



CITY OF POMONA COUNCIL REPORT

December 17, 2018

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Rosalia A. Butler, City Clerk
Christi Hogin, Interim City Attorney

Subject: **Adoption of Resolutions Amending the Conflict of Interest Codes for the City of Pomona and Pomona Housing Authority**

OVERVIEW

Recommendation – That the City Council review the information contained in this report and the attachments and adopt the attached resolutions approving the updated Conflict of Interest Codes for:

1. The City of Pomona (Attachment 1); and
2. The Pomona Housing Authority (Attachment 2)

Fiscal Impact – None as a result of this action.

Public Noticing Requirement – None.

Previous Related Action – The Conflict of Interest Codes must be updated and adopted every two years. The City's, Pomona Housing Authority's and Successor Agency's Conflict of Interest Codes were last amended and adopted on December 5, 2016.

EXECUTIVE SUMMARY

Government Code Section 87306.5 requires local agencies to review their Conflict of Interest Codes every even-numbered year and determine whether the Codes need to be amended. Upon completing the 2018 biennial review of the City of Pomona's and the Pomona Housing Authority's Conflict of Interest Codes, staff has determined that each Code requires amendments to reflect changes in departmental organization and employee titles. Adoption of the attached resolutions will approve the proposed amendments to the City's and Housing Authority's Conflict of Interest Code. No changes are needed to the Conflict of Interest Code for the Successor Agency to the former Redevelopment Agency.

BACKGROUND

In order to promote transparent government and avoid conflicts of interests, Government Code Section 87200, *et seq.* requires specific officials to disclose economic interests to the Fair Political Practices Commission (FPPC). In addition, Government Code Section 87300, *et seq.* requires every local agency to adopt a Conflict of Interest Code, which includes designated positions that shall disclose economic interests. Any position that makes or participates, at various levels, in making governmental decisions that may foreseeably have a material effect on any financial interest, shall be designated in the Conflict of Interest Code.

Pursuant to Government Code Section 87300, *et seq.*, each local agency's Conflict of Interest Code shall be reviewed every even-numbered year. The "Code Reviewing Body" for each agency shall review proposed codes or amendments to codes previously adopted by the local agency. The City Council of the City of Pomona serves as the Code Reviewing Body for the City, the Housing Authority and the Successor Agency.

DISCUSSION

Upon completing the 2018 biennial review of the City's, Housing Authority's, and Successor Agency's Conflict of Interest Codes, staff has determined that Appendix A of the Conflict of Interest Codes for the City and the Housing Authority require amendments to accurately reflect organizational changes, current staffing, position title changes and corresponding disclosure levels. The attached Resolutions (**Attachments 1 and 2**) amend the Appendices of the Conflict of Interest Codes for the City and the Housing Authority. No changes are required to the Code for the Successor Agency.

By incorporating California Code of Regulations Section 18730 by reference (**Attachment 3**), the City and the Housing Authority comply with the Political Reform Act's Conflict of Interest Code adoption requirements starting at Government Code Section 87300. In addition Pomona City Charter Section 1403 and City Code Section 2-975 contain conflict of interest provisions, which are also incorporated by reference.

The Conflict of Interest Codes each contain the following Appendices:

- Appendix A, which specifies the designated officers and employee positions and the disclosure category for each;
- Appendix B, which sets forth required disclosure for consultants; and
- Appendix C, which sets forth the disclosures required for each disclosure category.

Changes are shown in strikeout and bold/underline format.

Attachments:

1. Resolution Approving and Adopting the City's Conflict of Interest Code
2. Resolution Approving and Adopting the Pomona Housing Authority's Conflict of Interest Code
3. California Code of Regulations Section 18730