RALPH M. TERRAZAS FIRE CHIEF

October 17, 2019

BOARD OF FIRE COMMISSIONERS FILE NO. 19-132

TO:

Board of Fire Commissioners

FROM:

ARalph M. Terrazas, Fire Chief

SUBJECT: LAFD CONFLICT OF INTEREST CODE REVISION

	FINAL ACTION: Approved Denied	Approved w/Corrections Received & Filed	Withdrawn Other
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SUMMARY

The Department's current Conflict of Interest (COI) Code is dated December 5, 1995, which was adopted by the City Council in 1997. Per City Charter, Sec. 702 (i), it is the responsibility of the City Ethics Commission (CEC) to assist City departments in developing their COI Code as required by state law (Cal. Gov. Code § 87302(a) and Cal. Gov. Code § 82019(a) (3)). In July of 2018, the Los Angeles Fire Department (Department) enlisted the help of the CEC to revise their COI Code. Much has changed in the Department in terms of agency structure, position additions/deletions, and position duties. An assessment of the current COI Code between the Department and the CEC has been conducted. At the recommendation of the CEC, the Department accepts the revised list of designated Department classifications which are required to disclose certain financial information, as well as the revised disclosure categories.

RECOMMENDATIONS

That the Board:

- 1. Approve and authorize the Fire Chief to submit the final code revision packet as directed by the City Ethics Commission.
- 2. Transmit the final code revision packet to the City Ethics Commission for review and submission to the City Council for approval.

FISCAL IMPACT

There is no fiscal impact on the Department.

DISCUSSION

The Political Reform Act of 1974 requires state and local government agencies to adopt a COI Code to help government employees with financial conflicts. The Department's current COI Code is dated December 5, 1995 (Attachment 1).

The COI Code identifies classifications within the Department that identifies incumbents in positions who make decisions, or influence decisions, from which they may benefit financially. The COI Code also establishes disclosure categories, which describe the types of financial interests employees must disclose, based on their classification.

Per City Charter, Sec. 702 (i), it is the responsibility of the CEC to assist City departments in developing their COI Code as required by state law (Cal. Gov. Code § 87302(a) and Cal. Gov. Code § 82019(a) (3)). The Department enlisted the help of the CEC in July 2018, with the filing of the 2018 Local Agency Biennial Notice. The Department provided all Department class specifications, as instructed by the CEC. The CEC then submitted proposed changes to the Department's Schedule A (List of Designated Positions) and Schedule B (Disclosure Categories). Upon review, the Department returned further proposed changes of Schedule A to the CEC. The CEC completed a final review and has recommended revisions to Schedule A and Schedule B (Attachment 2).

The revised Schedule A results from a review of each class specification and the identification of those that have the authority to make or influence the decisions that could foreseeably have an effect on a personal financial interest. Changes to Schedule A primarily related to updating disclosure categories attributed to various current positions or adding positions which had previously not been classified as a designated position. Currently, the Department has 64 filers associated with its COI Code. Approval of the proposed COI Code will result in a total of approximately 450 filers.

The revised Schedule B streamlines the code adoption process throughout the City of Los Angeles. Prior to the standardized Schedule B, each department had a unique list of disclosure categories that were drafted specifically for a particular position in a particular department. The new standardized disclosure categories are narrowly tailored to the classification, while still using language that can be implemented across City departments.

All proposed changes to Schedule A and Schedule B have been reviewed by Department staff and concurs with the CEC's recommendations.

CONCLUSION

The CEC is assisting all City departments in revising and updating their COI Codes. This COI Code revision will aid the Department in properly identifying designated positions required to file Statement of Economic Interest forms.

Board Report prepared by Battalion Chief Eric Talamantes, Employee Relations Division.

