



California Fair Political Practices Commission

December 28, 1989

Angela Peterson
City of South Lake Tahoe
P.O. Box 1210
South Lake Tahoe, CA 95705

Re: Request for Informal Assistance
Our File No. I-89-681

Dear Ms. Peterson:

Thank you for contacting us regarding the conflict of interest code provisions of the Political Reform Act.^{1/} You are planning to present proposed updates to the conflict of interest code for the City of South Lake Tahoe to the city council just after the first of the year and have asked us to review the code and provide whatever assistance we could. Since your request is for general assistance, we are treating it as a request for informal assistance.^{2/}

You should understand that since we have no knowledge of the duties and responsibilities of the persons designated, we cannot determine if the assigned disclosure is adequate. I have itemized the areas of concern or correction in the order of their appearance in the code.

1. The ordinance incorporates the provisions of Commission Regulation 18730 as the standard terms of the code. The reference to that regulation, 2 California Administrative Code Section 18730, was recently changed to 2 Cal. Code of Regulations Section 18730.

2. Since you incorporate Regulation 18730, as the required provisions of your code, pages 2 through 6 are unnecessary.

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

^{2/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

December 28, 1989

Page Two

3. The first paragraph in the Guidelines on Appendix A of Ordinance 578 should be deleted in its entirety. This paragraph provides that financial interests are reportable if it may foreseeably be affected materially by any decision made or participated in by the designated person by virtue of that person's position. This paragraph leads the designated employee to believe that he or she can decide if it is ever foreseeable that a particular interest could be materially affected by their decisionmaking. The drafters of the code have already determined that the financial interests set forth in the designated employee's disclosure category are the kinds of interests which he or she can foreseeably affect. This paragraph should be deleted.

4. Categories 1, 2 and 3 need some minor revisions. Each of the paragraphs require the disclosure of "management" positions. These categories should require the disclosure of "business" positions.

Category 1 should be rewritten to read: All investments and business positions in business entities, interests in real property and sources of income.

Category 2 should be rewritten to read: All investments and business positions in business entities, interests in real property and income from business entities and persons who have requested planning, building, or public works approvals during the year prior to filing of the statement or who may foreseeably request such a permit.

Category 3 should be rewritten to read: All investments and business positions in business entities and income from business entities that have been suppliers to the City during the year prior to filing of the statement who may foreseeably be suppliers.

It is difficult to determine what positions have been assigned these disclosure categories. Page two indicates that the designated employees appear on Appendix A. This appendix is the appendix of disclosure categories and there are no designated positions.

5. I have similar comments for the disclosure category portion of Ordinance No. 580. The first paragraph of the guidelines should be deleted and "management positions" replaced with "business positions."

6. Section 2-87 is a list of designated positions. I wish to remind you that since we have no knowledge of the duties and responsibilities of the persons designated, we cannot determine if the assigned disclosure is adequate. There are positions listed on the appendix which should not appear at all. They are the city manager, city attorney, city treasurer and the planning

December 28, 1989
Page Three

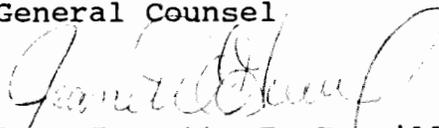
commission. The Political Reform Act at Section 87200 et seq., provides for the disclosure and disqualification provisions for these positions. The positions should not be contained in a conflict of interest code.

7. Disclosure category 4 of Ordinance No. 703 should be corrected as described earlier. "Management positions" should be changed to "business positions."

I hope the above information will provide some assistance to you in updating the code. If you have in need of more information or help, please feel free to call me at (916) 322-5901.

