

HAYWARD CITY COUNCIL

RESOLUTION NO. 17- \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

A RESOLUTION ACKNOWLEDGING COUNCIL MEMBER FRANCISCO ZERMENO'S AFFILIATION WITH THE ORGANIZATION LA ALIANZA DE HAYWARD ("LA ALIANZA")

WHEREAS, California Government Code section 1090 generally prohibits members of the legislature, state, county, judicial district, and city officers or employees from undertaking a financial interest in any contract with the body or board;

WHEREAS, Government Code Section 1091.5 provides "non-interest" exceptions wherein public officials may fully participate in decisions in which they have one of the listed "non-interest" exceptions if they comply with the requirements of that section;

WHEREAS, Government Code Section 1091.5(a)(8) provides that a non-interest exists when a public official is a non-compensated officer of a nonprofit, tax-exempt corporation which, as a primary purpose, supports the functions of a public body or board, or to which the public body has a legal obligation to give particular consideration;

WHEREAS, La Alianza De Hayward is a 501(c)(3) non-profit entity incorporated on or about February 10, 1999 to promote Mexican and Mexican-American culture, education, and civic community in Hayward;

WHEREAS, in the past several years, the City has provided charitable contributions to La Alianza's annual Cinco de Mayo celebration, as well as scholarships provided by the organization;

WHEREAS, Council Member Francisco Zermeño was an incorporating director of La Alianza De Hayward and currently sits on the Board of Directors, is acting Treasurer for La Alianza, manages the organization's books, and is listed as the agent for service of process for the organization;

WHEREAS, Council Member Francisco Zermeno has not received any compensation for the services he has provided for La Alianza throughout his years of service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Council Member Francisco Zermeno's affiliation as a non-compensated officer of the nonprofit corporation, La Alianza de Hayward, is acknowledged and noted in the City's records pursuant to Government Code Section 1091.5(a)(8).

IN COUNCIL, HAYWARD, CALIFORNIA April 25, 2017

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_

Miriam Lens

City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_

Michael Lawson

City Attorney of the City of Hayward