

2012-09-25-1201

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AMENDING THE CITY OF STOCKTON'S 2012 CONFLICT OF INTEREST CODE BY ADDING AND DELETING CERTAIN POSITIONS

Title 2, California Code of Regulations, section 18000, et seq., requires the periodic review of Conflict of Interest Codes as adopted by the City of Stockton; and

Amendments to the Political Reform Act, Government Code section 81000, et seq., require conforming amendments to Conflict of Interest Codes adopted and promulgated pursuant to its provisions; and

The Fair Political Practices Commission has adopted section 18730 of Title 2, California Code of Regulations, a model Conflict of Interest Code, which may be incorporated by reference and amended to conform to amendments of the Political Reform Act after public notice and hearings conducted by the Fair Political Practices Commission, pursuant to Government Code section 11370, et seq.; and

Incorporation by reference of the model Conflict of Interest Code and its subsequent amendments will save this body time and money by minimizing the actions required of this body to maintain conformity with the Political Reform Act; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON,
AS FOLLOWS:

1. All previously adopted resolutions approving or amending the City's Conflict of Interest Codes are hereby rescinded.
2. The model Conflict of Interest Code, Title 2, California Code of Regulations section 18730 and its subsequent amendments are hereby adopted by

City Atty
Review GSP
Date September 18, 2012

reference together with Appendices A – C, attached and incorporated by this reference, designating officials and employees and disclosures, all of which constitute the Conflict of Interest Codes for the following departments and agencies:

A. PUBLIC OFFICIALS

- (1) Mayor and City Councilmembers
- (2) Planning Commissioners
- (3) City Manager
- (4) City Attorney
- (5) Director of Administrative Services/City Treasurer

The officials named in section 2A of this resolution are not part of the City's Conflict of Interest Code and are required to file a statement of economic interests in accordance with Government Code section 87200.

B. DESIGNATED FILERS

1. A designated employee is anyone within the City of Stockton who is an officer, employee, member, or consultant who is designated in the Code because the position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest (Gov. Code, § 82019), and who shall file statements of economic interest pursuant to subsection (b) (5) of section 18730 of Title 2, California Code of Regulations, the model Conflict of Interest Code.

2. Government Code section 91013 authorizes the City Clerk, as the Filing Official for the City of Stockton, to impose a late filing penalty upon late filers, in the form of a fine of \$10 per day for each day a statement is late up to a maximum of \$100.

APPENDIX A – DEPARTMENTS OF THE CITY OF STOCKTON:

- (1) Administrative Services
- (2) City Attorney
- (3) City Auditor

- (4) City Clerk
- (5) City Manager
- (6) Community Development
- (7) Community Services
- (8) Economic Development
- (9) Fire
- (10) Human Resources
- (11) Municipal Utilities
- (12) Police
- (13) Public Works

APPENDIX B – BOARDS AND COMMISSIONS OF THE CITY OF STOCKTON

- (1) Building-Housing Board of Appeals
- (2) Central Parking District Advisory Board
- (3) City Council Salary Setting Commission
- (4) Civil Service Commission
- (5) Climate Action Plan Advisory Committee
- (6) Council Water Advisory Group
- (7) Development Oversight Commission
- (8) Handicapped Access Board of Appeals
- (9) Public Arts Advisory Committee
- (10) Public Financing Authority
- (11) *Stockton Successor Agency Oversight Board*
- (12) Successor Agency of the Stockton Redevelopment Agency
- (13) Stockton Arts Commission
- (14) Stockton Community Development Committee
- (15) Stockton Measure W Oversight Committee
- (16) Stockton Parks and Recreation Commission

APPENDIX C – DISCLOSURE CATEGORIES

- (1) Disclosure Category 1
- (2) Disclosure Category 2
- (3) Disclosure Category 3
- (4) Disclosure Category 4
- (5) Disclosure Category 5
- (6) Disclosure Category 6 – Consultants

PASSED, APPROVED, and ADOPTED September 25, 2012.



