



Report to City Council

TO: Mayor and City Council

FROM: Patty Rodriguez, Acting Manager of the Office of Mayor and City Council/City Clerk

AGENDA DATE: September 17, 2024

TITLE: BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE (REPORT OF: CITY CLERK)

TITLE SUMMARY: Resolution Amending City's Conflict of Interest Code

Recommendation(s)

That the City Council:

1. Adopt the Resolution Amending the City's Conflict of Interest Code with Lists of Designated Officers and Employees for the City, Community Services District, Housing Authority, Successor Agency, Public Financing Corporation, Public Financing Authority, Board of Library Trustees, and Community Foundation, including the Disclosure Categories and Fair Political Practices Commission's Standard Model of Conflict of Interest Code incorporated by reference.

SUMMARY

The Political Reform Act requires every local government agency to review its conflict of interest code biennially, in even-numbered years. A conflict of interest code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Statement of Economic Interests (Form 700).

DISCUSSION

Government Code Section 87306 requires that the City review its Conflict of Interest Codes every even-numbered year and determine whether the Codes need to be revised or amended.

The City Council last updated the City's conflict of interest code on September 20, 2022 with adoption of four resolutions for Council, Community Services District, Housing Authority and Successor Agency.

With adoption of the 2024 Code, several changes to streamline the Code are proposed including:

- Adoption of a city-wide Code (one Resolution) with attached lists of Designated Officers for each of the eight agencies;
- Incorporation of Regulation 18730 by reference;
- Revision of disclosure categories tailored to the duties performed; and
- Reduction of positions to those with decision-making authority.

Amendments are required in the Conflict of Interest Code to reflect changes in employee titles in various City departments and revisions to disclosure categories for the City including: Community Services District, Housing Authority and Successor Agency and addition of the Public Financing Corporation, Public Financing Authority, Board of Library Trustees, and Community Foundation. Adoption of the attached resolution will approve the proposed amendments to the Conflict of Interest Code and will ensure compliance with State law provisions.

Changes are proposed to the Disclosure Categories because the previous City conflict of interest code had full disclosure for everyone. However, FPPC requires reporting requirements for each position be based on their duties and responsibilities. FPPC advises avoiding pitfalls requiring full disclosure to positions with limited decision-making authority and also not to site specific Form 700 schedules.

The Resolution (Attachment 1 to the Staff Report) includes Exhibit "A," the new Conflict of Interest Code with Attachments 1-8, the eight agency listings of designated officers and employees, and Attachment 9, disclosure categories. Appendix A (Attachment 2 to the Staff Report) reflects the current tracked changes from the previous 2022 schedule.

ALTERNATIVES

Add or remove designated positions.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Biennial Notices, notice posting/distribution, and distribution of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
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Department Head Approval:
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