Sincerely,

Kathryn E. Donovan
General Counsel


By: Jeanette E. Turvill
Political Reform Consultant
Legal Division

KED/JET/jt



CITY OF
SOUTH LAKE TAHOE
CALIFORNIA

Angela Peterson
CITY CLERK

P.O. BOX 1210 — SOUTH LAKE TAHOE, CALIFORNIA 95705 — PHONE (916) 573-2000

November 24, 1989

Fair Political Practices Commission
428 "J" Street, Suite 800
Post Office Box 807
Sacramento, California 95814
ATTN: Jeanette Turvill

RE: City of South Lake Tahoe
Conflict of Interest Code

NOV 29 1 10 PM '89
FPPC

Dear Jeanette:

I would like to request whatever assistance you can give me in helping to standardize our conflict of interest code. I have enclosed the City of South Lake Tahoe's Ordinances 578, 580 and 703 which are currently in effect, but, in need of updating. Also, the most recent list of positions from our Personnel office. If you need further information please let me know.

I am anxious to get this going and hopefully adopted by City Council after the first of the year. Of course, I want you to be able to take your time in reviewing this and getting it done right.

Thank you so much for all the assistance you and staff from FPPC has provided us over the years. I look forward to hearing from you.

Sincerely,

Angela Peterson
City Clerk

AP/ck

enclosures



CITY OF
SOUTH LAKE TAHOE
CALIFORNIA

Angela Peterson
CITY CLERK

P.O. BOX 1210 — SOUTH LAKE TAHOE, CALIFORNIA 95705 — PHONE (916) 573-2000

November 24, 1989

Fair Political Practices Commission
428 "J" Street, Suite 800
Post Office Box 807
Sacramento, California 95814
ATTN: Jeanette Turvill

RE: City of South Lake Tahoe
Conflict of Interest Code

NOV 29 1 20 PM '89
FPPC

Dear Jeanette:

I would like to request whatever assistance you can give me in helping to standardize our conflict of interest code. I have enclosed the City of South Lake Tahoe's Ordinances 578, 580 and 703 which are currently in effect, but, in need of updating. Also, the most recent list of positions from our Personnel office. If you need further information please let me know.

I am anxious to get this going and hopefully adopted by City Council after the first of the year. Of course, I want you to be able to take your time in reviewing this and getting it done right.

Thank you so much for all the assistance you and staff from FPPC has provided us over the years. I look forward to hearing from you.

Sincerely,

Angela Peterson
City Clerk

AP/ck

enclosures

CITY OF SOUTH LAKE TAHOE

ORDINANCE NO. 703

AN ORDINANCE AMENDING SECTIONS 2-86 AND 2-87 OF SOUTH LAKE TAHOE CITY CODE CONCERNING THE FINANCIAL DISCLOSURE REQUIREMENTS FOR MEMBERS OF THE CERTAIN CITY COMMISSIONS.

THE CITY COUNCIL OF SOUTH LAKE TAHOE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 2-86 of the South Lake Tahoe City Code is hereby amended to add the following:

Category 4:

All investments, interests in real property, income interests, and management positions in business entities which are or may foreseeably be subject to the jurisdiction of the board or commission upon which the reporting member sits, including but not limited to actual or potential city concessionaires or contractors, suppliers of goods, wares, or services, to the city operations subject to Commission review, or any entity or individual which has or may foreseeably seek permission or approval from a Commission for any activity within the jurisdiction of the Commission, or any business entity or individual having a material financial interest in the activities of the business entity or individual subject to the jurisdiction of the Commission.

SECTION 2. Section 2-87 of the South Lake Tahoe City Code is hereby amended to read as follows:

- 16. Community and Leisure Services Commission
 - All Commissioners 4
- 17. Airport Commission
 - All Commissioners 4
- 18. Affirmative Action Commission
 - All Commissioners 4

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall be published one time in the official city newspaper within fifteen (15) days after its adoption and shall take effect thirty (30) days after its adoption.

