



CITY COUNCIL MEETING

STAFF REPORT

March 25, 2025

SUBJECT: Council review and acceptance of revisions to the recently updated Conflict of Interest Code provisions concerning Architectural and Engineering Services Administration and Procurement for Federal and State-Funded Transportation Projects

PREPARED BY: Dane H. Schilling – City Engineer
Heidi Provencher – Coastland Engineering

REVIEWED BY: Jennifer Buckman – City Attorney
Gavin Ralphs– Assistant City Attorney

Recommendation

Adopt edits to the City's Conflict of Interest Code required by the Federal Highway Administration related to administration of architectural and engineering services for federal and state-funded transportation projects. These revisions have been reviewed by the City Attorney, City Manager, and City Engineer for compliance with local, state, and federal law.

Background/Discussion

On September 24, 2024, the City reviewed and adopted the *City of Wheatland Standardized Conflict of Interest Code for Designated Employees*. This action was in accordance with the 2024 Biennial Notice. The City's existing Conflict of Interest Code designates those positions, in addition to the positions mandated by law under Government Code Section 87200, that: (1) involve or may involve the making or participating in the making of decisions which may foreseeably have a material effect on any financial interest, and therefore (2) must disclose on appropriate Fair Political Practices Commission (FPPC) forms all the disclosure information that is required by his or her Assigned Disclosure Category.

In addition to these requirements that are imposed under state law by Government Code sections 87100, et seq., the Federal Highway Administration (FHWA) also requires the City to have a Conflict of Interest Code that complies with the language of 23 CFR 172.7(b)(4) in order to qualify to receive federal-aid funding for projects such as the Wheatland Road Complete Streets Project.

On January 28, 2025, the City of Wheatland adopted a revised Conflict of Interest Code that incorporated the aforementioned federally required language.

FHWA has since requested further changes to the Conflict of Interest Code including two revisions to the document. (see Attachment 1). The revisions designate the City Manager as the project administrator and require the City to notify FHWA and Caltrans Division of Local Assistance of any changes to this policy affecting federally funded contracts.

Fiscal Impact

If the City does not adopt a federally compliant Conflict of Interest Code, the City may be ineligible to receive certain federal or state funds.

Attachments

1. 2024 Conflict of Interest Code with proposed changes annotated.
2. Resolution with proposed updated Conflict of Interest Code.