



Folsom City Council Staff Report

MEETING DATE:	9/24/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11260 - A Resolution Repealing Resolution No. 10900 and Designating Conflict of Interest Filing Positions and Disclosure Categories
FROM:	City Clerk's Department

RECOMMENDATION / CITY COUNCIL ACTION

Staff recommends that the City Council approve Resolution No. 11260 - A Resolution Repealing Resolution No. 10900 and Designating Conflict of Interest Filing Positions and Disclosure Categories.

BACKGROUND / ISSUE

All local California agencies are required to establish a Conflict of Interest Code. The purpose of a Conflict of Interest Code is to ensure that public officials and employees make decisions impartially, without undue influence from personal financial interests. This code aims to promote transparency and accountability by requiring individuals in positions of authority to disclose their financial interests that could potentially conflict with their public duties. By clearly defining disclosure requirements and prohibitions, the Conflict of Interest Code helps prevent corruption and maintains public trust in the integrity of city government operations.

POLICY / RULE

Under the Political Reform Act, specifically Government Code Section 87303 et seq., agencies must review their Conflict of Interest Codes every two years to assess the need for revisions. The City's last update was completed in 2022.

Section 7.01 of the City’s Charter stipulates that “[t]he use of public office for private gain is prohibited. The City Council shall implement this prohibition by ordinance adopting and ensuring compliance with the laws of the State of California regarding such conflicts...”

Folsom Municipal Code Section 2.34.030 et seq. grants the City Council the authority to designate by resolution those positions involved in making or participating in decisions that could materially affect any financial interest.

ANALYSIS

The City of Folsom’s Conflict of Interest Code designates specific staff positions within the City that make or are involved in making financial decisions. Examples of financial decisions made by staff include contracting for services, purchasing goods and supplies, and overseeing financial investments or expenditures. Each designated position is assigned one or more disclosure categories based on the position’s responsibility and authority. For example, positions involving contracting and purchasing are categorized under Disclosure Category 2.

For this year’s update, department heads have reviewed the 2022 list of designated positions and their corresponding disclosure categories to identify any necessary updates. This review assessed whether positions should be added, removed, or reclassified based on their decision-making responsibilities and potential impact on personal financial interests.

Since the 2022 update to the Conflict of Interest Code, there have been changes in positions, including additions, reassignments, deletions, and re-titling. As a result, the appendix of designated positions also requires revision to accurately reflect the current structure and titles.

ATTACHMENTS

1. Resolution No. 11260 - A Resolution Repealing Resolution No. 10900 and Designating Conflict of Interest Filing Positions and Disclosure Categories
2. Resolution No. 10900 - A Resolution Repealing Resolution No. 10527 and Designating Conflict of Interest Filing Positions and Disclosure Categories

Submitted,

Christa Freemantle, CMC
City Clerk

ATTACHMENT 1

- Resolution No. 11260 - A Resolution Repealing Resolution No. 10900 and Designating Conflict of Interest Filing Positions and Disclosure Categories

RESOLUTION NO. 11260

**A RESOLUTION REPEALING RESOLUTION NO. 10900
AND DESIGNATING CONFLICT OF INTEREST FILING POSITIONS
AND DISCLOSURE CATEGORIES**

WHEREAS, the Political Reform Act, Government Code Section 87303 et seq. requires that agencies review biennially in even-numbered years the provisions of their Conflict of Interest Code, which includes designated positions and disclosure categories; and

WHEREAS, persons holding these positions are designated public officials, officials, employees and consultants as defined in Government Code Section 82019 et seq. are deemed to make or participate in the making of decisions which may foreseeably have a material effect on any personal financial interest; and

WHEREAS, Chapter 2.34 of the Folsom Municipal Code pertaining to the Conflict of Interest Code, authorizes the City Council to designate by resolution those designated Conflict of Interest staff positions which should file statements of economic interests; and

WHEREAS, that as a result of the review mandated by Government Code Section 87300 et seq. it has been determined that the current list of designated positions and disclosure categories should be updated:

NOW THEREFORE, BE IT RESOLVED, that Resolution No. 10900, which established the prior list of designated filers and disclosure categories is hereby replaced; and

BE IT FURTHER RESOLVED, that all public officials, officials, elected and appointed officers, persons holding designated positions and consultants that are subject to the filing and disclosure requirements pursuant to Exhibit "A" in accordance to the disclosure categories as set forth in Exhibit "B" shall file statements of economic interests in accordance with the forms and procedures established by the California Fair Political Practices Commission.