FIRST READING January 21, 1986

SECOND READING February 18, 1986

PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH LAKE TAHOE AT A REGULAR MEETING HELD ON February 18, 1986 BY THE FOLLOWING VOTE:

AYES: Roberts, Woods, Cefalu, Laine, Trupp

NOES: _____

ABSENT: _____

Neva Roberts
Mayor

Attest:

Myrna Hudson
City Clerk



CITY OF SOUTH LAKE TAHOE

ORDINANCE NO. 580

AN ORDINANCE ADDING SECTIONS 2-86 AND 2-87 TO THE CITY CODE DESIGNATING CERTAIN POSITIONS FOR DISCLOSURE PURPOSES

THE CITY COUNCIL OF THE CITY OF SOUTH LAKE TAHOE DOES ORDAIN AS FOLLOWS:

Section 1. Section 2-86 is hereby added to the South Lake Tahoe City Code:

Section 2-86. Categories of Positions Subject to Disclosure Requirements

Disclosure Categories - When Reportable - Guidelines

An investment, interest in real property, income interest, or management position is reportable if it may foreseeably be affected materially by any decision made or participated in by the designated person by virtue of that person's position.

Interests are reportable only if located within or subject to the jurisdiction of the designated person's position (most often the City boundaries) or if the business entity is doing business or planning to do business within that jurisdiction or has done business within that jurisdiction during the year prior to the filing of the statement.

Category 1:

All investments, interest in real property, income interests, and management positions which meet the above guidelines.

Category 2:

All investments, interests in real property, income interests, and management positions in business entities and persons who have requested planning, building, or public works approvals during the year prior to filing of the statement or who may foreseeably request such a permit.

Category 3:

All investments, income interests, and management positions in business entities that have been suppliers to the City during the year prior to filing of the statement who may foreseeably be suppliers.

Section 2. Section 2-87 is hereby added to the South Lake Tahoe City Code to read as follows:

Section 2-87. Designated Positions by Department or Commission

Section 2-87. Designated Positions

Designated Positions by Department/
Commission

Reporting Requirements
by Category

1. Office of the City Manager	
A. City Manager	1
B. Administrative Assistant	1
2. Office of the City Attorney	
A. City Attorney	1
3. Office of the City Clerk	
A. City Clerk	1
B. Assistant City Clerk	1
4. Office of the City Treasurer	
A. City Treasurer	1
5. Personnel Department	
A. Personnel Director	1
6. Finance Department	
A. Finance Director	1
B. Assistant Finance Director	1
C. Data Processing Manager	3
D. Assistant Purchasing Agent	3
E. Revenue Representative	3
7. Fire Department	
A. Fire Chief	1
B. Assistant Fire Chief	1
C. Battalion Chief	3
D. Fire Marshall	1
8. Police Department	
A. Chief of Police	1
B. Captain - Deputy Chief	1
C. Captain	1
9. Community & Leisure Services Department	
A. Community & Leisure Services Director	1
B. Assistant Community & Leisure Services Director	1

Designated Positions by Department/
Commission

Reporting Requirements
by Category

10. Public Works Department

A. Public Works Director	1
B. Public Works Supervisor	1
C. Equipment Maintenance Supervisor	3
D. Building Crafts Supervisor	3
E. Transit Services Coordinator	1

11. Engineering Department

A. City Engineer	1
B. Associate Civil Engineer	2
C. Public Works Inspector	2

12. Planning Department

A. Planning Director	1
B. Community Development Coordinator	1
C. Sr. Planner	1

13. Building Department

A. Building & Safety Director	1
B. Plan Checker	2
C. Building Inspector	2
D. Sr. Building Inspector	2
E. Zoning Investigator / Building Permit Coordinator	2

14. Planning Commission

A. All Commissioners	2
----------------------	---

15. Board of Building Appeals

A. All Members	2
----------------	---

16. Community & Leisure Services Commission

A. All Commissioners	1
----------------------	---

17. Parklands & Open Space Commission

A. All Commissioners	1
----------------------	---

Section 3: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4: This ordinance shall be published one time in the official City newspaper forthwith.

