretary of State. (See Ref. Pamphlet, page 9, for more detailed information.)

State and local officials and employees also should check with their agency to determine if any other restrictions apply.

Honorarium Ban

Most state and local officials, employees, and candidates are prohibited from accepting an honorarium for any speech given, article published, or attendance at a conference, convention, meeting, or like gathering. (See Ref. Pamphlet, page 9, for more detailed information.)

Loan Prohibitions

Certain state and local public officials are subject to restrictions on loans. (See Ref. Pamphlet, page 13.)

Disqualification

Public officials are, under certain circumstances, required to disqualify themselves from making, participating in, or attempting to influence governmental decisions that will affect their economic interests. This may include interests they are not required to disclose (for example, a personal residence is often not reportable, but may be disqualifying). Specific disqualification requirements apply to 87200 filers (for example, city councilmembers, members of boards of supervisors and planning commissioners). These officials must orally identify the economic interest that creates a conflict of interest and leave the room before a discussion or vote takes place at a public meeting. For more information, consult Government Code Section 87105 and Regulation 18702.5, or refer to the booklet entitled "Can I Vote? Conflicts of Interest Overview," all of which are available on the FPPC Web site. Visit *www.fppc.ca.gov* and click on the Library & Publications icon.

Post-Governmental Employment

There are restrictions on representing clients or employers before former agencies. The provisions apply to elected state officials, most state employees, local elected officials, county chief administrative officers, city managers, including the chief administrator of a city, and general managers or chief administrators of local special districts. The FPPC Web site has facts sheets explaining the provisions.

Late Filing

The filing officer who retains originally signed statements of economic interests may impose on an individual a fine for any statement that is filed late. The fine is $10 per day up to a maximum of $100. Late filing penalties can be reduced or waived under certain circumstances.

Persons who fail to timely file their Form 700 may be referred to the FPPC's enforcement division (and in some cases to the Attorney General or district attorney) for investigation and possible prosecution. In addition to the late filing penalties, a fine of up to $5,000 per violation may be imposed.

For assistance concerning reporting, prohibitions, and restrictions under the Act:

- Call the FPPC toll-free at (866) ASK-FPPC.
- See the booklet entitled "Your Duty to File: A Basic Overview of State Economic Disclosure Law and Reporting Requirements for Public Officials."

Form 700 Public Access

Statements of Economic Interests are public documents. The filing officer must permit any member of the public to inspect and copy any statement.

- Forms must be available as soon as possible during the agency's regular business hours, but in any event not later than the second business day after the statement is received.
- No conditions may be placed on persons seeking access to the forms.
- No information or identification may be required from persons seeking access.

Reproduction fees of no more than 10 cents per page may be charged.

INSTRUCTIONS — COVER PAGE

Enter your name, mailing address, and daytime telephone number in the spaces provided. Because the Form 700 is a document available for public review, you may list your business/office address instead of your home address.

Part 1. Office, Agency, or Court

- Enter the name of the office sought or held, or the agency or court. Consultants must enter the public agency name rather than their private firm name. (Examples: State Assembly; Board of Supervisors; Office of the Mayor; Department of Finance; Hope County Superior Court.)
- Indicate the name of your division, board, or district, if applicable. (Examples: Division of Waste Management; Board of Accountancy; District 45.)
- Enter your position title. (Examples: Director; Chief Counsel; City Council Member; Staff Services Analyst.)
- If you hold multiple positions (for example, a city council member who also is a member of a county board or commission), you may be required to file statements with each agency.

  To simplify your filing obligations, you may complete an expanded statement.

  To do this, enter the name of the other agency(ies) with which you are required to file and your position title(s) in the space provided. Attach an additional sheet if necessary. Complete one statement covering the disclosure requirements for all positions. Each copy must contain an original signature. Therefore, before signing a statement, make a copy for each agency. Sign each copy with an original signature and file with each agency.

  Remember that if you assume or leave a position after a filing deadline, you must complete a separate statement. For example, a city council member who assumes a position with a county special district after the April 1 annual filing deadline must file a separate assuming office statement. In subsequent years, the city council member may expand his or her annual filing to include both positions.

Part 2. Jurisdiction of Office

- Check the box indicating the jurisdiction of your agency and, if applicable, identify the jurisdiction. Judges, judicial candidates, and court commissioners have statewide jurisdiction. All other filers should review Ref. Pamphlet, page 12, to determine their jurisdiction.
- If your agency is a multi-county office, list each county in which your agency has jurisdiction.
- If your agency is not a state office, court, county office, city office, or multi-county office (for example, school districts and special districts), check the "other" box and enter the county or city in which the agency has jurisdiction.

Example:

This filer is a member of a water district board with jurisdiction in a portion of Sutter County.

1. Office, Agency, or Court
Name of Office, Agency, or Court: South Sutter Water District
Division, Board, District, if applicable:
Position: Board member
- If filing for multiple positions, list additional agency(ies)/position(s): (Attach a separate sheet if necessary.)
Agency:
Position:

2. Jurisdiction of Office *(Check at least one box)*
☐ State
☐ County of
☐ City of
☐ Multi-County
☒ Other Sutter County

Part 3. Type of Statement

Check at least one box. The period covered by a statement is determined by the type of statement you are filing. If you are completing a 2007 Annual Statement, **do not** change the pre-printed dates to reflect 2008. Your annual statement is used for reporting the previous year's economic interests. Economic interests for your annual filing covering January 1, 2007, through December 31, 2007, will be disclosed on your statement filed in 2008. (See Ref. Pamphlet, page 3, for detailed information about types of statements.)

Combining Statements: Certain types of statements may be combined. For example, if you leave office after January 1 but before the deadline for filing your annual statement, you may combine your annual and leaving office statements. File by the earliest deadline. Consult your filing officer or the FPPC.

Part 4. Schedule Summary

- Enter the total number of completed pages including the cover page and, either:
- Check the "Yes" box for each schedule you use to disclose interests.

- or -

- If you have nothing to disclose on any schedules, check the "No reportable interests" box. Please do not attach any blank schedules.

Part 5. Verification

Complete the verification by signing the statement and entering the date signed. When you sign your statement, you are stating, under penalty of perjury, that it is true and correct. Only the filer has authority to sign the statement. **An unsigned statement is not considered filed and you may be subject to late filing penalties.**

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

STATEMENT OF ECONOMIC INTERESTS

COVER PAGE

A Public Document

Date Received
Official Use Only

Please type or print in ink.

NAME (LAST)	(FIRST)	(MIDDLE)	DAYTIME TELEPHONE NUMBER ( )
MAILING ADDRESS (May use business address) STREET	CITY	STATE ZIP CODE	OPTIONAL: FAX / E-MAIL ADDRESS

1. Office, Agency, or Court

Name of Office, Agency, or Court: _____

Division, Board, District, if applicable: _____

Your Position: _____

➡ If filing for multiple positions, list additional agency(ies)/ position(s): (Attach a separate sheet if necessary.)

Agency: _____

Position: _____

2. Jurisdiction of Office *(Check at least one box)*

☐ State
☐ County of _____
☐ City of _____
☐ Multi-County _____
☐ Other _____

3. Type of Statement *(Check at least one box)*

☐ Assuming Office/Initial Date: ____/____/____

☐ Annual: The period covered is January 1, 2007, through December 31, 2007.

-or-

○ The period covered is ____/____/____, through December 31, 2007.

☐ Leaving Office Date Left: ____/____/____
(Check one)

○ The period covered is January 1, 2007, through the date of leaving office.

-or-

○ The period covered is ____/____/____, through the date of leaving office.

☐ Candidate

4. Schedule Summary

➡ **Total number of pages including this cover page:** _____

➡ **Check applicable schedules or "No reportable interests."**

I have disclosed interests on one or more of the attached schedules:

Schedule A-1 ☐ Yes – schedule attached
Investments (Less than 10% Ownership)

Schedule A-2 ☐ Yes – schedule attached
Investments (10% or greater Ownership)

Schedule B ☐ Yes – schedule attached
Real Property

Schedule C ☐ Yes – schedule attached
Income, Loans, & Business Positions (Income Other than Gifts and Travel Payments)

Schedule D ☐ Yes – schedule attached
Income – Gifts

Schedule E ☐ Yes – schedule attached
Income – Travel Payments

-or-

☐ No reportable interests on any schedule

5. Verification

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed _____
(month, day, year)

Signature _____
(File the originally signed statement with your filing official.)

WHAT SCHEDULE DO I USE TO REPORT?

Business positions	Schedule A-2 or Schedule C
Commission income	Schedule A-2 or Schedule C (see Ref. Pamphlet, page 7)
Gifts received by family members	Disclosure may not be required, see Schedule D
Gifts received from family members	Disclosure not required, see Schedule D
Income to my business	Schedule A-2
Individual Retirement Account	Schedule A-1 or Schedule B (see Ref. Pamphlet, page 14)
Investments	Schedule A-1 or Schedule A-2
Loans made to others	Disclosure not required, but report repayments on Schedule C
Loans received	Schedule B for real property or Schedule C
Loans to my business	Schedule A-2
Owning a business or partnership	
If I own less than 10%	Schedule A-1
If I own 10% or more	Schedule A-2
Real estate holdings	Schedule B (Schedule A-2 if held by a business entity/trust)
Rental income	Schedule B or Schedule C
Rental property	Schedule B (Schedule A-2 if held by a business entity/trust)
Sale of my home/automobile/boat	Schedule C
Sole proprietorship	Schedule A-2
Spouse's or registered domestic partner's income	Schedule A-2 or Schedule C
Stock holdings	
If I own less than 10% of a company's stock	Schedule A-1
If I own 10% or more of a company's stock	Schedule A-2
Tickets and passes	Schedule D
Travel reimbursements or payments	Schedule E
Trusts	Schedule A-2 (see Ref. Pamphlet, page 14)

QUESTIONS AND ANSWERS

Q. I hold two other board positions in addition to my position with the county. Must I file three statements of economic interests?

