

**Meeting Date:** 9/13/2016

**Report Type:** Consent

**Report ID:** 2016-00735

**Title: (City Council/Housing Authority) Approval of Updated Conflict of Interest Policy for the Sacramento Housing and Redevelopment Agency**

**Location:** Citywide

**Recommendation:** Pass 1) a Housing Authority Resolution approving the revised Agency Conflict of Interest code, designated positions and disclosure categories, b) repealing prior Housing Authority Resolutions adopted related to the SHRA conflict of Interest code (resolutions HA 83-005, HA 84-003, HA 86-032, HA 87-006, HA 88-014, HA 90-009, HA 91-006, HA 92-004, HA 94-002, HA 96-009, HA 2001-001, HA 2009-016, HA 2011-007, and HA 2014-0012); and 2) a City Council Resolution approving the amended Agency Conflict of Interest code, designated positions and disclosure categories.

**Contact:** David Levin, (916) 440-1330, Sacramento Housing and Redevelopment Agency

**Presenter:** None

**Department:** Sacramento Housing & Redevelopment Agency

**Division:** Sacramento Housing & Redevelopment Agency

**Dept ID:** 99991011

**Attachments:**

- 1-Description/Analysis
- 2-City Council Resolution
- 3-Housing Authority Resolution
- 4-Conflict of Interest Code
- 5-SHRA Ethics Policy

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**City Attorney Review**

Approved as to Form  
Sheryl Patterson  
8/29/2016 2:56:11 PM

**Approvals/Acknowledgements**

Department Director or Designee: La Shelle Dozier - 8/26/2016 8:48:00 AM

## Description/Analysis

**Issue Detail:** The Sacramento Housing and Redevelopment Agency (SHRA) is a public agency that provides exclusive staffing for the Housing Authority of the City of Sacramento and administers certain federal housing and community development funding on behalf of the City of Sacramento. Per the State of California's Political Reform Act, all public agencies are required to adopt a Conflict of Interest (COI) Code for their employees, consultants and board members. In compliance with the law, SHRA adopted a Conflict of Interest Code on January 25, 1983, which adopted by reference the provisions of the California Administrative Code. SHRA has periodically updated that code and currently desires to make minor changes to the code to reflect recent statewide updates.

Staff is also recommending amending SHRA's designated employee list to reflect added or modified employee positions, per Government Code 81000 which requires that local agencies update their code to reflect changed circumstances relating to its designated filers and disclosure categories. Exhibit A outlines the proposed amended COI code and reflects the Designated Positions List with the proposed modifications. In 2014, a "Code of Ethics" policy was adopted for all staff which is included in the report package for reference. This policy outlines required ethical standards of behavior for all staff, regardless of their status as a designated COI Form 700 filer. Staff recommended adoption of the Code of Ethics policy as a "best practices" measure and to ensure clear guidance for employees regarding their conduct.

**Policy Considerations:** A Conflict of Interest Code must be amended in the event of changed circumstances, such as the addition of new classifications or the modification of existing classifications (Government code Section 87306). SHRA's updated code includes the addition of positions that have been deemed to have authorities that require filing; modification of positions that have been reclassified; deletion of classifications that no longer exist; and deletion of positions that have been deemed to no longer have authorities that require filing.

**Economic Impacts:** not applicable

**Environmental Considerations:**

**California Environmental Quality Act (CEQA):** Activities authorized in this report have been analyzed in accordance with CEQA and are determined to not be a "project" per 14 California Code of Regulations (CCR) § 15378(b)(2).

**Other: National Environmental Policy Act (NEPA):** Activities authorized in this report have been analyzed in accordance with NEPA and are determined to be Exempt per 24 CFR § 58.34(a)(3).

**Sustainability Considerations:** Not applicable.

**Commission Action:** At its meeting on August 3, 2016 the Sacramento Housing and Redevelopment Agency Commission considered the staff recommendation for this item.

The votes were as follows:

AYES: Creswell, Griffin, Johnson, Macedo, Morgan, Painterm, Simas, Staajabu

NOES: None

ABSENT: Alcalay, Raab, Rios

**Rationale for Recommendation:** Pursuant to Government Code 81000 local agencies are required to update their conflict of interest codes to reflect changed circumstances relating to their designated filers and disclosure categories. Updating the code also allows incorporation of provisions contained in California Code Regulations Section 18730 that have changed since the previous approval of SHRA's code.

