

RESOLUTION NO. 2019-3858

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE CONFLICT OF INTEREST CODE OF THE CITY OF MOORPARK AND RESCINDING RESOLUTION NO. 2017-3619

WHEREAS, the Political Reform Act, Government Code Section 87300, et seq., requires every state and local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission (FPPC) has adopted a regulation which contains the terms of a standard model Conflict of Interest Code (Title 2, Division 6, California Code of Regulations, Section 18730), which can be incorporated by reference, and which may be amended by the FPPC to conform to amendments in the Political Reform Act after public notice and hearings conducted by the FPPC pursuant to the Administrative Procedure Act, Government Code Sections 11370, et seq.; and

WHEREAS, the City Council has determined that the terms of Title 2, Division 6, California Code of Regulations, Section 18730, and any amendments thereto duly adopted by the FPPC, along with the attached Appendices A and B, accurately set forth the City's Conflict of Interest Code, including those positions which should be designated, and the categories of financial interests which should be made reportable; and

WHEREAS, the City Council has previously designated positions and disclosure categories in Resolution No. 2017-3619, which now needs to be rescinded and an updated Conflict of Interest Code adopted to revise the Administrative Services Department title to read City Manager's Office; add the existing Executive Secretary position and the new position of Human Resources Manager to the City Manager's Office; delete and Code Compliance Supervisor and Economic Development and Planning Manager from the Community Development Department; add Program Manager to the Finance Department; move Information Systems Administrator, Information Systems Manager, Information Systems Technician I, Information Systems Technician II, and Senior Information Systems Analyst positions to the Finance Department; and for consistency purposes add the Librarian Consultant to the Parks, Recreation & Community Services Department.

WHEREAS, the positions listed in Appendix A have been determined to be designated positions under the City's Conflict of Interest Code, because the persons in those positions make or participate in the making of decisions which may foreseeably have a material effect on financial interests; and

WHEREAS, the City's Conflict of Interest Code does not establish any disclosure obligation for the City Councilmembers, Planning Commissioners, City Manager, City Attorney, and Public Officials who Manage Public Investments (City Treasurer), as Government Code Section 87200 et seq. requires such disclosure as a matter of state law, nor does the City's Conflict of Interest Code include a position which is solely clerical, ministerial or manual, or any unsalaried member of a board or commission which is solely advisory; and

WHEREAS, the City Council has determined that the attached Appendices accurately set forth those positions which should be designated and categories of financial interest which should be made reportable.

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

SECTION 1. The terms of Title 2, Division 6, California Code of Regulations, Section 18730, and any amendments thereto duly adopted by the FPPC are hereby incorporated by reference and along with the attached Appendices A and B, in which employees, officials, and consultants are designated and disclosure categories are set forth, to constitute the Conflict of Interest Code for the City of Moorpark. If any of the positions listed in Appendix A have a change of title, or if a position is transferred from one City department or office to another, the filing requirement and disclosure category shall remain the same until the next update of the City's Conflict of Interest Code.

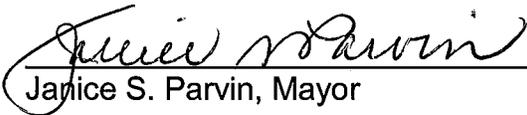
SECTION 2. Persons holding designated positions shall file a Statement of Economic Interests pursuant to Section 4 of the Conflict of Interest Code (Title 2, Division 6, California Code of Regulations, Section 18730). The City Clerk shall carry out the duties of Filing Officer for the City Council, which is the Code Reviewing Body.

SECTION 3. Persons elected, appointed, or hired for a newly created position not yet designated under the City's Conflict of Interest Code, and who participate in making government decisions, must file a Statement of Economic Interest pursuant to Section 4 of the Conflict of Interest Code (Title 2, Division 6, California Code of Regulations, Section 18734). The disclosure category for such positions shall be the City's broadest disclosure category until the City's Conflict of Interest Code is amended to include the new position.

SECTION 4. Resolution No. 2017-3619 is hereby rescinded.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 6th day of November, 2019.



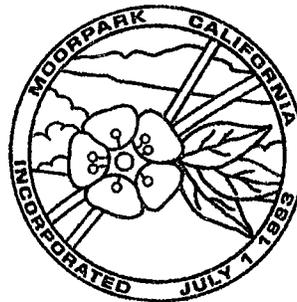
Janice S. Parvin, Mayor

ATTEST:



Ky Spangler, City Clerk

Attachments: Appendices A and B



APPENDIX A

The City's Conflict of Interest Code does not establish any disclosure obligation for City Councilmembers, Planning Commissioners, City Manager, City Attorney, and Public Officials who Manage Public Investments (City Treasurer), as Government Code Section 87200 et seq., requires disclosure for these positions as a matter of state law.

**CITY OF MOORPARK
CONFLICT OF INTEREST CODE
DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

<u>Designated Positions</u>	<u>Disclosure Category</u>
I. City Manager's Office	
1. Administrative Specialist	1
2. Administrative Services Director	1
3. Administrative Services Manager	1
4. Assistant City Manager	1
5. Assistant to the City Manager	1
6. Assistant to the City Manager/City Clerk	1
7. Assistant City Clerk	1
8. City Clerk	1
9. Deputy City Clerk I	2
10. Deputy City Clerk II	2
11. Deputy City Manager	1
12. Executive Secretary	1
13. Human Resources Analyst	3
14. Human Resources Assistant	3
15. Human Resources Manager	1
16. Human Resources Specialist	3
17. Management Analyst	1
18. Program Manager	1
19. Senior Human Resources Analyst	1
20. Senior Management Analyst	1
II. Community Development Department	
1. Assistant Planner	1
2. Associate Planner I	1
3. Associate Planner II	1
4. Building Inspector Consultant	1*
5. Building Official Consultant	1*
6. Code Compliance Technician I	1
7. Code Compliance Technician II	1
8. Community Development Director	1
9. Community Development Technician	1
10. Construction Administrator Consultant	1*
11. Deputy Community Development Director	1
12. Economic Development and Housing Manager	1
13. Management Analyst	1
14. Planning Director	1
15. Planning Manager	1
16. Principal Planner	1
17. Program Manager	1
18. Senior Building Inspector Consultant	1*
19. Senior Housing Analyst	1
20. Senior Management Analyst	1