A. Yes. However, you may complete one statement listing the county and the two boards on the cover page of the Form 700 as the agencies for which you will be filing. Report your economic interests using the broadest jurisdiction and disclosure requirements assigned to you by the three agencies. Make two copies of the entire statement **before signing it**, sign each copy with an original signature, and distribute one original to the county and to each of the two boards. Remember to complete separate statements for positions that you leave or assume during the year.

Q. I am classified as a department head but recently began acting as city manager. Should I file as the city manager?

A. Yes. File an assuming office statement as city manager. Persons serving as "acting" or "interim" or "alternate" must file as if they hold the position.

Q. I left one state agency to work for another state agency. Must I file a leaving office statement?

A. Yes.

Investment Disclosure

Q. I have an investment interest in shares of stock in a company that does not have an office in my jurisdiction. Must I still disclose my investment interest in this company?

A. Probably. The definition of "doing business in the jurisdiction" is not limited to whether the business has an office in your jurisdiction. See Ref. Pamphlet, page 12, for guidance.

Q. My spouse and I have a living trust. The trust holds rental property in my jurisdiction, our primary residence, and investments in diversified mutual funds. I have full disclosure. How is this trust disclosed?

A. Disclose the name of the trust, the rental property and its income on Schedule A-2. Your primary residence and investments in diversified mutual funds registered with the SEC are not reportable.

Q. I am required to report all investments. I hold many stocks through an account managed by a brokerage firm. Must I disclose these stocks even though I did not decide which stocks to purchase?

A. Yes, you must disclose on Schedule A-1 or A-2 any stock worth $2,000 or more in a business entity located in or doing business in your jurisdiction.

Income Disclosure

Q. I reported a business entity on Schedule A-2. Clients of my business are located in several states. Must I report all clients from whom my pro rata share of income is $10,000 or more on Schedule A-2, Part 3?

A. No, only the clients doing business on a regular basis in your jurisdiction must be disclosed.

Q. I believe I am not required to disclose the names of clients from whom my pro rata share of income is $10,000 or more on Schedule A-2 because of their right to privacy. Is there an exception for reporting clients' names?

A. Regulation 18740 provides a procedure in which a client's name may not be disclosed if disclosure of the name would violate a legally recognized privilege under California law. This regulation may be obtained from our Web site at *www.fppc.ca.gov.*

Q. I am the sole owner of my business. Where do I disclose my income - on Schedule A-2 or Schedule C?

A. Sources of income to a business in which you have an ownership interest of 10% or greater are disclosed on Schedule A-2. See Ref. Pamphlet, page 7, which defines "business entity," for more information.

Q. How do I disclose my spouse's or registered domestic partner's income from an employer?

A. Report the name of the employer as a source of income on Schedule C.

Q. I am a doctor. For purposes of reporting $10,000 sources of income on Schedule A-2, Part 3, are the patients or their insurance carriers considered sources of income?

A. If your patients exercise sufficient control by selecting you instead of other doctors, your patients, rather than their insurance carriers, are sources of income to you.

Gift Disclosure

Q. If I received a gift of two tickets to a concert valued at $100 each, but gave the tickets to a friend because I could not attend the concert, do I have any reporting obligations?

A. Yes. Since you accepted the gift and exercised discretion and control of the use of the tickets, you must disclose the gift on Schedule D.

Q. Co-workers are hosting a retirement party for a public official before the official leaves office. Attendees will pay $45; $35 covers the event's costs (food, decorations, etc.) and $10 goes toward a gift. One co-worker is collecting the funds and making the expenditures. What does the official report on his Form 700?

A. The official discloses the amount that includes the value of the gift, plus $35 (his pro rata share of the event's cost). The source can be identified as "office staff" or "co-workers." The names of individual donors are not required to be reported as long as no individual contributed $50 or more.

Q. Mary and Joe Benson, a married couple, want to give a piece of artwork to a close friend who is a county supervisor. Is each spouse considered a separate source for purposes of the gift limit and disclosure?

A. Yes, each spouse is considered the source of the gift. Therefore, the Bensons may give the supervisor artwork valued at no more than $780. The supervisor must identify Joe and Mary Benson as the source of the gift.

INSTRUCTIONS — SCHEDULES A-1 AND A-2
INVESTMENTS

"Investment" means a financial interest in any business entity which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling $2,000 or more at any time during the reporting period. (See Ref. Pamphlet, page 12.)

Reportable investments include:

- Stocks, bonds, warrants, and options, including those held in margin or brokerage accounts and managed investment funds (See Ref. Pamphlet, page 12.)
- Sole proprietorships
- Your own business or your spouse's or registered domestic partner's business (See Ref. Pamphlet, page 7, for the definition of business entity.)
- Your spouse's or registered domestic partner's investments that are legally separate property
- Partnerships (for example, a law firm or family farm)
- Investments in reportable business entities held in a retirement account (See Ref. Pamphlet, page 14.)
- If you, your spouse or registered domestic partner, or dependent children had a 10% or greater ownership interest in a business entity or trust (including a living trust), you must disclose investments held by the business entity or trust. (See Ref. Pamphlet, page 14, for more information on disclosing trusts.)
- Business trusts

You are <u>not</u> required to disclose:

- Diversified mutual funds registered with the Securities and Exchange Commission (SEC) under the Investment Company Act of 1940
- Bank accounts, savings accounts, and money market accounts
- Insurance policies
- Annuities
- Shares in a credit union
- Government bonds (including municipal bonds)
- Retirement accounts invested in non-reportable interests (for example, insurance policies, diversified mutual funds, or government bonds) (See Ref. Pamphlet, page 14.)

REMINDERS

- Do you know your agency's jurisdiction?
- Did you hold investments at any time during the period covered by this statement?
- Code filers – Your disclosure categories may require disclosure only of specific investments.

- Government defined-benefit pension plans
- Interests held in a blind trust (See Ref. Pamphlet, page 15.)

Use Schedule A-1 to report ownership of less than 10% (for example, stock). Schedule C (Income) may also be required if the investment is not a stock or corporate bond. (See second example below.)

Use Schedule A-2 to report ownership of 10% or greater (for example, a sole proprietorship).

TO COMPLETE SCHEDULE A-1:

Do not attach brokerage or financial statements.

- Disclose the name of the business entity.
- Provide a general description of the business activity of the entity (for example, pharmaceuticals, computers, automobile manufacturing, or communications).
- Check the box indicating the highest fair market value of your investment during the reporting period. If you are filing a candidate or an assuming office statement, indicate the fair market value on the filing date or the date you took office, respectively.
- Identify the nature of your investment (for example, stocks, warrants, options, or bonds).
- If you initially acquired or disposed of your entire investment interest during the reporting period, enter the date acquired or disposed.

Examples:

John Smith holds a state agency position. His conflict-of-interest code requires full disclosure of investments. John must disclose his stock holdings of $2,000 or more in any company that does business in California, as well as those stocks held by his spouse or registered domestic partner and dependent children.

Susan Jones is a city council member. She has a 4% interest, worth $5,000, in a limited partnership located in the city. Susan must disclose the partnership on Schedule A-1 and income of $500 or more received from the partnership on Schedule C.

SCHEDULE A-1
Investments
Stocks, Bonds, and Other Interests
(Ownership Interest is Less Than 10%)

Do not attach brokerage or financial statements.

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

➤ NAME OF BUSINESS ENTITY _____

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

NATURE OF INVESTMENT
- ☐ Stock
- ☐ Other _____ (Describe)

IF APPLICABLE, LIST DATE:

___/___/07 ACQUIRED ___/___/07 DISPOSED

➤ NAME OF BUSINESS ENTITY _____

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

NATURE OF INVESTMENT
- ☐ Stock
- ☐ Other _____ (Describe)

IF APPLICABLE, LIST DATE:

___/___/07 ACQUIRED ___/___/07 DISPOSED

➤ NAME OF BUSINESS ENTITY _____

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

NATURE OF INVESTMENT
- ☐ Stock
- ☐ Other _____ (Describe)

IF APPLICABLE, LIST DATE:

___/___/07 ACQUIRED ___/___/07 DISPOSED

➤ NAME OF BUSINESS ENTITY _____

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

NATURE OF INVESTMENT
- ☐ Stock
- ☐ Other _____ (Describe)

IF APPLICABLE, LIST DATE:

___/___/07 ACQUIRED ___/___/07 DISPOSED

➤ NAME OF BUSINESS ENTITY _____

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

NATURE OF INVESTMENT
- ☐ Stock
- ☐ Other _____ (Describe)

IF APPLICABLE, LIST DATE:

___/___/07 ACQUIRED ___/___/07 DISPOSED

➤ NAME OF BUSINESS ENTITY _____

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

NATURE OF INVESTMENT
- ☐ Stock
- ☐ Other _____ (Describe)

IF APPLICABLE, LIST DATE:

___/___/07 ACQUIRED ___/___/07 DISPOSED

Comments: _____

INSTRUCTIONS – SCHEDULE A-2
INVESTMENTS, INCOME, AND ASSETS OF BUSINESS ENTITIES/TRUSTS

Use Schedule A-2 to report investments in a business entity or trust (including a living trust), in which you, your spouse or registered domestic partner, or your dependent children had a 10% or greater interest, totaling $2,000 or more, during the reporting period and which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction. (See Ref. Pamphlet, page 12.) A trust located outside your agency's jurisdiction is reportable if it holds assets that are located in or doing business in the jurisdiction. You are not required to report a trust that contains no reportable interests. For example, if you have a trust containing only your personal residence, your savings account, and some municipal bonds, you would not report this trust, because these interests are not reportable.

Also report on Schedule A-2 investments and real property held by that entity or trust if your pro rata share of the interest was $2,000 or more during the reporting period.

TO COMPLETE SCHEDULE A-2:

Part 1. Disclose the name and address of the business entity or trust. If you are reporting an interest in a business entity, check "Business Entity" and complete the box as follows:

- Provide a general description of the business activity of the entity.
- Check the box indicating the fair market value of your investment.
- If you initially acquired or entirely disposed of this interest during the reporting period, enter the date acquired or disposed.
- Identify the nature of your investment.
- Disclose the job title or business position you held with the entity, if any (for example, if you were a director, officer, partner, trustee, employee, or held any position of management).