**Financial Considerations:** none

**LBE/M/WBE and Section 3 Considerations:** The activities recommended in this staff report do not involve federal funding, therefore, there are no M/WBE or Section 3 requirements. The Local Business Enterprise program does not apply to this report.

# RESOLUTION NO.

Adopted by the City Council of the City of Sacramento

On date of

## APPROVING SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY'S CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

### BACKGROUND

- A. The Political Reform Act, Government Code §81000 et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code.
- B. The County of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency), but the City as a member of the joint powers agency retains jurisdiction to approve revisions to Agency policy.
- C. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.
- D. The Political Reform Act requires that every local government agency review its conflict of interest code periodically to determine if it is accurate or needs to be amended.
- E. All persons holding designated positions file statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk.

### BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The revised Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency, Designated Positions and Disclosure Categories as attached as Exhibit A, are hereby approved.

### Table of Contents:

Exhibit A – Agency Agency Conflict of Interest Code, Disclosure Categories and Designated Employee list

# **RESOLUTION NO.**

**Adopted by the Housing Authority of the City of Sacramento**

On date of

## **APPROVING AND ADOPTING THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY CONFLICT OF INTEREST CODE AND LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

### **BACKGROUND**

- A. The Political Reform Act, Government Code §81000 et seq., requires every state or local government agency to adopt and promulgate a conflict of interest code.
- B. The County of Sacramento is the code-reviewing body for the Sacramento Housing and Redevelopment Agency (Agency), but the Housing Authority, as a member of the joint powers agency retains jurisdiction to approve revisions to Agency policy.
- C. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regulations Section 18730, which contains the terms of a standard model conflict of interest code, which can be incorporated by reference, and which will be amended by the Fair Political Practices Commission to conform to any amendments in the Political Reform Act after public notice and hearing pursuant to the Administrative Procedures Act, Government Code Sections 11370, et seq.
- D. The Political Reform Act requires that every local government agency review its conflict of interest code periodically to determine if it is accurate or needs to be amended.
- E. All persons holding designated positions file annual statements of economic interests with the Agency Clerk, who is the filing officer with respect to these statements. The statements will be made available for public inspection and reproduction. Statements for all designated positions are retained by the Agency Clerk.
- E. The recommended activity is not a project under the California Environmental Quality Act (CEQA) 15378(b) (5) and no environmental review is required.
- F. The recommended action is an exempt activity under the National Environmental Policy Act (NEPA), 24 CFR 58.34(a) (3).

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE HOUSING AUTHORITY RESOLVES AS FOLLOWS:**

- Section 1. The Background facts, above including the environmental facts, are found to be true and correct.
- Section 2. Prior Housing Authority Resolutions adopted related to the Agency conflict of interest code (resolutions HA 83-005, HA 84-003, HA 86-032, HA 87-006, HA 88-014, HA 90-009, HA 91-006, HA 92-004, HA 94-002, HA 96-009, HA 2001-001, HA 2009-016, HA 2011-007, and HA 2014-0012) are hereby repealed.
- Section 3. The updated Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency, Designated Positions and Disclosure Categories, attached as Exhibit A, are hereby approved.
- Section 4. The terms of 2 Cal. Code of Regulations Section 18730, and amendments to that section which may be duly adopted by the Fair Political Practices Commission, included as Exhibit A, is hereby adopted by reference as the body of the Conflict of Interest Code for the Sacramento Housing and Redevelopment Agency and of the Housing Authority of the City of Sacramento.
- Section 5. This adopted and amended conflict of interest code is effective immediately, and newly added designees are required to file within 30 days of the effective date of the Conflict of Interest Code.

