



Legislation Text

File #: 18-614, **Version:** 1

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SUBJECT: Adoption of Resolution Approving the City's 2018 Biennial Review and Revisions to the Conflict of Interest Code

REPORT IN BRIEF

Considers adopting a Resolution with amendments to the City's Conflict of Interest Code, as required by the Political Reform Act.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2018-80**, a Resolution of the City Council of the City of Merced, California, re-adopting the City's Conflict of Interest Code and rescinding Resolution No. 2016-55.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to other than recommended; or,
3. Deny; or,
4. Refer to the City Manager for reconsideration of specific items; or,
5. Continue to a future meeting.

AUTHORITY

The Political Reform Act of 1971 (as amended) and Title 2, Division 6, California Code of Regulations.

CITY COUNCIL PRIORITIES

As provided for in the 2018-19 Adopted Budget.

DISCUSSION

The Political Reform Act requires government agencies to adopt and maintain a Conflict of Interest Code, which designates individual positions that make or participate in the making of government decisions that may foreseeably have a material effect on financial interests. Individuals in those designated positions are required to file a California Fair Political Practices Commission (FPPC) Form 700 - Statement of Economic Interests, disclosing financial interests they may have within the City of Merced.

The biennial review of the Conflict of Interest Code for the City Council is required under the California Political Reform Act. The purpose of the review is to determine whether the Code remains

accurate or, alternatively, whether the Code should be amended.

Staff review of the Conflict of Interest Code for the City Council has been completed by the City Clerk's, Support Services and City Attorney's Offices. The FPPC has concluded that Section 87309 (c) of the Act prohibits a code reviewing body to require disclosure of interests which may not foreseeably be affected materially by decisions made or participated in by designated employees. The City Attorney's Office created additional disclosure categories and assigned each position to a category according to the specific duties and decisions that each position makes or participates in the 2016 review. Those categories remain the same.

The proposed changes in the attached revision accurately reflect the changes in personnel positions and division movement that occurred from 2016-2018.

The Conflict of Interest Code for the City Council was adopted by Resolution 1976-178, with subsequent amendments, Resolutions 2006-116, 2008-69, 2010-83, 2012-73, 2014-41, and 2016-55.

IMPACT ON CITY RESOURCES

No impact on resources at this time.

ATTACHMENTS

1. Resolution 2018-80