



Los Angeles City Ethics Commission

March 15, 2018

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

**Re: Amended Conflict of Interests Code
DEPARTMENT OF FIRE AND POLICE PENSIONS**

FOR COUNCIL CONSIDERATION
Action Required by **June 13, 2018**

Dear Councilmembers:

Enclosed are proposed amendments to the conflict of interests (COI) code for the Department of Fire and Police Pensions (LAFPP). As the City's code-reviewing body, the City Council must approve, revise, or return the proposed amendments within 90 days of the date they are received. Cal. Gov't Code §§ 82011(c), 87303. We recommend that you approve the proposed amendments.

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. Elements of a COI Code

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

LAFPP's COI code was last amended in 2003, and the existing COI code is provided in Attachment A. A number of staffing changes have occurred since then, and the code requires further amendment to comply with state law and to ensure the code's accuracy. In consultation with the Ethics Commission and the City Attorney's Office, LAFPP staff conducted a substantive review, so that the amended code would reflect the agency's current organizational structure and decision-making processes.

On January 5, 2018, a notice of intention to amend LAFPP's COI code was emailed to the staff and the unions that represent them and posted on the public bulletin boards in City Hall and City Hall East. A 30-day comment period began that day and ended on February 4, 2018. During the comment period, one written comment was received, and no public hearing was requested. The written comment was submitted by Ethics Commission staff in consultation with the City Attorney's Office and LAFPP staff to address a technical issue. The written comment is provided in Attachment E, and its recommendation was incorporated into proposed Schedule A.

On February 15, 2018, the Board of Fire and Police Pension Commissioners approved LAFPP's proposed COI code, confirming that the Schedule A list of designated positions identifies all the individuals in LAFPP 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 C and D.

D. Conclusion

On behalf of LAFPP, we urge you to approve its amended COI code, which consists of Attachments B, C, and D. Under State law, City Council action on the amended code is required by **June 13, 2018** (90 days after this transmittal is received).

If you have any questions, please contact Ethics Program Manager Alexandria Latragna at (213) 978-1960.

Sincerely,



Heather Holt
Executive Director

Attachments:

- A Current LAFPP COI Code
- B Incorporation and Certification
- C Proposed Schedule A – Designated Positions
- D Proposed Schedule B – Disclosure Categories
- E Public Comment

cc: Assistant City Attorney Renee Stadel

**Department of Fire & Police Pensions
Conflict of Interest Code**

SCHEDULE A – DESIGNATED POSITIONS

<u>DESIGNATED POSITION</u>	<u>DISCLOSURE CATEGORY</u>
Member, Board of Fire & Police Pension Commissioners	1
Retirement Plan Manager (General Manager)	1
Assistant Retirement Plan Manager/Executive Officer (Assistant General Manager) – Pensions Division	1
Chief Investment Officer	1
Investment /Money Manager	1
Assistant Retirement Plan Manager (Assistant General Manager) Administrative Services Division	2
Assistant Retirement Plan Manager (Assistant General Manager) Member Services Division	2
Departmental Chief Accountant	2
Senior Management Analyst II (Active Member Services)	2
Senior Management Analyst II (Administrative Services)	2
Senior Management Analyst II (Disability Pensions)	2
Senior Management Analyst II (Health and Dental Plans)	2
Senior Systems Analyst II	2
Investment Officer II	3
Investment Officer I	3
Management Analyst (Investments Division)	3
Consultant	*

* Whether any individual is a consultant shall be determined by the General Manager, who also determines which of the above categories is applicable to that consultant.

APR 10 2013

California Form 804

Agency Report of:
New Positions

A Public Document

RECEIVED

1. Agency Name (Also include, Division, Department, or Region (if applicable))
City of Los Angeles, Los Angeles Fire and Police Pensions, Administrative Services

Agency Contact (Last Name, First Name, Title)
Pointer, Diana, Sr. Management Analyst I

Area Code/Phone Number [REDACTED] **E-mail** [REDACTED]

Amendment
Date of Original Filing: 07/09/2003
(month, day, year)

2. New Position Information

Position Title/Classification and Job Summary	Assigned Category	OR Disclosure Requirement	Assuming/Start Date (Optional)
Chief Management Analyst Administrative Operations Division (Job summary attached)	3		Start 14 / 01 / 13 d / m / yr
Investment Officer III Investments Division (Job summary attached)	3		Start 12 / 03 / 13 d / m / yr
			Start ___ / ___ / ___ d / m / yr
			Start ___ / ___ / ___ d / m / yr
			Start ___ / ___ / ___ d / m / yr
			Start ___ / ___ / ___ d / m / yr
			Start ___ / ___ / ___ d / m / yr

3. Verification

I have read and understand FPPC Regulations 18701 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.

[REDACTED SIGNATURE] Diana Pointer Sr. Management Analyst I April 3, 2013
signature Print Name Title (month, day, year)

Comment: (Use this space or an attachment for any additional information.)

