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Adopt City Council Resolution Amending the City of Fort Bragg Conflict of Interest Code

Title 2, Division 6, of the California Code of Regulations (CCR) sets forth the State's Fair Political Practices Commission (FPPC) requirements for public agencies to establish a Conflict of Interest Code. The FPPC requires agencies to review their Conflict of Interest Code biennially during even-numbered years and to make any necessary changes/updates. On August 22, 2016, Council reviewed the Conflict of Interest Code and adopted Resolution 3927-2016. Since that time, it has been discovered that a designated employee's job title needs to be added to the list of designated employees.

The FPPC's regulations regarding adopting and amending conflict of interest codes state:

When determining whether to amend, an agency should carefully review its current conflict of interest code and consider the following:

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the current code was adopted?
- **Have any positions been eliminated or renamed since the current code was adopted?**
- Have any new positions been added since the current code was adopted?
- Have there been any substantial changes in duties or responsibilities for any positions since the current code was adopted?
- If an agency answers "yes" to any of the above questions, most likely its conflict of interest code will need to be amended.

[Emphasis added. <http://www.fppc.ca.gov/learn/rules-on-conflict-of-interest-codes/local-government-agencies-adopting-amending-coi.html>]

On July 13, 2015, the City Council adopted Resolution 3831-2015 reclassifying the Economic Development Coordinator position to an exempt, mid-management position titled Special Projects Manager. This position should have been included with "Other Designated Employees" on Exhibit B of the 2016 Conflict of Interest Code but was inadvertently omitted. Adoption of this resolution will: (1) Correct the omission by adding Special Projects Manager to Exhibit B as a required FPPC Form 700 Filer; and (2) Comply with the CCR regulations requiring biennial review of the Conflict of Interest Code.

Note: The current and previous Special Projects Managers have filed yearly FPPC Form 700s with the office of the City Clerk since the position was created.