



Agenda Report

March 6, 2023

TO: CITY COUNCIL
FROM: CITY ATTORNEY
**SUBJECT: ADOPTION OF AMENDED CONFLICT OF INTEREST
RESOLUTION**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is not a "project" subject to the California Environmental Quality Act (CEQA) as defined in Section 21065 of CEQA and Sections 15060(c)(3), and 15378(b)(5) of the State CEQA Guidelines; and
2. Adopt a Resolution amending the City's Conflict of Interest statement filing regarding definitions pertaining to members of the Rental Housing Board.

BACKGROUND:

The City's Conflict of Interest Code was most recently updated in January 2023 by the adoption of Resolution No. 9973, to add filing and disclosure requirements for members of the recently created Rental Housing Board. As applications for that Board move forward, staff noted a required amendment in the disclosure requirements for the Board to be consistent with the recently adopted Measure H charter amendment. In sum, the investment category required clarification to distinguish between disclosures for non-real estate investments versus real estate investments. The amendments are shown below and are set forth in the associated Resolution and its attachments.

19. Category "19" Designated Individuals must report as required by Categories 1 and 2, with the additional:
 - A. Schedule A-1 - Investments (e.g., stocks, bonds, warrants, options, debt instruments, partnerships, IRA's, etc.).
 - B. Schedule A-2 - Investments held by a business entity or trust.
 - C. Schedule B – Real Property.
 - D. Schedule C - Income, loans or business positions.
 - E. Schedule D - Income (gifts including honoraria).
 - F. Schedule E - Travel payments, advances and reimbursements.


provided that:

- A. Investments, whether held directly or indirectly, ~~by you or your Extended Family~~, are worth \$2,000.00 or more at any time during the reporting period and are in business entities located in or doing business in Pasadena, or if the investment is a Real Estate Investment Trust, whether held directly or indirectly or by Extended Family, are worth \$2,000 or more. Extended Family is defined as: any spouse, whether by marriage or not, domestic partner, parent, child, sibling, grandparent, aunt or uncle, niece or nephew, grandchild, or cousin.
- B. Sources of income aggregate \$500.00 or more and are from sources located in or doing business in Pasadena.
- C. Such interests in real property, whether held directly or indirectly ~~by you or your Extended Family~~, are worth \$2,000.00 or more and are located in Pasadena.
- D. Such interests in rental property that are material. A material interest in rental property is defined as: An individual has a Material Interest in Rental Property if they, or any member of their Extended Family, own, manage or have a 5% or greater ownership stake in Rental Units in the County of Los Angeles, or if they or any member of their Extended Family owned, managed, or had a 5% or greater ownership stake in Rental Units in the County of Los Angeles in the past three (3) years. Rental Units is defined as: Any building, structure, or part thereof, or land appurtenant thereto, or any other rental property rented or offered for rent for residential purposes, whether or not such units possess a valid Certificate of Occupancy for use as rental housing, together with all Housing Services connected with use or occupancy of such Property, such as common areas and recreational facilities held out for use by the Tenant.
- E. Loans aggregate \$500.00 or more received or outstanding during the reporting period and are from sources located in or doing business in Pasadena.
- F. Such gifts, including honoraria, aggregate \$50.00 or more. For this category, gifts and honoraria must be reported regardless of whether their source is inside or outside Pasadena.
- G. Travel payments, advances and reimbursements from your employer are not reportable.

FISCAL IMPACT:

No fiscal impact is anticipated.

Respectfully submitted,


MICHELE BEAL BAGNERIS
City Attorney
Office of the City Attorney/City Prosecutor

Prepared by:


Theresa Fuentes
Assistant City Attorney

Concurred by:


MIGUEL MÁRQUEZ
City Manager