**Agency Report of:
New Positions**

A Public Document

California Form **804**

1. Agency Name (Also include, Division, Department, or Region (if applicable))
 City of Los Angeles, Los Angeles Fire and Police Pensions, Administrative Services

Amendment

Agency Contact (Last Name, First Name, Title)
 Pointer, Diana, Senior Management Analyst I

Date of Original Filing: 7/9/2003
 (month, day, year)

Area Code/Phone Number [Redacted] **E-mail** [Redacted]

2. New Position Information

Position Title/Classification and Job Summary	Assigned Category	OR	Disclosure Requirement	Assuming/Start Date (Optional)
Assistant Retirement Plan Manager/Executive Officer (Asst Gen Mgr) - Admin Ops Division	1			Start 01 / 07 / 13 d / m / yr
Departmental Audit Manager	2			Start 14 / 12 / 10 d / m / yr
Internal Auditor IV	2			Start 01 / 07 / 13 d / m / yr
				Start / / d / m / yr
				Start / / d / m / yr
				Start / / d / m / yr
				Start / / d / m / yr

3. Verification

I have read and understand FPPC Regulations 18701 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.

[Redacted Signature] Diana Pointer Sr. Management Analyst 1/14/14
 Signature Print Name Title (month, day, year)

Comment: (Use this space or an attachment for any additional information.)

Agency Report of:
New Positions

JUL 16 2015

A Public Document

California
Form **804**

1. Agency Name (Also include, Division, Department, or Region (if applicable))
City of Los Angeles, Los Angeles Fire and Police Pensions, Administrative Services

Amendment

Agency Contact (Last Name, First Name, Title)
Pointer, Diana, Senior Management Analyst I

Date of Original Filing: 7/1/2015
(month, day, year)

Area Code/Phone Number [REDACTED] **E-mail** [REDACTED]

2. New Position Information

Position Title/Classification and Job Summary	Assigned Category	OR	Disclosure Requirement	Assuming/Start Date (Optional)
Senior Management Analyst II (Pension Administration System Coordination)	2			Start 01 / 07 / 15 d / m / yr
				Start ___ / ___ / ___ d / m / yr
				Start ___ / ___ / ___ d / m / yr
				Start ___ / ___ / ___ d / m / yr
				Start ___ / ___ / ___ d / m / yr
				Start ___ / ___ / ___ d / m / yr
				Start ___ / ___ / ___ d / m / yr
				Start ___ / ___ / ___ d / m / yr

3. Verification

I have read and understand FPPC Regulations 18701 and 18734. I have verified that the disclosure assignment(s) set forth above, is in accordance with its provisions.

[REDACTED] Diana Pointer Senior Management Analyst I 7-16-15
Signature Print Name Title (month, day, year)

Comment: (Use this space or an attachment for any additional information.)

ATTACHMENT I
California Form 804 – Department of Fire and Police Pensions

Position Title/Classification and Job Summary Senior Management Analyst II (Pension Administration System Coordination)	Assigned Category 2	Assuming/Start Date (mm/dd/yyyy) 07/01/2015
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Position Title/Classification and Job Summary

Manages the Pension Administration System Coordination (PASCo) Section which is responsible for coordinating all aspects of complex Pension Administration System conversion projects within the Pensions Division.

Serves as the primary liaison between Pensions Division and all other Divisions/Departments to complete the PAS Replacement Project. Prepares and presents recommendations to the Steering Committee/Project Director that are necessary to ensure the success of the Project within the defined scope. Advises the Assistant General Manager – Pensions Division and Chief Benefits Analyst - Pensions Division on technical issues that could delay the Project schedule and recommends solutions.

**Department of Fire & Police Pensions
Conflict of Interest Code**

SCHEDULE B – DISCLOSURE CATEGORIES

GENERAL PROVISION

A designated employee is required to disclose that he or she is a director, officer, partner, trustee, employee, or holds any position of management in a business entity if he or she would be required to disclose income from that entity. Income includes loans and gifts.

CATEGORY 1

As required by State law (Government Code Section 87200), positions in this classification must disclose all investments, income, and interests in real property as defined in this Conflict of Interest Code.

CATEGORY 2

- A. Any investment in, income from or business positions with any person or business entity engaged in providing healthcare services or healthcare consultant services.
- B. Any investment in, income from, or business positions with any person or business entity engaged in benefit communication services.
- C. Any investment in, income from, or business positions with any person or business entity which manufactures, sells, maintains or distributes computer systems, hardware and/or software application products, or provides computer-based training or management services.
- D. Any investment in, income from, or business positions with any person or business entity which provides educational/training services.
- E. Any investment in, income from, or business positions with any person or business entity which provides auditing services.

CATEGORY 3

All investments, income, and business entity interests, excluding real property unless it is a type which the pension system is authorized to purchase, as defined in this Conflict of Interest Code.

**DEPARTMENT OF FIRE AND POLICE PENSIONS
CITY OF LOS ANGELES**

CONFLICT OF INTERESTS CODE
Incorporation and Certification
Page 1 of 2

Effective Date: _____

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.