FIRST READING: February 3, 1981

SECOND READING: February 17, 1981

PASSED AND ADOPTED by the City Council of the City of South Lake Tahoe at a _____ regular meeting held on February 17

1981, by the following vote:

AYES: Councilmembers Benevento, Cefalu, Hubbell, Trupp and Woods

NOES: Councilmembers None

ABSENT: Councilmembers None

John N. Cefalu
Mayor

ATTEST:

Evelyn L. Roberson
CITY CLERK
(CITY SEAL)

I, Evelyn L. Roberson, City Clerk of the City of South Lake Tahoe, hereby certify that the foregoing is a true and correct copy of Ordinance No. 580, Adding Sections 2-86 and 2-87 To The City Code Designating Certain Positions For Disclosure Purposes - and duly authorized by the City Council of the City of South Lake Tahoe on February 17, 1981.

Dated: February 17, 1981.

Evelyn L. Roberson
CITY CLERK
(CITY SEAL)

CONTENTS

PART ONE

General Administrative

Assistant City Manager
City Attorney
City Manager
Management Assistant I and II
Research Analyst

PART TWO

Clerical

Deputy City Clerk
Office Services Specialist
Office Services Supervisor
Office Services Technician
Office Services Worker
Office Services Worker Trainee
Permit and Revenue Clerk
Permit and Revenue Representative
Permit and Revenue Technician
Police Records Clerk
Police Records Technician
Police Secretary
Senior Permit and Revenue Technician

PART THREE

Finance/Data Processing

Accounting Assistant
Accounting Technician
Computer Programmer
Computer System Technician
Data Processing Manager
Deputy Risk Manager
Finance Director
Payroll Technician
Purchasing Agent
Senior Accountant

PART FOUR

Personnel

Personnel Director
Personnel Technician

CONTENTS

PART FIVE

Planning

Planning Director
Principal Planner
Assistant Planner
Associate Planner
Planning Technician

PART SIX

Public Works

Director of Public Works/City Engineer

Street Maintenance

Public Works Supervisor
Senior Street Maintenance Worker
Senior Street Maintenance Worker/Sign Shop
Street Maintenance Crew Chief
Street Maintenance Leadworker
Street Maintenance Worker

Building Maintenance

Building Crafts Supervisor
Building Crafts Worker
Facilities Maintenance Worker/Police Department

Equipment Maintenance

Equipment Maintenance Supervisor
Equipment Mechanic
Equipment Mechanic Assistant
Inventory Control Specialist
Lead Mechanic

PART SEVEN

Airport

Airport Director
Airport Maintenance and Operations Supervisor
Airport Maintenance and Operations Technician Custodian
Senior Airport Maintenance and Operations
Technician

CONTENTS

PART EIGHT

Municipal Engineering

Assistant Civil Engineer
Associate Civil Engineer
Building Official
Civil Engineer Supervisor
Civil Engineering Technician
Public Works Inspector
Senior Building Inspector

PART NINE

Parks and Recreation

Director of Community and Leisure Services
Assistant Director of Community and Leisure Services

Parks

Park Maintenance Worker
Parks Supervisor
Senior Park Maintenance Worker

Recreation

Cashier
Recreation Supervisor
Recreation Coordinator
Senior Recreation Leader

PART TEN

Fire

Fire Captain
Fire Chief
Fire Division Chief
Fire Engineer
Fire Equipment Mechanic
Firefighter
Fire Shift Commander

PART ELEVEN

Police

CONTENTS

PART ELEVEN
Police

Identification/Evidence Technician
Law Enforcement Services Specialist
Police Captain
Police Chief
Police/Fire Dispatcher
Police Lieutenant
Police Officer
Police Records and Communications Manager
Police Sergeant
Public Services Officer
Senior Police/Fire Dispatcher

CITY OF SOUTH LAKE TAHOE

ORDINANCE NO. 578

AN ORDINANCE ADOPTING THE UNIFORM CONFLICT OF INTEREST
CODE PROMULGATED BY THE FAIR POLITICAL PRACTICES COMMISSION

THE CITY COUNCIL OF THE CITY OF SOUTH LAKE TAHOE DOES ORDAIN AS
FOLLOWS:

Section 1. Article XII of Chapter 2 of the South Lake Tahoe City Code
is hereby repealed.

