

CONFLICT OF INTEREST CODE FOR THE
CITY OF LAFAYETTE

(Amended ~~November 14, 2022~~ November 12, 2024)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing, Regulation 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Lafayette** (the “**City**”).

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City’s Filing Officer. Officials specified in Section 87200 of the Act shall electronically file their statements directly with the Fair Political Practices Commission. The **City Clerk** shall retain the originals of the statements filed by all other officials and designated positions and make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

CITY OF LAFAYETTE

(Amended ~~November 14, 2022~~ November 12, 2024)

PART “A”

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all Other City Officials who manage public investments as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the City’s Code but must file disclosure statements under the Government Code Section 87200 et seq.). [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments.¹ These positions are listed here for informational purposes only.

Administrative Services Director

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Analyst	5
Administrative/Technical Analyst	5
Assistant Administrative Services Director	1, 2
Assistant Associate Engineer	2, 3, 5
<u>Assistant Engineer</u>	<u>2, 3, 5</u>
Assistant Planner/Associate Planner	2, 3, 6
Assistant Planning & Building Services Director	2, 3, <u>5, 6</u>
Assistant Recreation Coordinator	5
Associate Engineer	2, 3, 5
City Attorney (Not filing under Gov Code 87200)	1, 2
City Clerk	5
Code Enforcement Officer	6
Communications Analyst	5
Construction Inspector (ALL)	3, 6
Department Assistant	5
Engineering Services Manager	2, 3, 5, 6
Facilities/Parks Maintenance Supervisor	5
<u>Management Analyst</u>	<u>5</u>
Park Maintenance Specialist	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Parks Maintenance Supervisor	5
Parks, Trails & Recreation Director	2, 3, 5
Planning & Building Services Director	1, 2
Planning Technician	6
Public Works & Engineering Director	2, 3, 5
Public Works Maintenance Manager	5
Public Works Technician	5
Recreation Coordinator	5
Recreation Coordinator/Senior Transportation Program	5
Recreation Manager	5
Recreation Supervisor	5
Senior Construction Inspector	3, 6
Senior Engineer	2, 3, 5, 6
Senior Planner	2, 3, 5, 6
Special Projects Manager	1, 2
Transportation Planner (ALL)	2, 3, 5
Transportation Program Manager	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS, COMMISSIONS & COMMITTEES

Capital Projects Assessments Committee	1, 2
Circulation Commission	1, 2
Code Enforcement Appeals Board	1, 2
Community Center Foundation ²	5
Creeks Committee	2, 5
Design Review Commission	1, 2
Downtown Street Improvement Master Plan	
Environmental Task Force	1, 2
Implementation Committee ³	1, 2
Oversight Board to Successor Agency	1, 2
Parks, Trails and Recreation Commission	1, 2
Public Art Committee	5
Successor Agency	1, 2

Consultants and New Positions⁴

² Jurisdiction confined to Lafayette Community Center and within two miles thereof.

³ Jurisdiction confined to Downtown Street Improvement Area and within two miles thereof.

⁴ Individuals serving as a consultant as defined in FPPC Reg 18700.3(a) or in a new position added since the Code was last approved, which makes or participates in the making of decisions, as identified in Reg. 18734, must file under the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code § 82019; FPPC Regs 18219 and 18734.) 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. (Gov. Code § 81008.)

PART “B”

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which the designated is assigned.⁵ “Investment” means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that are located in, that do business in or that own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the City, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position’s department, unit or division.

Category 6: All investments and business positions and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position’s department, unit or division.

⁵ This Conflict of Interest Code does not require the reporting of gifts from outside this agency’s jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)