<u>Designated Positions</u>		<u>Disclosure Category</u>
III.	Finance Department	
1.	Accountant I	1
2.	Accountant II	1
3.	Budget and Finance Manager	1
4.	Deputy Finance Director	1
5.	Finance Director	1
6.	Finance/Accounting Manager	1
7.	Information Systems Administrator	4
8.	Information Systems Manager	1
9.	Information Systems Technician I	4
10.	Information Systems Technician II	4
11.	Management Analyst	1
12.	Program Manager	1
13.	Senior Account Technician	1
14.	Senior Information Systems Analyst	4
15.	Senior Management Analyst	1
IV.	Parks, Recreation, and Community Services Department	
1.	Active Adult Center Coordinator	6
2.	Active Adult Center Supervisor	6
3.	Administrative Specialist	7
4.	Community Services Manager	1
5.	Community Services Technician	7
6.	Facilities Technician	5
7.	Irrigation Specialist	5
8.	Landscape/Parks Maintenance Superintendent	1
9.	Librarian Consultant	1*
10.	Maintenance Specialist	5
11.	Management Analyst	1
12.	Parks and Facilities Supervisor	5
13.	Parks and Landscape Manager	1
14.	Parks and Recreation Director	1
15.	Program Manager	1
16.	Recreation Coordinator I	8
17.	Recreation Coordinator II	8
18.	Recreation Coordinator III	8
19.	Recreation Leader IV	8
20.	Recreation Services Manager	1
21.	Recreation Specialist	8
22.	Recreation Supervisor	8
23.	Senior Maintenance Worker	5
24.	Senior Management Analyst	1
25.	Vector/Animal Control Specialist	9
V.	Public Works Department	
1.	Assistant City Engineer	1
2.	Assistant Engineer	1
3.	Assistant Engineer Consultant	1*
4.	Associate Civil Engineer	1
5.	Associate Engineer Consultant	1*
6.	City Engineer/Public Works Director	1
7.	Civil Engineer Consultant	1*
8.	Construction Inspector Consultant	1*
9.	Management Analyst	1

<u>Designated Positions</u>		<u>Disclosure Category</u>
10.	Principal Engineer Consultant	1*
11.	Program Manager	1
12.	Public Works Director	1
13.	Public Works Manager	1
14.	Public Works Superintendent/Inspector	1
15.	Public Works Supervisor	1
16.	Public Works Technician	5
17.	Senior Civil Engineer	1
18.	Senior Engineer Consultant	1*
19.	Senior Maintenance Worker	5
20.	Senior Management Analyst	1
21.	Traffic Engineer Consultant	1*
VI.	Arts Commission Members	1
VII.	Library Board Members	1
VIII.	Parks and Recreation Commission Members	1
IX.	Assistant City Attorney	1*
	Police Chief	1*
	Other Designated Consultants	1*
	Positions Not Yet Designated	1
X.	Successor Agency and Successor Housing Agency of the Redevelopment Agency of the City of Moorpark	
	1. Executive Director	1
	2. Program Manager	1
	3. Agency Counsel	1
	4. Successor Agency Treasurer	1
XI.	Oversight Board to the Successor Agency of the Redevelopment Agency of the City of Moorpark Members	1

* The Fair Political Practice Commission Regulation (2 California Code of Regulations Section 18700) defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (A) Makes a governmental decision whether to:
 - (i) Approve a rate, rule or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify or renew a contract provided it is the type of contract which requires agency approval;
 - (v) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study or similar item;
 - (vii) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (B) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants shall be included in the list of designated positions and shall disclose pursuant to 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.

APPENDIX B

**CITY OF MOORPARK
CONFLICT OF INTEREST CODE**

DISCLOSURE CATEGORIES DESCRIPTION

Category 1

Any investment or interest in real property, any loan, any gift, or any income in which the "designated employee" or spouse has an interest within the jurisdiction of the City of Moorpark, as defined in this Code; and any investments in business entities or income from sources which provide supplies, equipment or services of the type utilized by the department or division for which the Designated Position is assigned.

***Disclosure by Consultants**

Consultants shall be included in the list of designated positions and shall disclose pursuant to 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 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.

Category 2

Any investment in, or interest 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

Any investment in, or income 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

Any investment in, or income 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

Any investment in, or income 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

Any investment in, or income 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

Any investment in, or income 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

Any investment in, or income 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 supplies, playground equipment, day care and teen event services and supplies.

Category 9

Any investment in, or income from, as defined by the Code, any person or business entity which provides vector and/or animal control related services, goods, or equipment.

STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF MOORPARK)

I, Ky Spangler, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2019-3858 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 6th day of November, 2019, and that the same was adopted by the following vote:

- AYES: Councilmembers Enegren, Mikos, Pollock, Simons, and Mayor Parvin
- NOES: None
- ABSENT: None
- ABSTAIN: None

WITNESS my hand and the official seal of said City this 6th day of November, 2019.



Ky Spangler, City Clerk
(seal)