**Table of Contents:**

Exhibit A: Agency Conflict of Interest Code, Designated Positions and Disclosure Categories

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY DISCLOSURE CATEGORIES - updated 9-13-2016

Category 1:

- a. Interest in real property located within the City and County of Sacramento (excluding your primary residence [owned or leased]);
- b. All income, loans and gifts, investments, positions and ownership interests in any business located in or doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency; and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 2:

- a. Interest in real property located within the City and County of Sacramento, (excluding your primary residence [owned or leased]);
- b. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and . services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 3:

- a. Interest in any real property improved for residential purposes or zoned for residential use

located within the City or County of Sacramento (excluding your primary residence [owned or leased]);

- b. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- c. All sources of income, loans and gifts from individuals residing in the City or County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency.

Category 4:

- a. Income, loans and gifts, investments, positions and ownership interest in any business with any entity administered by the Sacramento Housing and Redevelopment Agency and/or doing business which relates to the types of activities carried on by these entities (e.g., real property construction and management, material and supplies for real property maintenance and construction, general office supplies and services, consulting and services relating to all property development and management businesses located in or near Redevelopment Project Areas, Community Development Target Areas or Agency owned housing developments); and
- b. All sources of income, loans and gifts from individuals residing in the City of County of Sacramento, doing business in the City or County of Sacramento and/or doing business with any entity administered by the Sacramento Housing and Redevelopment Agency Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code (Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations.).

## **Sacramento Housing and Redevelopment Agency (Agency) Conflict of Interest Code – updated 9-13-2016**

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in Exhibit A referred to below 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 87306 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. Therefore the terms of 2 California Code of Regulations (CCR) Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Exhibits designating positions and establishing disclosure requirements shall constitute the conflict of interest code of the Sacramento Housing and Redevelopment Agency.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in Exhibit B 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 economic interests.

(3) Section 3. 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 economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and

(C) The filing officer is the same for both agencies.

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Exhibit A specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Exhibit A. It

has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

Individuals holding designated positions at the Agency shall file their statements of economic interest with the Agency Clerk who make the statements available for public inspection and reproduction (Govt Code Sec. 81008).

Consultants/New Positions are include in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Executive Director or designee may determine in writing that a particular consultant or new position, although a "designated position" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements of this section. Such written determination shall include a description of the consultant's or new positions duties and, based on up that description, a statement of the extent of disclosure requirements. The written determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008).

(5) Section 5. 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 30 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 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or

appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1st.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. 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 and income received during the 12 months prior to 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, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(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 or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs. Section 18754.

(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.

(7) Section 7. Manner of Reporting.

Statements 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 is required to be reported, 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 equals or exceeds two thousand dollars (\$2,000), exceeds ten thousand dollars (\$10,000), exceeds one hundred thousand dollars (\$100,000), or exceeds one million dollars (\$1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating five hundred dollars (\$500) or more in value, or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

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), greater than ten thousand dollars (\$10,000), or greater than one hundred thousand dollars (\$100,000);

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 and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, 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.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

(A) No member of a state board or commission, and no designated employee of a state

or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the

loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans from a person which, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or

she vacates office, receive a personal loan of five hundred dollars (\$500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (8), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
  - a. The date the loan was made.
  - b. The date the last payment of one hundred dollars (\$100) or more was made on the

loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect

investment worth two thousand dollars (\$2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars (\$2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

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

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

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.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars (\$1,000) or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission 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 and 2 Cal. Code Regs. Sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the Agency to issue any formal or informal opinion.

(12) Section 12. 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 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

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.

2. See Government Code section 81010 and 2 Cal. Code of Regs. 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.

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 \$2,000 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.

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.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.



