



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 20, 2022
FROM: CITY CLERK WARDS: ALL
SUBJECT: BIENNIAL REVIEW CONFLICT OF INTEREST CODE AMENDMENTS

ISSUE:

Direct the City Clerk and City Attorney to coordinate the biennial review of the City's Conflict of Interest Codes as required by State law.

RECOMMENDATIONS:

That the City Council:

1. Receive the proposed amendments to the City Conflict of Interest Codes for:
 - a. Employees and officials including reclassifications, job title changes, and deleted or added designated filing positions as identified in Attachment 1;
 - b. Board and commission members changing the Budget Engagement Commission Disclosure Category as designated filers and removing the Relocation Appeals Board as Designated Members as reflected in Attachment 2;
 - c. Successor Agency to the Redevelopment Agency of the City of Riverside including job title changes and deleted or added designated filing positions as reflected in Attachment 3; and
2. Approve the proposed amendments within 90 days.

BACKGROUND/LEGISLATIVE HISTORY:

The Political Reform Act prohibits public officials from using their official position to influence a governmental decision in which they have a financial interest. Every state and local agency must adopt a Conflict of Interest (COI) Code that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in the designated positions must disclose their financial interests as specified in the agency's Conflict of Interest Code.

Pursuant to Section 87306.5 of the California Government Code, the City Council, in its role as "Code Reviewing Body," must direct that the COI Codes be reviewed for employees and public officials, board and commission members, and the Successor Agency to the Redevelopment Agency of the City of Riverside.. Amendments for consideration must be identified for review by the Code Reviewing Body by October 1, 2022.

Pursuant to Section 87303, within 90 days after receiving the proposed amendments or revisions, the City Council shall approve the proposed code amendments as submitted.

The Conflict of Interest Code for City employees and officials was last revised on December 1, 2020, by adoption of Resolution No. 23653. Amendments have been identified including reclassifications, job title changes, and deleted or added positions to be considered for adoption as reflected in Attachment 1.

The Conflict of Interest Code for board and commission members was last revised on December 1, 2020, by adoption of Resolution No. 23125. Revisions have been identified including changing the Budget Engagement Commission filing requirement to Disclosure Category 7 and removing the Relocation Appeals Board and Attachment 2 reflects changes to be considered for adoption.

The Conflict of Interest Code for the Successor Agency to the Redevelopment Agency of the City of Riverside employees and officials was last revised on December 1, 2020, by Resolution No. 23124. Amendments have been identified including job title changes and deleted or added positions to be considered for adoption as reflected in Attachment 3.

STRATEGIC PLAN ALIGNMENT:

The Biennial Conflict of Interest Code Review contributes to Strategic Priority No. 5 - *High Performing Government* and Goal No. 3 Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision-making.

The City's Conflict of Interest Code aligns with three of the five Cross-Cutting Threads as follows:

1. **Community Trust** - Amendments to the COI Codes enhances transparency by sharing reportable investments, business positions, interests of real property, or sources of income that may foreseeably be affected by designated employees' position as conflict with City.
2. **Equity** - All City positions subject to the COI Codes are reviewed biennially to ensure that all individuals making financial decisions on behalf of the City are included.
3. **Fiscal Responsibility** - The COI Codes is reviewed biennially to ensure all public officials, employees, and consultants, who make or participate in making governmental decision that could cause a conflict of interest to City as required by the Political Reform Act.
4. **Innovation** - This item is neutral towards this cross-cutting thread.
5. **Sustainability & Resiliency** - This item is neutral towards this cross-cutting thread.

FISCAL IMPACT:

The cost of staff time for review and drafting of amendments will be absorbed within the adopted Department Budgets.

Prepared by: Donesia Gause, City Clerk

Certified as to

Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Conflict of Interest Code designated positions for City employees and officials
2. Conflict of Interest Code designated positions for boards and commissions
3. Conflict of Interest Code designated positions for Successor Agency to the Redevelopment Agency of the City of Riverside