ANN JOHNSTON
Mayor of the City of Stockton

ATTEST:



BONNIE PAIGE
City Clerk of the City of Stockton



APPENDIX A – DEPARTMENTS
CITY OF STOCKTON CONFLICT OF INTEREST CODE

ADMINISTRATIVE SERVICES DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--|------------------------------|
| Assistant Director | 5 |
| Revenue Officer | 5 |
| Accounting Manager | 5 |
| Program Manager III | 5 |
| Purchasing Agent | 3 |
| | |
| Buyer I/II/Senior | 3 |
| Reprographics Supervisor | 5 |
| Materials Supervisor | 5 |
| | |
| Budget Officer | 1 |
| Administrative Analyst I/II/Senior | 1 |
| Program Manager I/II | 1 |
| | |
| <u>Information Technology Services</u> | |
| Information Technology Officer | 1 |
| Deputy Information Technology Director | 1 |
| Program Manager I/II | 5 |
| Consultants | Consultants |

CITY ATTORNEY

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-----------------------------|------------------------------|
| Assistant City Attorney | 1 |
| Deputy City Attorney | 1 |

CITY AUDITOR

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-----------------------------|------------------------------|
| City Auditor | 1 |
| Assistant City Auditor | 1 |

| | |
|------------------------------------|---|
| Sr. Deputy City Auditor | 1 |
| Deputy City Auditor I/II | 1 |
| Administrative Analyst I/II/Senior | 1 |

CITY CLERK

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-------------------------------|------------------------------|
| City Clerk | 1 |
| Assistant City Clerk I/II | 1 |
| Supervising Deputy City Clerk | 5 |
| Senior Deputy City Clerk | 5 |

CITY MANAGER

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|------------------------------------|------------------------------|
| Deputy City Manager | 1 |
| Budget Officer | 1 |
| Principal Administrative Analyst | 1 |
| Administrative Analyst I/II/Senior | 1 |
| Program Manager III | 1 |
| Program Manager I/II | 1 |
| Public Information Officer | 1 |
| Assistant to the City Manager | 1 |
| Consultants | 1 |

COMMUNITY DEVELOPMENT DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--|------------------------------|
| <u>Business Operations & Customer Services</u> | |
| Director of Community Development | 1 |
| Program Manager III | 4 |
| Senior Administrative Analyst | 4 |
| <u>Building and Life Safety</u> | |
| Deputy Director/Building | 1 |
| Supervising Combination Inspector | 4 |
| Combination Inspector I/II | 4 |
| Supervising Plan Check/Structural Engineer | 4 |
| Plan Check Engineer | 4 |
| Plan Checker I/II/Senior | 4 |

COMMUNITY DEVELOPMENT DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|---|------------------------------|
| <u>Planning and Engineering Services</u> | |
| Deputy Director/Planning and Engineering Services | 1 |
| Assistant Planner | 4 |
| Associate Planner | 4 |
| Senior Planner | 4 |
| Planning Manager | 4 |
| Associate Civil Engineer | 4 |
| Associate Engineer | 4 |
| Engineering Technician I/II/Senior | 4 |
| Junior Engineer | 4 |
| Senior Civil Engineer | 4 |

COMMUNITY SERVICES DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--|------------------------------|
| <u>Administration</u> | |
| Director of Community Services | 1 |
| Deputy Director of Community Services/Recreation | 1 |
| Administrative Analyst I/II | 5 |
| Program Manager III | 5 |
| Executive Assistant | 5 |
| <u>Recreation</u> | |
| Recreation Supervisor | 5 |
| <u>Library Services</u> | |
| Deputy Director of Community Services-City Librarian | 1 |
| Supervising Librarian | 5 |