Part 2. Check the box indicating your **gross** income. Gross income is the total amount of income before deducting expenses, losses, or taxes. (This includes your pro rata share of the **gross** income **to the business entity or trust,** as well as your community property interest in your spouse's or registered domestic partner's share.)

Part 3. Disclose the name of each source of income which is located in, doing business in, planning to do business in, or which has done business during the previous two years in your agency's jurisdiction, as follows:

- Disclose each source of income and outstanding loan **to the business entity or trust** identified in part 1 if your pro rata share of the **gross** income (including your community property interest in your spouse's or registered domestic partner's share) to the business entity or trust from that source was $10,000 or more during the reporting period. (See Ref. Pamphlet, page 10, for example.) Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are **not reportable**.
- Disclose each individual or entity that was a source of commission income of $10,000 or more during the reporting period through the business entity identified in part 1. (See Ref. Pamphlet, page 7, for an explanation of commission income.)

  You may be required to disclose sources of income located outside your jurisdiction. For example, you may have a client who resides outside your jurisdiction but who does business on a regular basis with you. Such a client, if a reportable source of $10,000 or more, must be disclosed.

Leave Part 3 blank if you do not have any reportable $10,000 sources of income to disclose. Adding phrases such as "various clients" or "not disclosing sources pursuant to attorney-client privilege" may trigger a request for an amendment to your statement. (See Ref. Pamphlet, page 13, for details about privileged information.)

Part 4. Report any investments or interests in real property held **by the entity or trust** identified in part 1 if your pro rata share of the interest held was $2,000 or more during the reporting period.

- Check the applicable box identifying the interest held as real property or an investment.
- If investment, provide the name and description of the business entity.
- If real property, report the address or other precise location (for example, an assessor's parcel number).
- Check the box indicating the fair market value of your interest in the real property or investment. (Report the fair market value of the portion of your residence claimed as a tax deduction if you are utilizing your residence for business purposes.)
- Identify the nature of your interest.
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property or investment during the reporting period.

SCHEDULE A-2
Investments, Income, and Assets of Business Entities/Trusts
(Ownership Interest is 10% or Greater)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

1. BUSINESS ENTITY OR TRUST

Name _____

Address _____

Check one
☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
___/___/ 07 ACQUIRED ___/___/ 07 DISPOSED

NATURE OF INVESTMENT
☐ Sole Proprietorship ☐ Partnership ☐ _____ Other

YOUR BUSINESS POSITION _____

2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

☐ $0 - $499
☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (attach a separate sheet if necessary)

_____

_____

4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD BY THE BUSINESS ENTITY OR TRUST

Check one box:
☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity or
Street Address or Assessor's Parcel Number of Real Property _____

Description of Business Activity or
City or Other Precise Location of Real Property _____

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
___/___/ 07 ACQUIRED ___/___/ 07 DISPOSED

NATURE OF INTEREST
☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership

☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

1. BUSINESS ENTITY OR TRUST

Name _____

Address _____

Check one
☐ Trust, *go to 2* ☐ Business Entity, *complete the box, then go to 2*

GENERAL DESCRIPTION OF BUSINESS ACTIVITY _____

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
___/___/ 07 ACQUIRED ___/___/ 07 DISPOSED

NATURE OF INVESTMENT
☐ Sole Proprietorship ☐ Partnership ☐ _____ Other

YOUR BUSINESS POSITION _____

2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

☐ $0 - $499
☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF $10,000 OR MORE (attach a separate sheet if necessary)

_____

_____

4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD BY THE BUSINESS ENTITY OR TRUST

Check one box:
☐ INVESTMENT ☐ REAL PROPERTY

Name of Business Entity or
Street Address or Assessor's Parcel Number of Real Property _____

Description of Business Activity or
City or Other Precise Location of Real Property _____

FAIR MARKET VALUE
☐ $2,000 - $10,000
☐ $10,001 - $100,000
☐ $100,001 - $1,000,000
☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
___/___/ 07 ACQUIRED ___/___/ 07 DISPOSED

NATURE OF INTEREST
☐ Property Ownership/Deed of Trust ☐ Stock ☐ Partnership

☐ Leasehold _____ Yrs. remaining ☐ Other _____

☐ Check box if additional schedules reporting investments or real property are attached

Comments: _____

INSTRUCTIONS – SCHEDULE B
INTERESTS IN REAL PROPERTY

Report interests in real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling $2,000 or more any time during the reporting period. (See Ref. Pamphlet, page 12.)

Interests in real property include:

- An ownership interest (including a beneficial ownership interest)
- A deed of trust, easement, or option to acquire property
- A leasehold interest (See Ref. Pamphlet, page 13.)
- A mining lease
- An interest in real property held in a retirement account (See Ref. Pamphlet, page 14.)
- An interest in real property held by a business entity or trust in which you, your spouse or registered domestic partner, or your dependent children had a 10% or greater ownership interest (report on Schedule A-2)
- Your spouse's or registered domestic partner's interests in real property that are legally held separately by him or her

You are <u>not</u> required to report:

- A residence, such as a home or vacation cabin, used exclusively as a personal residence. However, a residence for which you claim a business deduction may be reportable. If reportable, report the fair market value of the portion claimed as a tax deduction.
- Interests in real property held through a blind trust (See Ref. Pamphlet, page 15, for exceptions.)

TO COMPLETE SCHEDULE B:

- Report the address or other precise location (for example, an assessor's parcel number) of the real property.
- Check the box indicating the fair market value of your interest in the property (regardless of what you owe on the property).
- Enter the date acquired or disposed only if you initially acquired or entirely disposed of your interest in the property during the reporting period.
- Identify the nature of your interest. If it is a leasehold, disclose the number of years remaining on the lease.

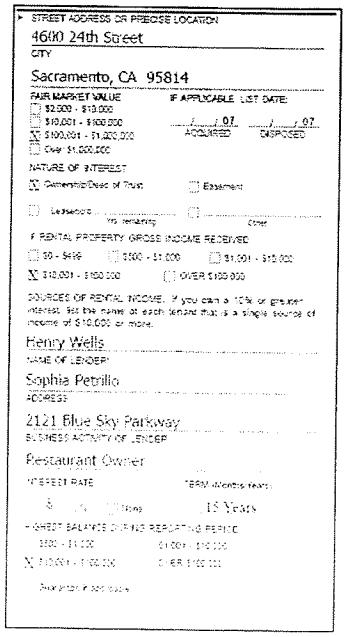
REMINDERS

- Income and loans already reported on Schedule B are not also required to be reported on Schedule C.
- Code filers – Do your disclosure categories require disclosure of real property?

- If you received rental income, check the box indicating the gross amount you received.
- If you had a 10% or greater interest in real property and received rental income, list the name of the source(s) if your pro rata share of the gross income from any single tenant was $10,000 or more during the reporting period. If you received a total of $10,000 or more from two or more tenants acting in concert (e.g., in most cases, this will apply to married couples), disclose the name of each tenant. Otherwise, leave this section blank.
- Loans from a private lender that total $500 or more and are secured by real property may be reportable. Reportable loans may be disclosed on Schedule B or Schedule C. **Loans from commercial lending institutions made in the lender's regular course of business on terms available to members of the public without regard to your official status are not reportable.**
  - Provide the name and address of the lender.
  - Describe the lender's business activity.
  - Disclose the interest rate and term of the loan. The term of a loan is the total number of months or years given for repayment of the loan at the time the loan was entered into. For variable interest rate loans, disclose the conditions of the loan (for example, Prime + 2) or the average interest rate paid during the reporting period.
  - Check the box indicating the highest balance of the loan during the reporting period.
  - Identify a guarantor, if applicable.

If you have more than one reportable loan on a single piece of real property, report the additional loan(s) on Schedule C.

Example:
Joe Nelson is a city planning commissioner. Joe received rental income of $12,000 during the reporting period from a single tenant who rented property Joe owned in the city's jurisdiction. If Joe had received the $12,000 from two or more tenants, the tenants' names would not be required as long as no single tenant paid $10,000 or more.


STREET ADDRESS OR PRECISE LOCATION
4600 24th Street
CITY
Sacramento, CA 95814
FAIR MARKET VALUE
$2,500 - $10,000
$10,001 - $100,000
X $100,001 - $1,000,000
Over $1,000,000
IF APPLICABLE, LIST DATE:
/ / 07 ACQUIRED
/ / 07 DISPOSED
NATURE OF INTEREST
X Ownership/Deed of Trust
Easement
Leasehold
Yrs remaining
Other
IF RENTAL PROPERTY, GROSS INCOME RECEIVED
$0 - $499
$500 - $1,000
$1,001 - $10,000
X $10,001 - $100,000
OVER $100,000
SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.
Henry Wells
NAME OF LENDER
Sophia Petrillo
ADDRESS
2121 Blue Sky Parkway
BUSINESS ACTIVITY OF LENDER
Restaurant Owner
INTEREST RATE
TERM (Months/Years)
8 %
Fixed
15 Years
HIGHEST BALANCE DURING REPORTING PERIOD
$500 - $1,000
$1,001 - $10,000
X $10,001 - $100,000
OVER $100,000
Guarantor, if applicable

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name

SCHEDULE B
Interests in Real Property
(Including Rental Income)

> STREET ADDRESS OR PRECISE LOCATION

CITY

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
___/___/07 ACQUIRED ___/___/07 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.

> STREET ADDRESS OR PRECISE LOCATION

CITY

FAIR MARKET VALUE
- ☐ $2,000 - $10,000
- ☐ $10,001 - $100,000
- ☐ $100,001 - $1,000,000
- ☐ Over $1,000,000

IF APPLICABLE, LIST DATE:
___/___/07 ACQUIRED ___/___/07 DISPOSED

NATURE OF INTEREST
- ☐ Ownership/Deed of Trust
- ☐ Easement
- ☐ Leasehold _____ Yrs. remaining
- ☐ _____ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED
- ☐ $0 - $499
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of $10,000 or more.

* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS

BUSINESS ACTIVITY OF LENDER

INTEREST RATE _____% ☐ None

TERM (Months/Years)

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

NAME OF LENDER*

ADDRESS

BUSINESS ACTIVITY OF LENDER

INTEREST RATE _____% ☐ None

TERM (Months/Years)

HIGHEST BALANCE DURING REPORTING PERIOD
- ☐ $500 - $1,000
- ☐ $1,001 - $10,000
- ☐ $10,001 - $100,000
- ☐ OVER $100,000

☐ Guarantor, if applicable

Comments: _____

INSTRUCTIONS – SCHEDULE C
INCOME, LOANS, & BUSINESS POSITIONS
(Income Other Than Gifts and Travel Payments)

Report the source and amount of gross income of $500 or more you received during the reporting period. Gross income is the total amount of income before deducting expenses, losses, or taxes and includes loans other than loans from a commercial lending institution. (See Ref. Pamphlet, page 10.) Also report your job title with each reportable business entity, even if you received no income during the reporting period. You must also report the source of income to your spouse or registered domestic partner if your community property share is $500 or more during the reporting period.

A source of income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction. (See Ref. Pamphlet, page 12, for more information about doing business in the jurisdiction.) Reportable sources of income may be further limited by your agency's conflict-of-interest code.

Commonly reportable income and loans include:

- Salary/wages, per diem, reimbursement for expenses including travel payments provided by your employer
- Community property interest (50%) in your spouse's or registered domestic partner's income - **report the employer's name and all other required information**
- Income from investment interests, such as partnerships, reported on Schedule A-1
- Commission income not required to be reported on Schedule A-2 (See Ref. Pamphlet, page 7.)
- Gross income from any sale, including the sale of a house or car (report your pro rata share of the total sale price)
- Rental income not required to be reported on Schedule B
- Prizes or awards not disclosed as gifts
- Payments received on loans you made to others, including loan repayments from a campaign committee
- An honorarium received prior to becoming a public official (See Ref. Pamphlet, page 9, concerning your ability to receive future honoraria.)
- Incentive compensation (See Ref. Pamphlet, page 11.)

REMINDERS

- Code filers – Your disclosure categories may not require disclosure of all sources of income.
- If you or your spouse or registered domestic partner are self-employed, report the business entity on Schedule A-2.
- Do not disclose on Schedule C income, loans or business positions already reported on Schedules A-2 or B.

You are <u>not</u> required to report:

- Salary, reimbursement for expenses or per diem, social security, disability, or other similar benefit payments received by you or your spouse or registered domestic partner from a federal, state, or local government agency

See Ref. Pamphlet, page 11, for more exceptions to income reporting.

TO COMPLETE SCHEDULE C:

1. Income Received/Business Position Disclosure

- Disclose the name and address of each source of income or each business entity with which you held a business position.
- Provide a general description of the business activity if the source is a business entity.
- Disclose the job title or business position, if any, that you held with the business entity, even if you did not receive income during the reporting period.
- Check the box indicating the amount of gross income received.
- Identify the consideration for which the income was received.
- For income from commission sales, check the box indicating the gross income received and list the name of each source of commission income of $10,000 or more. (See Ref. Pamphlet, page 7.)
- For income from rental property that is not required to be listed on Schedule B, enter "Rental Income" under "Name of Source," check the box indicating the gross income received, and, if you had a 10% or greater interest in the rental property, list the name of each tenant if your pro rata share of the gross income from that tenant was $10,000 or more during the reporting period.

2. Loan Received

- Disclose the name and address of each lender.
- Provide a general description of the business activity if the lender is a business entity.
- Check the box indicating the highest balance of the loan during the reporting period.
- Disclose the interest rate and the term of the loan.
  - The term of the loan is the total number of months or years given for repayment of the loan at the time the loan was entered into.
  - For variable interest rate loans, disclose the conditions of the loan (for example, Prime + 2) or the average interest rate paid during the reporting period.
- Identify the security, if any, for the loan.

SCHEDULE C
Income, Loans, & Business Positions
(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

1. INCOME RECEIVED

NAME OF SOURCE OF INCOME _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

YOUR BUSINESS POSITION _____

GROSS INCOME RECEIVED

☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income

☐ Loan repayment

☐ Sale of _____ *(Property, car, boat, etc.)*

☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*

_____

☐ Other _____ *(Describe)*

1. INCOME RECEIVED

NAME OF SOURCE OF INCOME _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

YOUR BUSINESS POSITION _____

GROSS INCOME RECEIVED

☐ $500 - $1,000 ☐ $1,001 - $10,000
☐ $10,001 - $100,000 ☐ OVER $100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income

☐ Loan repayment

☐ Sale of _____ *(Property, car, boat, etc.)*

☐ Commission or ☐ Rental Income, *list each source of $10,000 or more*

_____

☐ Other _____ *(Describe)*

2. LOAN RECEIVED

* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER* _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF LENDER _____

HIGHEST BALANCE DURING REPORTING PERIOD

☐ $500 - $1,000
☐ $1,001 - $10,000
☐ $10,001 - $100,000
☐ OVER $100,000

INTEREST RATE _____% ☐ None

TERM (Months/Years) _____

SECURITY FOR LOAN

☐ None ☐ Personal residence

☐ Real Property _____ *Street address*

_____ *City*

☐ Guarantor _____

☐ Other _____ *(Describe)*

Comments: _____

INSTRUCTIONS – SCHEDULE D
INCOME – GIFTS

A gift is anything of value for which you have not provided equal or greater consideration to the donor. A gift is reportable if its fair market value is $50 or more. In addition, multiple gifts totaling $50 or more received during the reporting period from a single source must be reported. **Gifts are reportable regardless of where the donor is located.**

It is the acceptance of a gift, not the ultimate use to which it is put, that imposes your reporting obligation. Except as noted below, you must report a gift even if you never used it or if you gave it away to another person.

If the exact amount of a gift is not known, you must make a good faith estimate of the item's fair market value. Listing the value of a gift as "over $50" or "value unknown" is not adequate disclosure. In addition, if you received a gift through an intermediary, you must disclose the name, address, and business activity of both the donor and the intermediary.

Commonly reportable gifts include:

- Tickets/passes to sporting or entertainment events
- Tickets/passes to amusement parks
- Parking passes
- Food, beverages, and accommodations, including those provided in direct connection with your attendance at a convention, conference, meeting, social event, meal, or like gathering, where you did not give a speech, participate in a panel or seminar, or provide a similar service
- Rebates/discounts not made in the regular course of business to members of the public without regard to official status
- Wedding gifts (See Ref. Pamphlet, page 15, to determine value.)
- An honorarium. You may report an honorarium as income on Schedule C, rather than as a gift on Schedule D, if you provided services of equal or greater value than the payment received. (See Ref. Pamphlet, page 9, regarding your ability to receive future honoraria.)
- Transportation and lodging (see Schedule E)
- Forgiveness of a loan received by you

You are not required to disclose:

- Gifts that were not used and which, within 30 days after receipt, were returned to the donor or delivered to a charitable organization without being claimed by you as a charitable contribution for tax purposes

REMINDERS

- Gifts are limited by law to a value of $390 from any one source in a calendar year.
- See Ref. Pamphlet, page 9, for additional gift and honoraria prohibitions.
- Code filers – You only need to report gifts from reportable sources.

- Gifts from your spouse or registered domestic partner, child, parent, grandparent, grandchild, brother, sister, aunt, uncle, niece, nephew, or first cousin. Included in this exception are gifts from your spouse or domestic partner's children, parents, brothers and sisters, and the spouse or registered domestic partner of the individuals listed above. The exception does not apply if the donor was acting as an agent or intermediary for a reportable source who was the true donor
- Gifts of hospitality involving food, drink, or occasional lodging provided in an individual's home when the individual or a member of the individual's family was present
- Gifts of similar value exchanged between you and an individual, other than a lobbyist, on holidays, birthdays, or similar occasions
- Gifts of informational material provided to assist you in the performance of your official duties (for example, books, pamphlets, reports, calendars, periodicals, or educational seminars)
- A bequest or inheritance. However, inherited investments or real property may be reportable on other schedules.
- Personalized plaques and trophies with an individual value of less than $250
- Campaign contributions
- Tickets to a fundraising event for an Internal Revenue Code Section 501(c)(3) organization
- Tickets to political fundraisers
- Gifts given to members of your immediate family unless you enjoy direct benefit of the gift, use the gift, or exercise discretion or control over the use or disposition of the gift. (See Commission Regulation 18944.)
- A pass or ticket that provided a one-time admission to an event (theater performance, sporting event) that was not used and was not transferred to another person. Commission Regulation 18946.1 provides a method for determining the value of a ticket or pass that was used or transferred to another person and for determining the value of passes or tickets which provide repeated admission to facilities or services
- Food, beverages, and necessary accommodations provided directly in connection with an event at which you gave a speech, participated in a panel or seminar, or provided a similar service

TO COMPLETE SCHEDULE D:

- Disclose the full name (not an acronym), address, and, if a business entity, the business activity of the source.
- Provide the date (month, day, and year) of receipt, and disclose the fair market value and description of the gift.

SCHEDULE D
Income – Gifts

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

➤ NAME OF SOURCE _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	$_____	_____
___/___/___	$_____	_____
___/___/___	$_____	_____

➤ NAME OF SOURCE _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	$_____	_____
___/___/___	$_____	_____
___/___/___	$_____	_____

➤ NAME OF SOURCE _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	$_____	_____
___/___/___	$_____	_____
___/___/___	$_____	_____

➤ NAME OF SOURCE _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	$_____	_____
___/___/___	$_____	_____
___/___/___	$_____	_____

➤ NAME OF SOURCE _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	$_____	_____
___/___/___	$_____	_____
___/___/___	$_____	_____

➤ NAME OF SOURCE _____

ADDRESS _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE (mm/dd/yy)	VALUE	DESCRIPTION OF GIFT(S)
___/___/___	$_____	_____
___/___/___	$_____	_____
___/___/___	$_____	_____

Comments: _____

INSTRUCTIONS – SCHEDULE E
TRAVEL PAYMENTS, ADVANCES, AND REIMBURSEMENTS

Travel payments reportable on Schedule E include advances and reimbursements for travel and related expenses, including lodging and meals.