## HISTORY

1. New section filed 4-2-80 as an emergency; effective upon filing (Register 80, No. 14).  
Certificate of Compliance included.
2. Editorial correction (Register 80, No. 29).
3. Amendment of subsection (b) filed 1-9-81; effective thirtieth day thereafter  
(Register 81, No.2).
4. Amendment of subsection (b) (7) (8) 1. filed 1-26-83; effective thirtieth day thereafter  
(Register 83, No.5).
5. Amendment of subsection (b )(7) (A) filed 11-10-83; effective thirtieth day thereafter  
(Register 83, No. 46).
6. Amendment filed 4-13-87; operative 5-13-87 (Register 87, No. 16).
7. Amendment of subsection (b) filed 10-21-88; operative 11-20-88 (Register 88, No. 46).
8. Amendment of subsections (b )(8)(A) and (b )(8)(8) and numerous editorial changes filed  
8-28-90; operative 9-27-90 (Reg. 90, No. 42).
9. Amendment of subsections (b)(3), (b)(8) and renumbering of following subsections and  
amendment of Note filed 8-7-92; operative 9-7-92 (Register 92, No. 32).
10. Amendment of subsection (b)(5.5) and new subsections (b)(5.5)(A)-(A)(2) filed 2-4-93;  
operative 2-4-93 (Register 93, No.6).
11. Change without regulatory effect adopting Conflict of Interest Code for California Mental  
Health Planning Council filed 11-22-93 pursuant to title1, section 1 ~O, California Code of  
Regulations (Register 93, No. 48). Approved by Fair Political Practices Commission 9-21-93.
12. Change without regulatory effect redesignating Conflict of Interest Code for California  
Mental Health Planning Council as chapter 62, section 55100 filed 1-4-94 pursuant to title 1,  
section 100, California Code of Regulations (Register 94, No.1).
13. Editorial correction adding History11 and 12 and deleting duplicate section number

(Register 94, No. 17).

14. Amendment of subsection (b)(8), designation of subsection (b)(S)(A), new subsection (b)(S)(8), and amendment of subsections (b)(8.1)-(b)(8.1)(8), (b)(9)(E) and Note filed 3-14-95; operative 3-14-95 pursuant to Government Code section 11343.4(d) (Register 95, No. 11).

15. Editorial correction inserting inadvertently omitted language in footnote 4 (Register 96, No. 13).

16. Amendment of subsections (b)(S)(A)-(8) and (b)(8.1)(A), repealer of subsection (b)(8.1)(8), and amendment of subsection (b)(12) filed 10-23-96; operative 10-23-96 pursuant to Government Code section 11343.4(d) (Register 96, No. 43).

17. Amendment of subsections (b)(8.1) and (9)(E) filed 4-9-97; operative 4-9-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 15).

18. Amendment of subsections (b)(7)(8)5., new subsections (b)(8.2)-(b)(8.4)(C) and amendment of Note filed 8-24-98; operative 8-24-98 pursuant to Government Code section 11343.4(d) (Register 98, No. 35).

19. Editorial correction of subsection (a) (Register 98, No. 47).

20. Amendment of subsections (b)(8.1), (b)(S.1)(A) and (b)(9)(E) filed 5-11-99; operative 5-11-99 pursuant to Government Code section 11343.4(d) (Register 99, No. 20).

21. Amendment of subsections (b)(8.1)-(b)(S.1)(A) and (b)(9)(E) filed 12-6-2000; operative 1-1-2001 pursuant to the 1974 version of Government Code section 11380.2 and Title 2, California Code of Regulations, section 18312(d) and (e) (Register 2000, No. 49).

22. Amendment of subsections (b)(3) and (b)(10) filed 1-10-2001; operative 2-1-2001.

Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No.2).

23. Amendment of subsections (b)(7)(A)4., (b)(7)(8)1.-2., (b)(8.2)(E)3., (b)(9)(A)-(C) and footnote 4 filed 2-13-2001. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2001, No.7).
24. Amendment of subsections (b)(B.1)-(b)(B.1)(A) filed 1-16-2003; operative 1-1-2003. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2003, No.3).
25. Editorial correction of History24 (Register 2003, No. 12).
26. Editorial correction removing extraneous phrase in subsection (b)(9.5)(B) (Register 2004, No. 33).
27. Amendment of subsections (b)(2)-(3), (b)(3)(C), (b)(6)(C), (b)(8.1)-(b)(B.1)(A), (b)(9)(E) and (b)(11)-(12) filed 1-4-2005; operative 1-1-2005 pursuant to Government Code section 11343.4 (Register 2005, No.1).
28. Amendment of Subsection (b)(7)(A)4. filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).
29. Amendment of subsections (a), (b)(1), (b)(3), (b)(B.1), (b)(B.1)(A) and (b)(9)(E) filed 12-1B-2006; operative 1-1-2007. Submitted to OAL pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements) (Register 2006, No. 51).
30. Amendment of Subsections (b)(B.1)-(b)(B.1)(A) and (b)(9)(E) filed 10-31-2008; operative

