

ATTACHMENT 2

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LAKE FOREST, CALIFORNIA, APPROVING AND
ADOPTING AN AMENDED CONFLICT OF INTEREST
CODE PURSUANT TO THE POLITICAL REFORM
ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Lake Forest (the "City") and requires all public agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the City Council adopted a Conflict of Interest Code (the "Code") which was amended on October 16, 2018, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the City's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the City Council of, the proposed amended Code was provided each affected designated position and publicly posted for review at the offices of the City Clerk; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on November 15, 2022, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST HEREBY DETERMINES, RESOLVES, FINDS, AND ORDERS AS FOLLOWS:

Section 1. The City Council does hereby adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto.

Section 2. The amended Conflict of Interest Code shall be on file with the City Clerk, and be available to the public for inspection and copying during regular business hours.

Section 3. The amended Conflict of Interest Code shall become effective on the date of its adoption and approval.

PASSED, APPROVED AND ADOPTED this 15th day of November, 2022.

ROBERT PEQUENO
MAYOR

ATTEST:

LISA BERGLUND, MPA
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LAKE FOREST)

I, LISA BERGLUND, City Clerk for the City of Lake Forest, do hereby certify that Resolution No. _____ was duly adopted and passed at a regular meeting of the Lake Forest City Council on the 15th day of November, 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

LISA BERGLUND, MPA
CITY CLERK

CONFLICT OF INTEREST CODE
OF THE
CITY OF LAKE FOREST

(Amended November 15, 2022)

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 2 Cal. Code of Regulations section 18730 which 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 Section 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 Lake Forest (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. The **City Clerk** shall make and retain a copy of all statements filed by Officials listed in Government Code Section 87200, and forward the originals of such statements to the Fair Political Practices Commission. The **City Clerk** shall retain the originals of the statements of all other officials and designated positions and. will 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 LAKE FOREST

(Amended November 15, 2022)

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, are NOT subject to the City's Code but must file disclosure statements under 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.

Director of Finance

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>
Accounting Supervisor	5
Administrative Services Manager	5
Assistant City Clerk	5
Assistant City Manager	1, 2
Assistant Director, Community Development	1, 2
Assistant Director, Finance	1, 2
Assistant Planner	2, 4, 5, 6
Assistant to the City Manager	1
Associate Planner	2, 3, 5, 6
Auditor, Finance Authority	1, 2
Building Official	5, 6
Building Permit Technician/Senior Building Permit Technician	6
Chief of Police Services	5, 6
City Attorney (Not filing under Gov. Code §87200)	1, 2
City Clerk	5
Code Enforcement Officer	6
Code Enforcement Supervisor	5, 6
Communication and Marketing Manager	5
Deputy City Manager	1, 2
Director of Community Development	1, 2
Director of Community Services	5
Director of Management Services	4
Director of Public Works/City Engineer	1, 2
Economic Development/Housing Manager	1, 2
Engineering Services Manager/Assistant City Engineer	2, 3, 5, 6

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Engineering Technician	5, 6
Environmental Manager	6
Facilities Manager	5
Facilities Supervisor	5
Fire Chief	5, 6
Housing Manager	1, 2
Human Resources Manager	4
Information Technology Analyst	5
Information Technology Manager	5
Landscape Inspector/Senior Landscape Inspector	3, 5
Management Analyst	5
Management Assistant	5
Planning Manager	2, 3, 5, 6
Principal Civil Engineer	2, 3, 5
Public Safety Manager	5, 6
Public Works Maintenance Manager	2, 3, 5, 6
Public Works Supervisor	5
Recreation Manager	5
Recreation Supervisor (ALL)	5
Senior Communications & Marketing Analyst	5
Senior Management Analyst	4
Senior Planner	2, 3, 5, 6
Senior Recreation Supervisor	5
Street Maintenance Inspector	2, 3, 5,
Traffic Engineering Manager	2, 3, 5

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BEST BEST & KRIEGER LLP

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Oversight Committee to Successor Agency	1, 2
Parks & Recreation Commission	1, 2
Successor Agency	1, 2
Traffic & Parking Commission	1, 2

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions 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; Reg. 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 investments that the designated position must disclose for each disclosure category to which the designated is assigned.³ “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, do business in, or 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.

³ 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)