Gifts of travel may be subject to a $390 gift limit. In addition, certain travel payments are reportable gifts, but are not subject to the gift limit. To avoid possible misinterpretation or the perception that you may have received a gift in excess of the gift limit, you may wish to provide a specific description of the purpose of your travel. See the FPPC fact sheet entitled "Limitations and Restrictions on Gifts, Honoraria, Travel, and Loans," which can be obtained from your filing officer or the FPPC Web site at *www.fppc.ca.gov.*

You are <u>not</u> required to disclose:

- Travel payments received from any state, local, or federal government agency for which you provided services equal or greater in value than the payments received
- Travel payments received from your employer in the normal course of your employment that are required to be reported on Schedule C
- Payments or reimbursements for transportation within California in connection with an event at which you gave a speech, participated in a panel or seminar, or performed a similar service
- Food, beverages, and necessary accommodations received directly in connection with an event held inside or outside California at which you gave a speech, participated in a panel, or provided a similar service. Note that payments for <u>transportation</u> outside of California are reportable
- A travel payment that was received from a nonprofit entity exempt from taxation under Internal Revenue Code Section 501(c)(3) for which you provided equal or greater consideration

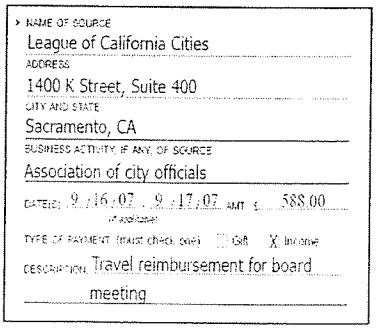
TO COMPLETE SCHEDULE E:

- Disclose the full name (not an acronym) and address of the source of the travel payment.
- Identify the business activity, if any, of the source.
- Check the box to identify the payment as a gift or income, report the amount, and disclose the date(s) if applicable.
  - Travel payments are gifts if you did not provide services that were equal to or greater in value than the payments received. You must disclose gifts totaling $50 or more from a single source during the period covered by the statement. Gifts of travel are reportable without regard to where the donor is located.

    When reporting travel payments that are gifts, you must provide a description of the gift and the date(s) received.
  - Travel payments are income if you provided services that were equal to or greater in value than the payments received. You must disclose income totaling $500 or more from a single source during the period covered by the statement. You have the burden of proving the payments are income rather than gifts.

    When reporting travel payments as income, you must describe the services you provided in exchange for the payment. You are not required to disclose the date(s) for travel payments that are income.

Example:


NAME OF SOURCE
League of California Cities
ADDRESS
1400 K Street, Suite 400
CITY AND STATE
Sacramento, CA
BUSINESS ACTIVITY, IF ANY, OF SOURCE
Association of city officials
DATE(S): 9/16/07 - 9/17/07 AMT $ 588.00
(if applicable)
TYPE OF PAYMENT (trust check one) ☐ Gift X Income
DESCRIPTION Travel reimbursement for board meeting

City council member Rick Chandler is a board member of the League of California Cities. The League reimburses its board members for travel and lodging, as well as meals and other expenses associated with board meetings. If Rick provides equal or greater consideration for the travel and lodging when he participates in the meeting, the reimbursements are reported as income.

SCHEDULE E
Income – Gifts
Travel Payments, Advances, and Reimbursements

CALIFORNIA FORM 700
FAIR POLITICAL PRACTICES COMMISSION

Name _____

- Reminder – you must mark the gift or income box.
- You are not required to report "income" from government agencies.

➤ NAME OF SOURCE _____

ADDRESS _____

CITY AND STATE _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE(S): ___/___/___ - ___/___/___ AMT: $_____
(If applicable)

TYPE OF PAYMENT: (must check one) ☐ Gift ☐ Income

DESCRIPTION: _____

➤ NAME OF SOURCE _____

ADDRESS _____

CITY AND STATE _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE(S): ___/___/___ - ___/___/___ AMT: $_____
(If applicable)

TYPE OF PAYMENT: (must check one) ☐ Gift ☐ Income

DESCRIPTION: _____

➤ NAME OF SOURCE _____

ADDRESS _____

CITY AND STATE _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE(S): ___/___/___ - ___/___/___ AMT: $_____
(If applicable)

TYPE OF PAYMENT: (must check one) ☐ Gift ☐ Income

DESCRIPTION: _____

➤ NAME OF SOURCE _____

ADDRESS _____

CITY AND STATE _____

BUSINESS ACTIVITY, IF ANY, OF SOURCE _____

DATE(S): ___/___/___ - ___/___/___ AMT: $_____
(If applicable)

TYPE OF PAYMENT: (must check one) ☐ Gift ☐ Income

DESCRIPTION: _____

Comments: _____

Appendix D

CITY OF LONG BEACH

OATH OR AFFIRMATION OF ALLEGIANCE

(Pursuant to Section 3 of Article XX of the State Constitution of the State of California)

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

_____
SIGNATURE

_____
DEPARTMENT

The above oath was taken and subscribed to before me on _____.

_____
CITY CLERK, NOTARY OR OTHER PERSON
AUTHORIZED TO ADMINISTER OATHS

SF-315 (6/00)

Robert's Rules of Order

Quick Reference Outline

I. *COMMON MOTIONS*

These motions are listed in order of precedence. In other words, if a motion is listed above a motion that is being discussed, you can interrupt that discussion to present the new motion. If it is listed below the motion being discussed, you have to wait until the discussion is complete.

Adjourn

When you want to end the meeting, you say, "I move we adjourn." The motion requires a second, is not debatable, and must be put to an immediate vote. It requires a majority vote for passage. Adjournment ends the meeting. Any unfinished business is then considered old business at the next meeting.

Recess

When you want to suspend the meeting, take a break, or just hold off until a specific time before the next regular meeting, "I move we recess until _____." The motion requires a second, is debatable only as to the time of the resumption of the meeting, and requires a majority vote. The only acceptable amendment is on the time of the resumption of the meeting.

End Debate

When you want to end debate and put the question being discussed to an immediate vote, you say, "I move we end the debate." The motion requires a second, is not debatable, is not amendable, and requires a 2/3 vote. If there is more than one part of the proposal being discussed., i.e., there are amendments, or other motions to refer to committee, or to postpone, etc., you should specify whether you are moving for a vote on the item under immediate consideration or on all matters pertaining to that question.

If there is no objection, the chairman may end debate on his own or at the suggestion of a member. However, if there is an objection from any member, a motion is required to end the debate. *(In some organizations the phrase "I would like to call the question" is often used instead of a move to end debate).*

Limit Debate

When you want to limit debate to a certain amount of time or to a certain number of additional speakers, you say, "I move we limit the debate to _____ [a specified number of speakers on each side or a specific time]." If there is more than one part to the proposal being considered, you should specify whether you want to limit debate to just one item under discussion or to all discussion on the main question. The motion requires a second, is not debatable, and requires a 2/3 vote. (The same special restrictions for the motion to end debate hold for the motion to limit debate.)

Refer to a Committee

When you want to have a smaller group go over what is being discussed before further action, you say, "I move we refer this matter to _____." The motion requires a second, is debatable and amendable only as to which committee will handle the matter, and requires a majority vote.

Business may be referred to an existing group, i.e. executive committee, or to an *ad hoc* committee which is a committee especially established for a specific purpose and exists until the matter is resolved.

Motion

A motion is the formal proposal of a suggestion for consideration of the group. A motion gives the group something to react to and act on so that there can be a final decision. A motion limits discussion to something definite so that everyone knows what is at stake and what the outcome will be. To make a motion, a member says, "I move that _____."

A second is required and indicates that at least two people feel that the proposal merits consideration. If a second is not given, the item is not discussed, simply because it doesn't have enough support to be considered. To second a motion, a member says, "I second that motion."

Amendments or Substitute Motions

Amendments are suggested changes to the motion before the body. They are often referred to as "substitute motions." They must be germane (which means they must have something to do with the motion being discussed). There can even be an amendment to an amendment, but that's all. (In other words, only <u>two</u> substitute motions can be pending at any given time). Amendments have to be seconded. Once before the group, discussion is limited to the amendment in question. <u>The group votes on the last amendment proposed and works its way back to the main motion</u>. Usually, but not always, the group's vote on the amended or substitute motion dispenses with the matter, and no action is necessary on the main motion.

To amend a motion a member says, "I move to amend the motion by _____," or "I wish to make a substitute motion that _____."

Appeal

When you want to reverse a decision or ruling of the chairman, you say, "I appeal the decision of the chair (stating the action or decision that is objected to.") This appeal requires a second. The chairperson may explain his or her reason for decision without leaving the chair. The appeal is debatable, is not amendable, requires a majority vote to overrule the chair. The appeal must be made immediately after the decision in question. The chair must recognize all appeals.

Withdraw a Motion

When you have made a motion and want to withdraw it, you say, "I withdraw my motion," and that's it – unless discussion has started on your motion. Then it is the property of the body and can only be withdrawn by a motion to permit withdrawal which requires a second, is neither debatable nor amendable, and requires a majority vote. Of course, if no one objects, a motion may be withdrawn at any time.

II. MOTIONS WHICH CANNOT BE AMENDED

In all of the motions listed in this section, the members either allow something to occur or they do not allow it. A member is either granted a request or is not. Normally, there is no half way position; there is no modification. (Notice that among the common motions, if you cannot debate them, then you probably cannot amend them either).

