



Legislation Details (With Text)

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On agenda: 1/17/2023 **Final action:** 1/17/2023
Title: Adopt Resolution No. 2023-01 Amending the Conflict of Interest Code
Attachments: 1. Att #1 - Resolution No. 2023-01, 2. Att #2 - Resolution No. 2018-58, 3. SC #15 - Memo

Date	Ver.	Action By	Action	Result
1/17/2023	1	City Council/Public Financing Authority	approved as amended	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robin Estanislau, CMC, City Clerk

PREPARED BY: Robin Estanislau, CMC, City Clerk

Subject:

Adopt Resolution No. 2023-01 Amending the Conflict of Interest Code

Statement of Issue:

The Political Reform Act requires every local government agency to conduct a biennial review of its Conflict of Interest (COI) Code (Code). It is requested that Council review and adopt Resolution No. 2023-01 amending the Code by incorporating significant changes to the organizational structure that were made in late 2020 and adopted as part of the FY 2021/22 Budget, and include the new/revised job classifications as part of a Classification and Compensation Study presented and approved by Council in November 2022.

Financial Impact:

Not applicable.

Recommended Action:

Adopt Resolution No. 2023-01, "A Resolution of the City Council of the City of Huntington Beach Amending its Conflict of Interest Code."

Alternative Action(s):

Do not adopt Resolution No. 2023-01, and direct staff accordingly.

Analysis:

State law requires that cities adopt a Conflict of Interest code requiring designated employees and consultants, and members of City Boards, Commissions, and Committees to file a Statement of

Economic Interest (Form 700). The primary purpose of a Code is to require designated positions to disclose those types of investments, interests in real property, sources of income, and business positions that may be affected in their decision-making. The City last amended its Code in October of 2018 by adopting Resolution No. 2018-58 (attached for reference purposes).

Resolution 2023-01 is presented for consideration and includes Exhibit B that identifies an updated list of designated officials and employees with disclosure categories. Government Code Section 82019 defines a designated employee as “any officer, employee, member, or consultant of any agency whose position with the agency: (1) Is exempt from the state civil service system by virtue of subdivision (a), (c), (d), (e), (f), (g), or (m) of Section 4 of Article VII of the Constitution, unless the position is elective or solely secretarial, clerical, or manual; (2) Is elective, other than an elective state office; and, (3) Is designated in a Conflict of Interest Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest.”

To update Exhibit B, staff cross-referenced designated positions identified in 2018 with current, active job titles included within the FY 2021/2022 Budget, and those positions added or revised as part of the Classification and Compensation Study presented and approved by Council resolution(s) in November 2022. Staff determined that amendments were necessary to comply with state law, including the addition of new positions, revision of titles of existing positions, and removal of obsolete positions. Human Resources reviewed a final draft of Exhibit B to assign disclosure category numbers based on disclosure category descriptions (recommended by the Fair Political Practices Commission) and identified within the resolution as Exhibit C.

Environmental Status:

Not applicable.

Strategic Plan Goal:

Non Applicable - Administrative Item

Attachment(s):

1. Resolution No. 2023-01, “A Resolution of the City Council of the City of Huntington Beach Amending its Conflict of Interest Code,” including Exhibit B - Designated Officials and Employees with Disclosure Categories
2. Resolution No. 2018-58