



STAFF REPORT

ITEM NO. 20

DATE: JULY 17, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: ROD FOSTER, CITY MANAGER *RF*
PREPARED BY: EILEEN C. GOMEZ, CITY CLERK *ec*
SUBJECT: BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE

RECOMMENDED ACTION

It is recommended that the City Council direct the review of the City's Conflict of Interest Code and the filing of a Biennial Notice with the City Clerk regarding such review, as required by the Political Reform Act.

GOAL STATEMENT

The proposed action is pursuant to the requirements set forth in section 87306.5 of the Political Reform Act and placed upon the City Council as the City's code-reviewing body.

BACKGROUND

The Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), requires all public agencies to adopt and maintain a conflict of interest code. The primary effect of the code is to establish disclosure requirements for various government positions involved in the requisite level of decision-making as set forth in the Act. The Act requires each city to adopt a local conflict of interest code designating city positions not otherwise designated in the Act itself, that are involved in making or participating in the making of city decisions at all levels of city government.

The Act further requires that agencies, including cities, regularly review and update their codes as necessary as directed by their code-reviewing bodies or when change is necessitated by changed circumstances. (Gov. Code §§ 87306, 87306.5). The City Council is the code-reviewing body for the City's Code and must direct the biennial review of its Conflict of Interest Code ("Code"). The Act also requires that the City Manager file a statement regarding the results of the review no later than October 1 of the same year. If a change in the Code is necessitated by this review, it must be submitted to the City Council for approval within ninety (90) days of the filing of the Local Agency Biennial Notice with the City Clerk. (Gov. Code § 87303, 87306.5).

ISSUES/ANALYSIS

None.

FISCAL IMPACTS

No direct fiscal impact, however staff time will need to be dedicated to managing and reporting required under the new rules.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

None.