11-30-2008. Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, unpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 200B, No. 44).

| <b>Designated position</b>                                  | <b>Change</b>                        | <b>Disclosure Category</b> |
|---|--------------------------------------|----------------------------|
| AGENCY CLERK  | No change                            | 1                          |
| AGENCY COUNSEL  | No change                            | 1                          |
| ASSISTANT AGENCY CLERK                                      | No longer required for this position |                            |
| ASSISTANT DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT     | Change title to Assistant Director   | 1                          |
| ASSISTANT DIRECTOR OF HOUSING CHOICE VOUCHER                | Change title to Assistant Director   | 1                          |
| ASSISTANT DIRECTOR OF REAL ESTATE AND CONSTRUCTION SERVICES | Change title to Assistant Director   | 1                          |
| ASSISTANT SITE MANAGER                                      | Remove – title no longer used        | 3                          |
| BUYER   | Remove – title no longer used        | 4                          |
| COMMUNITY DEVELOPMENT ANALYST 1, 2, or 3                    | Newly added position                 | 2                          |
| COMPLIANCE/PROCUREMENT ANALYST                              | No change                            | 1                          |
| CONSTRUCTION TECHNICIAN                                     | No change                            | 3                          |
| DEPUTY EXECUTIVE DIRECTOR                                   | No change                            | 1                          |
| DESIGN AND CONSTRUCTION SERVICES MANAGER                    | Change title to Program Manager      | 1                          |
| DIRECTOR OF DEVELOPMENT                                     | Change title to Director             | 1                          |
| DIRECTOR OF HOUSING AUTHORITY                               | Change title to Director             | 1                          |
| DIRECTOR  | Add new title/classification         | 1                          |
| EXECUTIVE DIRECTOR  | No change                            | 1                          |
| ENVIRONMENTAL ANALYST                                       | Change title to Management Analyst   | 1                          |
| FINANCE DIRECTOR  | Change title to Director             | 1                          |
| FINANCE MANAGER   | Change title to Program Manager      | 1                          |
| GENERAL COUNSEL   | No change                            | 1                          |
|   |                                      |                            |

| <b>Designated position</b>         | <b>Change</b>                               | <b>Disclosure Category</b> |
|------------------------------------|---|----------------------------|
| HOMEOWNERSHIP SERVICES SUPERVISOR  | Change title to Supervisor                  | 3                          |
| HOUSING ASSISTANT –HCV             | No longer required for this position        | 3                          |
| HOUSING PROGRAM – SPECIALIST - HCV | No change                                   | 3                          |
| HOUSING PROGRAM SPECICIALIST - HSG | No change                                   | 3                          |
| HOUSING AUTHORITY MANAGER - HCV    | Change title to Program Manager             | 1                          |
| HOUSING AUTHORITY MANAGER - CNV    | Change title to Program Manager             | 1                          |
| HOUSING AUTHORITY ANALYST - HCV    | No change                                   | 3                          |
| HOUSING AUTHORITY ANALYST - HSG    | No change                                   | 3                          |
| HOUSING AUTHORITY SPECIALIST - HCV | Remove – title no longer used               | 3                          |
| HOUSING AUTHORITY SPECIALIST - HSG | Remove – title no longer used               | 3                          |
| HOUSING AUTHORITY SUPERVISOR - HCV | Change title to Supervisor                  | 3                          |
| HOUSING AUTHORITY SUPERVISOR - HSG | Change title to Supervisor                  | 3                          |
| HOUSING FINANCE ANALYST - RANGE 1  | Change to Housing Finance Analyst 1, 2 or 3 | 2                          |
| HOUSING FINANCE ANALYST - RANGE 2  | Change to Housing Finance Analyst 1, 2 or 3 | 2                          |
| HOUSING FINANCE ANALYST - RANGE 3  | Change to Housing Finance Analyst 1, 2 or 3 | 2                          |
| HOUSING PROGRAM TECHNICIAN 1       | No Change                                   | 3                          |
| HOUSING PROGRAM TECHNICIAN 2       | No Change                                   | 3                          |
| HUMAN RESOURCES MANAGER            | Change title to Program Manager             | 1                          |
| IMTS MANAGER                       | No Change                                   | 1                          |
| IT APP/DEV SPECIALIST              | Newly added position                        | 4                          |
| IT NETWORK/MIDRANGE                | No Change                                   | 4                          |