1. Adjourn
2. Lay on the Table/Take from the Table
3. Dispense with Reading of the Minutes
4. Postpone Indefinitely
5. Previous Question (Close Debate)
6. Parliamentary Inquiry
7. Point of Information

8. Point of Order

9. Appeal from the Decision of the Chair

10. Reconsider a Motion

III. ACTIONS AFTER A MOTION HAS BEEN ADOPTED

For every means of disposing of a motion, there is a means of returning the motion to the board, (with certain slight limitations).

Move to Rescind (annul or repeal)

Anyone regardless of how he or she voted and without time limitations (but with previous notice) may move to annul a motion already adopted. You always have the right to annul or amend something already adopted. There are no arbitrary restrictions, just a couple of logical ones:

1. If on the day a motion was passed, someone has moved to **reconsider the vote** on that motion, you can neither rescind nor amend that motion, until after the motion to reconsider has been resolved.

2. If the motion you wish to rescind has been **executed in an irreversible manner,** you cannot rescind it. However, any reversible portion can be amended. If a part of the motion has not been executed, you can probably amend the unexecuted portion of the motion.

3. If a motion results in a contract, you cannot rescind the motion.

4. If the motion acts upon a resignation, or results in an election/expulsion, and the **person involved is officially notified** of the voting, you cannot rescind the motion.

In order to rescind a motion, it takes at least a 2/3 vote unless the membership has received a "previous notice."

Move to Reconsider the Vote on . . .

If a member votes on the prevailing side, he or she may move to reconsider the vote at that same meeting.

How do you count abstentions? As ayes? As no's?

In the usual case, abstentions are not counted. They are not "votes" technically. In a room of 100 people, a vote of 1-0 (one affirmative and zero negative) is legitimate, and renders a binding decision. Also, a vote of 1-0 in room of 100 people is technically a "unanimous vote" because there was no vote in opposition. However, if the bylaws specify "a majority of those PRESENT" or "two-thirds of those "PRESENT", instead of "PRESENT AND VOTING", then an abstention has the same effect as a negative vote.

What is a majority? Fifty-one percent? Fifty percent plus one?

The word "majority" means "more than half." The false definition "51%" only applies to units of exactly 100; the false definition of "50% + 1" is only true for even numbers, and false for odd numbers.

In the event of a tie vote what are the Chair's duties or options?

On a tie vote, a motion requiring a majority vote for adoption is lost, since a tie is not a majority. If the presiding officer is a member of the assembly, he can vote as any other member.

When nominations for offices are being taken from the floor, and in a situation in which the office calls for more than one person to be elected, can one make a nomination for more than one person at the same time?

No – unless nobody objects.

Can a member vote on or second a motion to approve the minutes of a meeting that he or she did not attend?

Yes. There is no requirement in Robert's Rules of Order that a member have first-hand knowledge of something before voting on minutes or other motions. In fact, a motion need not be made regarding the approval of the minutes. The chair says, "Are there any corrections to the minutes?" Members may offer corrections, and when there are no further corrections forthcoming, the chair says, "If there are no further corrections to the minutes, they stand approved as corrected . . . the next item of business is _____" or if no corrections are offered, "If there are no corrections to the minutes, they stand approved as read . . . the next items of business is . . ." Note that there is no second involved in this process.

How many times can minutes be corrected after they are approved?

There is no limit as far as Robert's Rules are concerned.

Appendix F

HANDBOOK FOR LONG BEACH CITY OFFICIALS & EMPLOYEES

Mayor
Bob Foster

City Council
Bonnie Lowenthal
Suja Lowenthal
Gary DeLong
Patrick O'Donnell
Gerrie Schipske
Dee Andrews
Tonia Reyes Uranga
Rae Gabelich
Val Lerch

- *Ethics*
- *Conflicts of Interests*
- *Financial Disclosure*
- *Accepting Gifts*
- *Political Activities*
- *Post-City Service Restrictions*
- *Open MeetingLaws*
- *Public Records*

Prepared by the Office of the Long Beach City Attorney
ROBERT E. SHANNON, City Attorney

May 2007

INTRODUCTION

Thank you for your service and commitment to the citizens of the City of Long Beach. The goal of this Handbook is to increase your awareness of the ethics, conflict of interest and open meeting laws which will govern your service, and to provide you with information about how to seek advice on these matters from the Office of the City Attorney.

Robert E. Shannon, City Attorney

ANY TIME YOU NEED ASSISTANCE

The information provided here describes these regulations in general and encourages City employees, officers and commission members to remain aware of potential ethics, conflict of interest and open meeting issues. The law in this area is sometimes complex and legal advice is always dependent on the specific facts of a given situation. Therefore, it may be necessary for you to seek legal advice regarding your specific situation. For additional information please contact:

Office of the City Attorney
333 W. Ocean Boulevard, 11th Floor
Long Beach, California 90802

Telephone: (562) 570-2200
Fax: (562) 436-1579
E-Mail: cityattorney@longbeach.gov

Information about ethics, conflict of interest and other rules are also available on the Long Beach City Attorney's Web site:

http://www.longbeach.gov/attorney

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CODE OF ETHICS

On February 6, 2003, the City Council of the City of Long Beach adopted a Code of Ethics, which applies to City employees, officers and commission members. This Code requires that all employees, officers and commission members shall pledge:

- To place the best interests of the City above all other interests.
- To uphold all laws, regulations and policies.
- To take no action for the purpose of benefitting the official or employee personally.
- To make every effort to avoid a conflict of interest.
- To avoid disclosure of confidential information obtained in the performance of his or her duties or in his or her official capacity.
- To exercise prudence and good judgment at all times.
- To be fair, impartial, and unbiased in the decision-making process.
- To treat each other and the public with respect.

ETHICS TRAINING

Commencing on January 1, 2006, a state law now requires that certain City officials participate in ethics training.

Who is Required to Receive Ethics Training?

All elected officials, commission, and advisory boardmembers are required to participate in such training. Failure to complete this requirement will result in dismissal from the board or commission.

How Often is the Training Required?

Two hours of training is required prior to December 31, 2006, then two additional hours are required for every two years of service on the commission or advisory board.

What Topics are Included in the Training?

The required topics are general ethical principals, laws relating to personal financial gain by public servants, perks of office, and government transparency laws, among other topics.

How do I Sign up for the Training?

Please contact the Long Beach City Clerk's Office for details on the City-provided training. Please note that you are responsible for providing a Certificate of Participation in the training, which will be kept on file in the City Clerk's Office.

CONFLICTS OF INTERESTS

Conflict of interest rules exist to reinforce public confidence that City officials, employees and commissioners are acting in the best interests of the public, and not in furtherance of their own self-interests. As a general rule, you should avoid situations where your official actions may affect or appear to affect your private interests, financial or non-financial.

For the purposes of this Handbook, references to "board members" includes City councilmembers, commission members and committee members.

What is a Conflict of Interest?

You have a conflict of interest if your public actions as a City official, employee or board member affect your personal financial interests or the interests of your immediate family members. It does not matter whether the action has a negative or positive effect on the interest. Therefore, state law prohibits you from making, participating in making, or attempting to influence *any* government decision if it is reasonably foreseeable that the decision will have a material financial effect on any of your economic interests or those of an immediate family member.

Decisions Related to Contracts

State law prohibits you from being financially interested in any City contract if your duties call on you to participate in any way or at any stage in the approval of the contract. Any participation (including discussion) in the process by which such a contract is developed, negotiated or executed is a violation of the law.

CONFLICTS OF INTERESTS

How Do I Know If I Have a Conflict?

It can be difficult to determine whether you have a legal conflict of interest pursuant to state law. Therefore, you should *always* contact the City Attorney's Office if a question arises.

You may have a conflict of interest if:

- You are an officer, director, partner, employee, trustee or manager of a company with business before your department or board.
- You have an investment of $2,000 or more in a company with business before your department or board.
- You have an interest in real property of $2,000 or more and that real property is the subject matter of an item before your department or board. This includes leasehold interests that are longer than a "month-to-month" tenancy.
- You own or lease an interest in real property that is located within 500 feet of a property which is the subject matter of a decision before your department or board. (An "interest in real property" does not include a "month-to-month" tenancy.)
- You receive any income which totals $500 or more within the prior 12 months, from a person or entity with business before your department or board. Income includes loans or forgiveness of indebtedness.
- You receive a gift or gifts totaling $360 or more within the prior 12 months, from a person or entity with business before your department or board (gifts include rebates, discounts, free meals, free tickets or travel).

- You or someone that is a source of income to you ($500 or more within the prior 12 months) is the subject of a proceeding before your department or board.

- As a result of a decision before your department or board your personal finances or those of your immediate family will either increase or decrease in any manner.

Remember that if you are married, one-half of your spouse's income is deemed to be your income. Therefore, if your spouse has any of the interests described above, you will have a conflict of interest.

The City Attorney will work with you to determine if you have a conflict pursuant to City or state law and to determine whether you must "disqualify" yourself. Please note that the mere presence of one of the interests listed does not necessarily mean that you have a conflict. Since other factors may be involved, if there is any question you should consult with the City Attorney's Office.

What Are the Remedies for Conflicts?

If a conflict of interest exists, you must be "disqualified" – meaning that you must **abstain** from making, participating in making, discussing or attempting to use your official position in any way to influence the government decision that might affect that personal interest. (If you are a Councilmember, you must also leave the room while the issue is being discussed.) Again, the City Attorney's Office will provide advice concerning the existence of a conflict and if disqualification is required. Further, there are circumstances when your entire board may be disqualified.

Please be aware that severe penalties may result for you and the City, if you do not abstain when appropriate.

How Do I Disqualify Myself If I Have a Conflict of Interest?

If disqualification on a meeting agenda item is required, you must **publicly disclose** the interest which is the subject of the potential conflict as well as the fact that you are disqualifying yourself from any participation in the decision. The disclosure may be made orally at the public meeting and/or in writing to the board secretary and must be made a part of the agency's official records (e.g., the minutes of the meeting.)

FINANCIAL DISCLOSURE

State law requires that all cities adopt a Conflict of Interest Code, which requires that designated City employees and officials make a written disclosure of certain financial interests.

What is a Conflict of Interest Code?

