



City of Chula Vista

Staff Report

File#: 16-0438, **Item#:** 9.

REPORT GIVING NOTICE OF INTENT TO AMEND THE CONFLICT OF INTEREST CODE OF THE CITY OF CHULA VISTA AND DIRECTING THE CITY CLERK AND CITY ATTORNEY TO RETURN TO COUNCIL TO PRESENT THE PROPOSED AMENDMENTS WITHIN 90 DAYS

RECOMMENDED ACTION

Council accept the report and direct the City Clerk and City Attorney to present proposed amendments to the conflict of interest code within 90 days.

SUMMARY

The Political Reform Act requires every local agency to review its Conflict of Interest Code to determine whether amendments are needed. The City Clerk and City Attorney have reviewed the City's conflict of interest code and its appendix, and have determined that amendments are necessary. Staff anticipates returning to Council within 90 days to present the proposed amendments.

ENVIRONMENTAL REVIEW

Environmental Notice

The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Environmental Determination

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that this activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change to 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.

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, 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 an appendix that lists 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.

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The Political Reform Act requires that the City Council be notified by October 1 of even-numbered years whether amendments to the conflict of interest code are needed. Then, within 90 days, amendments to the code are submitted to the City Council for consideration.

The City Clerk and City Attorney have reviewed the City's conflict of interest code and its appendix, and have determined that amendments are necessary. The amendments are expected to include changes to the list of designated filers to account for recently added and removed positions from the City's classification plan. Filing categories for current filers are being reviewed, so modification to their required disclosures may also be recommended. Staff will return to Council within 90 days to present proposed amendments.

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 supports the City's goal of providing responsible public service and fostering public trust through an open and ethical government.

CURRENT YEAR FISCAL IMPACT

Acceptance of the report will have no impact on the general fund.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact.

ATTACHMENTS

None

Staff Contact: Kerry Bigelow