

**CITY OF REDONDO BEACH
(APP)**

ADMINISTRATIVE POLICY/PROCEDURES

Number: ?..?

*Subject: Cultural Arts Commission
Conflict of Interest Policy*

Original Issue: XX/XX/2023 Effective: XX/XX /2025

*Current Issue: XX/XX/2023 Effective: XX/XX /2025*Category: General Administration

Supersedes: N/A

I. PURPOSE AND SCOPE

To establish guidelines to ensure that members of the City's Cultural Arts Commission (the "Commission") or any other individuals involved in making recommendations to the City Council regarding public art projects act in a manner consistent with California's Conflict of Interest laws, including the Political Reform Act of 1974 (Government Code §§ 81000-91014), Government Code § 1090, and the associated regulations codified in the California Code of Regulations, Title 2, Division 6, §§ 18110-18997, as enforced by the Fair Political Practices Commission ("FPPC").

II. DEFINITIONS

Immediate family member shall mean the spouse, registered domestic partner, child, parent, sibling, or any other person residing in the same household as a member of the Commission, its committees, subcommittees, or panels.

III. GENERAL

Redondo Beach Municipal Code § 10-6.08 (as amended by Ordinance No. 3278-24, which renamed the Public Art Commission to the Cultural Arts Commission) authorizes the City Manager to establish and maintain written administrative policies as program guidelines to implement the requirements of the chapter. These guidelines include, but are not limited to standards for eligible public artworks and placement of public art on public and private development sites, the role and procedures of the Commission, the art selection process, and the standards and criteria for public art projects.

A. DISQUALIFYING FINANCIAL INTEREST (ACTUAL CONFLICTS OF INTEREST): A member of the Commission, its committees, subcommittees, or panels is disqualified from serving as a panelist or advisor in any process convened to make recommendations to the City Council regarding the selection

of artists or works of art or from attempting to influence that decision through related processes. This disqualification includes, but is not limited to developing project-specific requirements, guidelines or selection criteria and reviewing Requests for Qualifications (“RFQs”) and Requests for Proposals (“RFPs”), if the member has a disqualifying financial interest as defined under California’s Conflict of Interest laws referenced in Section I of this APP, or under any of the following circumstances:

1. The member or his/her immediate family member has received payment for his/her contributions as an artist or fabricator for a City Council approved public art project completed within the past 24 months.
2. The member or his/her immediate family member has reason to believe that he/she will:
 - a) Compete for a City Council approved public art project in the next 24 months, or
 - b) Receive payment for his/her contributions as an artist or fabricator for a City Council approved public art project in the next 24 months.
3. The member or his/her immediate family member has an ownership interest in a business with a financial interest in a project before the Commission.
4. The member or his/her immediate family member has a current appointment as a board member of an organization with a financial interest in a proposal before the Commission.
5. The artist or fabricator with a proposal before the Commission is a source of income to the member or his/her immediate family member.
6. The artist or fabricator with a proposal before the Commission has given or promised the member or his/her immediate family member gifts valued at \$100 or more within the preceding 12 months.
7. The Commission’s decision about an art proposal may result in the member or his/her immediate family member receiving a financial benefit or incurring a financial loss of \$100 or more.

B. DISQUALIFYING APPARENT CONFLICTS OF INTEREST: Even in the absence of an actual financial interest, a member of the Commission, its committees, subcommittees, or panels is disqualified from serving as a panelist or advisor on any project before the Commission if his/her personal feelings are so strong that his/her judgement MAY be impaired, making him/her unable to fairly and impartially review or make recommendations for a project before the Commission. This disqualification applies to all phases of the project, including but not limited to, developing project-specific requirements, guidelines, selection criteria, and reviewing RFQs and RFPs.

Examples of apparent conflicts:

1. The member may feel so strongly attached to a particular applicant that he/she cannot objectively evaluate other applicants competing for the

same project. For example, an applicant was the member's favorite teacher in college.

2. The member may harbor animosity toward a particular applicant for reasons unrelated to financial interests. For example, an applicant's dog repeatedly caused disturbances in the member's yard despite numerous requests to resolve the matter.

IV. PROCEDURES

- A. Any individual who has reason to believe that he/she or an immediate family member may decide to compete for a public art project coming before the Commission within the next 24 months is ineligible for appointment to the Commission or any of its committees, subcommittees, or panels.
- B. Any currently seated Commissioner who has reason to believe that he/she may decide to compete for a public art project before the Commission in any capacity, including but not limited to, artist, fabricator, or project manager within the next 24 months shall immediately resign from his/her seat.
- C. Any individual who has served as a member of the Commission (or its predecessor, the Public Arts Commission) or any of its committees, subcommittees, or panels at any time within the preceding 24 months, as well as any immediate family member of such a member, shall be ineligible for a public art commission.
- D. All individuals appointed to the Commission or any of its committees, subcommittees, or panels shall sign a written statement attesting to the following prior to his/her first meeting to discuss or take any action on a new public art project, or prior to his/her first meeting as a member of a body already discussing a project:
 1. He/she has read and understands this APP.
 2. Neither he/she nor any immediate family member has a disqualifying actual conflict of interest.
 3. Neither he/she nor any immediate family member has a disqualifying apparent conflict of interest.

V. EXCEPTIONS

There will be no exceptions to this APP unless approved by the City Manager.

VI. AUTHORITY

This APP is in effect by authority of the City Manager.

Mike Witzansky
City Manager