A Conflict of Interest Code is a set of rules and regulations adopted pursuant to California's Political Reform Act. Each Conflict of Interest Code designates positions required to file a **Statement of Economic Interests - Form 700**, and assigns disclosure categories specifying the types of interests to be reported.

The types of interests you must disclose depend upon the responsibilities of your designated position. The disclosure requirements may include the reporting of investments, business positions, interests in real property, income and other financial interests.

How Do I Know I Must File a Statement of Economic Interests - Form 700?

If you are required to file, the City Clerk will notify you of this fact in writing immediately upon your commencement of service with the City.

Why Do I Have To File A Statement of Economic Interests - Form 700?

California state law requires the filing of Statements of Economic Interests. The Act states that:

> "Assets and income of public officials which may be materially affected by their official actions should be disclosed (and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided)."

FINANCIAL DISCLOSURE

All elected City officials, board and advisory committee members must file Statements of Economic Interests. Certain employees holding positions that involve making or participating in the making of decisions, which may foreseeably have a material effect on the employee's financial interests, must also file.

For more information on this subject, please review the FPPC guide, *Your Duty to File*, at:
http://www.fppc.ca.gov/pdf/seicolorpdf.pdf

When Do I Have To File?

The Statement of Economic Interests - Form 700 must be filed under the following circumstances:

- An **Initial** statement is required within 30 days after the date when an office or position has been added to a newly-adopted or newly-amended conflict of interest code.

- An **Assuming Office** statement is required within 30 days after the date when you take your new position.

- **Annual** statements are required by April 1 of each year, covering the preceding calendar year. If you assumed office on or after October 1st of that year, no annual statement is due until the following April.

- A **Leaving Office** statement is required within 30 days after the date you leave a designated position.

Where Do I Have To File?

The completed Statement of Economic Interests - Form 700 must be received in the City Clerk Department, 333 W. Ocean Boulevard, Long Beach, CA 90802, on or before the filing deadline. Faxes are not accepted, and the Form 700 must include an original signature.

How Do I Complete My Statement of Economic Interests

This depends upon what interests you are required to disclose, and what interests you hold. The City Clerk will supply you with the Form 700 and the appropriate department's Conflict of Interest Code which outlines your disclosure categories.

- **Complete** the top section of the Cover Page of the Form 700 with your full name, mailing address (may be a business address), and daytime phone number.

  - **Section #1, Office, Agency or Court:** Put the name of the **department** you work for or your **board** or **commission** on the first line. On the second line, if you are in a department that is broken into divisions, please list your **division**. On the third line, put the **name of your position** as it appears in the Conflict of Interest Code.

    There are a few people who hold more than one designated position. They may file a single "expanded statement," which discloses all the interests required of them by each of their disclosure categories.

  - **Section #2:** Your **jurisdiction** is the City of Long Beach.

  - **Section #3:** You will be advised by letter of the type of statement, whether **Initial, Assuming, Annual**, or **Leaving**. If Initial, Assuming or Leaving, check the appropriate box and fill in the date.

  - **Period Covered:** For the Annual Statement, remember that you are disclosing information from the previous *calendar* year. For an Initial or Assuming statement, you are disclosing information from the year prior to your appointment date.

FINANCIAL DISCLOSURE

- Carefully **review your disclosure category** to determine if you have reportable interests.

- **Read the instructions** for each schedule of the Form 700, and be sure to use the appropriate schedule for each type of interest you must report. Put your name on each schedule you complete.

- When you have completed the appropriate schedule(s), go back to the Cover Page of the Form 700. Go to:

  - **Section #4, Schedule Summary**: If you have disclosed reportable interests on any of the schedules, **attach** them to the Cover Page. Please **check the appropriate box** or boxes in Section #4. You are confirming that one or more schedules are attached to the cover page and contain information that you are required by law to disclose.

  - You may have no interests of the type you are required to disclose, according to your conflict of interest code. **If you do not complete any schedules, check the "No Reportable Interests" box** and file only the completed and signed cover page with the City Clerk Department.

  - Indicate the total number of pages completed including the Cover Page.

  - **Section #5, Verification: You must date** and **sign** the cover page. *The Form 700 cannot be accepted without your original signature.*

Who Will See My Form?

Once filed, **the Form 700 - Statement of Economic Interests is a public document**, and must be made available to the public on request. Filers must sign the Form 700 under penalty of perjury.

What Else Should I Know?

FILE ON TIME! Late filers may face fines or other penalties. Persons who do not file within 30 days of specific written notice provided by the City Clerk may be removed from their positions.

Where Do I Go For Help?

Questions relating to the City of Long Beach's Conflict of Interest Code and local filing obligations should be directed to the City Clerk. Questions of a legal nature may be directed to the Office of the City Attorney.

An interactive version of the Statement of Economic Interests - Form 700 and more information relating the Political Reform Act is available from the Fair Political Practices Commission (FPPC) website at **www.fppc.ca.gov/**. You may also contact the Fair Political Practices Commission's toll free help line at (866) 275-3772. For more detailed information, see *How Do I Get Advice From the FPPC?* at:

http://www.fppc.ca.gov/pdf/advice.pdf

ACCEPTING GIFTS

The state's Political Reform Act regulates your receipt of certain gifts. These laws apply to all persons required to file a Statement of Economic Interests - Form 700. It is important for you to be familiar with these laws because accepting a prohibited gift may subject you to penalties and may require the City to void contracts if a conflict of interest has occurred.

What is a Gift?

A "gift" is anything of value that you receive for which you do not provide monetary or other consideration of equal or greater value. A gift may include meals, tickets to sporting events, and rebates or discounts in the price of anything of value unless the rebate or discount is made in the regular course of business to any member of the public without regard to official status. Any official who claims that he or she did not receive a gift because he or she provided consideration has the burden of proving that the consideration is worth as much as or more than the gift.

Important Note For City Employees in City Manager Departments

City employees working in departments under the City Manager's jurisdiction are subject to restrictions on the acceptance of gifts **in addition** to those set forth below. Such employees **may not** accept passes or tickets to recreational or entertainment events, unless they are assigned to attend such events as part of their duties. Further, they **may not** accept gifts of consumable goods, such as food, drink and other products provided by someone actually or potentially involved with business with the City.

ACCEPTING GIFTS

Gift Restrictions for City Officials and Board Members

You may *not* accept any gift intended to influence you in the performance of your official duties. In addition, those persons who are required to file statements of economic interests may not accept a gift or combination of gifts during the calendar year from a single source with a total value that exceeds **$360** if the gift is required to be reported on your statement of economic interests. A gift is required to be reported if the donor is described as a source of income in your agency's Conflict of Interest Code.

Accepting Honoraria

Honoraria are gifts or payments received for speaking engagements, etc. There are complex regulations governing when honoraria may be accepted, so please contact the City Attorney's Office prior to accepting any honorarium.

Public Disclosure of Gifts

You must *publicly disclose* a gift you receive and its value if:

- the donor is a source described in your agency's Conflict of Interest Code; and
- the total value of all gifts you received from that source during the calendar year is at least **$50**.

If the exact dollar amount of a gift is unknown, you must report a good faith estimate of the item's fair market value on your statement of economic interests. Reporting the value as "over $50" or "value unknown" is not adequate disclosure. This disclosure should be made on your Statement of Economic Interests - Form 700.

ACCEPTING GIFTS

Exceptions to the Gift Limits

Items listed below are *not* subject to City or state gift limitations, and, if received, need *not* be disclosed on your statement of economic interests, except where noted.

- Gifts not used and returned or donated to charity or the City without being claimed as a tax deduction within thirty (30) days after acceptance.

- Tickets to a fundraising event for a tax exempt non-profit organization, or to a political fundraising event.

- Gifts from family members (spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother or sister-in-law, nephew, niece, aunt, uncle, first cousin, or the spouse of any of these persons) or a partner in a bona fide dating relationship as long as they are not acting as intermediaries for restricted sources.

- Gifts to you or an immediate family member in connection with a non-recurring ceremonial event (e.g., wedding, bar mitzvah) valued at no more than $100.

- Informational material such as books, reports, pamphlets, calendars, seminars, or informational conferences exclusively for official or office use and valued at less than $250. (Note: travel is never informational material.)

- Items received from your union; food and beverage from another union if you are a member of a union.

- Personalized plaques and trophies valued at less than $250.

- Meals and lodging offered in an individual's home.

- Meals provided at an event at which you speak, participate in a seminar, or provide a similar service.
- Meals paid for by a local, state, federal, or foreign governmental agency.
- Inheritances and bequests.

Are Meals Considered Gifts?

Yes. A meal is a gift, unless one of the exceptions to the gift limitation regulations applies. For example, a meal given to an official at an event at which the official gives a speech, participates in a panel or seminar, or provides a similar service is not considered a gift if the meal is consumed on the day of the event. A meal provided to an official by an individual in his or her home when the individual or a member of the individual's immediate family (an individual's spouse and dependent children) is present is also not considered a gift.

Are Invitations to Events Considered Gifts?

Yes. An invitation or a ticket to an event is considered a gift, unless it is a political fundraiser or a fundraiser for an organization exempt from taxation (i.e., a charitable organization). If the event is not exempt, the reportable value of the invitation or ticket is generally its face value. If there is no face value, the reportable value is the cost to the donor. It is your responsibility to contact the donor to ascertain the total per-person cost of the event. In other words, you must ask the person or entity hosting the event to determine your pro-rata share of the total cost, including food, beverages, entertainment, decorations, etc. As discussed below, if you give the invitation or ticket to someone else, you must still report it as a gift to you. In addition, if you take a guest with you to the event, you must report the value of two invitations/tickets. If a ticket or invitation is discarded or unused, it is not considered a gift.

If a Gift is Given Away, Does it Still Count As A Gift?

Yes. If you receive a gift and then give it to someone else or throw it away, it is *still* considered a gift to you.

Gifts of Travel are Restricted

Generally, you may not accept reimbursement for travel and related expenses from sources other than the City of Long Beach if traveling on official duty. Some exceptions apply, and you should contact the City Attorney's Office for advice about how to proceed if such travel is offered. It is important to get advice, because if an outside entity pays for your travel, the travel must meet state guidelines, and you will have public disclosure requirements.