PASSED AND ADOPTED on this 24th day of September 2024, by the following roll-call vote:

AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

Michael D. Kozlowski, MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

EXHIBIT "A"

CITY OF FOLSOM CONFLICT OF INTEREST CODE APPENDIX OF DESIGNATED OFFICIALS/EMPLOYEES

I. Designated Positions.

The positions listed below constitute the list of designated positions required by the City of Folsom's conflict of interest code (Folsom Municipal Code Chapter 2.34). Individuals holding these positions as designated public officials, officials, employees and consultants as defined in Government Code Section 82019 et seq. are deemed to make or participate in the making of decisions which may foreseeably have a material effect on any financial interest. The individuals occupying the designated positions shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in Exhibit B.

Department	Designated Position/Category
City Attorney's Department	Assistant City Attorney / CAT-01
City Attorney's Department	City Attorney / 87200 Filer
City Attorney's Department	Legal Analyst / CAT-02, CAT-04
City Attorney's Department	Legal Secretary / CAT-01
City Clerk's Department	City Clerk / CAT-01
City Clerk's Department	Deputy City Clerk / CAT-02
City Council	87200 Filers
City Manager's Department	Administrative Support Specialist / CAT-01
City Manager's Department	City Manager / 87200 Filer
City Manager's Department	Communications Director / CAT-02
City Manager's Department	Digital Communications Specialist / CAT-01
Commission / Committee Members	Planning Commissioners / 87200 Filer All Others: CAT-03, CAT-04
Community Development Department	Associate Planner / CAT-03

Community Development Department	Building Inspector I/II / CAT-03, CAT-04
Community Development Department	Building Inspector Supervisor / CAT-03, CAT-04
Community Development Department	City Engineer / CAT-02, CAT-03
Community Development Department	Code Enforcement Officer I/II / CAT-02, CAT-03
Community Development Department	Code Enforcement Supervisor / CAT-03
Community Development Department	Community Development Director / CAT-01
Community Development Department	Plan Check Engineer / CAT-03, CAT-04
Community Development Department	Planning Manager / CAT-01
Community Development Department	Principal Civil Engineer / CAT-01
Community Development Department	Senior Civil Engineer / CAT-02, CAT-03
Community Development Department	Senior Planner / CAT-03, CAT-04
Community Development Department	Urban Forester / CAT-03, CAT-04
Environmental and Water Resources Department	Associate Civil Engineer / CAT-02, CAT-03
Environmental and Water Resources Department	Director of Environmental/Water Resources / CAT-01
Environmental and Water Resources Department	Management Analyst / CAT-02
Environmental and Water Resources Department	Principal Engineer / CAT-02, CAT-03
Environmental and Water Resources Department	Utility Maintenance Supervisor / CAT-02, CAT-04
Environmental and Water Resources Department	Utility Manager / CAT-02, CAT-03, CAT-04
Environmental and Water Resources Department	Wastewater Collection Supervisor / CAT-02, CAT-04
Environmental and Water Resources Department	Water Distribution Supervisor / CAT-02

