



City of Culver City

Mike Balkman Council
Chambers
9770 Culver Blvd.
Culver City, CA 90232

Staff Report

File #: 23-847, **Version:** 1

Item #: C-5

CC - CONSENT ITEM: Adoption of a Resolution Amending the City's Conflict of Interest Code Pursuant to the Political Reform Act, Incorporating the Terms of the Fair Political Practices Commission's (FPPC) Model Conflict of Interest Code, as Set Forth in Title 2 of California Code of Regulations Section 18730, and Rescinding Resolution No. 2021-R096.

Meeting Date: May 8, 2023

Contact Person/Dept: Jeremy Bocchino/City Clerk's Office

Phone Number: (310) 253-5851

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☐

Public Hearing: ☐

Action Item: ☒

Attachments: ☒

Public Notification: (E-Mail) Meetings and Agendas - City Council (05/03/2023)

Department Approval: Jesse Mays, Assistant City Manager (04/27/2023)

RECOMMENDATION

Staff recommends the City Council adopt a Resolution amending the City's Conflict of Interest Code pursuant to the Political Reform Act, incorporating, by reference, the terms of the Fair Political Practices Commission's (FPPC) Model Conflict of Interest Code, as set forth in Title 2 of California Code of Regulations Section 18730, and rescinding Resolution No. 2021-R096.

BACKGROUND/DISCUSSION

The Political Reform Act (Government Code §§ 81000, et seq.) prohibits a public official from using his or her official position to influence a governmental decision in which he or she has a financial interest. Pursuant to the Political Reform Act, every state and local government agency is required to adopt a Conflict of Interest Code ("Code") that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in the designed positions must disclose their financial interests as specified in the agency's Code. To help identify potential conflicts of interest, the law requires public officials and employees in designated positions in a Code to report their financial interests on a Statement of Economic Interests (Form 700).

Culver City has adopted, by resolution, the Code that was promulgated by the Fair Political Practices Commission (FPPC), for use by government agencies, by incorporating by reference Section 18730 of Title 2 of the California Code of Regulations.

The Political Reform Act further requires a local agency's Code to reflect the current structure of the organization and properly identify officials and employees who should be filing Form 700s. In this regard, every agency is required to review its Code biennially to determine if it is accurate or, alternatively, if the Code must be amended. The Code must be amended when necessitated by changed circumstances, including the creation of new positions that must be designated, the elimination of positions that were previously designated and relevant changes in the duties assigned to an existing position when those changes require the position be designated. If amendments to an agency's Code are necessary, the amended Code must be approved by the City Council.

It has been determined that the City's current Code needs to be amended due to positions that have been created, eliminated or revised as well as significant structural reorganization of City departments, all of which are reflected in Attachment 2. The proposed amendments (Attachment 1) to the Code establishes three appendices: (1) Appendix A - Disclosure Categories, (2) Appendix B - Designated Filing Positions, and (3) Appendix C - Designated Filing Commissions, Boards, and Committees. The designated positions, with regard to their respective disclosure categories, have been updated and are included in Appendices A-C of the proposed Resolution for the City Council's adoption.

FISCAL ANALYSIS

There is no fiscal impact associated with this item.

ATTACHMENTS

1. Proposed Resolution Amending COI Code
2. Revisions to COI Code (tracked changes)

MOTION

That the City Council:

Adopt the Resolution amending the City's Conflict of Interest Code Pursuant to the Political Reform Act, incorporating the terms of the FPPC's model conflict of interest code as set forth in Title 2 of California Code of Regulations Section 18730, and rescinding Resolution No. 2021-R096.