



**CITY OF FILLMORE**  
CENTRAL PARK PLAZA  
250 Central Avenue  
Fillmore, California 93015-1907  
(805) 524-3701 • FAX (805) 524-5707

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**TO:** Mayor and Council

**FROM:** Erika Herrera, Human Resources Director/Deputy City Clerk

**DATE:** September 08, 2020

**RE: CONSIDERATION OF THE BIENNIAL REVIEW OF THE CITY'S  
CONFLICT OF INTEREST CODE AND REVIEW AND ADOPTION OF  
CITY COUNCIL RESOLUTION NO. 20-3786 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. 20-3786, 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 2018 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 and the addition of the Active Adult Center Coordinator, Parks and Recreation Coordinator, Finance Administrative Assistant (Purchasing).

<b><u>Title</u></b>	<b><u>Disclosure Category</u></b>
Removal of Parks and Recreation Director	1
Addition of Active Adult Center Coordinator	1
Addition of Parks and Recreation Coordinator	1
Addition of Finance Administrative Assistant (Purchasing)	1

**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. 20-3786, amending the City's Conflict of Interest Code.

**ATTACHMENTS**

- Resolution 18-20-3786
- Exhibit A- List of Designated Positions
- Exhibit B- Master List of Disclosures Categories

**RESOLUTION 20-3786**

**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**, since the City Council last reviewed its Conflict of Interest Code, the position of Community Parks and Recreation Director was removed and the positions of Active Adult Coordinator; Park and Recreations Coordinator; and Finance Administrative Assistant (Purchasing) were added; 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 list of positions which must file statements of economic interest with the City Clerk's office and are subject to the Conflict of Interest Code; and

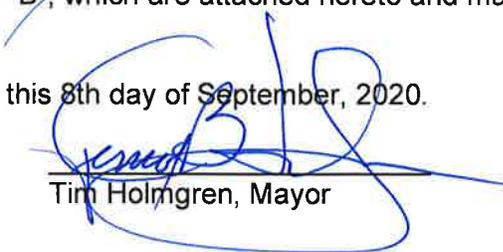
**WHEREAS**, Exhibit "B" to the City's Conflict of Interest Code contains the master list of disclosure categories and specification sheet of reportable investments, interests in real property, and income; and

**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 8th day of September, 2020.

  
Tim Holmgren, Mayor

ATTEST:

  
Erika Herrera, Deputy City Clerk

APPROVED AS TO FORM:

  
Tiffany J. Israel, City Attorney

CITY OF FILLMORE )

COUNTY OF VENTURA )§

STATE OF CALIFORNIA )

I, Erika Herrera, Deputy City Clerk of the City of Fillmore, California, do hereby certify that the foregoing Resolution No. 20-3786 was duly passed and adopted by the City Council of the City of Fillmore at the regular meeting thereof, held on the 8th day of September 8, 2020, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES: Edmonds, Austin, Holmgren

NOES: None

ABSENT: McCall

ABSTAIN: None



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Erika Herrera, Deputy City Clerk

**CITY OF FILLMORE CONFLICT OF INTEREST CODE**

**EXHIBIT "A"  
LIST OF DESIGNATED POSITIONS  
2020 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	1,2,3,9
Information Technology "Contracted"	1, 4
Active Adult Center Coordinator	6
Parks and Recreation Coordinator	6, 8
<b><u>Finance Department</u></b>	
Finance Director	1
Assistant Finance Director	1
Finance Administrative Assistant, Purchasing	
<b><u>Municipal Services Department</u></b>	
Municipal Services Director/City Engineer	1, 4, 5
Planning and Community Development Director	1, 4, 5
Senior Planner	1, 4, 5
Planner "Contracted"	1
Building Inspector/Code Enforcement	1
Engineer "Contracted"	1
City Engineer	1
Public Works Supervisor	1, 7, 8
<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
Arts Commission	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

### **Category 1**

Persons in this category shall disclose all investments, business positions, interests in real property, and other sources of income, including gifts, loans, and travel payments, in which the persons in this category or their spouses have an interest within the jurisdiction of the City of Fillmore ("City"), as defined in the California Code of Regulations, Title 2 (the "Code"). Real property shall be deemed to be within the jurisdiction if the property or any part of it is located a two mile radius of the City or of any property owned or used by the City. As applicable, persons in this category shall further disclose all investments business positions in, and income including gifts, loans, and travel payments from any person or business entity which provides supplies, equipment or services of the type utilized by the department or division for which the person in this category is assigned.

### **Category 2**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides services, goods or equipment involving municipal elections, printing services, records management, or preparation of minutes or transcripts.

### **Category 3**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides human resources and risk management related services, goods, or equipment, including but not limited to recruitment, testing, selection, or placement, temporary staffing, and insurance and other benefit programs.

### **Category 4**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides services, goods, or equipment involving purchasing of supplies, equipment, or services, including but not limited to installation, maintenance, or repair of City equipment such as telephones, copiers, and computers, and purchasing of City office and computer supplies, software, and equipment.

### **Category 5**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides parks, recreation, building

construction and maintenance supplies, engineering or public works related services, goods, or equipment, including but not limited to maintenance of parks, landscaping, City-owned facilities/buildings, streets, and other public right-of-way.

**Category 6**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides services, goods, or equipment for seniors, including but not limited to contract instructor services, and recreation and special event services and supplies.

**Category 7**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides public transit, solid waste, recycling, or household hazardous waste related services, goods or equipment, including but not limited to bus and taxi services, solid waste franchise services, and household hazardous waste cleanup type services.

**Category 8**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments from, as defined by the Code, any person or business entity which provides parks and recreation related services, goods, or equipment, including but not limited to contract instructor services, recreation and special event services, and day care and teen event services, and supplies, and playground equipment.

**Category 9**

Persons in this category shall disclose all investments and business positions in, and income including gifts, loans, and travel payments, from, as defined by the Code, any person or business entity which provides vector and/or animal control related services, goods, or equipment.