Environmental and Water Resources Department	Water Treatment Plant Supervisor / CAT-02, CAT-04
Finance Department	Deputy Treasurer / CAT-02
Finance Department	Finance Director / Chief Financial Officer / 87200 Filer
Finance Department	Financial Services Manager / CAT-01
Finance Department	Information Systems Manager / CAT-02
Finance Department	Revenue Supervisor / CAT-01, CAT-03
Finance Department	Revenue/Disbursements Manager / CAT-01
Fire Department	Administrative Assistant / CAT-02
Fire Department	Administrative Technician / CAT-02
Fire Department	Fire Battalion Chief / CAT-02
Fire Department	Fire Chief / CAT-01
Fire Department	Fire Division Chief / CAT-02
Fire Department	Fire Prevention Officer / CAT-02
Human Resources Department	Human Resources Director / CAT-01
Human Resources Department	Senior Management Analyst / CAT-02
Library Services	Librarian / CAT-01
Library Services	Library Manager / CAT-02
Library Services	Senior Librarian / CAT-01
Lobbyist	Consultant / CAT-01
Parks and Recreation Department	Community and Cultural Services Manager / CAT-02, CAT-03
Parks and Recreation Department	Facilities Maintenance Supervisor / CAT-02, CAT-03

Parks and Recreation Department	Parks and Recreation Director / CAT-01
Parks and Recreation Department	Parks Maintenance Supervisor / CAT-02, CAT-03
Parks and Recreation Department	Parks Maintenance Supervisor / CAT-02, CAT-03
Parks and Recreation Department	Parks/Facilities Maintenance Manager / CAT-02, CAT-03
Parks and Recreation Department	Recreation Supervisor / CAT-02, CAT-03
Parks and Recreation Department	Senior Management Analyst / CAT-02
Parks and Recreation Department	Senior Recreation Coordinator / CAT-01
Parks and Recreation Department	Senior Trails Planner / CAT-02, CAT-03
Parks and Recreation Department	Zoo Manager / CAT-02, CAT-03
Police Department	Administrative Assistant / CAT-01
Police Department	Animal Control Officer / CAT-02, CAT-04
Police Department	Commander / CAT-01
Police Department	Police Chief / CAT-01
Police Department	Police Lieutenant / CAT-01
Public Works Department	Environmental Specialist Supervisor / CAT-02, CAT-04
Public Works Department	Public Works Director / CAT-01
Public Works Department	Section Manager / CAT-02, CAT-04
Public Works Department	Senior Civil Engineer / CAT-02, CAT-03
Public Works Department	Senior Environmental Specialist / CAT-01
Public Works Department	Senior Management Analyst / CAT-02
Public Works Department	Senior Traffic Control/Light Technician / CAT-01
Public Works Department	Solid Waste Supervisor / CAT-01

Public Works Department	Solid Waste/Fleet Manager / CAT-02, CAT-04
Public Works Department	Streets Operations Supervisor / CAT-02, CAT-03
Special Counsel	Consultant / CAT-01

* “87200 Filer(s)” refers to filers identified within Government Code section 87200 et seq. This section establishes certain requirements for members of planning commissions, mayors, city managers, city attorneys, city treasurers, members of city councils, other public officials who manage public investments, and candidates for any of these offices to file statements of economic interest disclosing investments, interests in real property (excluding principal or personal residence) and any income received.

EXHIBIT “B”

CITY OF FOLSOM CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

Disclosure Categories

Category 1 – Officials and employees whose duties are broad and indefinable:

Investments and business positions in business entities, and income including loans, gifts, and travel payments from sources located in or doing business in the jurisdiction.

Interests in real property located in the jurisdiction, including property located within a two-mile radius of any property owned or used by the City or within two miles of the boundaries of the City.

Category 2 – Officials and employees whose duties involve contracting or purchasing:

Investments and business positions in business entities and sources of income including those that provide services, supplies, materials, machinery or equipment of the type utilized by the City.

Category 3 – Officials and employees whose decisions may affect real property interests:

Investments and business positions in business entities and income including loans, gifts, and travel payments from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the City.

Engage in land development, construction or the acquisition or sale of real property.

Interests in real property located within the jurisdiction, including property located within a two-mile radius of any property owned or used by the City.

Category 4 – Officials and employees with regulatory powers:

Investments and business positions in business entities and sources of income including loans, gifts, and travel payments from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned.