| <b>Designated position</b>                                   | <b>Change</b>                                  | <b>Disclosure Category</b> |
|--|--|----------------------------|
| SPECIALIST   |  |                            |
| LOAN ADMINSTRATOR  | Newly added position                           | 2                          |
| LOAN SERVICING ANALYST                                       | Newly added position                           | 2                          |
| MANAGEMENT ANALYST   | No Change                                      | 1                          |
| MAINTENANCE LEAD   | Newly added position                           | 3                          |
| MAINTENANCE SPECIALIST –<br>STATIONERY ENGINEER              | Newly added position                           | 3                          |
| MAINTENANCE SPECIALIST –<br>FIRE AND LIFE SAFETY             | Newly added position                           | 3                          |
| PRINCIPAL CONSTRUCTION<br>ARCHITECT/CONSTRUCTION<br>ENGINEER | Change - Combine with<br>Construction Engineer | 2                          |
| PRINCIPAL CONSTRUCTION<br>TECHNICIAN                         | No Change                                      | 2                          |
| PRINCIPAL HOUSING<br>AUTHORITY ANALYST - HCV                 | No Change                                      | 3                          |
| PRINCIPAL HOUSING<br>AUTHORITY ANALYST - HSG                 | No change                                      | 3                          |
| PRINCIPAL LOAN<br>PROCESSING ANALYST                         | Newly added position                           | 2                          |
| PRINCIPAL PROCUREMENT<br>SERVICES ANALYST                    | Remove – title no longer<br>used               | 1                          |
| PRINCIPAL REGULATORY<br>COMPLIANCE ANALYST                   | No change                                      | 2                          |
| PROCUREMENT SERVICES<br>SUPERVISOR                           | Change title to<br>Supervisor                  | 2                          |
| PROGRAM MANAGER,<br>COMMUNITY/SOCIAL<br>SERVICES             | Change title to Program<br>Manager             | 1                          |
| PROGRAM MANAGER-<br>PORTFOLIO MANAGEMENT                     | Change title to Program<br>Manager             | 1                          |
| PROGRAM INTEGRITY<br>ANALYST                                 | Newly added position                           | 2                          |
| PROJECT MANAGER  | No Change                                      | 1                          |
| PUBLIC INFORMATION<br>OFFICER                                | No Change                                      | 1                          |
| REAL ESTATE COORDINATOR                                      | Newly added position                           | 1                          |
| REAL ESTATE MANAGER  | Change title to Program<br>Manager             | 1                          |

| <b>Designated position</b>          | <b>Change</b>                             | <b>Disclosure Category</b> |
|-------------------------------------|---|----------------------------|
| REAL ESTATE MANAGER LEVEL 2         | Change title to Program Manager           | 1                          |
| REAL ESTATE SPECIALIST              | No longer required for this position      | 3                          |
| REDEVELOPMENT ANALYST RANGE 1       | Change to Redevelopment Analyst 1, 2 or 3 | 3                          |
| REDEVELOPMENT ANALYST RANGE 2       | Change to Redevelopment Analyst 1, 2 or 3 | 3                          |
| REDEVELOPMENT ANALYST RANGE 3       | Change to Redevelopment Analyst 1, 2 or 3 | 3                          |
| REDEVELOPMENT MANAGER               | Change to Program Manager                 | 1                          |
| REDEVELOPMENT PLANNER - RANGE 1     | Change to Redevelopment Planner 1, 2 or 3 | 2                          |
| REDEVELOPMENT PLANNER - RANGE 2     | Change to Redevelopment Planner 1, 2 or 3 | 2                          |
| REDEVELOPMENT PLANNER - RANGE 3     | Change to Redevelopment Planner 1, 2 or 3 | 2                          |
| REDEVELOPMENT SPECIALIST 1, 2, OR 3 | Newly added position                      | 2                          |
| REGULATORY COMPLIANCE ANALYST       | No change                                 | 2                          |
| RISK SERVICES MANAGER               | Change to Management Analyst              | 1                          |
| SENIOR HR ANALYST                   | Newly added position                      | 1                          |
| SITE MANAGER I/II                   | Add level I/II information                | 2                          |
| SHRA COMMISSION MEMBERS             | No change                                 | 1                          |
| LOAN COMMITTEE MEMBERS              | No change                                 | 1                          |
| CONSULTANTS/NEW POSITIONS           | No change                                 | 1                          |



