



## CITY HALL

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

**MEETING DATE:** October 4, 2022

**TO:** City Council

**FROM:** Rose Beristianos, City Clerk

**RE:** Conflict of Interest Code

### RECOMMENDATION

Approve Resolution No. 24-80, Conflict of Interest Code

### BACKGROUND

The overarching purpose of the California Political Reform Act is to help ensure that a public officer or employee, during his or her official duties, is not involved in making, or participating in the making of, decisions which may foreseeably have a material effect on any financial interest of the employee. To that end, Government Code Sections 87300, *et seq.*, requires every local agency to promulgate a Conflict of Interest Code which contains (1) a specific listing of the positions within the City which involve the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest, and (2) for each such position, the specific types of investments, business positions, interests in real property and sources of income which are reportable. All such designated employees are required to file an annual Form 700 Statement of Economic Interest.

The City previously adopted a Conflict of Interest Code in October of 2018. Government Code Section 87306 requires an agency to amend its Conflict-of-Interest Code when necessitated by changed circumstances, including the creation of new positions, the elimination of positions or changes in the duties assigned to existing positions on the list. Government Code Section 87306.5 requires every agency to review its Conflict-of-Interest Code every two years to determine if changes are needed due to the changed circumstances listed above and, if so, to make these changes within 90 days after such a determination has been made.

In developing a disclosure list for the conflict-of-interest code, a "designated employee" is an officer, employee, member, or consultant of an agency whose position is designated in the code because the position entails the making, or participation in the making, of governmental decisions which may foreseeably have a material effect on any financial interest. Making a governmental decision means the person: (1) votes on a matter; (2) appoints a person; (3) obligates or commits the City to any course of action; or (4) enters into any contractual agreement on behalf of the City. Participating in the making of a decision means the person: (1) negotiates, without significant substantive review, with a governmental entity or private person regarding the decision; or (2) advises or makes recommendations





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to the decision maker by conducting research or an investigation, preparing or presenting a report, analysis or opinion which requires the exercise of judgment on the part of the employee and the employee is attempting to influence the decision.

### **DISCUSSION**

The last time this item was brought to Council was October 4, 2022. It is a requirement to review this item every two years. The staff has reviewed the positions and no changes were needed.

### **FINANCIAL IMPACT**

None

### **ATTACHEMENTS**

Resolution 24-80

Appendix A- Designated Employees and Officials

Appendix B- Disclosure Categories

