

# City of Colfax

## City Council

### Resolution № 19-2022

---

#### AMENDING THE CITY OF COLFAX CONFLICT OF INTEREST CODE AND FILING THE 2022 LOCAL AGENCY BIENNIAL NOTICE

---

**WHEREAS**, the City of Colfax has duly adopted a Conflict of Interest Code as required by law on July 23, 2022, namely through Resolution 44-2002; and,

**WHEREAS**, California Government Code §87306.5 requires that in each even-numbered year cities review their adopted Conflict of Interest Code and submit an amended Conflict of Interest Code in accordance with California Government Code §§87302(a) and 87303 if necessitated by changed circumstances; and,

**WHEREAS**, It is necessary to amend the Colfax Conflict of Interest Code to amend the list of individuals required to disclose economic interests and to review the disclosure categories to incorporate the model disclosure categories prepared by the State of California Fair Political Practices Commission.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Colfax as follows:

1. The amendments to the Conflict of Interest Code of the City of Colfax attached to this Resolution are hereby approved.
2. The remainder of the City of Colfax Conflict of Interest Code shall be and remain in full force and effect subject to said amendments. For purposes of convenience, the following paragraphs 3 through 6, are inclusive, repeat the same provisions of Resolution 44-2002 pursuant to which the City's Conflict of Interest Code was adopted on July 23, 2002.
3. The terms of the Model Conflict of Interest Code prepared by the California Fair Political Practices Commission and set forth at Title 2, California Code of Regulations, Section 18730 and any amendments to that section which may be duly adopted by the Fair Political Practices Commission (hereafter "Section 18730") is hereby adopted by reference as the Conflict of Interest Code of the City of Colfax.
4. The list of designated employees contained in Appendix "A" to this Resolution and the list of disclosure categories contained in Appendix "B" to this Resolution are hereby adopted as the relevant Appendices referred to in subdivisions (b)(2) and (3) of section 18730.
5. Designated employees and individuals required to disclose their economic interests pursuant to Government Code Section 87200, shall file statements of economic interests with the City Clerk, who shall make the statements available for public inspection and reproduction.
6. Upon receipt of the statements of the Mayor and members of the City Council, the City Manager, the City Treasurer, and the City Attorney, the City Clerk shall make and retain a copy and forward the original of these statements to the offices of the Fair Political Practices Commission. Statements for all other designated employees shall be retained by the City Clerk.

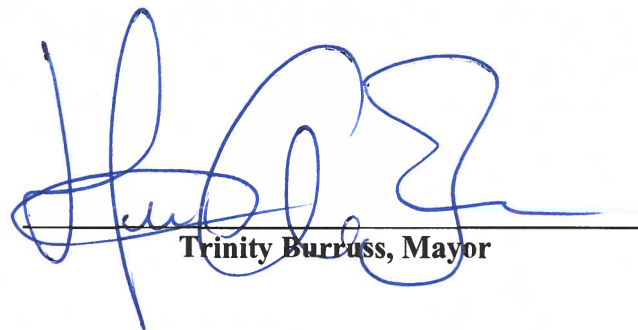
**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** at a regular meeting of the City Council of the City of Colfax held on the 8th of June, 2022, by the following vote of the Council:

**AYES: Lomen, Ackerman, Fatula, Burruss**

**NOES:**

**ABSTAIN:**

**ABSENT: Mendoza**



---

**Trinity Burruss, Mayor**

**ATTEST:**



---

**Marguerite Bailey City Clerk**

## **City of Colfax Conflict of Interest Code**

---

The Political Reform act of 1974 (Government Code Section 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes.

The Fair Political Practices Commission ("FPPC") had adopted a regulation (2 Cal. Code of Regs. 18730) which contains the terms of a standard conflict of interest code which may be incorporated by reference in an agency's code, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act, following public notice and hearings.

Therefore, the terms of 2 Cal. Code of Regs. 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This Resolution and the attached Appendixes designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest code for the City of Colfax.

Designated employees shall file statements of economic interests with the City of Colfax. The City of Colfax shall make all statements available for public inspection and reproduction, pursuant to Government Code section 81008.

**CITY OF COLFAX  
 CONFLICT OF INTEREST CODE  
 APPENDIX "A"  
 LIST OF DESIGNATED EMPLOYEES**

---

The following is a listing of those persons who are required to submit Statements of Economic interest pursuant to the Political Reform Act of 1974, as amended, excluding those persons who are already required to file the Form 700 pursuant to Government Code §87200. Designated employees shall file statements of economic interests with the City Clerk.

1. Members Boards and Commissions who are required to file Form 700:

<b>Citizen Boards/Commissions</b>	<b>Disclosure Category</b>
Economic Development Commission	Category 1
Design Review Commission	Category 1
Ad-Hoc Finance Committee	Category 1
Parks & Recreation Commission	Category 1
All other Boards & Commissions	Category 1

2. Persons occupying any of the following designated positions are required to file Form 700:

Department	Position	Disclosure Category
Administrative	City Manager	Category 1
	City Clerk	Category 1
Finance	Finance Director (Consultant)	Category 1
Planning	Planning Director (Consultant)	Category 1
Public Works	City Engineer (Consultant)	Category 1
	Public Works Director	Category 1
Building	Building Inspector (Consultant)	Category 1
Consultants	See Notes	

Notes: Consultants. 2 Cal. Code Regs §18700.3(a) defines "consultant" as an individual who pursuant to a contract with a state or local government agency.

- A. Makes a government decision whether to:
  - i. Approve a rate, rule, or regulation;
  - ii. Adopt or enforce a law;
  - iii. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement;
  - iv. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract that requires agency approval;
  - v. Grant agency approval to a plan, design, report, study or similar item;
  - vi. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- B. Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as defined in regulation 18704(a) & (b) or performs the same

or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code under section 87302

The disclosure required of consultants shall be determined on a case by case basis by the City Manager in consultation with the City Attorney. The City Manager may make a determination as to what disclosure, if any, is required by any particular consultant. The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

**EXHIBIT B**  
**DISCLOSURE CATEGORIES**

---

1. Full Disclosure. All interests in real property in the City of Colfax, as well as investments, business positions and sources of income, including gifts, loans and travel payments.
2. Full Disclosure Excluding Interests in Real Property. All investments, business positions and sources of income, including gifts, loans and travel payments.
3. Interests in Real Property. All interests in real property in the City of Colfax.
4. Contracting. All investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting service, of the type used by the City of Colfax.
5. Regulatory, Permit or Licensing. All investments, business positions and income, including gifts, loans, and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before the City of Colfax.