**Sacramento Housing and Redevelopment Agency**

**POLICY/PROCEDURE INSTRUCTION**

TO: All SHRA Staff

FROM: La Shelle Dozier, Executive Director

POLICY SUBJECT: SHRA Code of Ethics Policy - Acting Ethically and Responsibly

EFFECTIVE: July 15, 2014

Scope - This policy applies to all employees of the Sacramento Housing and Redevelopment Agency (SHRA).

Purpose - The purpose of this Policy is to help you understand SHRA's expectations for ethical and responsible behavior and related legal requirements.

Policy: As a public agency, SHRA is committed to acting in the best interest of the communities and clients whom we serve. We have the same expectation of our employees.

SHRA's Conflict of Interest Code

Certain employees are subject to SHRA's "Conflict of Interest Code" (the "Code"). The Code requires employees to avoid conflicts of interest. In addition, employees subject to the Code are required to disclose certain economic interests to SHRA. If you are required to comply with the Code, you will be notified by the Agency Clerk.

The obligations established in this policy are in addition to any obligations established by the Conflict of Interest Code. However, if you ever feel this policy and the Code are in conflict, please discuss the matter with your supervisor.

Our Ethical Values

As an organization, we value:

- **Honesty and personal integrity**, including truthfulness in our dealings with SHRA, our coworkers, and the public.
- **Respect for others**, meaning acting professionally and courteously toward others, and following all SHRA rules regarding appropriate behavior and conduct toward others.
- **Legal compliance**, which includes the responsibility to know and follow the laws, regulations, and ordinances that apply to SHRA, to request assistance when we are unsure about the proper course of conduct, and to notify SHRA of potentially illegal or unethical conduct.

- **Protection of public resources**, which requires us not to misuse SHRA resources or time for personal or other reasons.

### SHRA's Expectations of Employees

SHRA expects you to exhibit the values described above in your work and workplace behavior, to ask for assistance when needed, and to notify SHRA when you believe someone may have violated this policy.

Here are some examples of conduct that violates this policy:

- Accepting a bribe or favor in exchange for an SHRA benefit
- Not meeting professional commitments (for example, to return phone calls to clients or to arrive to work as scheduled)
- Submitting false time records
- Improperly disclosing client information without a business reason to do so
- Using SHRA equipment or time for a personal business or for the business of another employer
- Renting or leasing property you own or manage to SHRA or an SHRA client
- Having any financial interest (direct or indirect) in an entity doing business with SHRA.
- Managing the case file of a family member
- Accessing your own or a family member's case file
- Holding employment or serving on the board of an organization funded wholly or in part by the SHRA, without disclosing to the SHRA in advance
- Knowingly violating any law, regulation, or ordinance

For purposes of this policy, a "family member" includes a spouse, registered domestic partner, child, parent, sibling, uncle, aunt, first cousin, nephew, or niece, as well as in-laws, step-relations, and half-relations (e.g., parents-in-law, stepsons or stepdaughters, or half-sisters or half-brothers).

### Disclosing Information to the SHRA

You must disclose any circumstances that could create an actual or perceived ethical breach to SHRA in advance, by immediately notifying your supervisor. The supervisor will then determine what appropriate steps to take, if any, to address the situation.

Here are some common circumstances in which you are required to disclose information to SHRA:

- If you or a family member are participating in an SHRA program.
- If you are assigned to manage a property or caseload which contains a family member.
- If you work for another employer, and your obligations to that employer could conflict with your obligations to SHRA

- If you have any financial interest in any entity doing business with SHRA
- If a family member works for or applies to work for SHRA
- If you purchase or obtain an interest in real property and any of the tenants residing at the property are clients of SHRA
- If you work for or serve on the board of an entity funded in whole or in part by SHRA

If you are subject to SHRA's "Conflict of Interest Code," you may be subject to additional disclosure requirements. The requirements in this policy are in addition to any disclosure requirements under the Code.

