

RESOLUTION NO. 2018-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA, REPEALING RESOLUTION NO. 2016-52 AND AMENDING THE CONFLICT OF INTEREST CODE FOR THE CITY OF BELL GARDENS, THE SUCCESSOR AGENCY TO THE FORMER BELL GARDENS COMMUNITY DEVELOPMENT COMMISSION, AND THE BELL GARDENS FINANCING AUTHORITY, WHICH INCORPORATES BY REFERENCE THE STANDARD CONFLICT OF INTEREST CODE PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION, ESTABLISHING AN AMENDED LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES FOR OFFICERS AND EMPLOYEES OF THE CITY AND COMMISSION

WHEREAS, the Political Reform Act, Government Code Sections 81000 et seq., requires the adoption of a Conflict of Interest Code for all public agencies; and

WHEREAS, the Fair Political Practices Commission has adopted Regulation 2, California Code of Regulations, Section 18730, which contains the terms of a Standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings; and

WHEREAS, the Political Reform Act, Government Code Section 87306.5 requires every government agency to conduct biennial reviews of their Code.

WHEREAS, the City Council last amended the City of Bell Gardens' Conflict of Interest Code in November 2016 with the adoption of Resolution No. 2016-52.

NOW, THEREFORE, the City Council of the City of Bell Gardens, does hereby resolve as follows:

SECTION 1. In compliance with Government Code Section 87300, the terms of Regulation 2, California Code of Regulations, Section 18730 – The Standardized Conflict of Interest Code duly adopted by the Fair Political Practices Commission, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the City of Bell Gardens. (Exhibit 1).

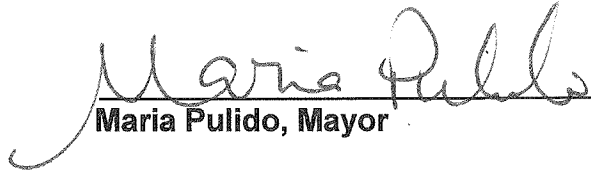
SECTION 2. This resolution supersedes previous Resolution No. 2016-52 which adopted a Conflict of Interest Code for designated employees in the City of Bell Gardens.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution.

[Signatures on the following page]

PASSED, APPROVED AND ADOPTED on this 22nd day of October, 2018.


THE CITY OF BELL GARDENS




Maria Pulido, Mayor

APPROVED AS TO FORM:

ATTEST:




Arnold M. Alvarez-Glasman
City Attorney



Kristina Santana
City Clerk

I, KRISTINA SANTANA, City Clerk of the City of Bell Gardens, hereby CERTIFY that **City Council Resolution No. 2018-53** was adopted by the Bell Gardens City Council at a **regular** meeting of the City Council held on **Monday, October 22, 2018** and was approved and passed by the following vote:

- AYES: Council Members Aceituno, Flores; Mayor Pro Tem Mendoza; Mayor Pulido
- NOES: None
- ABSTAIN: None
- ABSENT: Council Members Rodriguez



Kristina Santana, City Clerk

Exhibit 1

CONFLICT OF INTEREST CODE

CITY OF BELL GARDENS

SECTION 1. AUTHORITY. This code is adopted pursuant to and in compliance with Section 87300 of the California Government Code.

SECTION 2. STANDARDIZED CODE ADOPTED. The terms of California Code of Regulations, Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, and along with the attached Appendix "A," in which officials and employees are specified and designated, and Appendix "B," in which disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Bell Gardens.

The herein Conflict of Interest Code of the City of Bell Gardens, so adopted by Resolution No. 2018-52 amends and replaces any Conflict of Interest Code of the City of Bell Gardens, previously in effect, to conform to the herein newly adopted Code. All terms or words in this Conflict of Interest Code, and in its Exhibits shall have such meanings as are associated hereto in the Political Reform Act, as amended from time to time.

SECTION 3. STATEMENTS. Designated employees shall file Statements of Economic Interests with the City Clerk, who shall be and will perform the duties of filing officer for the City of Bell Gardens. All newly designated employees shall file an initial statement within thirty days after the effective date of the herein Code. The annual Statement of Economic Interests shall be duly filed no later than April 1 of each calendar year.

Subject to Government Code Section 81008, such statements are public record and will be available for public inspection and reproduction in the City Clerk's Office during regular business hours.

SECTION 4. EFFECTIVE DATE. This Code shall take effect immediately upon its approval by the Council of the City of Bell Gardens.