**DEPARTMENT OF FIRE AND POLICE PENSIONS
CITY OF LOS ANGELES**

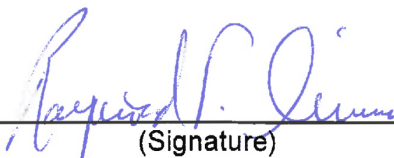
CONFLICT OF INTERESTS CODE
Incorporation and Certification
Page 2 of 2

Effective Date: _____

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

February 15, 2018
(Date)



(Signature)

General Manager

(Title)

March 12, 2018

(Date)

This code was adopted by order of the Council of the City of Los Angeles on and is effective as of _____
(Date)

Holly Wolcott, City Clerk

BY _____
Deputy City Clerk

City of Los Angeles

DEPARTMENT OF FIRE AND POLICE PENSIONS

LOS ANGELES CITY
ETHICS COMMISSION

Conflict of Interests Code

MAR 13 2018

DESIGNATED POSITIONS
(Schedule A)

RECEIVED

<u>Position Title</u>	<u>Disclosure Category</u>
Assistant General Manager	1
Chief Benefits Analyst	8
Chief Investment Officer	*
Chief Management Analyst	8
Consultant	**
Departmental Audit Manager	1
Departmental Chief Accountant	1
Director of Systems	5
Internal Auditor	1
Investment Officer	1
Management Analyst (Investments)	1
Member, Board of Fire and Police Pension Commissioners	*
Principal Accountant	8
General Manager - LAFPP	*
Senior Management Analyst	8
Senior Management Analyst (Investments)	1
Senior Personnel Analyst	8
Senior Systems Analyst	6
Systems Programmer	6

- * Government Code Section 87200 *et seq.* requires that all filers in this classification disclose all investments, business positions, 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 General 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 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 General Manager'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. (Government Code Section 81008.)

City of Los Angeles
Department of Fire and Police Pensions

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;
 - 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.
- 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.
- H. 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.
- 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.
- 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 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.
- 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 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.
- E. 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.
- 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.
- 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.
- 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.
- F. 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.
- 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.



Los Angeles City Ethics Commission

LOS ANGELES CITY
ETHICS COMMISSION

February 2, 2018

MAR 13 2018

RECEIVED

Board of Fire and Police Pension Commissioners
Los Angeles Fire and Police Pensions
701 East 3rd Street, Suite 200
Los Angeles, CA 90013

Re: **Proposed Amendment to Conflict of Interests Code**

Dear Commissioners:

Thank you for considering the revised conflict of interests (COI) code for Los Angeles Fire and Police Pensions (LAFPP).

The Ethics Commission is charged with administering and overseeing the City's Governmental Ethics Ordinance (GEO) and corresponding state governmental ethics laws to which City employees, board members, commissioners, and entities are subject. We have worked alongside staff at LAFPP and facilitated this COI code revision process by providing designation and disclosure recommendations, instructions for how to properly amend and adopt a new code, and guidelines for complying with the legal mandate to maintain a COI code that properly captures LAFPP's decision makers and the nature of their decisions.

RECOMMENDATION

We do recommend one modification, which would remove the position of Investment/Money Manager from the proposed COI code. This recommendation has been reviewed and approved by LAFPP's Chief Investment Officer, Tom Lopez, and Assistant City Attorney Alan Manning.

The Investment/Money Manager position listed on LAFPP's proposed Schedule A refers to employees of the investment management firms that contract with LAFPP, who are otherwise designated on the code and file as Consultants. Because Investment/Money Manager only refers to these outside contractors and is not otherwise a position within LAFPP, it should be removed from the code.

200 North Spring Street, Suite 2410 • Los Angeles CA 90012 • phone (213) 978-1960 • fax (213) 978-1988 • ethics.lacity.org

BACKGROUND

California law prohibits public officials from using their positions to influence governmental decisions on matters in which they have a financial interest. The law requires every state and local agency to adopt a COI code, identifying all officials and board members who make or participate in making governmental decisions for the agency. The individuals who assume the positions listed on an agency's COI code are required to file California Form 700 Statements of Economic Interests (Form 700).

California includes consultants in the definition of "public officials" who are subject to conflict of interests and disclosure laws. Consultants are individuals who maintain an ongoing relationship with an agency, perform substantially all the same tasks that would normally be performed by one or more staff members of a governmental agency, and participate in making decisions on behalf of the agency. Individuals who make governmental decisions that would that would otherwise be made by an agency position designated on its COI code are also consultants.

The outside investment/money managers contracted by LAFPP maintain an ongoing relationship with the agency and exercise full discretion in directing the purchase, exchange, sale, and reinvestment of the assets of their assigned accounts (including placing orders to buy and sell securities). This duty, if not performed by an outside investment/money manager, would normally be performed by either a staff member, or by a board member whose position is listed on LAFPP's COI code. For this reason, the outside investment/money managers contracted by LAFPP file as consultants under the agency's COI code, and a separate entry for an Investment/Money Manager position is unnecessary.

If you have questions, please feel free to contact me at (213) 978-1960.

Sincerely,

A handwritten signature in black ink, appearing to read 'Molly Greene', with a long horizontal flourish extending to the right.

Molly Greene
Senior Ethics Analyst
Los Angeles City Ethics Commission