Statements of Economic Interests (Form 700) Video for Local Agency Filing Officers



PRESENTED BY EXTERNAL AFFAIRS AND EDUCATION DIVISION FAIR POLITICAL PRACTICES COMMISSION

Fair Political Practices Commission (FPPC)

In 1974, in the wake of the Watergate scandal, California voters passed Proposition 9, known today as the Political Reform Act, which regulates conflicts of interest, campaign finance, and lobbying activity.

The FPPC was created to implement and enforce the Act, and to inform and assist candidates and public officials in complying with these laws.

Topics

- Purpose of Form 700
- Electronic Filing
- Types of Filers
- Conflict of Interest Codes
- Filing Officer Duties
- Notification Guidelines
- Due Dates

- Tracking Log
- Reviewing Statements
- Amendments
- Non-Filers
- Late Filers
- Public Access
- Statement Retention

Purpose of Form 700

- No public official at any level of state or local government shall make, participate in making, or influence a governmental decision in which he or she has a financial interest.
- Form 700 is the tool used by public officials to disclose their financial interests that may be affected by their public official decisions.
- This ensures that the public is aware of a public official's financial interests and also reminds the public official of potential conflicts.

FPPC's Form 700 Electronic Filing System • Filers whose statements are forwarded to the FPPC may now file electronically Filing officers and filers should have received log-in information • Filing officers need to ensure filers' information is accurate and up-to-date • A current email address is essential to ensure timely notification of filing requirements Types of Filers

- Designated Employees (Code Filers)
- 87200 Filers
- Alternates, Designees, and Ex-Officio Board Members
- New Positions (Form 804)
- Consultants (Form 805)

Conflict of Interest Codes and Form 700

- All government agencies must adopt a conflict of interest code
- Codes designate positions within the agency that make or participate in making governmental decisions
- Individuals in these positions file Form 700
- Disclosure categories are assigned to each position
- Some filers disclose all economic interests in their jurisdiction, but others will have limited disclosure



COUNTY OFFICIALS

- Board of Supervisors*
- Chief Administrative Officer
- County Counsel
- District Attorney*
- Planning Commissioners
- County Treasurer*

CITY OFFICIALS

- Mayor and Council Members*
- Chief Administrative Officer
- City Manager
- City Attorney
- City Treasurer*
- Planning Commissioners

*Candidates for these offices must also file; statements are forwarded to the FPPC.

Boards and Commissions

Board and commission members that participate in decision making meetings are required to file—regardless if they are paid or have voting authority.

This also applies to individuals serving as

- ° Alternate members
- Designee members
- $_{\circ}$ Ex-officio members

Form 804 New Positions	Agenc New P 1. Agen <u>City</u> Agen
 Identifies new positions involved in making governmental decisions 	Smi Phone (200 2. New Por
 Assigns level of disclosure 	Data
 Filer must file under full disclosure if disclosure level is not specified 	(mai Lice state
 Individuals must file within 30 days of assuming office 	
 Kept with agency's conflict of interest code 	

Agency Name (Also include, Division	Department, or Region (if applicable))	Amendment	
City of Oakland			Date of Original Filing: .	
Agency Contact				(month, day, year)
Smith, Adam - Executive Di Phone Number		mail		
(206) 555-6525		adam.smith@c	ityofoakland.ca.	lov
New Position Information				
Position Title/Classification and Job Summary	Assigned Category	R Disclosure R	Requirement	Assuming/Start Date (Optional)
Data Processing Manager (manages IT)	3			Start 03/03/XX m/d/yr
Licensing Director (duty statement attached)		positions in entities, and income inclu loans, and tr that are of th to licensing department of regulation by	sources of iding gifts, avel payments, ie type subject by the or are subject to y the city. attach a written	Start <u>03/ 08/ XX</u> m /d /yr

