



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

September 24, 2024

SUBJECT: Review City of Wheatland Standardized Conflict of Interest Code for Designated Employees

PREPARED BY: Lisa Thomason, City Clerk

Recommendation

The City Manager has reviewed the City's existing conflict of interest code and has determined no amendment is required.

Background/Discussion

Every two years the City is required to review how the Conflict of Interest Code is applied for city officials, employees, and those that provide city services. We have not experienced any difficulties with our current requirements and are not recommending changes.

Positions listed in Government Code Section 87200 (i.e. City Councilmembers, Planning Commissioners, City Managers, City Attorneys, City Treasurers, and other public officials who manage public investments, which includes the City Finance Director) are not required to be included in the list of designated positions under the City's code because persons holding these positions are required to file Form 700 pursuant to state law.

Fiscal Impact

None

Attachments

1. Conflict of Interest Code
2. 2024 Biennial Notice

**CITY OF WHEATLAND
CONFLICT OF INTEREST CODE**

Designated Positions

The following are designated positions within the City of Wheatland which involve or may involve the making or participating in the making of decisions which may foreseeably have a material effect on any financial interest and the specific types of investments, interest in real property, and sources of income which are reportable.

Each listed designated position must disclose on appropriate FPPC forms filed with the City Clerk the disclosure information required by his or her Assigned Disclosure Category.

List of Designated Positions

Assigned Disclosure Categories

City Clerk	2
Public Works Director	2
Planning Director	1, 3
City Engineer	2, 3
City Consultants (Determined by City Manager)*	1, 2, 3
Chief of Police	2

Positions listed in Government Code Section 87200 (i.e. City Councilmembers, Planning Commissioners, City Managers, City Attorneys, City Treasurers, and other public officials who manage public investments, which includes the City Finance Director) are not required to be included in the list of designated positions under the City's code because persons holding these positions are required to file Form 700 pursuant to state law.

Disclosure Categories

Category 1

A designated employee in this category must report all investments, interests in real property, personal income, business entity income, and business positions which he or she is a director, officer, partner, trustee, employer or holds any positions of management.

Category 2

An employee in this category could possibly have a conflict of interest due to an interest in a supplier of goods, materials or services to the City. Investments in any business entity supplying such goods and services to the affected employee's department within the previous on year period are to be disclosed, if the value of such goods or services provided to the City exceeds the sum of \$5,000.00 during the previous twelve (12) month period.

Category 3

This category embraces City consultants providing services to the City relating to land use matters or planning matters. The category includes architectural, engineering, planning or marketing activities to be performed by the consultant for the City. Category 3 designated employees shall be required to

disclose only; investments in real property in or within five (5) miles of the City's corporate limits or investments in business entities owning such property; contracts currently outstanding or completed within the last twelve (12) months for any governmental agency within and including Yuba County; and any contracts with any person or entity currently outstanding or completed within the last twelve (12) months concerning land use within the City or within five miles of the city's boundaries.

*The City Manager may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. 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.

A consultant (other than City officials who are also consultants) shall be required to make the disclosure required by this Code prior to the award by the City of any contract with such consultant.

2024 Local Agency Biennial Notice

Name of Agency: City of Wheatland
Mailing Address: 111 C Street, Wheatland CA 95692
Contact Person: Lisa Thomason Phone No. 530-633-2761
Email: lthomason@wheatland.ca.gov Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other *(describe)* _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Bill Zenui
Signature of Chief Executive Officer

6/3/2024
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2024**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.