



Needles, California Request for Board Action

CITY COUNCIL NPUA BOARD OF PUBLIC UTILITIES
 Regular Special

Meeting Date: August 4, 2020

Title: Fair Political Practices Commission rules regarding public disclosure and abstentions

Background: The Fair Political Practices Commission (FPPC) has revised Section 18707 regarding disqualification requirements for public officials. A public official who is disqualified from a decision relating to an agenda item noticed for consideration at a public meeting must recuse him or herself from the decision as follows:

1. The official must publicly identify each type of financial interest that gives rise to the conflict and state, if applicable:

- a. The name of the business entity, business' activity, and any position held
- b. Real property address or other identification that the property is the official's personal residence
- c. Name of the source of income or gift
- d. Nature of the expense, liability, asset, or income affected

2. The public identification must be made immediately prior to the consideration of the agenda item. If an official leaves the meeting in advance of the agenda item, the disclosure must be made before the official leaves the meeting. If the official first joins the meeting after the agenda item has been discussed the official must immediately identify the interest upon joining the meeting. If an official is absent from the entire meeting, no disclosure is necessary.

3. After the recusal is stated the official must leave the room and refrain from any participation in the decision and will not be counted toward achieving a quorum. The official may remain in the room if the recusal is from an item on the consent calendar. An official that has a personal interest in the matter may make comment as an interested resident from the area reserved for members of the public.

4. For closed session meetings, recusals must be made in open session prior to entering closed session. The public identification may be limited to a "conflict of interest under section 87100." The official must leave the room when the item is discussed and not participate in the decision making.

If an official is unsure if an interest requires recusal, please contact the city attorney for guidance.

Fiscal Impact: N/A

Recommended Action: No action needed - information only

Submitted By:

City Management Review: Rick

Date: 7/29/20

Approved: <input type="checkbox"/>	Not Approved: <input type="checkbox"/>	Tabled: <input type="checkbox"/>	Other: <input type="checkbox"/>
			Agenda Item: <u>7.</u>