Form 805 Consultants

- Identifies consultants involved in governmental decision making on behalf of the agency
- Assigns level of disclosure
- Filer must file under full disclosure if disclosure level is not specified
- Individuals must file within 30 days of assuming office
- Kept with agency's conflict of interest code

onsultants	A Public	: Document		Form 805
Agency Name (Also include, D	livision, Department, or Region (if applicat	ble))	Amendment	
City of Oakland			Date of Original Filin	9:
Agency Contact				(month, day, year)
Brian Sheets Phone Number		Email		
555-555-5555		Email bsheets@cityof	oakland ca gov	
		Daneerstacerryon	oakiana.ca.gov	
Firm Information				
Firm Name				
ABC Company Firm Address		Email (optional)	Email (op	tional)
				,
1010 Capital St., Sacrame Consultant Information	ento, CA 95614	abcco@compan	y.com	
Consultant Information				
Consultant Name	Assigned Category	OR Disclosure	Requirement	Assuming/Start Date
Consultant Name	Assigned Gategory	OK Disclosure	Requirement	Leaving/End Date
	1			(if known)
Hector Rodriguez	3			Start 7 / 7 / xx m / d / yr
				End 12 / 12 / xx
				m /d /yr
	I			
	I			

Filing Officer Duties Regulation 18115

- Notify individuals of filing obligations
- Provide form or link to form
- Ensure that statements are timely filed
- Maintain a tracking log
- Review completed statements
- Provide public access
- Refer violations to FPPC Enforcement Division

Duties for Agencies Using Their Own E-Filing System

RETAINED STATEMENTS

- Keep filer information current (system automatically notifies filers)
- Review statements
- Request amendments
- Assess or waive late fines
- Refer non-filers to FPPC
- Provide public access

FORWARDED TO FPPC

- Keep filer information current
- Forward PDF statements to the FPPC at <u>efiledform700@fppc.ca.gov</u>
- Update FPPC regularly about filer status
- Provide public access

Duties for Agencies Using FPPC's E-Filing System

RETAINED STATEMENTS

- Notify filers and provide form
- Date stamp all statements
- Maintain a tracking log
- Review statements
- Request amendments
- Assess or waive late fines
- Refer non-filers to FPPC
- Provide public access

FORWARDED TO FPPC

- Keep filer information current (system automatically notifies filers)
- Provide public access

Forward These Statements to FPPC

CITY & COUNTY AGENCIES

• 87200 Filers

MULTI-COUNTY AGENCIES

 Check conflict of interest code approved by the FPPC – it will specify in the Incorporation Page where statements are filed.

COURTS

- Judges (include pro-term judges who serve 30 days or more in a calendar year)
- Court Commissioners

Note: Retired judges file directly with FPPC

Pre-Filing Notification Guidelines

- Notify at least 30 days prior to annual deadline*
- Notify by email, mail, or in person
- Always provide disclosure categories to code filers
- Email notifications should link to Form 700, Reference Pamphlet, FAQs, and gift fact sheets on FPPC website

*Not required for FPPC filers so long as a current email address is included in the filer's electronic filing system profile

Filing Deadlines

- Annual statement April 1
- Assuming office statement within 30 days of assuming office
- Leaving office statement within 30 days of leaving office
- No deadline extensions unless a filer is serving in active military duty

Exceptions to Filing Deadlines

Annual

Individuals who assumed office from Oct 1 — Dec 31 and filed an assuming office statement are not required to file the annual statement due in April.

Assuming and Leaving Office

In most cases, filers who change positions within the same agency are not required to file assuming or leaving office statements. They will continue to file annual statements.

Question

Your supervisor is away on vacation and calls asking for an extension for filing the annual Form 700. You would...

- a) Grant a 30 day extension
- b) Arrange a flight home
- c) Explain that the statement must be postmarked no later than the April filing deadline

Sample Log

NAME	ANNUAL	ASSUMING	LEAVING	DAYS LATE	AMENDMENT	1
Anderson, William	04/01/XX					
Brown, Sharon	n/a	10/15/XX				
Carson, David	03/26/XX		09/28/XX			
Davies, Gary	04/01/XX				05/25/XX	Non-Filer
Ford, Cheryl						
Iverson, Steven	01/28/XX		10/01/XX			
Lawson, John	n/a	02/14/XX				Non-Filer
Moore, Roy						
Nelson, Cheryl	04/11/XX			10		

Facial Review of the Form 700

A facial review is required for **all** statements maintained by the agency to ensure the cover page is accurate. Look for:

- Name and address of filer
- Period covered
- Type of statement
- Summary completed and schedules attached
- Original signature

Full Review of the Form 700

For statements maintained by the agency, a full review of the entire form is required on:

- Statements that do not pass facial review
- 20% of all timely filed statements
- 100% of late statements

Filing officers:

- Use review guide/amendment request form
- Compare with filer's disclosure category

