

MEMORANDUM

To: James L App, City Manager
From: Dennis Fansler, City Clerk
Date: January 31, 2006
Subject: Amend the City's Adopted Conflict of Interest Code

Adopt Resolution No. 06-xx amending the City's adopted Conflict of Interest Code.
(The Conflict of Interest Code Exhibit "A" is amended to add personnel classifications of Police Captain, Fire Battalion Chief/Administration, and Human Resources Manager and to remove the classifications of Assistant Engineer and Civil Engineer.
F. Fansler, City Clerk

Options:

- a.** Adopt Resolution No. 06-xx amending the City's adopted Conflict of Interest Code to amend to added personnel classifications of Police Captain, Fire Battalion Chief/Administration, and Human Resources Manager and remove the classifications of Assistant Engineer and Civil Engineer.
- b.** Amend, modify, or reject the above option.

Attachments:

1. Resolution of the City Council of the City of El Paso de Robles Amending the City's Adopted Conflict of Interest Code, Exhibit "A" List of Designated Employees, and Exhibit B Disclosure Categories

RESOLUTION NO. 06-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
AMENDING THE CITY'S ADOPTED CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act of 1974, Government Code Section 81000, et seq., requires every local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the City Council of the City of El Paso de Robles adopted Resolution No. 03-18 on February 4, 2003, adopting amended Conflict of Interest Codes; and

WHEREAS, the City Council of the City of El Paso de Robles, as the Code-reviewing body for the City, has determined that the list of designated employees identified in its Conflict of Interest Code in Exhibit "A" of said Resolution No. 03-18 should be amended to include certain new categories of designated personnel required to file a statement of economic interests pursuant to Title 2 of the California Code of Regulations, Section 18730;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of El Paso de Robles hereby amends the City's Conflict of Interest Code as follows:

SECTION 1: Exhibits "A" and "B" to the Code are hereby amended and replaced in their entirety with the revised Exhibits "A" and "B" attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of February, 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Catherine M. David, Deputy City Clerk

EXHIBIT "A"
LIST OF DESIGNATED EMPLOYEES

(Revised January 31, 2006 - Resolution No. 06-XXX)

	<u>Disclosure Category in Exhibit B</u>
Executive Management	
Police Chief	2 & 3
Director of Administrative Services	1, 2 & 3
Fire Chief	2 & 3
Director of Community Development	1, 2 & 3
Director of Public Works	1, 2 & 3
Director of Library/Recreation Services	1, 2 & 3
Deputy City Attorney	1, 2 & 3
Assistant to the City Manager	1, 2 & 3
Police Capitan	1, 2 & 3
Police Lieutenant	2 & 3
Fire Battalion Chief/Administration	2 & 3
Fire Battalion Chief/Operations	2 & 3
City Clerk	1, 2 & 3
City Librarian	2 & 3
Human Resources Manager	2 & 3
Information Systems Manager	1, 2 & 3
Airport Services Coordinator	1, 2 & 3
Maintenance Services Superintendent	1, 2 & 3
City Planner	1
Associate Planner	1
Capital Projects Engineer	1
City Engineer	1
Assistant Engineer	1
Civil Engineer	1

EXHIBIT "A" (Continued)
 LIST OF DESIGNATED EMPLOYEES
 (Revised January 31, 2006 - Resolution No. 06-XXX)

Disclosure Category
in Exhibit B

Building Official	1, 2 & 3
Deputy Building Official	1, 2 & 3
Housing Programs Manager	1
Senior Building Inspector	1
Senior Engineering Inspector	1
Water Resources Manager	1
Fleet/Building Maintenance Supervisor	1
Parks Supervisor	1
Streets Supervisor	1
Wastewater Treatment Plant Superintendent	1
Project Area Committee Members	1
Citizens' Airport Advisory Committee Members	1
Consultants *	1

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The City 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 described in this Code. 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 Executive Director'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.

EXHIBIT "B"

DISCLOSURE CATEGORIES

(Revised January 31, 2006 - Resolution No. 06-XXX)

CATEGORY 1

- (a) *Interests in real property¹ which is located whole or in part (1) within the boundaries of the City of El Paso de Robles, or (2) within two miles of the boundaries of the City of El Paso de Robles, including any leasehold beneficial or ownership interest or option to acquire such interest in real property, if the fair market value of the interest is greater than \$2,000.*
- (b) *Investments² in or income³ from business entities which are contractors or subcontractors which are or have been within the previous two-year period engaged in the performance of building construction or design within the City of El Paso de Robles.*
- (c) *Investments² in or income³ from persons or business entities engaged in the acquisition or disposal of real property within the jurisdiction of the City of El Paso de Robles.*

CATEGORY 2

Investments² in or income³ from business entities which manufacture or sell supplies, books, machinery, or equipment of the type utilized by the department for which the designated employee is Manager or Director. Investments include the interests described in Category 1.

CATEGORY 3

Investments² in or income³ from business entities which are contractors or subcontractors engaged in the performance of work or services of the type utilized by the department for which the designated employee is Manager or Director. Investments include the interests described in Category 1.

¹ *Interests in real property of an individual include a business entity's share of interests in real property of any business entity or trust in which the designated employee or his or here spouse owns, directly, indirectly, or beneficially, a ten percent interest or greater.*

² *Investments include:*

- (1) *Any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments, and any partnership interest or other ownership interest;*
- (2) *A pro rata share of investments of any business entity or trust in which the designated employee or his or her spouse owns, directly, indirectly, or beneficially, a ten percent interest or greater.*

³ *No source of income is reportable unless the income received by or promised to the public official aggregates \$500 in value during the preceding 12-month reporting period*