Regulations Regarding Gifts

Gifts from outside the agency’s jurisdiction shall not be required to be reported if the purpose of disclosure of the gift does not have some connection with or bearing upon the duties of the position. (18730.1, Title 2, Div 6, CA Code of Regulations)

ATTACHMENT 2

Resolution No. 10900 - A Resolution Repealing Resolution No. 10527 and Designating Conflict of Interest Filing Positions and Disclosure Categories

RESOLUTION NO. 10900

**A RESOLUTION REPEALING RESOLUTION NO. 10527
AND DESIGNATING CONFLICT OF INTEREST FILING POSITIONS
AND DISCLOSURE CATEGORIES**

WHEREAS, the Political Reform Act, Government Code Section 87303 et seq. requires that agencies review biennially in even-numbered years the provisions of their Conflict of Interest Code, which includes designated positions and disclosure categories; and

WHEREAS, persons holding these positions are designated public officials, officials, employees and consultants as defined in Government Code Section 82019 et seq. are deemed to make or participate in the making of decisions which may foreseeably have a material effect on any personal financial interest; and

WHEREAS, Chapter 2.34 of the Folsom Municipal Code pertaining to the Conflict of Interest Code, authorizes the City Council to designate by resolution those positions which should file statements of economic interests; and

WHEREAS, that as a result of the review mandated by Government Code Section 87300 et seq. it has been determined that the current list of designated positions and disclosure categories should be updated:

NOW THEREFORE, BE IT RESOLVED, that Resolution No. 10527, which established the prior list of designated filers and disclosure categories is hereby repealed; and

BE IT FURTHER RESOLVED, that all public officials, officials, elected and appointed officers, persons holding designated positions and consultants that are subject to the filing and disclosure requirements pursuant to Exhibit "A" in accordance to the disclosure categories as set forth in Exhibit "B" shall file their statements of economic interests with the city clerk.

PASSED AND ADOPTED this 23rd day of August 2022, by the following roll-call vote:

AYES: Councilmember(s): Kozlowski, Rodriguez, Aquino, Chalamcherla, Howell

NOES: Councilmember(s): None

ABSENT: Councilmember(s): None

ABSTAIN: Councilmember(s): None


Kerri M. Howell, MAYOR

ATTEST:


Christa Freemantle, CITY CLERK

EXHIBIT "A"

CITY OF FOLSOM CONFLICT OF INTEREST CODE APPENDIX OF DESIGNATED OFFICIALS/EMPLOYEES

I. Designated Positions.

The positions listed below constitute the list of designated positions required by the City of Folsom's conflict of interest code (Folsom Municipal Code Chapter 2.34). Individuals holding these positions as designated public officials, officials, employees and consultants as defined in Government Code Section 82019 et seq. are deemed to make or participate in the making of decisions which may foreseeably have a material effect on any financial interest. The individuals occupying the designated positions shall disclose their economic interests in accordance with the corresponding disclosure categories, defined in Exhibit B.

Appendix of Designated Positions	
Appointed Officials/Positions Title	Disclosure Categories
City Attorney's Department	
Assistant City Attorney	1
City Attorney	87200 filer*
Legal Analyst	2, 4
City Clerk's Department	
City Clerk	1
Deputy City Clerk	2
City Council Members	
(City Council Members also file as Public Financing Authority Members)	87200 filers*
City Council Candidates	
	87200 filers*
City Manager's Department	
City Manager	87200 filer*
Communications Director	2

Commission/Committee Members	
Arts and Culture Commission	3, 4
Historic District Commission	3, 4
Landscaping & Lighting District Advisory Committee	3, 4
Library Commission	3, 4
Parks and Recreation Commission	3, 4
Traffic Safety Committee	3, 4
Utility Commission	3, 4
Community Development Department	
Arborist	3, 4
Assistant Planner	2, 3
Associate Civil Engineer	2, 3
Associate Planner	3
Building Inspector I/II	3, 4
Building Inspector Supervisor	3, 4
Building Official / Building Services Supervisor	1
Code Enforcement Officer I/II	2, 3
Code Enforcement Supervisor	3, 4
Community Development Director	1
Construction Inspector I/II	3, 4
Plan Check Engineer	3, 4
Planning Manager	1
Principal Civil Engineer	1
Principal Planner	3, 4
Senior Building Inspector	3, 4
Senior Civil Engineer	2, 3
Senior Code Enforcement Officer	2, 3
Senior Engineering Technician I/II	1
Senior Planner	3, 4
Environmental and Water Resources Department	
Associate Civil Engineer	2, 3
Director of Environmental/Water Resources	1
PW / Utilities Section Manager	2, 3, 4
Senior Civil Engineer	2, 3
Utility maintenance Supervisor	2, 4
Water Distribution Supervisor	2, 4
Water Management Coordinator	2
Water Treatment Plant Supervisor	2, 4
Wastewater Collection Supervisor	2, 4