Form 700 Amendment Request Guide

You are not required to conduct an investigation when reviewing statements

D Si

Statement of Economic Interests Form 700 - Amendment Request PPC - (866) ASK-FPPC / advice@fppc.ca.gov	INSTRUCTIONS: A check mark indicates an amendment may be required. File your amended statement at:
ame:	Date signed://
pe of Statement: Assuming/Initial ////	Annual 20 Leaving//
Amendment	Request Form
over Page Statement not signed. Original signature required. Part 4, schedule summary indicated Schedule(s)attached but schedules are not attached. Part 4, schedule summary let blank and either no schedules attached or only blank schedules attached. other - see Comments. Chedule A:1 The fair market value of the investment in not reported. An investment in not reported. Investment(s) held through a trokerage firm or IRA were reported. Investment in yeb at reported. Investment(s) held through the account must be itemized separately. other - see Comments.	 You reported properly located at



	Please type or print in ink.
	NAME OF FILER (LAST) (FIRS
	CLARK RC
	1. Office, Agency, or Court
	Agency Name (Do not use acronyms)
n r $Pana$	CITY OF OAKLAND
Cover Page	Division, Board, Department, District, if applicable
	 If fling for multiple positions, list below or on an attachment.
	Agency:
	2. Jurisdiction of Office (Check at least one box)
	State
	Multi-County
o not forget to date	City of OAKLAND
U	3. Type of Statement (Check at least one box)
amp	Annual: The period covered is January 1, 200X, through December 31, 200X.
	-or- The period covered is//
	December 31, 20XX.
	Assuming Office: Date assumed///
	Candidate: Election year and office
	4. Schedule Summary (must complete) F Total
	Schedules attached
	Schedule A-1 - Investments - schedule attached
	Schedule A-2 - investments - schedule attached
	Schedule B - Real Property – schedule attached
	-or-
	□ None - No reportable interests on any schedule
	5. Verification
	MALING ADDRESS STREET (Business or Agency Address Recommended - Public Document)
	5824 S STREET
	0471ME TELEPHONE NUMBER (555) 555-5555
	1 have used all reasonable diligence in preparing this statement. 1
	herein and in any attached schedules is true and complete. I aci
	I certify under penalty of perjury under the laws of the State

ase type or print in	Ink.	COVER PAGE	-		
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Office, Agency,	or Court				ete Stan
Agency Name (Do r					917
CITY OF OA	Artment, District, if applicable	Your Positi	on		- 1
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 If filing for multiple 	e positions, list below or on an attachment	(Do not use acronyms)			- 1
					I
Agency:		Position:			-
Jurisdiction of	Office (Check at least one box)				-
State			Court Commissioner (Stat		
Multi-County		County of			- 1
City of OAKL	AND	Other			- 1
Type of Staten	nent (Check at least one box)				- 1
	ariod covered is January 1, 20XX, through ther 31, 20XX.	Check of	Office: Date Left		I
-07-	eriod covered is//		period covered is January	1 20XX through the	
	aber 31, 20XX.		leaving office.	r, Lurot, Lurosgi ine	- 1
Assuming Offic	e: Date assumed//			through	
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Candidate: Ele	-	ce sought, if different than Part	1:		_
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Schedule A-1

Common Reportable Interest:

Stocks and partnerships

Common Errors:

- Fair market value not checked
- Managed account reported instead of itemized stocks
- Financial statements attached instead of schedules
- Partnership reported on Schedule A-1, but income not reported on Schedule C

