



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** OCTOBER 6, 2020

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** LUCINDA WILLIAMS, CITY CLERK

**SUBJECT:** BIENNIAL REVIEW AND UPDATE OF CITY OF FULLERTON CONFLICT OF INTEREST CODE

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### **SUMMARY**

The Political Reform Act (Act) requires each local agency in California to review its Conflict of Interest Code (Code) at least biennially. Following the 2020 biennial review, Staff recommends revisions to the City of Fullerton's Conflict of Interest Code to amend the list of designated positions to delete eliminated positions and include new positions identified as Conflict of Interest (Form 700) filers since the last update of the Code.

### **RECOMMENDATION**

Adopt Resolution No. 2020-XX.

**RESOLUTION NO. 2020-XX – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, MODIFYING THE CONFLICT OF INTEREST CODE OF THE CITY OF FULLERTON INCLUDING DESIGNATED POSITIONS AS REQUIRED BY THE POLITICAL REFORM ACT AND REGULATIONS OF THE FAIR POLITICAL PRACTICES COMMISSION**

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statement:

- Fiscal and Organizational Stability.

### **FISCAL IMPACT**

None.

## DISCUSSION

The Political Reform Act prohibits a public official from using his or her official position to influence a governmental decision in which he or she has a financial interest. Every state and local agency in California must adopt, and review biennially, a conflict of interest code that identifies all officials and employees within the agency who make or participate in the making of governmental decisions based on the positions they hold.

The individuals in the designed positions must disclose their financial interests as specified in the agency's conflict of interest code. To help identify potential conflicts of interest, the law requires public officials and employees in designated positions in a conflict of interest code to report their financial interests on a Statement of Economic Interests – Form 700 within 30 days of assuming the identified position, annually while holding the position and within 30 days of leaving the position.

The Act requires governmental agencies to review their conflict of interest codes in each even-numbered year. Following this year's review, Staff identified proposed amendments to the Designated Positions described in detail in this report.

*Designated Positions* – Since the last Code update, the City has made the following changes to the Conflict of Interest Code:

Added Positions / Disclosure Categories:

- Water Engineering and Systems Manager (Resolution No. 2018-68)
- Water Systems Manager (Resolution No. 2018-68)
- City Engineer / Assistant Director of Public Works (Resolution No. 2019-01)
- Housing and Homeless Resources Manager (Resolution No. 2019-03)
- Principal Civil Engineer – Water (Resolution No. 2019-44)
- Code Enforcement Manager (Resolution No. 2019-52)
- Housing Manager (Resolution No. 2019-52)
- Deputy Director of Community and Economic Development (Resolution No. 2019-52)
- Deputy City Manager (Resolution No. 2019-52)
- Director of Community and Economic Development (Resolution No. 2019-52)
- Senior Traffic Engineering Analyst (Resolution No. 2020-19)
- Buyer I (Resolution No. 2020-29)
- Buyer II (Resolution No. 2020-29)
- Manager – Building and Facilities and Sewer Divisions (Resolution No. 2020-83)
- Manager – Landscape and Street Divisions (Resolution No. 2020-83)

- Chief Information Officer (Resolution No. 2020-84)
- Administrative Analyst I (Staff addition)
- Disclosure Category 7 (Grants) added to Administrative Analyst II position

Deleted Positions:

- Energy & Resource Management Committee Members (Resolution No. 2018-15)
- Citizens' Infrastructure Review Committee Members (Resolution No. 2018-15)
- Design Review Committee Members (Ordinance No. 3267)
- Housing and Neighbor Services Manager (Resolution No. 2019-03)
- Director of Engineering (Resolution No. 2019-44)
- Director of Maintenance Services (Resolution No. 2019-44)
- Director of Community Development (Resolution No. 2019-52)
- Buyer (Resolution No. 2020-29).

The attached draft resolution reflects these recent changes to the list of designated positions required to file a Conflict of Interest Statement.

Attachments:

- Attachment 1 – Draft Resolution No. 2020-XX
- Attachment 2 – 2020 Local Agency Biennial Notice