



STAFF REPORT
11/18/2020

TO: Honorable Mayor and City Council Members

FROM: Carlos Campos, City Attorney

SUBJECT: Resolution No. 2020-67, Approving and Adopting an Amended Conflict of Interest Code Pursuant to the Political Reform Act of 1974

STAFF RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 2020-67 approving and adopting the amended Conflict of Interest Code pursuant to the Political Reform Act of 1974.

EXECUTIVE SUMMARY:

Pursuant to the Political Reform Act (the “Act”), the City Council directed staff to: (1) conduct a review of the City’s Conflict of Interest Code (“Code”) to determine if a change in the Code was necessary; (2) File a biennial notice regarding the results of the review no later than the required deadline; (3) revise the Code as necessary based upon such review; and (4) submit the amended Code to the City Council for adoption and approval, in accordance with Section 87303 of the Act.

During the review process, staff found that amendments to the City’s Conflict of Interest Code are necessary. A redline version of the proposed amended Code is attached.

BACKGROUND:

The Political Reform Act of 1974, Government Code Section 81000 et seq. (the “Act”), requires all public agencies to adopt and maintain a Conflict of Interest Code. The Act further requires that agencies regularly review and update their conflict of interest codes as necessary as directed by the code-reviewing body or when change is necessitated by changed circumstances (Sections 87306 and 87306.5). The City Council is the City’s code-reviewing body. As the code-reviewing body, the City Council directed that the Code be reviewed and, if a change in the Code was necessary, that a revised Code be prepared and submitted to the City Council for adoption and approval.

During this review, staff found that amendments to the Code are necessary to include a new position required to be designated, revise Disclosure Category 2 to clarify disclosure of real property interests and include information on e-filing directly with the Fair Political Practices Commission for certain filers.

Attachment: Legislative Version of Proposed Amended Conflict of Interest Code.