

RESOLUTION R2022-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NAPA, STATE OF CALIFORNIA, APPROVING THE 2022-
2024 CITY OF NAPA CONFLICT OF INTEREST CODE, AS
REQUIRED BY THE POLITICAL REFORM ACT

WHEREAS, the Political Reform Act (Government Code Sections 81000, *et seq.*, particularly sections 87300 through 87314), and the implementing regulations of the Fair Political Practices Commission (set forth in 2 Cal. Code of Regulations sections 18700 – 18740, and 18750 – 18756; also known as “FPPC Regulations Sections 18700 – 18740, and 18750 – 18756”) documents the legal parameters and procedures by which every state and local government agency is required to adopt and promulgate a Conflict of Interest Code to identify the positions within the agency for which public officials and designated employees are required to disclose specified financial interests through the annual filing of a Statement of Economic Interest (commonly known as “Form 700”); and

WHEREAS, on September 20, 1976, the City Council adopted Resolution No. 76-227, which adopted the City’s Conflict of Interest Code; and

WHEREAS, no later than July 1 of each even numbered year, the City is required to commence the process of assembling information for a biennial update to the Conflict of Interest Code, pursuant to Government Code Section 87306.5; and

WHEREAS, consistent with this requirement of the Political Reform Act, the City Council has regularly updated its Conflict of Interest Code to incorporate changes in the City’s organizational structure and to address changes in relevant laws and regulations; and

WHEREAS, on February 17, 2015, the City Council adopted Resolution No. R2015-16, which updated the City’s Conflict of Interest Code for the years 2014 through 2016, specifically authorizing the City Clerk to establish and implement a system for the electronic filing of Statements of Economic Interest; and

WHEREAS, the City is required to apply for and receive a re-certification from the FPPC for the City’s electronic filing system for Statements of Economic Interest at least every five years, in accordance with FPPC Regulations Section 18756(h); and

WHEREAS, the City received the required re-certification from the FPPC for the City’s electronic filing system for Statements of Economic Interest on January 31, 2020; and

WHEREAS, the City intends to continue to implement the previously authorized electronic filing system for the filing of Statements of Economic Interests, in accordance with Government Code Section 87500.2 and FPPC Regulations Section 18756; and

ATTACHMENT 1

WHEREAS, on September 15, 2020, the City Council adopted Resolution No. R2020-111, which adopted the City's Conflict of Interest Code for the years 2020 through 2022; and

WHEREAS, the most recent version of the City's Conflict of Interest Code, as set forth in Resolution No. R2020-111, requires amendments (as set forth in this Resolution, including Exhibits "A" and "B," attached hereto and incorporated herein by reference) to reflect the current organizational structure of the City, and to reflect updates to relevant laws and regulations; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City staff, and any information provided during public meetings.

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

1. The City Council hereby finds that the facts set forth in the recitals to this resolution are true and correct, and establish the factual basis for the City Council's adoption of this resolution.
2. The City Council is the Code Reviewing Body for this Conflict of Interest Code and hereby determines that the update to the City of Napa Conflict of Interest Code, as set forth in this Resolution, shall apply to each of the following City agencies (as those terms are used in Government Code Sections 82011, 87300 and 87301): the City of Napa, the Housing Authority of the City of Napa, the Parking Authority of the City of Napa, and the Public Financing Authority of the Napa Enhanced Infrastructure Financing District.
3. The City Council hereby determines that the City's Conflict of Interest Code for the term commencing on the effective date of this resolution, as documented on Exhibits "A" and "B" attached hereto and incorporated herein by reference, identifies the categories of public officials and employees, and each respective category of financial interest which should be publicly reported in accordance with the requirements of the Political Reform Act. Accordingly, each person identified on Exhibit "A" as a "Government Code Section 87200 Filer" or as a "designated employee" shall file with the City Clerk a Statement of Economic Interest (providing the information required by the relevant Disclosure Category identified on Exhibits "A" and "B").
4. The City Council hereby authorizes and directs the City Clerk to establish and implement a system for the electronic filing of Statements of Economic Interests, and to maintain the required certifications from the Fair Political Practices Commission, in accordance with the requirements of California Government Code Section 87500.2, and FPPC Regulation Section 18756 (California Code of Regulations Title 2, Division 6, Section 18756).

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5. The City Council, as Code Reviewing Body, hereby directs each City agency identified in this resolution to provide the City Clerk with any updated information regarding changed circumstances, related to the list of public officials and employees, and each respective category of financial interest which should be publicly reported in accordance with this Conflict of Interest Code. The updated information shall be provided as soon as feasible; and, for changes that have occurred as of May 1, 2024, the updated information shall be provided to the City Clerk by no later than June 1, 2024.
6. The City Council hereby adopts the terms of FPPC Regulation Section 18730, and incorporates those terms by reference, as a part of this adopted Conflict of Interest Code.
7. The City Clerk shall retain custody of the Statements of Economic Interests and make those Statements available for public inspection and reproduction pursuant to Government Code Section 81008. To the extent that Statements of Economic Interest are posted on the City's website, confidential information included on any Statement of Economic Interests (such as an official's address, telephone number, or signature block), will be redacted in accordance with FPPC Regulation Section 18756(f).
8. Any violation of any provision of this Code is subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 et seq.
9. The City Council hereby adopts the City of Napa Conflict of Interest Code as set forth in this resolution; and the City Council hereby directs the City Clerk to promulgate the City of Napa Conflict of Interest Code in accordance with the Political Reform Act.
10. This Resolution shall take effect immediately upon its adoption.

ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa on the 20th day of September 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

APPROVED AS TO FORM:

Michael W. Barrett
City Attorney