



# CITY COUNCIL AGENDA STATEMENT



July 17, 2018

File ID: 18-0267

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO ADD THE POSITIONS OF CITY ATTORNEY INVESTIGATOR, CITY LIBRARIAN, CONSTITUENT SERVICES REPRESENTATIVE, DIRECTOR OF COMMUNITY SERVICES, PRINCIPAL TRAFFIC ENGINEER, PARKS AND RECREATION ADMINISTRATOR, PUBLIC WORKS SUPERINTENDENT, REVENUE MANAGER, AND STORMWATER PROGRAM MANAGER TO THE LIST OF OFFICIALS WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS AND DESIGNATING THOSE FILERS AS "LOCAL AGENCY OFFICIALS" FOR PURPOSES OF AB 1234, THEREBY REQUIRING THEM TO PARTICIPATE IN MANDATED ETHICS TRAINING

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

The Political Reform Act requires every local agency to amend its Conflict of Interest Code when change is necessitated by changed circumstances. The proposed resolution adopts an amended appendix to the City's Conflict of Interest Code to add the positions of City Attorney Investigator, City Librarian, Constituent Services Representative, Director of Community Services, Principal Traffic Engineer, Parks and Recreation Administrator, Public Works Superintendent, Revenue Manager, and Stormwater Program Manager to the list of officials that are required to file periodic statements of economic interest, and establishes the disclosure categories under which the employees would be required to file.

## **ENVIRONMENTAL REVIEW**

The Development Services Director has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378(b)(5) of the State CEQA Guidelines because it involves only amendments to the local conflict of interest code to add the charter review commission members to the list of required filers of periodic statements of economic interests; and therefore is an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

## **DISCUSSION**

On March 21, 2000, the Council adopted Ordinance No. 2807, adopting by reference the standardized conflict of interest code contained in Title 2 of the California Code of Regulations, §18730, and any amendments thereto that are adopted by the Fair Political Practices Commission. The ordinance requires that the Council set forth by resolution the officials and designated employees who are required to file statements of economic interests and the disclosure categories under which each such official and designated employee shall file.

The following positions were recently added and, after reviewing the duties of the positions with input from the appropriate department, staff recommends the following positions be added to the list of designated filers: City Attorney Investigator, City Librarian, Constituent Services Representative, Director of Community Services, Parks and Recreation Administrator, Principal Traffic Engineer, Public Works Superintendent, Revenue Manager, and Stormwater Program Manager. The resolution also designates the filers as “local agency officials” for the purpose of AB1234, thereby requiring them to participate in the mandatory ethics training.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

## **LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. Adoption of this item support's the City's goal of providing responsible public service and fostering public trust through an open and ethical government.

## **CURRENT-YEAR FISCAL IMPACT**

Adoption of the proposed resolution will have no impact on the general fund.

## **ONGOING FISCAL IMPACT**

There is no ongoing fiscal impact.

## **ATTACHMENTS**

1. Exhibit A – List of Designated Filers

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