ECONOMIC DEVELOPMENT DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-------------------------------|------------------------------|
| <u>Economic Development</u> | |
| Economic Development Director | 1 |
| Program Manager I/II | 4 |

| | |
|---|-------------|
| Administrative Analyst I/II/Senior | 4 |
| Consultants | Consultants |
| <u>Housing</u> | |
| Program Manager III | 4 |
| Administrative Analyst I/II/Senior | 4 |
| Senior Housing Rehabilitation Counselor | 4 |
| Housing and Financial Advisor I/II | 4 |
| Consultants | Consultants |
| <u>Asset Management</u> | |
| Supervising Real Property Agent | 4 |
| Real Property Agent I/II/Senior | 4 |
| <u>Central Parking District</u> | |
| Parking Facilities Supervisor | 4 |
| Consultants | Consultants |

FIRE DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--|------------------------------|
| Fire Chief | 1 |
| Deputy Fire Chief I/II | 5 |
| Fire Marshal | 5 |
| Division Chief | 5 |
| EMS Captain/Division of Training | 5 |
| Suppression Captain/Division of Training | 5 |
| Program Manager I/II | 5 |
| Captain/Fire Inspector | 5 |
| Fire Protection Specialist | 5 |
| Plan Checker I/II | 5 |
| Fire Prevention Inspector I/II | 5 |

HUMAN RESOURCES DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|---------------------------------------|------------------------------|
| Director of Human Resources | 1 |
| Assistant Director of Human Resources | 1 |

| | |
|------------------------------------|-------------|
| Deputy Director of Human Resources | 1 |
| Risk Manager | 1 |
| Liability Claims Investigator I/II | 1 |
| Consultants | Consultants |

MUNICIPAL UTILITIES DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|---|------------------------------|
| Director of Municipal Utilities | 1 |
| MUD Chief Financial Officer | 5 |
| Assistant Director of Municipal Utilities | 5 |
| Engineering Services Manager Municipal Utilities | 5 |
| Deputy MUD Director/Wastewater | 5 |
| Deputy MUD Director/ Maintenance & Collection Systems | 5 |
| Deputy MUD Director/Water Resources Planning | 5 |
| Program Manager I/II | 5 |
| Principal Civil Engineer | 5 |
| Sr. Civil Engineer | 5 |
| Associate Civil Engineer | 5 |
| Assistant Engineer | 5 |
| Regulatory Compliance Officer | 5 |
| Technical Services Supervisor | 5 |
| Senior Environmental Control Officer | 5 |
| Environmental Control Officer Senior | 5 |
| Senior Buyer | 5 |
| Public Works Inspector | 5 |

POLICE DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--------------------------------------|------------------------------|
| Chief of Police | 5 |
| Deputy Chief of Police I | 5 |
| Program Manager III | 5 |
| Program Manager I/II | 5 |
| <u>Neighborhood Services Section</u> | |
| Program Manager III | 5 |

PUBLIC WORKS DEPARTMENT

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|---|------------------------------|
| Public Works Director | 1 |
| Deputy Public Works Director/City Engineer | 5 |
| Deputy Public Works Director/Operations & Maintenance | 5 |
| Engineering Services Manager | 5 |
| City Traffic Engineer | 5 |
| Assistant City Traffic Engineer | 5 |
| Solid Waste Manager | 5 |
| Assistant Solid Waste Manager | 5 |
| Program Manager III | 5 |
| Program Manager I/II | 5 |
| Administrative Analyst | 5 |
| Principal Administrative Analyst | 5 |
| Sr. Administrative Analyst | 5 |
| Fleet Manager | 5 |
| Associate Civil Engineer | 5 |
| Associate Traffic Engineer | 5 |
| Sr. Civil Engineer | 5 |
| Assistant Civil Engineer | 5 |
| Associate Engineer | 5 |
| Assistant Engineer | 5 |
| Engineering Technician I/II | 5 |
| Junior Engineer | 5 |
| Sr. Public Works Supervisor Electrical (Traffic) | 5 |
| Sr. Public Works Supervisor/Streets | 5 |
| Project Manager I/II/III | 5 |
| Sr. Facilities Maintenance Supervisor | 5 |
| Supervising Mechanic | 5 |
| Parks Superintendent | 5 |
| Senior Parks Supervisor | 5 |
| Parks Supervisor | 5 |
| Sr. Engineering Technician | 5 |
| Public Works Safety/Training Officer | 5 |
| Parks Facility Planner/Landscape Architect | 4 |

| | |
|------------------------------------|-------------|
| Public Works Inspector | 4 |
| Supervising Public Works Inspector | 4 |
| Public Works Supervisor | 5 |
| Public Works Supervisor/Electrical | 5 |
| Consultants | Consultants |

