

January 20, 2022

The Honorable City Council
c/o Holly Wolcott, City Clerk
200 North Spring Street
City Hall – 3rd Floor
Los Angeles, CA 90012

Re: New Conflict of Interests Code
Civil + Human Rights and Equity Department

FOR COUNCIL CONSIDERATION
Action Required by **April 20, 2022**

Dear Councilmembers:

Enclosed is the proposed conflict of interests (COI) code for the Civil + Human Rights and Equity Department (CHRED). As the City's code-reviewing body, the City Council must approve, revise, or return the proposed code within 90 days of the date they are received. Cal. Gov't Code §§ 82011(c), 87303. We recommend that you approve the proposed COI code, which is provided in Attachments A through C.

A. Background

State law requires every City agency to adopt a COI code to help officials in the agency avoid financial conflicts of interest. Each COI code must identify the positions in the agency that have the authority to make or participate in government decisions, as well as the financial interests that must be reported on California Form 700 by the individuals who occupy those positions. Cal. Gov't Code §§ 87300, 87302(a). Agencies are required to amend their COI codes when changed circumstances make amendments necessary. Cal. Gov't Code § 87306.

B. Code Elements

A COI code consists of three sections: the incorporation and certification; a list of designated positions (schedule A); and a list of disclosure categories (schedule B). 2 Cal. Code Regs. §§ 18730(a)–18730(b)(3).

The incorporation and certification is a standardized introductory statement that briefly explains the function of the COI code, provides references to relevant sections of the California Political Reform Act and its regulations, and certifies that the entire COI code was approved by the City Council. The incorporation and certification is included in each agency's COI code.

Schedule A is a list of specific positions in the agency that have the authority to make or participate in making decisions that could foreseeably have an effect on a personal financial interest. Each position is assigned to a disclosure category, which is found in Schedule B. The

disclosure category is based on the position's type and level of decision-making authority and describes the types of investments, business positions, sources of income, and interests in real property that must be reported on a statement of economic interests (California Form 700).

C. Process

As a newer City department, CHRED has not previously adopted a COI code. In an effort to comply with state law, the agency has developed a COI code in consultation with the Ethics Commission. CHRED's staff conducted a substantive review, and the newly created code reflects the agency's current organizational structure and decision-making processes.

On July 14, 2021, a notice of intention to adopt CHRED's COI code was emailed to the staff and the unions that represent them, and it was posted on the public bulletin boards in City Hall and City Hall East. A 30-day comment period began on July 14, 2021 ended on August 13, 2021. During the comment period, no written comments were received. No requests for a public hearing were made during this comment period.

On January 12, 2022 the CHRED governing board and executive director approved CHRED's proposed COI Code, confirming that the Schedule A list of designated positions identifies all the individuals in CHRED who are required by state law to file statements of economic interests and that the assigned disclosure categories accurately reflect the scope of each position's decision-making authority. Copies of the proposed schedules are provided in Attachments A and B.

D. Conclusion

On behalf of CHRED, we urge you to approve its amended COI code, which is provided in Attachments A, B, and C. Under State law, City Council action on the amended code is required by April 20, 2022 (90 days after this transmittal is received).

If you have any questions, please contact Ethics Program Manager Samantha Rodriguez at (213) 978-1941.

Sincerely,

A handwritten signature in black ink, appearing to read "David Tristan".

David Tristan
Executive Director

Attachments:

- A. Proposed Schedule A – Designated Positions*
- B. Proposed Schedule B – Disclosure Categories*
- C. Incorporation and Certification*

cc: Assistant City Attorney Renee Stadel

City of Los Angeles
CIVIL + HUMAN RIGHTS AND EQUITY DEPARTMENT
Conflict of Interests Code
DESIGNATED POSITIONS
(Schedule A)

<u>Position Title</u>	<u>Disclosure Category</u>
Assistant General Manager	1
Executive Director	1
Community Affairs Advocate	15
Consultant	**
Human Relations Advocate	2
Senior Management Analyst	8
Management Analyst	2
Member, Commission on Civil Rights	1
Member, Human Relations Commission	1
Member, Commission on the Status of Women	1
Special Investigator	5
Senior Project Coordinator	6

* Government Code Section 87200 requires that all filers in this classification disclose all investments, income, and interests in real property.

** Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director 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 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 Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interests code. (Gov. Code Section 81008.)

City of Los Angeles
CIVIL + HUMAN RIGHTS AND EQUITY DEPARTMENT

Conflict of Interests Code
DISCLOSURE CATEGORIES
(Schedule B)

An individual whose position is identified in the Designated Positions section (Schedule A) of an agency's conflict of interests code is a filer and must disclose each economic interest identified below for the disclosure category associated with the individual's position. Disclosure must be made by filing the California Form 700 on specified schedules.

The definitions for investments, business positions, sources of income, interests in real property, doing business, gifts, and other terms may be found in the California Political Reform Act, its associated regulations, and the instructions for the California Form 700. The term "division" means a subset of the filer's agency and, depending on the agency's structure, may also be known as a department, group, office, section, or other similar term used to indicate a subordinate unit of the agency.

Economic interests must be disclosed for the applicable reporting period. In general, the following types of Form 700 filings have the following reporting periods:

- Annual: January 1 through December 31 of the previous calendar year.
- Assuming Office: the date the filer assumes office for investments, business positions, and interests in real property; for income, the 12 months immediately preceding the date the filer assumes office.
- Leaving Office: the last date covered by the filer's most recent filing through the date the filer left the designated position.

Reporting periods may vary in individual circumstances and for other types of filings and should be verified with the Ethics Commission.

Category 1

Any investment, business position, source of income, or interest in real property.

Category 2

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's agency;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's agency;or

3. Was a party or sought to become a party to a written agreement with the filer's agency.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.

Category 3

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.
- B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.

Category 4

- A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.
- B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer's agency.
- C. Any investment in, business position with, or income from a source that did any of the following:
 1. Provides the type of services, goods, or equipment used by the filer's division;
 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 3. Was a party or sought to become a party to a written agreement with the filer's division.
- D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 5

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's agency;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's agency;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's agency.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.
- E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.
- F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.

Category 6

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's agency;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's agency;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's agency.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.

- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.
- E. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.
- F. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer's agency.
- G. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 7

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.
- B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.
- C. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.
- D. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer's agency.
- E. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- F. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 8

- A. Any investment in, business position with, or income from a source that did any of the following:

1. Provides the type of services, goods, or equipment used by the filer's agency;
 2. Provided or sought to provide services, goods, or equipment to the filer's agency;
or
 3. Was a party or sought to become a party to a written agreement with the filer's agency.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's agency or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's agency provided a review, recommendation, or referral.
- E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.
- F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.
- G. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.
- H. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer's agency.
- I. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 9

- A. Any investment in, business position with, or income from a source that did any of the following:
1. Provides the type of services, goods, or equipment used by the filer's division;
 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 3. Was a party or sought to become a party to a written agreement with the filer's division.

- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the City when the filer's division provided a review, recommendation, or referral.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.

Category 10

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's division.
- B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's division or is located within 500 feet of such property.

Category 11

- A. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer's agency when the filer's division provided a review, recommendation, or referral.
- B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer's division provided a review, recommendation, or referral.
- C. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 12

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency when the filer's division provided a review, recommendation, or referral.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.
- E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's division.
- F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's division or is located within 500 feet of such property.

Category 13

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the

filer's agency when the filer's division provided a review, recommendation, or referral.

- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.
- E. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer's agency when the filer's division provided a review, recommendation, or referral.
- F. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer's division provided a review, recommendation, or referral.
- G. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 14

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's division.
- B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's division or is located within 500 feet of such property.
- C. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer's agency when the filer's division provided a review, recommendation, or referral.
- D. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
 - 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- E. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer's division provided a review, recommendation, or referral.

- F. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 15

- A. Any investment in, business position with, or income from a source that did any of the following:
 - 1. Provides the type of services, goods, or equipment used by the filer's division;
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or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- B. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
- C. Any investment in, business position with, or income from a source that rented, leased, subrented, sublet, purchased, or sold real property or facilities to or from the filer's agency when the filer's division provided a review, recommendation, or referral.
- D. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.
- E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's division.
- F. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's division or is located within 500 feet of such property.
- G. Any income from an individual, or immediate family member of an individual, who was employed by or applied for any position with the filer's agency when the filer's division provided a review, recommendation, or referral.
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- I. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.

