



City of Rialto

Legislation Text

File #: 22-872, Version: 1

For City Council Meeting [September 27, 2022]
TO: Honorable Mayor and City Council
APPROVAL: Marcus Fuller, City Manager
FROM: Barbra A. McGee, City Clerk, CMC

Request City Council to Adopt **Resolution No. 7978** A Resolution of the City Council of the City of Rialto, Amending the City's Conflict of Interest Code and List of Designated Employees.

BACKGROUND

The Political Reform Act (PRA) requires every local government agency to adopt a conflict of interest code. A conflict of interest code designates positions required to file Statement of Economics Interests Form 700 by designated employees of the agency upon their appointment and annually thereafter.

The City Council Resolution provided in Attachment 1, Exhibit A, Appendix A represents the City's updated list of "designated employees" required to file Statement of Economic Interests Form 700.

The PRA requires every local government agency to review its conflict of interest code bi-annually to determine if it is accurate and up-to-date and/or if it needs to be amended.

ANALYSIS/DISCUSSION

On January 26, 2021, the City Council adopted Resolution 7695 (Attachment 2) amending the previous Conflict of Interest Code. The City has since added and changed some employees' classification titles. It is therefore imperative that the City amend its Conflict of Interest Code to ensure it designates those public officials of the City who are involved in City decisions and to require designated officials to disclose those financial interests, using Form 700, which would foreseeably be affected, in a material manner, by a City decision made by the official in the performance of the official's responsibilities.

The Political Reform Act defines a "designated employee" as an officer, employee, or consultant whose position entitles the making or participation in the making of government decisions that may foreseeably have a material effect on any financial interest. Exhibit A, Appendix B defines the various categories of financial interest that must be disclosed and are assigned to a particular "designated employee" based upon job duties.

The proposed Resolution (Attachment 1) with requested amendments to the list of designated filers and disclosure categories represents changes in position titles, added positions and assigned disclosure categories.

Form 700 is a public document intended to inform public officials and members of the public to the types of financial interests that may create conflicts of interests.

ENVIRONMENTAL IMPACT

The request is not a Project as defined by Section 15378 of the California Environmental Quality Act (CEQA). A "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Pursuant to Section 15378 (b)(5), a project does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY

The request is consistent with Guiding Principle 3A of the Rialto General Plan:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

LEGAL REVIEW

The City Attorney has reviewed and supports this staff report.

FINANCIAL IMPACT

Operating Budget Impact

Adoption of this resolution has no financial impact.

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution (Attachment 1) amending the City of Rialto Conflict of Interest Code.