APPENDIX B – DESIGNATED BOARDS, COMMISSIONS, COMMITTEES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

BUILDING-HOUSING BOARD OF APPEALS

| | |
|--|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Board Members | <u>Disclosure Categories</u> 1 |
|--|-----------------------------------|

CENTRAL PARKING DISTRICT ADVISORY BOARD

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Executive Director & all Board Members | <u>Disclosure Categories</u> 2 |
|---|-----------------------------------|

CITY COUNCIL SALARY SETTING COMMISSION

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Commission Members | <u>Disclosure Categories</u> 1 |
|---|-----------------------------------|

CIVIL SERVICE COMMISSION

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Commission Members | <u>Disclosure Categories</u> 1 |
|---|-----------------------------------|

CLIMATE ACTION PLAN ADVISORY COMMITTEE

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Commission Members | <u>Disclosure Categories</u> 1 |
|---|-----------------------------------|

COUNCIL WATER ADVISORY GROUP

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Commission Members | <u>Disclosure Categories</u> 1 |
|---|-----------------------------------|

DEVELOPMENT OVERSIGHT COMMISSION

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Commission Members | <u>Disclosure Categories</u> 1 |
|---|-----------------------------------|

HANDICAPPED ACCESS BOARD OF APPEALS

| | |
|---|-----------------------------------|
| <u>Designated Positions</u> Chairperson & all Commission Members | <u>Disclosure Categories</u> 1 |
|---|-----------------------------------|

PUBLIC ARTS ADVISORY COMMITTEE

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-------------------------------------|------------------------------|
| Chairperson & all Committee Members | 1 |

PUBLIC FINANCING AUTHORITY

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-----------------------------|------------------------------|
| Chairperson | 4 |
| Executive Director | 4 |
| Treasurer | 4 |
| Legal Advisor | 4 |
| Consultants | Consultants |

STOCKTON SUCCESSOR AGENCY OVERSIGHT BOARD

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|----------------------------------|------------------------------|
| Chairperson & all Agency Members | 1 |

STOCKTON ARTS COMMISSION

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--------------------------------------|------------------------------|
| Chairperson & all Commission Members | 1 |

STOCKTON COMMUNITY DEVELOPMENT COMMITTEE

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|-------------------------------------|------------------------------|
| Chairperson & all Committee Members | 1 |

STOCKTON MEASURE W OVERSIGHT COMMITTEE

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--------------------------------------|------------------------------|
| Chairperson & all Commission Members | 4 |

STOCKTON PARKS AND RECREATION COMMISSION

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|--------------------------------------|------------------------------|
| Chairperson & all Commission Members | 1 |

APPENDIX C – DISCLOSURE CATEGORIES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

DISCLOSURE CATEGORY 1

- a. Investments and business positions in any business entity located in, doing business or planning to do business in the City of Stockton. (See FPPC Form 700 Schedules A-1 and A-2 Instructions)
- b. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C and D Instructions)
- c. Financial interests in real property (See FPPC Form 700 Schedule B Instructions):
 - 1) within the boundaries of the City of Stockton, or
 - 2) within a two mile radius of any property owned or used by the City of Stockton; or
 - 3) subject to the jurisdiction of the City of Stockton.
- d. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C, D and E Instructions).
 - 4) .

