



City of Arts & Innovation

City Council Memorandum

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TO: HONORABLE MAYOR AND CITY COUNCIL DATE: DECEMBER 6, 2022

FROM: CITY CLERK WARDS: ALL

SUBJECT: BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODES

ISSUE:

Amend the Conflict of Interest Codes for the City of Riverside for employees and city officials, boards and commissions, and the Successor Agency to the Redevelopment Agency to incorporate added, deleted, or changes to designation filing position titles and disclosure categories.

RECOMMENDATION:

That the City Council:

1. Adopt a resolution amending the Conflict of Interest Code for designated City employees and officials thereby repealing Resolution No. 23653;
2. Adopt a resolution amending the Conflict of Interest Code for the Successor Agency to the Redevelopment Agency of the City of Riverside employees and officials thereby repealing Resolution No. 23654; and
3. Adopt a resolution amending the Conflict of Interest Code for board and commission members thereby repealing Resolution No. 23655.

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 City 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 added, deleted, or changes to designation filing position titles and disclosure categories 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. 23655. Revisions have been identified including changing the Budget Engagement Commission filing requirement to Disclosure Category 7 and removing the Relocation Appeals Board to be considered for adoption as reflected in Attachment 2.

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. 23654. Revisions have been identified including changing disclosure categories of City Attorney to Disclosure Category 9 and Assistant City Attorney and Principal Project Manager to Disclosure Category 1 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. Resolution - City Employees and Officials
 - a. Appendix A - Designated City employees and officials
 - b. Appendix B - Disclosure categories
 - c. Appendix C - 2 California Code of Regulations Section 18730

2. Resolution - Successor Agency to the Redevelopment Agency
 - a. Appendix A - Designated Successor Agency to Redevelopment Agency employees and officials
 - b. Appendix B - Disclosure categories
 - c. Appendix C - California Code of Regulations Section 18730

3. Resolution - Board and Commission members
 - a. Appendix A - Designated Board and Commission members
 - b. Appendix B - Disclosure categories
 - c. Appendix C - California Code of Regulations Section 18730