



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 09/6/2020

ITEM NO: 6

DATE: August 22, 2022
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Rescinding Resolution 2020-038 and Amending the Appendices to the Town Conflict of Interest Code Section 2.30.610

RECOMMENDATION:

Adopt a resolution rescinding Resolution 2018-045 and amending the appendices to the Town Conflict of Interest Code, Section 2.30.610.

BACKGROUND:

The Political Reform Act (Government Code Section 81000 *et seq.*) requires local agencies to adopt and maintain a Conflict of Interest Code. The Town of Los Gatos adopted the Conflict of Interest Code as part of the Town Code set forth in Chapter 2, Article III, Division 4. Revisions to the Conflict of Interest Code may be made by resolution, pursuant to Ordinance 2139, adopted by the Town Council on February 8, 2005. On December 19, 2017, the Council amended the Conflict of Interest Code with the adoption of Ordinance 2267 which mandates all Form 700 filers must file electronically via NetFile, the Town's e-filing system, beginning February 1, 2019. In addition, the Ordinance imposes an opt-in rule, under which Form 700 filers that utilize the electronic filing system once are required to use the system for all future filings, regardless of whether they meet the monetary thresholds in the future. This rule is to ensure continuity of records in the electronic filing system.

The Political Reform Act further requires that in even-numbered years, prior to October 1, local agencies conduct a biennial review and update of their conflict of interest codes to address new positions and/or new position titles, which must be listed in the local code.

PREPARED BY: Wendy Wood
Town Clerk

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Interim Finance Director

DISCUSSION:

The Town last updated its Conflict of Interest Code on September 4, 2020. In consultation with the Town Attorney, it was determined that six new employee positions/classifications need to be added to the list of designated filers. The new positions are as follows: IT System Administrator; Senior Public Works Inspector; Associate Engineer Technician; Senior Engineering Technician; Urban Forest Manager; and Supervising Equipment Mechanic. The name of the Finance Commission is also being corrected from Council Finance Committee to Finance Commission and the General Plan Advisory Committee is being removed as the Committee has completed its work.

Those on the designated positions list are required to file the Fair Political Practices Commission (FPPC) Form 700 Statement of Economic Interests annually by April 1 with the Town Clerk. Attachment 2 is the updated positions and titles for this reporting period consistent with the Political Reform Act reporting requirements.

Additionally, the disclosure categories (Attachment 3) have been consolidated into three categories. Category one (1) requires reporting of all investment and business positions in business entities, sources of income (including receipt of gifts, loans, and travel payments) from sources located in or doing business in the Town of Los Gatos and interests in real property located in the Town of Los Gatos or within two miles of the Town of Los Gatos or property owned by the Town of Los Gatos. Category two (2) requires reporting of investments and positions in business entities and all sources of income (including receipt of gifts, loans, and travel payments) from sources located in or doing business in the Town of Los Gatos. Category three (3) requires reporting of interests in real property located in the Town of Los Gatos or within two miles of the Town of Los Gatos or property owned by the Town of Los Gatos.

COORDINATION:

The preparation of this report was done in coordination with the Town Attorney's Office.

FISCAL IMPACT:

There is no fiscal impact associated with this agenda item.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Draft Resolution
2. Exhibit A – Designated Positions
3. Exhibit B – Disclosure Categories