APPENDIX C – DISCLOSURE CATEGORIES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORY 2

CENTRAL PARKING DISTRICT

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

- a. Investments and business positions in any business entity located in, doing business or planning to do business in the Central Parking District. (See FPPC Form 700 Schedules A-1 and A-2 Instructions)
- b. Income, including loans, gifts, and travel payments from sources, within the Central Parking District. (See FPPC Form 700 Schedules D and E Instructions)
- c. Financial interests in real property (See FPPC Form 700 Schedule B Instructions):
 - 1) within the boundaries of the Central Parking District, or
 - 2) within a two mile radius of any property owned or used by the Central Parking District; or
 - 3) subject to the jurisdiction of the Central Parking District.

APPENDIX C – DISCLOSURE CATEGORIES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORY 3

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

- a. All investments within the boundaries of the City of Stockton or within a two mile radius of the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- b. All investments in business entities which, within the last two years, have contracted, or in the future may contract with the City of Stockton to provide services, supplies, materials, machinery or equipment (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- c. All investments in business entities in the construction or building industry within the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- d. All interests in real property within the City of Stockton (See FPPC Form 700 Schedule B Instructions);
- e. All sources of personal income (See FPPC Form 700 Schedule C Instructions);
- f. The name of each business entity not specified above in which he or she is a director, officer, partner, trustee, employee, or is holding any position of management. (See FPPC Form 700 Schedule A-2 Instructions)
- g. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C, D and E Instructions).

APPENDIX C – DISCLOSURE CATEGORIES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORY 4

An investment, income or real property interest is reportable if it may be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

- a. All investments, income or real property interest (See FPPC Form 700 Schedules A-1 and A-2 Instructions):
 - 1) within the boundaries of the City of Stockton;
 - 2) within a two mile radius of the City of Stockton;
 - 3) in business entities which, within the last two years, have contracted, or in the future may contract with the City of Stockton to provide services, supplies, materials, machinery or equipment;
 - 4) in business entities in the construction or building industry within the City of Stockton;
 - 5) from business entities engaged in building construction or design including contractors and subcontractors located or doing business in the City of Stockton;

- b. The name of each business entity not specified above in which he or she is a director, officer, partner, trustee, employee, or is holding any position of management (See FPPC Form 700 Schedule A-2 Instructions);

- c. Investments in or income from persons or business entities engaged in the acquisition or disposal of real property within the City of Stockton (See FPPC Form 700 Schedule B Instructions);

- d. Income, including loans, gifts, and travel payments from all sources, regardless of the jurisdiction. (See FPPC Form 700 Schedules C, D and E Instructions).

APPENDIX C – DISCLOSURE CATEGORIES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORY 5

- a. Investments and business positions in any business entity that manufacture or sell supplies, books, machinery or equipment of the type utilized by the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- b. Investments in or income from business entities that are contractors or subcontractors and are, or have been, within the previous two year period, doing business in the City of Stockton (See FPPC Form 700 Schedules A-1 and A-2 Instructions);
- c. Income, including loans, gifts, and travel payments from sources that:
 - 1) manufacture, sell, or provide goods, equipment, vehicles, machinery or services, including training or consulting services;
 - 2) provide leased facilities to the City of Stockton;
 - 3) are subject to the regulatory, permit, or licensing authority of, or have an application for a license or permit pending before the City of Stockton; and
 - 4) engage in land development, construction or the acquisition or sale of real property.(See FPPC Form 700 Schedules C, D and E)

APPENDIX C – DISCLOSURE CATEGORIES
CITY OF STOCKTON CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORY: CONSULTANTS

Consultants (the individual representing the firm) shall be included in the listing of designated employees and shall disclose pursuant to Disclosure Category 1, 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 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'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.

DATE: _____

TO: CITY CLERK, CITY OF STOCKTON

FROM: _____ DEPARTMENT: _____

SUBJECT: CONFLICT OF INTEREST DISCLOSURE CATEGORIES FOR NEW
CONSULTANT POSITION

The following Consultant, _____ was hired on ____/____/____
and will be performing the following duties:

The following Disclosure Categories apply to this position:

___ Category 1
___ Category 2
___ Category 3

___ Category 4
___ Category 5

Chair/Director/Department Head

Date