

CITY COUNCIL RESOLUTION 2020-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS AMENDING APPENDIX A OF THE CITY'S CONFLICT OF INTEREST CODE TO UPDATE THE LIST OF DESIGNATED POSITIONS FOR WHICH STATEMENTS OF ECONOMIC INTERESTS MUST BE FILED AND THE ASSOCIATED DISCLOSURE CATEGORIES

WHEREAS, the Political Reform Act of 1974, Government Code Section 81000 et seq., requires every state or local government agency to adopt a Conflict of Interest Code, and to conduct a biennial review of the code and list of designated positions; and

WHEREAS, the City Council has previously adopted the model Conflict of Interest Code promulgated by the Fair Political Practices Commission (FPPC) under California Code of Regulations, Title 2, Section 18730 and all future amendments thereto duly adopted by the FPPC, with approval of City Council Resolution 79-1177 adopted on September 14, 1976; and

WHEREAS, pursuant to its adoption of Resolution 88-2778, Resolution No. 92-4087 and Resolution 2016-8253, the City Council has previously updated the City's list of designated positions which are required to file statements of economic interests, and the descriptions of disclosure categories; and

WHEREAS, after conducting a biennial review of the list of designated positions in 2018 and due to changes in the City's organizational structure, it has been determined that Appendix A of Resolution No. 2016-8253 requires amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MARCOS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Pursuant to the Political Reform Act of 1974, Government Code Section 87300 et seq., and Section 18730 of Title 2 of the California Code of Regulations, the City Council has adopted the model conflict of interest code promulgated by the Fair Political Practices Commission of the State of California as set forth in Section 18730 of Title 2 of the California Code of Regulations, which model conflict of interest code is incorporated herein by reference, and which, together with the list of designated positions and the disclosure categories applicable to each designated position as set forth in Appendix A and B of this Resolution, collectively constitutes the City of San Marcos's conflict of interest code. As the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations is amended from time to time by State law, regulatory action of the Fair Political Practices Commission, or judicial determination, the portion of the Board's conflict of interest code comprising the model conflict of interest code shall be deemed automatically amended without further action to incorporate by reference all such amendments to the model conflict of interest code so as to remain in compliance therewith. Nothing in this Resolution shall supersede the independent applicability of Government Code Section 87200.

Section 2. The definitions contained in the Political Reform Act of 1974 and in the regulations of the Fair Political Practices Commission, and any amendments to either of the foregoing, are incorporated by reference into this conflict of interest code.

Section 3. The City Council finds and determines that the persons who hold the designated positions set forth in Appendix A, attached to and made part of this resolution, which make or participate in the making of decisions which may foreseeably have a material effect on financial interests, shall file statements of economic interests pursuant to the requirements of the City of San Marcos conflict of interest code.

Section 4. That persons holding designated positions shall disclose their economic interests according to the disclosure categories assigned to such positions in Appendix A, which categories are described and explained in Appendix B, which Appendices are attached to and made part of this Resolution.

Section 5. Resolution No. 2016-8253 and prior City Council Resolutions designating the positions of persons required to file Statements of Economic Interests and their assigned disclosure categories are hereby superseded and replaced by this Resolution.

PASSED AND ADOPTED by the City Council of the City of San Marcos, California, this 22nd day of September, 2020, by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: NONE

Rebecca Jones, Mayor
City of San Marcos

ATTEST:

Phillip Scollick, City Clerk
City of San Marcos

APPENDIX A

<u>POSITION/TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Accountant I/II	3,4,5
Accounting Manager	1,2
Administrative Services Manager	1,2
Assistant City Manager	1,2
<u>Assistant Finance Director</u>	<u>1,2</u>
Assistant Parks & Recreation Director	1,2
Assistant Planner	3,4,5
Associate Engineer	3,4,5
Associate Civil Engineer	3,4,5
Associate Planner	3,4,5
Budget & Revenue Officer	1,2
Building Inspector	3,4,5
Building Division Director	1,2
Building Official	1,2
<u>Business License Officer</u>	<u>3,4,5</u>
Business Process Director / City Clerk	1,2
Capital Improvement Program Manager	1,2
City Clerk	1,2
City Engineer	1,2
<u>Chief Innovation Officer</u>	<u>1,2</u>
Code Compliance Officer	3,4,5
Code Compliance Supervisor	3,4,5
Communications Officer	1,2
Community & Economic Development Programs Manager	3,4,5
Parks & Recreation Director	1,2
Construction Manager	3,4,5
Contracts, Grants & Procurement Manager	1,2
Contract Program Manager	1,2
Database Administrator	3,4,5
Database & Software Analysts	3,4,5
Deputy City Clerk	3,4,5
Deputy City Engineer	1,2
Deputy City Manager	1,2
Deputy Fire Marshal	3,4,5
Deputy Public Works Director	1,2
Development Services Director	1,2
Economic Development Manager <u>Director</u>	1,2
EMS Coordinator	3,4,5
Facilities Maintenance Manager	1,2
Facilities Maintenance Supervisor	3,4,5
Finance Director	1,2
Fiscal Services/Debt Manager	1,2
Fire Battalion Chief	3,4,5
Fire Chief	1,2