Schedule A-1 Any reportable stock held through a brokerage firm should be reported if the fair market value is \$2,000 or more.	ERROR!	<section-header></section-header>
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	SCHEDU Investn Stocks, Bonds, an (Ownership Interest i Do not attach brokerage o	nents d Other Interests is Less Than 10%)	CALIFORNIA FOR FAIR POLITICAL PRACTICES O NAME: Ron Clar	OMMISSION
NAME OF BUSINESS ENTITY	GENERAL DESCRIPTION OF THIS BUSINESS ACTIVITY	FAIR MARKET VALUE (Select from drop down list)	NATURE OF INVESTMENT (Select from drop down list. If "other," describe)	IF APPLICABLE, LIST DATE (mm/dd/20XX) ACQUIRED DISPOSED
COMCAST	UTILITIES	\$2,000 - \$10,000	Stock	
AT&T	TELECOMMUNICATIONS	\$2,000 - \$10,000	Stock	
APPLE	COMPUTER SYSTEMS	\$2,000 - \$10,000	Stock	
JOHNSON & JOHNSON	PHARMACEUTICAL	\$2,000 - \$10,000	Stock	
	RETAIL	\$2,000 - \$10,000	Stock	
WAL-MART	INE I PAIL			
WAL-MART COCA-COLA	BEVERAGE	\$2,000 - \$10,000	Stock	
			Stock Stock	
COCA-COLA	BEVERAGE	\$2,000 - \$10,000		
COCA-COLA MACY'S	BEVERAGE	\$2,000 - \$10,000 \$2,000 - \$10,000	Stock	
COCA-COLA MACY'S UNDER ARMOUR	BEVERAGE RETAIL CLOTHING	\$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000	Stock Stock	
COCA-COLA MACY'S UNDER ARMOUR FITBIT INC	BEVERAGE RETAIL CLOTHING HEALTH/TECHNOLOGY	\$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000	Stock Stock Stock	
COCA-COLA MACY'S UNDER ARMOUR FITBIT INC BANK OF AMERICA	BEVERAGE RETAIL CLOTHING HEALTH/TECHNOLOGY FINANCE	\$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000	Stock Stock Stock Stock Stock	
COCA-COLA MACY'S UNDER ARMOUR FITBIT INC BANK OF AMERICA ACTIVISION BLIZZARD	BEVERAGE RETAIL CLOTHING HEALTH/TECHNOLOGY FINANCE VIDEO GAME	\$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000 \$2,000 - \$10,000	Stock Stock Stock Stock Stock Stock	
COCA-COLA MACY'S UNDER ARMOUR FITBIT INC BANK OF AMERICA ACTIVISION BLIZZARD INTEL CORP	BEVERAGE RETAIL CLOTHING HEALTH/TECHNOLOGY FINANCE VIDEO GAME SOFTWARE	\$2,000 \$10,000 \$2,000 \$10,000 \$2,000 \$10,000 \$2,000 \$10,000 \$2,000 \$10,000 \$2,000 \$10,000 \$2,000 \$10,000 \$2,000 \$10,000	Slock Slock Slock Slock Slock Slock Slock	
COCA-COLA MACY'S UNDER ARMOUR FITBIT INC BANK OF AMERICA ACTIVISION BLIZZARD INTEL CORP FORD MOTOR CO	BEVERAGE RETAIL CLOTHING HEALTH/TECHNOLOGY FINANCE VIDEO GAME SOFTWARE VEHICLE MANUFACTURING	\$2,000 - \$10,000 \$2,000 - \$10,000	Stock Stock Stock Stock Stock Stock Stock Stock	
COCA-COLA MACY'S UNDER ARMOUR FITIET INC BANK OF AMERICA ACTIVISION BLIZZARD INTEL CORP FORD MOTOR CO NEWS CORP	BEVERAGE RETAIL CLOTHING HEALTH/TECHNOLOGY FINANCE VIDEO GAME SOFTWARE VEHICLE MANUFACTURING NEWS	\$2,000 - \$10,000 \$2,000 - \$10,000	Slock Slock Slock Slock Slock Slock Slock Slock Slock	



Schedule A-2

- Filer must list the specific name of each reportable single source of income or check the "none" box)
- Filer must identify the precise location of property held by the business or trust (complete physical address or Assessor's Parcel Number)



Schedule B

Common Reportable Property:

• Rental property and vacant land (filer's personal residence is generally not reportable)

Common Errors:

- Precise location not reported
- Sources of rental income not reported
- Income from sale of real property sold during the reporting period not reported on Schedule C



Schedule C

Common Reportable Interests:

- 50% of spouse's or registered domestic partner's income
- Proceeds from any sale, e.g., home or car

Common Errors:

- Name of spouse's or registered domestic partner's employer not reported
- Filer's, spouse's, or registered domestic partner's business reported on Schedule C, instead of Schedule A-2
- Gross income not reported

ERROR!

