



# CITY OF CLEARLAKE

City Council

| <b>STAFF REPORT</b>   |                                       |
|---|---------------------------------------|
| <b>SUBJECT:</b> Adoption of the 2022 Conflict of Interest Code;<br>Resolution No. 2022-71   | <b>MEETING DATE:</b> December 1, 2022 |
| <b>SUBMITTED BY:</b> Melissa Swanson, Administrative Services Director/City Clerk   |                                       |
| <b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item |                                       |

**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

The City Council is being asked to adopt Resolution No. 2022-71 adopting the 2022 Conflict of Interest Code.

**BACKGROUND/DISCUSSION:**

The amended Conflict of Interest Code is attached. The changes are redlined and include the addition of new positions and elimination of unbudgeted/eliminated positions and committees. Notification was sent to filers and proposed filers 45 days prior to adoption. Staff did not receive any comments on the proposed changes.

The Code will be in effect 30 days after adoption. All filers who were already designated in the Conflict of Interest Code will continue to file annual statements as previously due by April 1 of each year. New filers will have 30 days to file an Assuming Office Statement.

**OPTIONS:**

1. Move to adopt Resolution No. 2022-71
2. Other direction

**FISCAL IMPACT:**

None     \$    Budgeted Item?     Yes     No

Budget Adjustment Needed?     Yes     No    If yes, amount of appropriation increase: \$

Affected fund(s):     General Fund     Measure P Fund     Measure V Fund     Other:

Comments:

**STRATEGIC PLAN IMPACT:**

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City

- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

**SUGGESTED MOTIONS:**

Move to adopt Resolution No. 2022-71

- Attachments:** 1) Redlined Conflict of Interest Code

**RESOLUTION NO. 2022-71**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000, et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Clearlake (the "City"), and which requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the City Council adopted a Conflict of Interest Code which was amended on December 17, 2020; and

WHEREAS, subsequent changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on December 1, 2022, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clearlake that the City Council does hereby approve and adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the City Clerk and available to the public for inspection and copying;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall become effective thirty (30) days after the date of its adoption and approval.

PASSED AND ADOPTED on December 1, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Mayor, City of Clearlake

ATTEST:

\_\_\_\_\_  
City Clerk, City of Clearlake