Fire Division Chief	1,2
Fire Inspector	3,4,5
Fire Marshal	1,2
Fleet Maintenance Superintendent	3,4,5
GIS Administrator	1,2
GIS Analyst	3,4,5
Housing & Neighborhood Services Director	1,2
Housing Programs Manager	1,2
Housing Programs Specialist	3,4,5
Human Resources/Information Systems Analyst	3,4,5
Human Resources/Risk Director	1,2
Human Resources/Risk Manager	1,2
Information Systems Manager	1,2
Landscape Inspection Supervisor	3,4,5
Landscape Inspector II	3,4,5
Leasing Analyst	3,4,5
Management Analyst	3,4,5
Network Analyst	1,2
<u>Parks & Recreation Director</u>	<u>1,2</u>
Park Maintenance Supervisor	3,4,5
<u>Permit Technician</u>	<u>3,4,5</u>
Planning Director	1,2
Planning Manager	1,2
Planning Technician	3,4,5
Principal Building Inspector/Plan Check	3,4,5
Principal Civil Engineer	3,4,5
Principal Planner	3,4,5
Program Manager	1,2
Public Works Director/City Engineer	1,2
Public Works Inspection Supervisor	3,4,5
Public Works Inspector	3,4,5
Public Works Manager - All	1,2
<u>Public Works Superintendent</u>	<u>1,2</u>
Real Property Services Manager	1,2
Recreation Supervisor III	3,4,5
Senior Accountant	3,4,5
<u>Senior Building Inspector</u>	<u>3,4,5</u>
Senior Civil Engineer	3,4,5
Senior Management Analyst	3,4,5
Senior Planner	3,4,5
Senior Plans Examiner	3,4,5
<u>Special Projects Manager</u>	<u>1,2</u>
Storm Water Program Manager	1,2
Storm Water Specialist	3,4,5
Street Maintenance Supervisor	3,4,5
Systems & Network Administrator	3,4,5
Traffic Engineer	3,4,5

Traffic Signal/Lighting Supervisor

3,4,5

BOARDS, COMMISSIONS & COMMITTEES**DISCLOSURE CATEGORY**

Board Counsel (Planning Commission, Successor Agencies, Fire Protection District, Industrial Development Authority, Public Facilities Authority, Public Financing Authority)	1,2
Budget Review Committee	1,2
Community Services Commissioner	1,2
Discovery Valley Utility Director	1,2
Executive Director	1,2
Industrial Development Authority Director	1,2
Mobilehome Rent Review Commissioner	1,2
Parks and Recreation Commissioner	1,2
Public Facilities Authority Director	1,2
San Marcos Community Foundation Board Member	6
San Marcos Fire Protection District Board Member	1,2
San Marcos Public Financing Authority Director	1,2
Secretary or Board Clerk (Successor Agencies, Fire Protection District, Industrial Development Authority, Public Facilities Authority, Public Financing Authority)	1,2
Successor Agency to the Former Redevelopment Agency Member	1,2
Successor Housing Agency to the Former Redevelopment Agency Member	1,2
Traffic Commissioner	1,2

CONTRACT EMPLOYEE

If a designated position is filled by a contract employee (full or part-time) the contract employee has a filing obligation.

CONSULTANTS

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 Department Director, with concurrence by 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 in this section. Such written determination shall include description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's determination, with concurrence of the City Manager, is public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

87200 FILERS**DISCLOSURE CATEGORY**

Mayor	1,2
City Councilmembers	1,2
City Manager	1,2
City Attorney	1,2

City Treasurer

1,2

Planning Commissioners

1,2

APPENDIX B

- Category 1: All investments, business positions and sources of income, including gifts, loans and travel payments.
- Category 2: All interests in real property within the jurisdiction of the City of San Marcos.
- Category 3: All investments, business positions and income, including gifts, loans and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the City of San Marcos.
- Category 4: Investments in business entities, business positions and sources of income, including gifts, loans and travel payments which engage in land development, construction or the acquisition or sale of real property.
- Category 5: All investments, business positions and income, including gifts, loans and travel payments, from sources that provide contract or leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the City of San Marcos.
- Category 6: All investments, business positions and income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of the type to receive grants or other monies from or through the City of San Marcos or non-profit organizations “which are supported by City personnel.