

RESOLUTION NO. 114-2018

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, APPROVING AN AMENDED CONFLICT OF INTEREST
CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000, et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Santee (the "City"), and requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the City Council adopted a Conflict of Interest Code (the "Code") which was amended on September 14, 2016, in compliance with the Act; and

WHEREAS, subsequent changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the City's Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by the City Council of, the proposed amended Code was provided to each affected designated position and was publicly posted for review at the offices of the City; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on September 26, 2018, at which all present were given an opportunity to be heard on the proposed amended Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santee, California, as follows:

SECTION 1. The City Council does hereby approve and adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the City Clerk and available to the public for inspection and copying;

SECTION 2. The said amended Conflict of Interest Code shall become effective at the time of its adoption and approval.

RESOLUTION NO. 114-2018

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 26th day of September, 2018, by the following roll call vote to wit:

AYES: HALL, HOULAHAN, JONES, MCNELIS, MINTO

NOES: NONE

ABSENT: NONE

APPROVED:



JOHN W. MINTO, MAYOR

ATTEST:



ANNETTE ORTIZ, CITY CLERK

Attachment: Amended Conflict of Interest Code

**CONFLICT OF INTEREST CODE
OF THE
CITY OF SANTEE**

CONFLICT OF INTEREST CODE FOR THE
CITY OF SANTEE
(Amended September 26, 2018)

The Political Reform Act (Gov. Code § 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730, and the attached Appendix designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Santee (the "City")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. The **City Clerk** shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The **City Clerk** shall retain the originals of the statements filed by all other officials and designated positions and make all statements available for public inspection and reproduction during regular business hours. (Gov. Code § 81008.)

All officials and designated positions required to submit a statement of economic interests shall receive ethics training as required pursuant to Government Code section 53235 (AB 1234). The City's Filing Officer shall annually provide all filers with information on training available to meet the requirements of Section 53235, and maintain required records indicating the dates that filers satisfied the training requirements and the entity that provided the training. These records shall be retained for five years after the date of training and are public records subject to disclosure under the California Public Records Act. (Gov. Code § 53235.2.)

APPENDIX

CONFLICT OF INTEREST CODE

OF THE

CITY OF SANTEE

(Amended September 26, 2018)

PART “A-1”

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all other City Officials who manage public investments as defined by 2 Cal. Code of Regs. § 18700.3(b), are NOT subject to the City's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments¹. These positions are listed here for informational purposes only.

Finance Director

Financial Consultants

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS
GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant Engineer	2, 3, 5, 6
Assistant Planner	2, 3, 5, 6
Assistant to the City Manager	1
Associate Civil Engineer	2, 3, 5, 6
Associate Planner	2, 3, 5, 6
Associate Traffic Engineer	2, 3, 5, 6
Building Inspector	5, 6
Building Official	2, 3, 5, 6
Building Supervisor	2, 3, 5, 6
Building Technician	5, 6
City Attorney (not filing under Gov Code 87200)	1, 2
City Clerk	5
City Engineer	2, 3, 5, 6
City Planner	2, 3, 5, 6
Code Compliance Assistant	6
Code Compliance Officer	5, 6
Confidential Senior Human Resources Analyst	5
Deputy City Clerk	5

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Deputy City Manager	1, 2
Deputy Fire Chief	5, 6
Development Services Technician	2, 3, 6
Director of Community Services	2, 3, 5, 6
Director of Development Services	1, 2
Director of Fire and Life Safety/Fire Chief	2, 3, 5, 6
Director of Human Resources & Risk Management	5
Economic Development Manager	1, 2
Engineering Inspector	2, 3, 5, 6
Equipment Mechanic	5
Finance Manager	5
Fire Battalion Chief	5
Fire Division Chief	5, 6
Fire Marshal	5
Fire Prevention Specialist	5, 6
Information Technology Analyst	5
Information Technology Manager	5
Junior Engineer	2, 3, 5, 6
Junior Planner	2, 3, 5, 6

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Lead Equipment Mechanic	5
Park and Landscape Supervisor	2, 3, 5
Planning Director	1, 2
Principal Civil Engineer	2, 3, 5, 6
Principal Planner	2, 3, 5, 6
Principal Traffic Engineer	2, 3, 5, 6
Procurement Specialist	4
Public Services Manager	2, 3, 5
Public Works Supervisor	5
Recreation Coordinator	5
Recreation Services Manager	5
Recreation Supervisor	5
Senior Civil Engineer	2, 3, 5, 6
Senior Management Analyst	5
Senior Planner	2, 3, 5, 6
Senior Traffic Engineer	2, 3, 5, 6
Special Events Supervisor	5
Special Projects Coordinator	2, 3, 5
Stormwater Program Manager	5, 6

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

MEMBERS OF BOARDS,
COMMITTEES AND COMMISSIONS

Manufactured Home Fair Practices Commission 1, 2

Consultants and New Positions ²

PART "A-2"

Board members of separate agencies governed by the City's Conflict of Interest Code:

CDC Successor Agency 1, 2

² Individuals providing services as a consultant as defined in FPPC Reg 18700.3(a) or in a new position created since this Code was last approved that makes or participates in making decisions shall disclose pursuant to the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to designate a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734). The City Manager'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 Sec. 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the Designated Position must disclose for each disclosure category to which he or she is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the City.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the Designated Position's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions or duties of the position. (Reg. 18730.1)