



**CITY OF FILLMORE**  
CENTRAL PARK PLAZA  
250 Central Avenue  
Fillmore, California 93015-1907  
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TO: Mayor and Council

FROM: Diana Impeartrice, Human Resources Director/Deputy City Clerk

DATE: September 13, 2016

RE: **CONSIDERATION OF THE BIENNIAL REVIEW OF THE CITY'S  
CONFLICT OF INTEREST CODE AND REVIEW AND ADOPTION OF  
CITY COUNCIL RESOLUTION NO. 16-3555 AMENDING THE CITY'S  
CONFLICT OF INTEREST CODE**

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### **REQUEST**

Staff requests Council review and approval of proposed amendments to the City's Conflict of Interest Code to be memorialized with the adoption of City Council Resolution No. 16-3555, amending the City's Conflict of Interest Code.

### **DISCUSSION**

The Political Reform Act requires that public agencies adopt a Conflict of Interest Code (Code). This Code designates positions required to file Statements of Economic Interests (Form 700), and assigns disclosure categories, specifying the types of interests to be reported. Further, all local agencies are required to conduct a biennial review of their Code to assure that all applicable positions are listed as "Designated Filers" that any necessary position titles have been added, any positions eliminated are removed, any changes to titles are updated, and any revisions to the Disclosure Categories are incorporated. Additionally, the City is required to complete and execute a copy of the 2016 Local Agency Biennial Notice review form, and maintain the form on file with the City Clerk's Office and on the City's website indicating that this review has been conducted.

The Code includes two (2) exhibits: Exhibit "A" provides the List of Designated Positions, and Exhibit "B" establishes the list of Disclosure Categories for the Designated Positions. Elected City Council members, and the elected City Clerk and City Treasurer, appointed Planning Commissioners, the City Manager and City Attorney are not included on the List of Designated Positions as these individuals are governed by Government Code §87200 and have a full disclosure requirement.

The following updates to the Code have been incorporated into the proposed amendment to reflect current approved job titles and their associated department, as well as, suggested disclosure categories.

<b><u>Title</u></b>	<b><u>Disclosure</u></b>
Removal of Deputy City Clerk/Administrative Assistant	1
Removal of Fire Chief/Assistant City Manager	1
Addition of Human Resources Director/Deputy City Clerk	1
Addition of Assistant City Manager	1
Addition of Senior Planner	1
Addition of Planner "Contracted"	1
Addition of Fire Chief	1
Addition of Fire Engineer (Safer Grant)	1
Addition of Engineer "Contracted"	1
Changed Community Services Supervisor from Category "Municipal Services Department" to "Administrative, Clerical and Other Employees"	

**FISCAL IMPACT**

There is no fiscal impact associated with approval and adoption of this resolution.

**CITY COUNCIL GOAL**

This is a required review and not a specific goal of the Council.

**RECOMMENDATION**

Recommend Council review the proposed amendments to the City's Conflict of Interest Code and adopt City Council Resolution No. 16-3555, amending the City's Conflict of Interest Code.

**ATTACHMENTS**

Resolution 16-3555

**RESOLUTION 16-3555**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FILLMORE, CALIFORNIA,  
AMENDING THE CITY'S CONFLICT OF INTEREST CODE**

**WHEREAS**, the City of Fillmore ("City") promulgated and adopted a standard Conflict of Interest Code pursuant to Title 2, Division 6, California Code of Regulations Section 18730, which is incorporated by reference and may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notices and hearings; and

**WHEREAS**, numerous personnel and position title changes occurred within the City during the last two years and the City wishes to make the appropriate amendments to its Conflict of Interest Code; and

**WHEREAS**, Exhibit "A" to the City's Conflict of Interest Code contains the positions which must file statements of economic interest with the City Clerk's office and are subject to the Conflict of Interest Code; and

**WHEREAS**, Exhibit "B" to the City's Conflict of Interest Code contains the master list of disclosure categories and specification sheet of reportable investments, interests in real property, and income; and

**WHEREAS**, Government Code Section 87306.5 requires that the City, as the code reviewing agency, review its Conflict of Interest Code on a biennial basis and make appropriate amendments and the City Council desires to undertake this biennial review and amendment at this time.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FILLMORE, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** That pursuant to Government Code Sections 87300, 87302 and 87306.5, the City of Fillmore, California, hereby amends Exhibit "A" to its Conflict of Interest Code, originally adopted on April 14, 1998 via adoption of Resolution No. 98-2243; as subsequently amended to read as set forth in Exhibits "A" and "B", which are attached hereto and made a part hereof.

