



CITY COUNCIL AGENDA STATEMENT



January 14, 2020

File ID: 19-0579

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO AMEND THE MANAGEMENT ANALYST POSITION TO INCLUDE ALL LEVELS, DELETE THE POSITION OF FINANCE AND PURCHASING MANAGER, AND ADD THE POSITIONS OF FINANCE MANAGER AND SMART TECHNOLOGY OFFICER TO THE LIST OF OFFICIALS WHO ARE REQUIRED TO FILE PERIODIC STATEMENTS OF ECONOMIC INTERESTS

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 amend the Management Analyst position to include all levels, delete the position of Finance and Purchasing Manager, and add the positions of Finance Manager and Smart Technology Officer 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 amend the Management Analyst position to include all levels, delete the position of Finance and Purchasing Manager, and to add the positions of Finance Manager and Smart Technology Officer 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 required.

DISCUSSION

On March 21, 2000, City Council adopted Ordinance No. 2807, adopting by reference the standardized conflict of interest code contained in Title 2 of the California Code of Regulations, section 18730, and any amendments thereto that are adopted by the Fair Political Practices Commission. The ordinance requires

that the Council set forth by resolution City officials and designated employees who are required to file statements of economic interests and the disclosure categories under which each official and designated employee shall file.

The following positions were recently added to or deleted from the City's Classification Plan and, after reviewing the duties of the positions with input from the appropriate department, staff recommends the following revisions to the list of designated filers:

- Revise the existing "Management Analyst" to "Management Analyst (all levels)" to account for the recent changes to the Management Analyst position series
- Delete Finance and Purchasing Manager
- Add Finance Manager
- Add Smart Technology Officer

This 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.

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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