Category 16

- A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the City when the filer's division provided a review, recommendation, or referral.
- B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees and for whom the filer's division provided a review, recommendation, or referral.
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 - 2. Provided or sought to provide services, goods, or equipment to the filer's division;
or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to City employees and for which the filer's division provided a review, recommendation, or referral.
- E. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in a personnel, investigative, enforcement, claim, or litigation matter that involved the filer's division.

Category 17

- A. Any investment in, business position with, or income from a source that was involved as a party, participant, or representative in an investigative, enforcement, claim, litigation, regulatory, legislative, permitting, or licensing issue made by or pending with the filer's agency.
- B. Any interest in real property that was involved in an enforcement, regulatory, legislative, permitting, or licensing decision made by or pending with the filer's agency or is located within 500 feet of such property.
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 - 3. Was a party or sought to become a party to a written agreement with the filer's division.

- D. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
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- F. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.

Category 18

- A. Any income from an individual, or an immediate family member of an individual, who was employed by or applied for any position within the filer's agency.
- B. Any investment in, business position with, or income from a source that represented or sought to represent an employee or group of employees in the filer's agency.
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or
 - 3. Was a party or sought to become a party to a written agreement with the filer's division.
- D. Any investment in, business position with, or income from a source that provided or sought to provide benefits, services, goods, or equipment to the filer's agency or its employees when the filer's division provided a review, recommendation, or referral.
- E. Any interest in real property that was involved in a contracting decision made by or pending with the filer's division or is located within 500 feet of such property.
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- G. Any investment in, business position with, or income from a source that applied for or received a grant from or provided grant funding to the City when the filer's division provided a review, recommendation, or referral.

CIVIL + HUMAN RIGHTS AND EQUITY DEPARTMENT CITY OF LOS ANGELES

CONFLICT OF INTERESTS CODE
Incorporation and Certification
Page 1 of 2

Effective Date: _____
Council File No. _____

INCORPORATION

The Political Reform Act of 1974 (PRA) requires state and local government agencies to adopt and promulgate conflict of interests codes to help government employees avoid financial conflicts. See California Government Code sections 81000 *et seq.*

The Fair Political Practices Commission (FPPC) has adopted a regulation that contains the terms of a standard conflict of interests code, can be incorporated by reference, and may be amended by the FPPC to conform to amendments to the PRA after public notice and hearings. This agency's conflict of interests code incorporates by reference that regulation (2 California Code of Regulations section 18730); the attached Schedule A, which identifies each position in the agency that is charged with making or participating in making a government decision; and the attached Schedule B, which identifies the economic interests that the individuals in those designated positions must disclose.

City officials (individuals holding, elected to, or appointed to a position in Schedule A) must periodically submit statements of economic interests that disclose the economic interests in Schedule B that they held during the reporting period. The statements must be submitted to the Ethics Commission, which makes the statements available for public inspection and reproduction (see California Government Code section 81008).

City officials are required to comply with the requirements of their agency's code and the requirements of state and City law.

CIVIL + HUMAN RIGHTS AND EQUITY DEPARTMENT CITY OF LOS ANGELES

CONFLICT OF INTERESTS CODE
Incorporation and Certification
Page 2 of 2

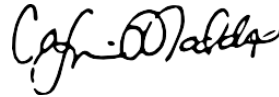
Effective Date: _____
Council File No. _____

CERTIFICATION

This code accurately designates all positions in the agency that make or participate in the making of governmental decisions. The disclosure category assigned to each position accurately requires individuals who hold the position to report their investments, business positions, interests in real property, and sources of income that could foreseeably be materially affected by the City decisions they make or participate in making. This code was approved by the agency's general manager or its governing board or commission on

January 12, 2022

(Date)



BY _____
(Signature)

Executive Director/General Manager

(Title)

January 20, 2022

(Date)