

City of Scotts Valley
INTEROFFICE MEMORANDUM

DATE: July 2, 2014
TO: Honorable Mayor and City Council
FROM: Tracy A. Ferrara, City Clerk
SUBJECT: **RESOLUTION NO. 514.15 - CITY'S CONFLICT OF INTEREST CODE**

SUMMARY OF ISSUE:

In accordance with the requirements of the Political Reform Act, the City Council is required to amend their Conflict of Interest Code when the need arises.

The following amendments are made to the Code:

Addition of: Director of Public Works; and
City Engineer

With the retirement of Director of Public Works/City Engineer Ken Anderson, and the separation of the duties of Director of Public Works and City Engineer, it is necessary to include these positions in our Conflict of Interest Code. These positions are required to file Form 700 (Statement of Economic Interests) annually with the City Clerk. Therefore, these positions must be added to our Conflict of Interest Code under "Designated Positions."

FISCAL IMPACT:

None.

STAFF RECOMMENDATION:

The City Council's approval of this item on the Consent Agenda will amend the Conflict of Interest Code as stated above.

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RESOLUTION NO. 514.15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY AMENDING THE CONFLICT OF INTEREST CODE FOR DESIGNATED POSITIONS AND INCORPORATING BY REFERENCE THE FAIR POLITICAL PRACTICES COMMISSION'S STANDARD MODEL CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act, Government Code sections 81000 et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes; and

WHEREAS, the Fair Political Practices Commission has adopted 2 Cal. Code of Regulations sections 18720 and 18730, which contains the terms of a standard model Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings; and

WHEREAS, incorporation by reference of the terms of the aforementioned regulation and amendments to it in Conflict of Interest Codes will save this body time and money by minimizing the actions required of this body to keep the Codes in conformity with the Political Reform Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley that:

1. The provisions of 2 Cal. Code of Regulations sections 18720 and 18730 (Exhibit B), and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached list of designated officials and employees and their respective disclosure categories (Exhibit A) are hereby incorporated by reference and constitute the Conflict of Interest Code of the City of Scotts Valley.
2. Persons holding designated positions shall file Statements of Economic Interests pursuant to Section 4 of the standard model Code with the City Clerk, who shall retain a copy in the City Clerk's office.
3. Members of the City Council, the Redevelopment Agency, the Public Financing Authority (all of which are comprised solely of members of the City Council); the Planning Commission, the City Manager, the City Attorney, and the City Treasurer are covered by the disclosure requirements of Article 2 of Chapter 7 of the Political Reform Act of 1974, Government Code sections 87200 et seq., and not by the disclosure requirements of the within Conflict of Interest Code; such persons are covered by the within Conflict of Interest Code for disqualification purposes only.
4. The requirements of the within Conflict of Interest Code are in addition to other requirements of the Political Reform Act of 1974, as amended, and to any other state and local laws pertaining to conflicts of interest.

This resolution was passed and adopted by the City Council of the City of Scotts Valley at a regularly scheduled meeting on the 2nd day of July 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved: _____
Jim Reed, Mayor

Attest: _____
Tracy A. Ferrara, City Clerk

EXHIBIT A

Designated Positions:

Disclosure Category:

Chief of Police	A,B,C,D,E,F,G,H
Finance Director	A,B,C,D,E,F,G,H
<u>City Engineer</u>	A,B,C,D,E,F,G,H
Community Development Director	A,B,C,D,E,F,G,H
Community Development Director/Deputy City Manager	A,B,C,D,E,F,G,H
Deputy City Manager/Administrative Services Director	A,B,C,D,E,F,G,H
<u>Director of Public Works</u>	A,B,C,D,E,F,G,H
Director of Public Works/City Engineer	A,B,C,D,E,F,G,H
Building Official	A,B,C,D,E,F,G,H
Principal Planner	A,B,C,D,E,F,G,H
Senior Planner	A,B,C,D,E,F,G,H
Associate Civil Engineer	A,B,C,D,E,F,G,H
Civil Engineer	A,B,C,D,E,F,G,H
Civil Engineer (Traffic)	A,B,C,D,E,F,G,H

Boards and Commissions:

Board of Appeals	A,B,C,D,E,F,G,H
Cultural Resource Preservation Commission	A,B,C,D,E,F,G,H
Parks & Recreation Commission	A,B,C,D,E,F,G,H
Mobile Home Rent Review Commission	A,B,C,D,E,F,G,H
Senior Center Board of Directors	A,B,C,D,E,F,G,H
Arts Commission	A,B,C,D,E,F,G,H
Code Enforcement Appeals Board	A,B,C,D,E,F,G,H

Consultants:

All Consultants*	A,B,C,D,E,F,G,H
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* With respect to Consultants, the City Manager may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in these categories. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. A copy of this determination shall be on file in the City Clerk's office. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.