Attachments

- Attachment 1 Current COI Code
- Attachment 2 Revised COI Code
- Attachment 3 Incorporation and Certification Form

BOARD OF FIRE COMMISSIONERS

CITY OF LOS ANGELES
CALIFORNIA

FIRE DEPARTMENT

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200 NORTH MAIN STREET ROOM 1800 LOS ANGELES, CA 90012

> (213) 978-3800 FAX: (213) 978-3815

HTTP://WWW.LAFD.ORG

October 17, 2019

Heather Holt 200 North Spring Street, 24th Floor Los Angeles, CA 90012

Dear Ms. Holt:

The City of Los Angeles Fire Department (LAFD) has concluded the comment period for revisions to the proposed Conflict of Interest Code. With the assistance and recommendations of the City Ethics Commission the revised list of every position within the LAFD, that makes or participates in making decisions that foreseeably may have an effect on any financial interest, was developed (see attachments).

Sincerely,

RALPH M. TERRAZAS

Fire Chief

Attachments

City of Los Angeles

LOS ANGELES FIRE DEPARTMENT

Conflict of Interests Code DESIGNATED POSITIONS (Schedule A)

Position Title	Disclosure Category
Accountant	5
Accounting Records Supervisor	13
Automotive Supervisor	5
Chief Information Officer	8
Chief Management Analyst	8
Chief Special Investigator	3
Commissioner, Board of Fire Commissioners	1
Consultant	*
Departmental Chief Accountant	1
Director of Systems	5
EMS Advanced Provider	2
EMS Advanced Provider Supervisor	6
Emergency Medical Services Educator	2
Engineer – Special Duty**	9
Engineering Geologist Associate	5
Equipment Repair Supervisor	9
Equipment Specialist	3
Equipment Superintendent	5
Fire Administrator	1

Fire Assistant Chief	8
Fire Battalion Chief – Special Duty	8
Fire Captain – Special Duty**	8
Fire Chief	1
Fire Deputy Chief	1
Fire Inspector**	3
Fire Protection Engineer	8
Fire Protection Engineering Associate	14
Fire Psychologist	6
Fire Special Investigator	5
Fire Statistical Manager	5
Fiscal Systems Specialist	6
Independent Assessor	8
Industrial Hygienist	3
Information Systems Manager	2
Management Analyst	5
Management Assistant	5
Payroll Supervisor	4
Personnel Director	4
Physician II	1
Principal Accountant	8
Public Information Director	4
Public Safety Employee Relations Manager	15
Risk Manager	5

Risk Management and Prevention Program Manager	5
Risk Management and Prevention Specialist	5
Senior Accountant	8
Senior Auditor	5
Senior Communications Electrician Supervisor	4
Senior Fire Protection Engineer	8
Senior Industrial Hygienist	3, 11
Senior Management Analyst	8
Senior Personnel Analyst	8
Senior Project Coordinator	5
Senior Storekeeper	2
Senior Systems Analyst	6
Special Investigator	3
Storekeeper	5
Systems Analyst	5
Systems Programmer	5

^{*} 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 Fire Chief 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 Fire Chief'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 Section 81008.)

^{** &}quot;Full release" assignments are excluded.

City of Los Angeles

Fire 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.

- 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.

- 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.

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

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Category 8

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

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- 2. Provided or sought to provide services, goods, or equipment to the filer's agency; or
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Category 11

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- 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.

- 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.
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FIRE DEPARTMENT CITY OF LOS ANGELES

CONFLICT OF INTERESTS CODE Incorporation and Certification Page 1 of 2

Effective Date: October 17, 2019

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.

FIRE DEPARTMENT CITY OF LOS ANGELES

CONFLICT OF INTERESTS CODE Incorporation and Certification Page 2 of 2

Effective Date:	October	17,	2019
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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

October 17, 2019	,
(Date)	Signature)
	Fire Chief
	(Title)
	October 17, 2019
	(Date)

i nis code was add	opted by order of the Council of tr	ne City of Los Angeles
on and is effective as of _		
	(Date)	