City Council Meeting
09-28-26
Item 1.B.5.

Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kelsey Pettijohn, City Clerk

Reviewed by: Alicia Freeman, Human Resources Manager

Approved by: Joseph D. Irvin, City Manager

Date prepared: September 8, 2026 Meeting date: September 28, 2026

Subject: City's Conflict of Interest Code

RECOMMENDED ACTION: Adopt Resolution No. 26-64 adopting the City's Conflict of Interest Code and repealing Resolution No. 24-58.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

STRATEGIC PLAN IMPLEMENTATION: N/A.

DISCUSSION: Government Code Section 87300 requires the City to adopt a Conflict of Interest Code, which will be reviewed biennially. The City's Conflict of Interest Code was last amended on November 25, 2024.

Government Code Section 87200 designates the officials required to file statement of economic interests. Malibu officials include City Councilmembers, City Manager, City Attorney, Planning Commissioners and City Treasurer. Additionally, the City's Conflict of Interest Code must designate the positions within the City involved in the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest. Since 2024, additional job specifications have been approved by the City Council through the Fiscal Year 2025-26 and 2026-27 budget process that are in decision making roles that could have influence on financial interests of the organization.

For the City's Conflict of Interest Code to be consistent with authorized positions, Resolution No. 26-64 adds the following classification titles for positions which participate in making decisions that may foreseeably have a material effect on financial interests:

- Assistant Community Development Director
- Building Official
- Community Development Director
- Deputy Community Development Director
- Deputy Public Works Director
- Emergency Services Manager
- Public Works Administration Manager

The following classifications have been removed as they are no longer authorized positions:

- Assistant Planning Director
- Environmental Sustainability Director/Building Official
- Planning Director

Newly designated positions will be required to file within 30 days of assuming office. The filing is done through a Statement of Economic Interest (Form 700).

ATTACHMENTS: Resolution No. 26-64

RESOLUTION NO. 26-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU ADOPTING THE CONFLICT OF INTEREST CODE AND REPEALING RESOLUTION NO. 24-58

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

A. The Political Reform Act, Government Code sections 81000, et seq., requires the adoption of a conflict of interest code and biennial review.

B. Government Code Section 87306 requires every agency to amend its conflict of interest code when changes occur, which include the creation of new positions that must be designated positions, the deletion of old positions and relevant changes in the duties assigned to existing positions.

C. Section 2 accurately sets forth those positions which should be designated and the categories of financial interests, which should be made reportable.

SECTION 2. The City requires full disclosure for the positions listed below, which participate in making decisions that may foreseeably have a material effect on financial interests. Full Disclosure includes all interests in real property in the City of Malibu, as well as investments, business positions, and sources of income, including gifts, loans, and travel payments.

Assistant City Attorney
Assistant City Clerk
Assistant City Manager
Assistant Community Development Director
Assistant Engineer
Assistant Public Works Director/City Engineer
Assistant to the City Manager
Associate Civil Engineer
Associate Engineer
Building Inspector
Building Official
City Biologist
City Clerk
City Geologist
Code Enforcement Manager
Code Enforcement Officer
Community Development Director
Community Services Deputy Director
Community Services Director
Consultants*
Deputy City Manager
Deputy Community Development Director
Deputy Public Works Director
Development and Operations Manager

Environmental Programs Manager
Deputy Building Official
Environmental Health Administrator
Emergency Services Manager
Financial Controller
Human Resources Manager
Information Systems Administrator
Information Systems Manager
Mobilehome Park Rent Stabilization Commissioners
Plan Check Engineer
Principal Planner
Public Safety Director
Public Safety Manager
Public Works Administration Manager
Public Works Director
Public Works Inspector
Public Works Superintendent
Recreation Manager
Senior Building Inspector
Senior Code Enforcement Officer
Senior Plan Check Engineer
Senior Planner
Senior Public Works Inspector
Supervising Building Inspector
Supervising Permit Services Technician

Additional positions required to provide full disclosure pursuant to Government Code Section 87200 include:

City Attorney
City Council
City Manager
City Treasurer
Planning Commissioners

*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The City Manager 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 described in this section. Such written determination must include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The City Manager's determination is a public record and must be retained for public inspection in the same manner and location as this Conflict of Interest Code.

SECTION 3. Resolution No. 24-58 is hereby repealed.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this ___ day of _____ 2026.

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

_____
KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

_____
TREVOR RUSIN, Interim City Attorney