Schedule C

The filer must name the spouse's or partner's employer as the source of income— the spouse should not be listed as the source of income

Positio (Other than Gifts and	
I. INCOME RECEIVED	▶ 1. INCOME RECEIVED
NAME OF SOURCE OF INCOME	NAME OF SOURCE OF INCOME
MITCHELL BURNHAM	SARAH CLARK
ADDRESS (Business Address Acceptable)	ADDRESS (Business Address Acceptable)
784 SEASIDE DR, SAN FRANCISCO, CA	385 BRAXTON WAY, OAKLAND, CA
BUSINESS ACTIVITY, IF ANY, OF SOURCE	BUSINESS ACTIVITY, IF ANY, OF SOURCE
	CPA FIRM
YOUR BUSINESS POSITION	YOUR BUSINESS POSITION
	ACCOUNTANT
GROSS INCOME RECEIVED No Income - Business Position Only	GROSS INCOME RECEIVED No Income - Business Position Only
\$500 - \$1,000 \$1,001 - \$10,000	\$500 - \$1,000 \$1,001 - \$10,000
\$10,001 - \$100,000 X OVER \$100,000	X \$10,001 - \$100,000 OVER \$100,000
CONSIDERATION FOR WHICH INCOME WAS RECEIVED	CONSIDERATION FOR WHICH INCOME WAS RECEIVED
Salary Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)	Salary Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.)
Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)	Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)
Sale of RENTAL HOME	Sale of
(Real property, car, boat, etc.)	(Real property, car, boat etc.)
Loan repayment	Loan repayment
Commission or Rental Income, ast each source of \$10,000 or more	Commission or Rental Income, list each source of \$10,000 or more
	(Describe)
(Describe)	
(Describe)	Other(Describe)

Schedule D

Common Reportable Interests:

- Tickets to entertainment events
- Gift cards, discounts, and meals **Common Errors:**
- Value of gift not reported
- Date gift received not reported
- Description of gift not reported



Schedule E

Common Reportable Interests:

- Third party travel payments (not from the filer's agency) Common Errors:
- Value of payment not reported
- Date of travel not reported
- Description of travel not reported
- Gift or income box not checked



When reporting income, the burden is on the official to determine whether he or she has provided equal or greater consideration for the payment



Amendments

- Notify filers who appear to have filed incomplete or incorrect statements
- May be filed at any time
- No fines for filing amendments
- Attach to originally filed statement
- Amendments filed by filers whose statements are forwarded to FPPC must be forwarded to FPPC within five days

Non-Filer Notice Guidelines

For statements maintained by the agency,

- Send written notification to annual non-filers within 30 or 120* days after the deadline
- Send a second notification within 30 or 60* days after the date of the first non-filer notification

*Agencies with 50 or fewer filers use the lesser number of days

Enforcement Referrals

For statements maintained by the agency:

- Non-filers must be referred to FPPC's Enforcement Division
- Refer after sending at least two written notifications
- Make referral within 30 or 45* days after the second notification is sent
- NEW: Referrals must be submitted through the Enforcement Electronic Complaint System

*Agencies with 50 or fewer filers use the lesser number of days



Form 700 Public Access

- All Form 700s are public documents
- Must be available during regular business hours no later than second business day after receipt
- No conditions on persons seeking access
- No information or identification required
- May not charge more than 10 cents per page for copies (may charge a \$5 retrieval fee for statements five or more years old
- Must provide an un-redacted copy if requested

Website Notification

Cities and counties must post a notification that includes all of the following:

- List of elected officers' names and positions.
- Physical addresses for the FPPC and the city or county clerk's office.
- A link to the FPPC's website with a statement that some Form 700s may be available in electronic format.

Question

A reporter calls and requests a Form 700 for a board member. What do you do?

- a) Tell the reporter to call the FPPC
- b) Make a copy and email the Form 700 to the reporter
- c) Demand that the reporter submit a Public Records Act request

Form 700 Retention

- Originals 7 years
- Copies 4 years*
- After 2 years on file, statements may be put on a space saving device and originals may be discarded

*Filing officers are not required to keep copies of statements filed through the FPPC's electronic filing system



Filing Officers' FPPC Contact Information

- FPPC's E-Filing System Questions: form700@fppc.ca.gov
- Cities A-M: Brianne Kilbane <u>bkilbane@fppc.ca.gov</u>
- Cities N-Z: Sonia Rangel srangel@fppc.ca.gov
- Counties: Gail Perry <u>gperry@fppc.ca.gov</u>
- Courts: Brianne Kilbane <u>bkilbane@fppc.ca.gov</u>
- Multi-County Agencies: Rene Robertson <u>rrobertson@fppc.ca.gov</u>
- General Questions: <u>advice@fppc.ca.gov</u>
- Advice Line: 866-275-3772
- Comments about Video: <u>seminars@fppc.ca.gov</u>

THANK YOU FOR WATCHING!