**PASSED, APPROVED AND ADOPTED** this \_\_\_th day of September, 2016.

\_\_\_\_\_  
Diane McCall, Mayor

ATTEST:

\_\_\_\_\_  
Diana Impeartrice, Deputy City Clerk

APPROVED AS TO FORM:

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Tiffany J. Israel, City Attorney

CITY OF FILLMORE )

COUNTY OF VENTURA )§

STATE OF CALIFORNIA )

I, Diana Impeartrice, Deputy City Clerk of the City of Fillmore, California, do hereby certify that the foregoing Resolution No. 16-3555 was duly passed and adopted by the City Council of the City of Fillmore at the regular meeting thereof, held on the \_\_\_ day of September, 2016, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Diana Impeartrice, Deputy City Clerk

**CITY OF FILLMORE CONFLICT OF INTEREST CODE**

**EXHIBIT "A"  
LIST OF DESIGNATED POSITIONS**

**2016 BIENNIEL UPDATE**

<u>JOB TITLE</u>	<u>DISCLOSURE</u>
<b><u>CATEGORY</u></b>	
<b><u>Administrative, Clerical and Other Employees</u></b>	
Assistant City Manager	1
Human Resources Director/Deputy City Clerk	1
Information Technology Technician	1
Community Services Supervisor	1
<b><u>Finance Department</u></b>	
Finance Director	1
Assistant Finance Director	1
Finance Administrator	1
<b><u>Municipal Services Department</u></b>	
Municipal Services Director/City Engineer	1
Planning and Community Development Director	1
Senior Planner	1
Planner "Contracted"	1
Building Inspector/Code Enforcement	1
Engineer "Contracted"	1
City Engineer	1
Public Works Supervisor	1
<b><u>Police and Fire Department</u></b>	
Fire Chief	1
Fire Captain	1
Fire Engineer (Safer Grant)	1
Sheriff's Captain (Chief of Police)	1
<b><u>Advisory Commissions</u></b>	
Parks and Recreation Commissioner	1
Film Commissioner	1
Active Adult Commissioner	1

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure (Category 1) in the code subject to the following limitations: The City Manager or his /her designee may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described 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 City Manager or his/her designee's determination is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

## CITY OF FILLMORE CONFLICT OF INTEREST CODE

### EXHIBIT "B"

#### MASTER LIST OF DISCLOSURE CATEGORIES, SPECIFICATION SHEET REPORTABLE INVESTMENTS, INTERESTS IN REAL PROPERTY, AND INCOME

DEFINITION: "Unit" as used in this text means the particular department, board, commission, office or other entity using the disclosure category.

#### Disclosure Category

1. All investments and business positions in business entities, sources of income and interests in real property.
2. Investments and business positions in business, in business entities, and all sources of income.
3. Interest in real property.
4. Investments and business positions in business entities and sources of income from entities providing supplies, services, equipment or machinery of the type used by the designated employee's unit.
5. Investments and business positions in, and income from entities which are book outlets, vendors or providers of business services.
6. Investments and business positions in business entities and income from sources engaged in construction, building, or material supply.
7. Investments and business positions in business entities and income from sources which supply or manufacture solar energy systems.
8. Investments and business positions in business entities and income from sources engaged in construction or development.
9. Investments and business positions in, and income from sources engaged in the construction of public works projects.
10. Investments and business positions in business entities and income from construction companies involved in progress payments.
11. Investments and business positions in and income from construction firms involved in construction projects subject to acceptance by the City Council.
12. Investments and business positions in business entities and income from business entities of the type to provide bids, supplies, vehicles and equipment.
13. Investments and business positions in, and income from entities which provide training, services or facilities of the type utilized by the City.

14. Investments and business positions in business entities and source of income which provide services and supplies of the type used in emergency services coordination and training activities.
15. Investments and business positions in, and income from, Union Pension Funds that may be affected by the outcome of negotiations involving monetary settlements and employer-employee memorandums.
16. Investments and business positions in, and income from, entities providing medical services or facilities of the type used by the City.
17. Investments and business positions in, and income from business entities engaged in providing eye examination and eye glasses, including but not limited to opticians, ophthalmologists, etc.
18. Investments and business positions in, and income from business entities supplying or manufacturing electronic equipment, supplies or services of the type utilized by the employee's unit.
19. Investments and business positions in, and income from business entities providing supplies, services, equipment or machinery of the type used by the City.
20. Investments and business positions in, and income from employment agencies or entities which provide employment or pre-employment services. Services include, but are not limited to, testing, training, consulting, job classification studies and salary surveys.
21. Investments and business positions in, and income from, business entities which are of the type to provide any of the various types of employee insurance coverage and/or actuarial services.
22. Investments and business positions in business entities, and income from sources which supply or manufacture firefighting equipment or supplies.