### Treating Client Information Confidentially

Depending on the area in which you work, you may have access to private, personal information about SHRA clients or applicants, such as their family income, social security number, criminal and rental history, employment status, and disability status. Part of your ethical obligation requires you to treat that information confidentially, and not to disclose it to others unless there is a business reason to do so.

SHRA requires you to take particular measures to protect the confidentiality of client information transferred electronically. The Agency's Technology Usage Policy and Data Security Agreements are in place to ensure that technology is used in a professional and responsible manner. Agency departments, such as HCV, also use data security and confidentiality acknowledgement agreements that are specific to the requirements and restrictions of their programs. The Technology Usage Policy is available on the Agency Intranet. Some examples of the restrictions are:

- The use of "blind" copies ("bcc")
- Sharing any password to access any SHRA system or computer with any other individuals not specifically authorized to receive it.
- Leaving SHRA computers unattended when logged on, unless you have a password-protected screen saver.
- Transferring any client information to service providers or other agencies authorized to receive such information without a password protected/encrypted email message.

### Accessing Client Information

If needed to do your job, SHRA provides you access to files and data about clients participating in SHRA programs. As stated above, if you or family member is participating in any SHRA programs, you must disclose it to the SHRA. Doing so enables SHRA to prevent actual or perceived conflicts of interest or other ethical breaches.

However, in addition, you are not permitted to access any SHRA files or data about you or your family members. Nor may you participate in any way in the management of your or a family member's case file. You may only access files and data about clients on your caseload, and you must immediately notify your supervisor if someone assigned to your caseload is a family member.

If you are participating in either of SHRA programs, you must follow regular channels to meet with your caseworker during his or her regular work hours. You may not meet with your caseworker to discuss your case when you are scheduled to be performing work for SHRA or when your caseworker is not scheduled to be performing work for SHRA.

#### Renting or Leasing Property to Clients

If you own or manage property in Sacramento County, you may not rent to clients participating in the Housing Choice Voucher Program.

#### Outside Employment

SHRA generally does not seek to regulate how employees spend their time outside of work. If you choose to work for another employer while working for SHRA, however, you must continue to uphold the ethical obligations described in this policy and comply with SHRA's Outside Employment Policy. It is not ethical, for example, to use SHRA time or resources (phones, fax machines, email, etc.) to conduct business for another employer. Nor is it ethical to use confidential SHRA information for the benefit of another employer. You must have approval from SHRA, in advance, before you commence outside employment.

#### Working with Family Members

SHRA's Nepotism Policy is outlined in the Agency Personnel Rules which are available on the Agency Intranet. Please notify SHRA of any family members working for SHRA or of any circumstances that could result in a violation of this provision (e.g., if a family member applies for employment with SHRA, or you become related to another SHRA employee by marriage).

#### Complying With Other SHRA Policies

You may be required to comply with other SHRA policies and procedures that relate to this policy and your obligation to act ethically. If at any time you believe there is a conflict between this policy and any other SHRA policy or practice, please immediately bring the matter to the attention of your supervisor or Human Resources.

### When You Have Questions or Complaints

SHRA obviously cannot anticipate every potential situation that may require you to make an ethical and responsible decision. Therefore, if you have any questions, you should direct them to your supervisor.

Additionally, if you observe others engaging in conduct that you believe violates this policy, we want you to share the information with us so that we can appropriately address it. SHRA will investigate all complaints, commensurate with the circumstances. Please report any perceived violations of this policy to your supervisor.

SHRA prohibits retaliation for making a complaint under this policy, or in participating in the investigation of a complaint. If you believe someone is violating this policy against retaliation, please immediately report it to your supervisor.

### **Procedure:**

Staff shall:

Acknowledge receipt of the policy and follow the policy as outlined above.

### **Process:**

1. Department Heads/Supervisors shall:  
Assist with any questions as needed or forward to a higher level supervisor or to Human Resources as appropriate.
2. Human Resources shall:  
Disseminate this policy to all staff upon hire and on an annual basis thereafter.

### **Non-compliance:**

Failure to comply with this Policy may result in disciplinary action up to and including termination.