

CITY OF WHEATLAND
Conflict of Interest Code

Revised: June 9, 2026

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted a regulation, Section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code. This regulation can be incorporated by reference into any agency’s code without publication in full within the code. After public notice and hearing, Section 18730 may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of that regulation, Title 2, section 18730 of the California Code of Regulations and any amendments to it duly adopted by the FPPC from time to time are hereby incorporated by reference in full into this code and will be applied in accordance with the provisions existing on the date that any issue arising under this code adopted by the City of Wheatland City Council must be addressed. This cover page, the referenced and incorporated FPPC regulation, and the Appendix, which is attached hereto and incorporated herein, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the City of Wheatland.

Recognizing that different positions have different levels of authority and responsibility, the Appendix to this Conflict of Interest Code establishes three categories of disclosure under which positions are designated based on the scope of their decision-making authority. Positions with no significant decision-making responsibility are classified as exempt, and are not required to file reports under this Code.

Non-exempt positions listed in the attached Appendix are designated as persons who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. Consultants are also subject to the disclosure requirements of this Conflict of Interest Code if they are in a position to make decisions, or influence decisions, that could have an effect on their financial interest.

**CITY OF WHEATLAND
CONFLICT OF INTEREST CODE**

APPENDIX OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

Designated Positions

~~The positions listed below are designated as persons who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. Persons holding designated positions listed below will disclose interests and investments in accordance with the corresponding disclosure categories as defined below. The following are designated positions within the City of Wheatland which 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 the specific types of investments, interest in real property, and sources of income which are reportable.~~

Each listed designated position must disclose on appropriate FPPC forms filed with the City Clerk the disclosure information required by his or her Assigned Disclosure Category.

List of Designated Positions

Assigned Disclosure Categories

City Clerk	___ 1 2
Public Works Director	___ 1 4
Planning Director	_ 1, 3
City Engineer	_ 1 2, 3
City Consultants (Determined by City Manager)	1, 2, 3
Chief of Police	___ 1

Positions listed in Government Code Section 87200 (i.e. City Councilmembers, Planning Commissioners, City Managers, City Attorneys, City Treasurers, and other public officials who manage public investments, which includes the City Finance Director and Investment Management Consultants¹) are not required to be included in the list of designated positions under the City's code because persons holding these positions must file their FPPC Form 700 electronically with the FPPC ~~are required to file Form 700 pursuant to state law. An individual holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly.~~

Disclosure Categories

¹ Investment Management Consultants include Consultants that direct the investment of City funds, formulate or approve City investment policies, approve or establish guidelines for City asset allocation, or approve City investment transactions. (2 C.C.R. section 18700.3(b)(1) & (e))

Category 1 - Full Disclosure: All persons in this disclosure category will disclose all interests in real property within two miles of the City's boundaries, as well as all investments, business positions in business entities and sources of income, including receipt of gifts, loans and travel payments, from all sources.

~~A designated employee in this category must report all investments, interests in real property, personal income, business entity income, and business positions which he or she is a director, officer, partner, trustee, employer or holds any positions of management. Archive~~

Category 2 – Positions with Significant Contracting and Policy Authority But Without Authority Over Acquisition of Interests in Real Property: All persons in this disclosure category will disclose all investments, business positions in business entities and sources of income, including receipt of gifts, loans and travel payments, in or from all sources that provide goods, equipment or services, including training or consulting services, of the type utilized by the City.

~~An employee in this category could possibly have a conflict of interest due to an interest in a supplier of goods, materials or services to the City. Investments in any business entity supplying such goods and services to the affected employee's department within the previous on year period are to be disclosed, if the value of such goods or services provided to the City exceeds the sum of \$5,000.00 during the previous twelve (12) month period.~~

Category 3 – Positions with Specific Contracting or Policy Authority or Who Participate in Making Specific Contracts or Policies: All positions in this category will disclose all investments, business positions in business entities and sources of income, including the receipt of gifts, loans and travel payments, in or from all sources that provide services and supplies of the type utilized by the department or programs administered or managed by the designated position.

Consultants. "Consultant" means an individual who, pursuant to a contract with the City, either: (A) Makes a governmental decision whether to: (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the City to enter into, modify, or renew a contract provided it is the type of contract that requires City approval; (5) grant City approval to a contract that requires City approval and to which the City is a party, or to the specifications for such a contract; (6) grant City approval to a plan, design, report, study, or similar item; or (7) adopt or grant City approval of policies, standards, or guidelines for the City, or for any subdivision thereof; or (B) Serves in a staff capacity with the City and in that capacity participates in making a governmental decision as defined in California Code of Regulations, Title 2, Section 18702.2 or performs the same or substantially all the same duties for the City that would otherwise be performed by an individual holding a position specified in the City's conflict of interest code under Government Code Section 87302.—~~(See 2 CCR 18701(a)(2).)~~²

² A consultant serves in a staff capacity only if he or she has an on-going relationship with the City. A consultant who works on one project or a limited range of projects for the City is not deemed a consultant subject to the reporting requirements of this code unless the project or projects extend over a substantial period of time, generally more than one year. (See *Smith* Advice Letter, FPPC No. I-99-316; *Travis* Advice Letter, FPPC No. A-96-053; *Randolph* Advice Letter, FPPC No. A-95-045.)