Finance Department	
Chief Financial Officer / Finance Director	87200 filer*
Deputy Treasurer	2
Senior Financial Analyst	2
Financial Services Manager	1
Information Systems Manager	2
Revenue Supervisor	1
Fire Department	
Administrative Assistant	2
Administrative Technician	2
Deputy Fire Marshal	2
Fire Battalion Chief	2
Fire Chief	1
Fire Division Chief	2
Fire Prevention Officer	2
Human Resources Department	
Human Resources Director	1
Senior Management Analyst	2
Library Services	
Library Manager	2
Parks and Recreation Department	
Community and Cultural Services Manager	2, 3
Facilities Maintenance Supervisor	2, 3
Municipal Landscape Services Manager	2, 3
Municipal Landscape Services Supervisor	2, 3
Parks and Recreation Director	1
Parks / Facilities Maintenance Manager	2, 3
Parks Maintenance Supervisor	2, 3
Recreation Supervisor	2, 3
Senior Management Analyst	2, 3
Senior Parks Planner	2, 3
Senior Trails Planner	2, 3
Zoo Manager	2, 3

Planning Commission Members	87200 filers*
Police Department	
Animal Control Officer	2, 4
Police Chief	1
Police Commander	2
Police Lieutenant	4
Public Works Department	
Associate Civil Engineer	2, 3
Construction Inspector I/II	2, 3
Public Works Director	1
Environmental Specialist Supervisor	2, 4
Management Analyst	2
PW / Utilities Section Manager	2, 3, 4
Public Works Section Manager (Engineer)	2, 3, 4
Senior Civil Engineer	2, 3
Senior Management Analyst	2, 4
Streets Operations Supervisor	2, 3
Solid Waste / Fleet Manager	2, 4
Traffic Control / Lighting Supervisor	2, 4

* “87200 Filer(s)” refers to filers identified within Government Code section 87200 et seq. This section establishes certain requirements for members of planning commissions, mayors, city managers, city attorneys, city treasurers, members of city councils, other public officials who manage public investments, and candidates for any of these offices to file statements of economic interest disclosing investments, interests in real property (excluding principal or personal residence) and any income received.

EXHIBIT "B"

CITY OF FOLSOM CONFLICT OF INTEREST CODE DISCLOSURE CATEGORIES

Disclosure Categories

Category 1 – Officials and employees whose duties are broad and indefinable:

Investments and business positions in business entities, and income including loans, gifts, and travel payments from sources located in or doing business in the jurisdiction.

Interests in real property located in the jurisdiction, including property located within a two-mile radius of any property owned or used by the City or within two miles of the boundaries of the City.

Category 2 – Officials and employees whose duties involve contracting or purchasing:

Investments and business positions in business entities and sources of income including those that provide services, supplies, materials, machinery or equipment of the type utilized by the City.

Category 3 – Officials and employees whose decisions may affect real property interests:

Investments and business positions in business entities and income including loans, gifts, and travel payments from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the City.

Engage in land development, construction or the acquisition or sale of real property.

Interests in real property located within the jurisdiction, including property located within a two-mile radius of any property owned or used by the City.

Category 4 – Officials and employees with regulatory powers:

Investments and business positions in business entities and sources of income including loans, gifts, and travel payments from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned.

Regulations Regarding Gifts

Gifts from outside the agency's jurisdiction shall not be required to be reported if the purpose of disclosure of the gift does not have some connection with or bearing upon the duties of the position. (18730.1, Title 2, Div 6, CA Code of Regulations)

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to facilitate double-sided printing
and minimize paper use.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE