



# City of Chula Vista

## Staff Report

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**File#:** 14-0240, **Item#:** 6.

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RESOLUTION NO. 2014-065 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MODIFYING THE APPENDIX TO THE LOCAL CONFLICT OF INTEREST CODE TO ADD CHARTER REVIEW COMMISSION AND DISTRICTING COMMISSION MEMBERS 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 add members of the Charter Review Commission and new Districting Commission to the list of officials that are required to file periodic statements of economic interest, and establishes the disclosure categories under which the members 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 environmental; 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.

### **BOARD/COMMISSION RECOMMENDATION**

Not applicable

### **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.

In 2012, the City's Charter was amended to provide that City Councilmembers be elected by district. Part of the process of implementing district elections is establishment of a Districting Commission.

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Charter section 300.5.D. assigns the Charter Review Commission the responsibility of reviewing and verifying information contained in applications of persons interested in serving on the Districting Commission and selecting ten persons to constitute the pool of eligible applicants to be considered. The Districting Commission is responsible for approving a Districting Plan.

In light of these changes, it has been determined that the appendix to the Conflict of Interest Code requires amendment. Adoption of the proposed resolution amends the appendix to the local Conflict of Interest Code to add members of the Charter Review and Districting Commissions to the list of individuals required to file statements of economic interests.

Past amendments to the appendix to the Conflict of Interest Code have included the requirement that newly added filers complete ethics training pursuant to AB 1234; however, all board and commission members are already required under Chula Vista Municipal Code section 2.25.160(A) to participate in these periodic training sessions.

#### **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 section 18704.2 (a)(1), is not applicable to this decision. Staff is not independently aware, and has not been informed by any City Council member, 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.