Article XII. Conflict of Interest Code.

- § 2-73. Adoption.
- § 2-74. Introduction.
- § 2-75. Definitions.
- § 2-76. Designated employees.
- § 2-77. Disclosure categories.
- § 2-78. Statements of economic interests -- Place of filing.
- § 2-79. Statements of economic interests -- Time of filing.
- § 2-80. Contents of and period covered by statements of economic interests.
- § 2-81. Manner of reporting.
- § 2-82. Disqualification.
- § 2-83. Manner of disqualification.
- § 2-84. Assistance of the Commission, Clerk, and Counsel.
- § 2-85. Violations.

Sec. 2-73. Adoption.

The City of South Lake Tahoe hereby adopts as its conflict of interest code the Uniform Code promulgated by the California Fair Political Practices Commission contained in Section 18730, et seq, Title 2, Division 6, of the California Administrative Code.

Sec. 2-74. Introduction.

Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in Appendix A constitute the adoption and promulgation of a Conflict of Interest Code within the meaning of Government Code Section 87300 or the amendment of a Conflict of Interest Code within the meaning of Government Code Section 87307 if the terms of this regulation are substituted for terms of a Conflict of Interest Code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a Conflict of Interest Code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.

The terms of a Conflict of Interest code amended or adopted and promulgated pursuant to this regulation are as set forth herein.

Sec. 2-75. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 California Administrative Code Sections 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

Sec. 2-76. Designated employees.

The persons holding positions listed in Appendix A are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

Sec. 2-77. Disclosure categories.

This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this Code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.¹ Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Appendix A specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

Sec. 2-78. Statements of economic interests -- Place of filing.

The City Council is the code reviewing body and shall instruct all designated employees required to file statements of economic interests pursuant to this Conflict of Interest Code to file in accordance with the following pro-

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

cedure. 2-

(a) All designated employees shall file statements of economic interests with the City Clerk, who shall make and retain a copy and forward the originals to the code reviewing body, which shall be the City Council, within 5 days after the filing deadline or 5 days after receipt in the case of statements filed late.

Sec. 2-79. Statements of economic interests - Time of filing.

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

(b) Assuming office statements.

(1) All persons assuming designated positions after the effective date of this Code which are civil service or merit system positions shall file statements within thirty days after assuming the designated positions.

(2) All other persons appointed, promoted or transferred to designated positions after the effective date of the Code shall file statements within ten days after assuming office, or if subject to State Senate confirmation, ten days after being nominated or appointed.

(c) Annual statements. All designated employees shall file statements no later than April 1.

(d) Leaving office statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

Sec. 2-80. Contents of and period covered by statements of economic interests.

(a) Contents of initial statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the Code.

(b) Contents of assuming office statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination.

(c) Contents of annual statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code.

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

tive date of the Code or the date of assuming office whichever is later.

(d) Contents of leaving office statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Sec. 2-81. Manner of reporting.

Statement of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(a) Investment and real property disclosure. When an investment or an interest in real property ^{5.} is required to be reported, ^{4.} the statement shall contain the following:

- (1) A statement of the nature of the investment or interest;
- (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- (3) The address or other precise location of the real property;
- (4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

(b) Personal income disclosure. When personal income is required to be reported, ^{5.} the statement shall contain:

- (1) The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.

3. For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4. Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect, or beneficial interest of 10 percent or greater.

5. A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

(2) A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);

(3) A description of the consideration, if any, for which the income was received;

(4) In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

(5) In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(c) Business entity income disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, ⁶ the statement shall contain:

(1) The name, address, and a general description of the business activity of the business entity;

(2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(d) Business position disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(e) Acquisition or disposal during reporting period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Sec. 2-82. Disqualification.

