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Council considers potential Conflict of Interest violation

By Jennifer Wake

The Lafayette City Council at its April 12 meeting discussed its first potential violation of the Conflict of Interest Policy for Planning Commission and Design Review Commissioners since its adoption on March 26, 2018. The policy provides clear standards for members to avoid engaging in conduct that may pose an actual conflict of interest or the appearance of bias or a conflict of interest.

Design Review Commissioner Kristen Sidell's architecture firm Sidell Pakravan Architects, according to a staff report by city attorney Mala Subramanian, unintentionally worked on a project in late 2020 and early 2021 located within the city of Lafayette that both the property owner and firm believed to be in the city of Orinda. "The property has an Orinda mailing address and it was only when the project was submitted to Orinda did the firm realize that the property was located in the city of Lafayette," the report stated. The staff report recommended waiving the "inadvertent violation of the Policy and allow Commissioner Sidell's firm to bill for the work as requested," but Council Member Cam Burks, who was involved in working on this policy in 2018, stated that Sidell's firm should have known what city this was located in and that it was a violation of the ordinance. "We passed this ordinance because there was a problem, and it was a systemic problem in this town," he said.

After an extended discussion among council members, as well as public comment from Lafayette resident Bob McClain, who was asking for Sidell's resignation, Subramanian clarified that a violation of the policy only occurs if Sidell bills for the work completed before her firm knew the project was located in Lafayette and after she joined the DRC. Sidell agreed not to bill the client for the \$855 in fees and the matter was closed, with no further action required.

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[back](#)

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