Travel that is offered to you as a gift is subject to the gift limits – even if offered to you in your personal life outside the scope of your official duties. In some cases, you may be prohibited from accepting a "gift of travel." For example, City officials may *not* accept a gift of travel from any transportation company, included, but not limited to, airlines, railroads, bus and shipping companies.

Exemptions to the gift limits may apply for certain types of travel offered to you depending on the destination and whether you are providing a service, such as making a speech, in exchange for the travel. For information, please contact the Office of the City Attorney.

POLITICAL ACTIVITY

Laws governing the political activity of City officials have been established to: (1) safeguard public resources; (2) ensure the government remains nonpartisan and neutral in election matters; and (3) protect City employees from pressure to support or oppose candidates or ballot measures.

What Is Prohibited Political Activity?

You **may not**:

- use or authorize the use of City offices, stationery, telephones, vehicles, equipment or any other City property for any campaign activity;
- engage in fundraising or other campaign activities during hours for which you are paid to conduct City business;
- knowingly solicit contributions for or against a political candidate or ballot measure from *any* City official or employee. Soliciting a contribution from the spouse of a City officer or employee is permissible so long as it is not a subterfuge for soliciting the City employee;
- permit yourself to be solicited for a campaign contribution by another City official or employee;
- receive, deliver, or attempt to deliver a political contribution in City Hall, any City office building, or in any office for which the City pays the majority of the rent.

POLITICAL ACTIVITY

What Is Permissible Political Activity?

You **may**:

- perform volunteer work, endorse* candidates, and take a position on ballot measures, as long as these activities do not involve the use of City time, property, facilities or equipment;

- use your own funds to make political contributions, subject to applicable laws;

- solicit political contributions from persons *other* than City officials and employees on behalf of candidates or ballot measures.

- use City resources to provide unbiased, balanced, and factual information about the purposes, provisions and estimated impact of City, state and school district bond issues and ballot measures, as long as all views on the subject are equally presented. (Remember, however, that City funds may not be spent to urge the passage or defeat of any ballot measure.)

*City officials should make clear that they are acting as individuals and take *all* steps to avoid giving the impression that the City supports the candidate.

POST-CITY SERVICE RESTRICTIONS

To prevent former City officials, employees and board members from exercising, or appearing to exercise, improper influence over City decision-making, City law establishes certain "revolving door" limits on their attempts to influence City decisions after they leave City service. These restrictions apply to you only if you are compensated for these activities.

The One-Year Restriction

All former City employees, officials and board members must observe a one-year ban on directly communicating, for compensation, with their former agency for the purpose of attempting to influence action on any matter pending before that agency. (Mayors and City Councilmembers may not communicate, for compensation, with *any* City agency for the purpose of influencing action on any pending matter.)

Exceptions to the One-Year Restriction

Exceptions to the restrictions occur under limited circumstances, including

- if your communication is made when you are an elected or appointed employee or officer of *another* public agency; or
- if your communication is made when representing yourself, *in your individual capacity*, in connection with a matter before the agency.

OPEN MEETING LAWS

Meetings of the City Council and nearly all of the City's boards, commissions and committees are subject to extensive regulations known as the Brown Act (the "Act"), which are designed to ensure that all deliberations and decisions of City agencies take place in public. It is important for City councilmembers and board members to understand these requirements, because a violation may either void the proposed action or subject the board members to criminal liability.

What Bodies Are Covered by the Brown Act?

The Act governs the meetings of all local "legislative bodies," that is, all multimember councils, boards, commissions, committees and the like of the City. Only bodies created by charter, ordinance or the minute order of the City Council are covered by the Act.

Committees May Also Be Covered

The Act also governs the meetings of "standing committees" (those which have continued responsibility over a particular subject matter, as well as those with fixed meeting schedules) of the City's boards. It may not include temporary advisory committees (or "ad hoc" committees) which consist solely of less than a quorum of the members of the board, but the City Attorney's Office should be consulted. These will typically be committees of two members (of a five-member board) assigned to investigate and report back on a single issue.

What is a Meeting?

A "meeting" of a board includes a gathering of at least a majority of the members (i.e., a quorum) at the same time and in the same place to hear, discuss or act on one or more matters under the jurisdiction of the board.

Such meetings may lawfully be held *only* if the notice and other requirements discussed below are followed.

Informal, social gatherings of board members are *not* meetings, and need not comply with the Act, as long as there is no discussion of any subject matter under the board's jurisdiction. If these informal gatherings will involve discussions among a majority of the members relating to the board's official business, the meeting should be properly noticed, and an agenda of the business items that will be discussed must be posted. The public must be allowed to attend and participate.

The Act prohibits the use of direct or indirect communications, intermediaries or technical devices used by a majority of a board to assist them in arriving at any decision, which is called a "serial meeting." For instance, the Chair may not call two other members of a five member board to discuss an agenda item. Nor may one member contact a second member, who then calls a third member. The same is true for the use of forwarded e-mails, blanket faxes and the like for communication among a majority of members.

May a Majority of Board Members Attend a Conference or a Meeting of a Private Group?

Members *may* attend a conference or a meeting of a private group (e.g., a homeowner association), even if the conference or meeting will discuss matters of general interest to the community. However, a majority of the members may attend such an event at the same time *only* if:

- The conference or meeting is open to attendance by the public;
- If the event is a meeting of a private group, it has been publicized; and
- The members do not discuss among themselves, other than as part of the scheduled program, business that is within the subject matter jurisdiction of the board.

Otherwise, a conference attended by a majority of members must be open to the public. The Act does not require the organizers to allow members of the public to attend free of charge if others are charged an admission fee.

What Are the Act's Notice and Agenda Requirements?

Requirements for Regular Meetings

The time and place for regular board meetings are established by ordinance, resolution or rules of order. They can be changed by similar formal action.

The agenda of a regular meeting of a board must be posted at least 72 hours before the start of the meeting. With the exceptions described below, all matters that will be discussed or acted on by the board must be listed on the agenda.

Requirements for Special Meetings

A "special meeting" of a board may be called by posting a notice/agenda and by delivering (by mail or personal delivery) the notice/agenda to all members and to all media outlets that have requested to be so notified 24 hours before the meeting. The notice/agenda must state the place and time of the meeting, as well as the matters that will be discussed and/or decided.

Exceptions to the Agenda Requirement

Under almost all circumstances, a matter may not be discussed at board meetings unless it is listed on the agenda. A board may discuss a matter that is not on the agenda at a regular meeting *only* if one of the following requirements are met:

- By majority vote, the board determines that the issue to be discussed constitutes an emergency. This discussion must be held in open session.

- By a two-thirds vote of the entire membership, the board determines that there is a need to act immediately, that the board's consideration of the matter cannot await the next meeting of the board and that the need for immediate action arose after the posting of the agenda.

What Information Must an Agenda Contain?

The agenda must list *all* of the matters that will be considered at the meeting. Each item on the agenda should be described by a brief but informative summary of the nature of the matter to be discussed and/or decided. That description should inform interested members of the public about the matter so that they can decide whether to attend and participate.

What Rights Do the Public Have at Meetings?

Except when closed sessions are permitted (see below), all board meetings *must* be held in public. Members of the public who choose to do so must be allowed to attend; they may not be asked to sign-in or provide any information as a condition of attending. Also, members of the public must be allowed to record a meeting on a video or audio tape or to broadcast the proceedings, unless the board makes a reasonable finding that the activity would disrupt the meeting.

Members of the public must be allowed to present testimony or otherwise address a board about each item on the agenda. A board may not act on an agenda item until it has allowed for public comment on that item. At regular meetings, the public must also be given an opportunity to address the board on any matter under its jurisdiction, even if the matter is not on the agenda. Boards may adopt reasonable rules governing the amount of time for such public comment on each item on the agenda as well as the time each member of the public will be allowed to speak. The public may discuss information relating to specific matters and must be allowed to criticize the policies, procedures or programs of the agency. However, disruptions of a meeting need not be tolerated.

Meetings may not be held in facilities which are inaccessible to disabled persons. If a board holds a meeting in an unusual location, such as a restaurant, the public must be allowed to attend without the need to pay any price for entry (e.g., if the meeting is held in a restaurant, they must be able to attend without buying lunch). They must be able to hear the proceedings and must be allowed to present public testimony.

Under What Circum-stances May Closed Sessions Be Held?

Under certain circumstances specifically allowed by the Act, a board is allowed to meet in closed session. If a meeting is closed to the public, it is not permissible to allow some interested persons to attend while denying access to others. Generally, the only persons who may attend closed sessions are the members of the board and any City staff that is needed to assist the board in its deliberations. Persons without official roles should not attend.

In order for a board to be able to meet in closed session, the item must be listed on the agenda, or one of the exceptions to the agenda requirement must be applicable. **Such exceptions are <u>extremely</u> limited, and should not be utilized without first receiving advice from the City Attorney's Office.** These exceptions are:

- personnel discipline and evaluations
- discussion of pending or threatened litigation
- real estate negotiations
- labor negotiations

What Are the Penalties for Violating the Brown Act?

It is a misdemeanor for a member of a board to attend a meeting at which action is taken in violation of the Brown Act, if the member intends to deprive the public of information to which the member knows (or has reason to know) the public is entitled.

Violations of the Act may also result in the issuance of injunctions and writs of mandate to correct violations, prevent future violations, or void actions taken by a board in violation of the Act.

PUBLIC RECORDS

California law requires that, with very few exceptions, all records of the City be made available for public inspection upon request.

What Records Must Be Made Available for Public Inspection?

All written notes, memos, letters and electronic records (such as e-mails and documents saved on computer drives) must be copied and made available to the public upon request.

What If I Am Not Aware That the City Kept My Memo or E-mail?

The law requires disclosure of a record, even if the sender is unaware that it was retained in the City's files. Therefore, treat all correspondence with the City as if it were immediately available to the public.