“Consultants” are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the City’s conflict of interest code, subject to the following limitation: The City Manager may determine in writing that a particular consultant, although a “consultant” and “designated position,” nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to comply with any or some of the disclosure requirements described in this section. The City Manager’s written determination will include a description of the consultant’s duties, ~~and, and~~ based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and will be retained for public inspection in the same manner and location as the City’s conflict of interest code as required by Government Code Section 81008. ~~A consultant (other than City officials who are also consultants) shall be required to make the disclosure required by this Code prior to the award by the City of any contract with such consultant.~~

New Position Added or New Consultant Hired Without Code Revision. If the City creates a new position that requires disclosure under this code without simultaneously amending the code, the employee appointed to fill such a position will file a Form 700 Assuming Office Statement and thereafter file annual Form 700 Disclosure of Economic Interest Statements using the broadest disclosure category until the City amends the code to designate the position and, if warranted, to authorize more narrow disclosure for the position. Alternatively, the City Manager may designate for any such position or consultant narrower disclosure obligations using a FPPC Form 804 (New Hire) or Form 805 (New Consultant) as appropriate. (See 2 CCR 18734.)

Conflict of Interest Provisions for Architectural and Engineering Services Administration and Procurement For Federal and State Funded Transportation Projects

The following provisions of the City's Conflict of Interest Code shall apply to city officials, employees, and those that provide city services for the City of Wheatland–, and these provisions shall be implemented on all federally and state-funded transportation projects. In the procurement of contracts for architectural and engineering (A&E) services for projects involving federal-aid highway funds, the City has developed these code provisions to prevent fraud, waste, and abuse. The intent of this section is to comply with federal regulations and the State of California Department of Transportation (Caltrans) Local Assistance Procedures Manual. This section applies to all City employees (including the contract administrator and consultants performing as City staff) engaged in the award and administration of federal-aid highway funded contracts, and is intended to prevent conflicts of interest in accordance with 23 CFR 172.7(b)(4).

I. Local Assistance Procedures Manual (LAPM) Chapter 10

The City shall comply with the procedures contained within Caltrans’ Local Assistance Procedures Manual Chapter 10 relating to the procurement and management of engineering services contracts on federally and state funded projects.

II. Contract Administrator

The City Engineer shall serve as the Contract Administrator and have authority over advertising, selection, and management of consultant contracts. The City Engineer shall also have primary

responsibility for ensuring compliance with the LAPM and associated federal and state regulations related to the procurement and management of consultant services contracts.

Proposing consultants shall disclose any financial, business, or other relationship with the City that may have an impact upon the outcome of a contract or the construction project. Consultants shall also list current clients who may have a financial, business or other interest in the outcome of the contract or the construction project that will follow. Consultants shall disclose any financial, business or other interest in any real property acquired for the project. Consultants shall disclose any financial, business or other interest with any construction company that might submit a bid on the construction project.

Any City employee or agent who works in association with a project (procurement, management or administration) shall disclose any direct or indirect financial, business or other personal interest in connection with the contract or construction project. City employees or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from the consultant or parties to sub-agreements.

Any projects involving federal funds shall comply with the provisions of the Code of Federal Regulation 23 CFR 172.7(b)(4) in addition to all other provisions of the City's conflict of interest code. The City reserves the right to add additional prohibitions relative to real, apparent or potential conflicts of interest that arise.

Violations to this section of the City's Conflict of Interest code shall be subject to penalties to the extent allowed and required by State and local laws.

In the event that a conflict of interest occurs resulting from changes in personnel, contract changes, or other unforeseen conditions, the Contract Administrator shall immediately take steps to remedy the conflict including suspension of work and/or termination of contracts and shall promptly notify in writing Caltrans Division of Local Assistance of the conflict of interest and steps to remedy and resume the work.

It is the intent of these code provisions to ensure the absence of fraud, waste and abuse on federal and state funded transportation projects. As such, these policies will be updated if new regulations are developed but not included in the LAPM. Revisions to these policies will be included in new contracts procured through these policies or will be included by amendment into existing contracts as determined appropriate by the Contract Administrator.