No designated employee shall make, participate in making, or use his or her official positions to influence the making of any governmental decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

(a) Any business entity in which the designated employee has a direct or indirect investment worth more than one thousand dollars (\$1,000);

(b) Any real property in which the designated employee has a direct or indirect interest worth more than one thousand dollars (\$1,000);

6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

(c) Any source of income, other than loans from a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the designated employee within twelve months prior to the time when the decision is made; or

(d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

Sec. 2-83. Manner of disqualification.

When a designated employee determines that he or she should not make a governmental decision because he or she has a financial interest in it, the determination not to act must be accompanied by disclosure of the financial interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

Sec. 2-84. Assistance of the Commission, Clerk, and Counsel.

Any designated employee who is unsure of his or her duties under this Code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the City Clerk or City Attorney for his or her agency, provided that nothing in this section requires the City Clerk or City Attorney to issue any formal or informal opinion.

Sec. 2-85. Violations.

This Code has the force and effect of law. Designated employees violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this Code or of Government Code Section 87100 has occurred may be set aside as void pursuant to Government Code Section 91003.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

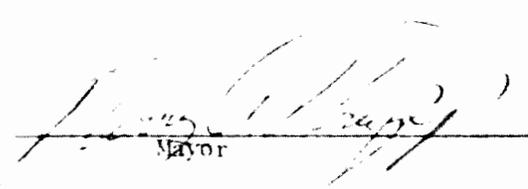
Section 3. This ordinance shall be published one time in the official City newspaper within fifteen (15) days after its adoption and shall take effect thirty (30) days after its adoption.

FIRST READING: November 18, 1980

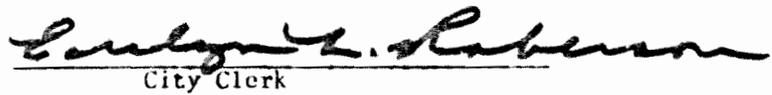
SECOND READING: December 2, 1980

PASSED AND ADOPTED by the City Council of the City of South Lake Tahoe
at a _____ regular meeting held on December 2, 1980, by the
following vote:

AYES: Councilmembers BENEVENTO, HUBBELL, TRUPP AND WOODS
NOES: Councilmembers NONE
ABSENT: Councilmembers CEFALU


Mayor

ATTEST:


City Clerk

(CITY SEAL)

I, Evelyn L. Roberson, City Clerk of the City of South Lake Tahoe
hereby certify that the foregoing is a true and correct copy of Ordinance No.
578, entitled, "An Ordinance Adopting the Uniform Conflict of Interest Code
Promulgated by the Fair Political Practices Commission", and duly authorized
by the City Council of the City of South Lake Tahoe on December 2, 1980.

DATED: December 2, 1980


City Clerk

(CITY SEAL)



CATEGORIES OF CONFLICT OF INTEREST
DISCLOSURE INFORMATION - REPORTING REQUIREMENTS

Disclosure Categories - When Reportable - Guidelines

An investment, interest in real property, income interest, or management position is reportable if it may foreseeably be affected materially by any decision made or participated in by the designated person by virtue of that person's position.

Interests are reportable only if located within or subject to the jurisdiction of the designated person's position (most often the City boundaries) or if the business entity is doing business or planning to do business within that jurisdiction or has done business within that jurisdiction during the year prior to the filing of the statement.

Category 1:

All investments, interest in real property, income interests, and management positions which meet the above guidelines.

Category 2:

All investments, interests in real property, income interests, and management positions in business entities and persons who have requested planning, building, or public works approvals during the year prior to filing of the statement or who may foreseeably request such a permit.

Category 3:

All investments, income interests, and management positions in business entities that have been suppliers to the City during the year prior to filing of the statement who may foreseeably be suppliers.



California Fair Political Practices Commission

December 1, 1989

Angela Peterson
City Clerk
City of South Lake Tahoe
P.O. Box 1210
South Lake Tahoe, CA 95705

Re: Letter No. 89-681

Dear Ms. Peterson:

Your letter requesting advice under the Political Reform Act was received on November 29, 1989 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Jeanette Turvill, in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan
General Counsel

KED:plh