Appendix A

**CITY OF BELL GARDENS
DESIGNATED POSITIONS**

A "Designated employee" is an officer, employee, member or consultant of an agency whose position is designated in the Code because the position entails the making or participation in the making of governmental decisions which may foreseeably have a material effect on any financial interest. (Government Code Section 82019)

<u>POSITION</u>	<u>DISCLOSURE CATEGORY</u>
<u>Council, Commissions, Committees & Boards</u>	
City Council	1
Successor Agency to the Community Development Commission	1
Financing Authority Board	1
Education Commission	2, 3, 4, 5
Planning Commission	1
Recreation, Cultural & Youth Commission	2, 3, 4, 5
Senior Commission	2, 3, 4, 5
Traffic & Safety Commission	2, 9, 12
City Manager's Office	
City Manager/Executive Director	1
Assistant City Manager	2, 3, 4, 5
Senior Management Analyst	6, 7, 8
City Attorney's Office	
City Attorney	1
Assistant/Deputy City Attorneys	2, 3, 4, 5
City Clerk's Office	
City Clerk/Successor Agency Secretary/ Oversight Board Secretary	6, 7, 8
Community Development Department	
Director of Community Development	2, 3, 4, 5
City Planner	2, 3, 4, 5
Building Services Supervisor	2, 9, 10, 11
Finance & Administrative Services Department	
Director of Finance & Administrative Services/City Treasurer	1
Accounting Manager	13, 14, 15
Human Resources Manager	13, 14, 15

Administrative Services Manager

13, 14, 15

POSITION

DISCLOSURE CATEGORY

Police Department

Chief of Police	6, 7, 8
Police Captain	6, 7, 8
Police Lieutenant	6, 7, 8
Records Supervisor	6, 7, 8
Dispatch Supervisor	6, 7, 8

Public Works Department

Director of Public Works	2, 6, 7, 9, 12
Public Works Manager	2, 6, 7, 9, 12
City Engineer	2, 6, 7, 9, 12
Public Works Supervisor	2, 9, 12

Recreation & Community Services Department

Director of Recreation & Community Services	2, 6, 7, 8
Recreation Manager	6, 7, 8
Recreation Supervisor	6, 7, 8
Recreation Coordinator	6, 7, 8

Consultants

*

Consultants shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The executive director or executive officer 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 the disclosure requirements. The executive director's or executive officer'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.

Note: The City Council, City Manager, City Attorney, City Treasurer and Planning Commissioners are not included as "designated positions" as the disclosure obligations for these positions are set forth by Government Code Section 87200, et seq.

Appendix B

DISCLOSURE CATEGORIES

- 1 - No disclosure is required by this Conflict of Interest Code. Full disclosure is already required by Government Code § 87200, FPPC Form 700.
- 2 - Reportable interests in real property in the jurisdiction. (FPPC Form 700 – Schedules B)
- 3 - Reportable income. (FPPC Form 700 – Schedules C, D, & E)
- 4 - Reportable investments. (FPPC Form 700 – Schedules A-1 & A-2)
- 5 - Reportable business positions. (FPPC Form 700 – Schedule C)
- 6 - Reportable income from persons and business entities that provide, that plan to provide or that have provided within two years prior to the time a statement is required under this Conflict of Interest Code, supplies to the City or City Agency under the direction of the employee's office/department. (FPPC Form 700 – C, D, & E)
- 7 - Reportable investments and business positions in business entities that provide, that plan to provide, or that have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services or supplies to the City or City Agency under the direction of the employee's office/department. (FPPC Form 700 – Schedule A-1, A-2 & C)
- 8 - Reportable income from persons and business entities from which the City of City Agency purchases, plans to purchase, or has purchased supplies, services or materials for the City or City Agency within two years prior to the time a statement is required under this Conflict of Interest Code. (FPPC Form 700 – Schedule C, D, & E)
- 9 - Reportable income from persons and business entities having an interest in real property in the jurisdiction or that provide, plan to provide, or have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services subject to the review, inspection, or approval of designated employee's office/department, whether such inspection or approval is performed on behalf of the City or City Agency. (FPPC Form 700 – Schedule C, D, & E)
- 10 - Reportable investments in any business entities having an interest in real property in the jurisdiction or that provide, plan to provide, or have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services subject to the approval or review of the designated employee's office/department, whether such approval or review is performed on behalf of the City or City Agency. (FPPC Form 700 – Schedule A-1 & A-2)

- 11 - Reportable business positions in any business entities having an interest in real property in the jurisdiction or that provide, plan to provide or have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services subject to the approval or review of the designated employee's office/department, whether such approval is performed on behalf of the City of City Agency. (FPPC Form 700 – Schedule C)
- 12 - Reportable investments and business positions in business entities providing, plan to provide, or have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services subject to the inspection or approval of the designated employee's office/department, whether such inspection or approval is performed on behalf of the City or City Agency. (FPPC Form 700 – Schedule A-1, A-2 & C)
- 13 - Reportable income from persons and business entities from which the City or City Agency purchases, plans to purchase or has purchased supplies, materials, or services within two years or prior to the time a statement is required under this Conflict of Interest Code. (FPPC Form 700 – Schedules C, D, & E)
- 14 - Reportable investments in business entities from which the City or City Agency purchases, plans to purchase or has purchases supplies, materials, or services within two years prior to the time a statement is required under this Conflict of Interest Code. (FPPC Form 700 – Schedules C, D, & E)
- 15 - Reportable business positions in business entities from which the City or City Agency purchases, plans to purchase or has purchased supplies, materials, or services within two years prior to the time a statement is required under this Conflict of Interest Code. (FPPC Form 700 – Schedule C)

- * 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 comply fully 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 the 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.